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CHAPTER 900. DEVELOPMENT STANDARDS

SECTION 901. TRANSPORTATION

901.1. **Transportation - Corridor Spacing**

A. Intent and Purpose

The intent and purpose of this section is to ensure a complete network of collectors and arterials, coordinated with land-use planning, accommodating and maintaining the integrity of the vision roads identified in the Highway Vision Plan, and promoting orderly growth to meet the needs of Pasco County.

B. Applicability

This section shall apply to proposed development requesting:

1. An MPUD rezoning,

2. A preliminary site plan (PSP),

3. A preliminary development plan (PDP) (residential or nonresidential/ mixed use),

4. A Development of Regional Impact, or

5. A substantial modification to the above.

C. Exemption

Complete site development applications filed before August 23, 2005, for which the application has not been denied or subsequent approval has not expired.

D. Generally

The Highway Vision Plan shall be as adopted in the Comprehensive Plan, Transportation Element, Map 7-36.

In addition, the Board of County Commissioners may adopt in the Comprehensive Plan, special area highway vision maps for specific areas of the County. Once effective, the special area highway vision map shall supersede the Highway Vision Plan and the arterial and major collector spacing standards set forth in this section. A special area highway vision map shall not affect the subdivision collector minimum design standards, and subdivision collector roads shall not be included in the special area highway vision map(s).

E. Spacing Requirements

1. Arterials. Arterials shall be spaced as depicted on the adopted Highway Vision Plan or applicable special area highway vision map.

2. Major Collectors. Spacing shall be as follows for major collectors:

a. As depicted on the Highway Vision Plan;

b. As depicted on the applicable special area highway vision map; or

c. One (1) mile spacing for properties designated RES-3 (Residential - 3 du/ga) and higher on the Future Land Use (FLU) Map, unless an arterial already satisfies this standard.

F. Design Requirements

Arterials and major collectors shall meet the design standards adopted by the County pursuant to Resolution No. 04-212, as amended.

G. Accommodation, Continuation, Dedication, and Construction Required

1. Accommodation and Classification

If a proposed development contains or abuts the alignment of a major County road, then the proposed development shall accommodate the alignment, based on the ultimate classification of the roadway. The ultimate classification of the roadway shall be as determined based on the factors set forth below:

a. The adopted Metropolitan Planning Organization Long-Range Transportation Plan;

b. The Comprehensive Plan;

c. The Highway Vision Plan;

d. Applicable special area highway vision maps;

e. County major collector and subdivision collector spacing and design standards;

f. The street design standards of this Code;

g. County-approved traffic studies; and

h. Reasonably foreseeable FLUs surrounding the development containing or adjacent to the roadway subject to the design standard.

2. Continuation

When a proposed roadway will continue an existing roadway that previously terminated outside of the proposed development or the proposed roadway will be continued beyond the proposed development at some future time, the classification of the roadway will be based on the ultimate classification of the roadway, both within and outside of the development. Any such roadways classified as subdivision collector, major collector, or arterial shall comply with the spacing and design standards of this Code.

3. Dedication and Construction

The developer shall be required to dedicate the right-of-way for the ultimate classification of the roadway and shall be required to construct the appropriate number of lanes required for the proposed development, at a minimum of at least two (2) lanes of the future network facility, including all drainage/retention, wetland and floodplain mitigation, shoulders, frontage roads, sidewalks, bike paths, medians, and other roadway-related improvements necessary for the ultimate classification of the roadway, unless specifically approved otherwise at the time of PDP or PSP approval.

H. Special Design Requirements for Subdivision Collectors

For developments located in RES-3 (Residential - 3 du/ga) and higher FLU classifications, Type 1B and Type 1A roadways required by this Code shall be public roadways connected to all future arterial, major collector, and subdivision collector (Types 1B and 1A) roadways, at locations determined by the County consistent with applicable access management regulations, environmental constraints, and existing development approvals.

I. Relief Procedures

Relief from the requirements of this section shall be as provided for in Sections 407.4, 407.5, as heard by the Development Review Committee, or 901.2.I. Mobility fee credit for the requirements of this section shall be in accordance with Section 1302.2.

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 Development Review Committee (DRC), 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.1, a variance from the DRC shall be required in accordance with the provisions of Section 407.2 or 901.2.J.3, 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.J.3.a shall be deemed to exist.

F. <u>Interim Uses</u>

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. Interim uses shall be permitted in any zoning district upon obtaining approval from the DRC as part of the Section 901.2.B development approval.

2. The uses designated in this Section 901.2.F.2 which are directly related to the primary use of the development 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 in residential zones, 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.

   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 first fiscal year in which monies for acquisition of right-of-way within the affected transportation corridor are first programmed by either the County, in the County's Five-Year Capital Improvement Plan (CIP) or Capital Improvement Element (CIE), or the Florida Department of Transportation (FDOT) in the FDOT's 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.J.1, a variance from the DRC 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.J.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.

3. The following interim uses, not necessarily directly related to the principal use of the site, may be allowed within the transportation corridor on an interim basis prior to the dedication or acquisition of land.

a. Other permitted interim uses.

(1) In residential zones:

(a) 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.

(b) Produce stands, produce markets, farmers' markets, and the like.

(c) Agricultural uses, such as pasture, crop lands, tree farms, orchards, and the like, but not including stables, dairy barns, poultry houses, and the like.

(2) In commercial zones:

(a) Uses such as boat shows, automobile shows, recreational vehicle shows, "tent" sales, and the like.

(b) Periodic events such as festivals, carnivals, community fairs, and the like.

(c) Plant nurseries and landscape materials yards, excluding permanent structures.

(d) Storage yards for equipment, machinery, and supplies for building and trade contractors, and similar outdoor storage.

(e) Golf driving ranges.

(f) Recreational Vehicle or boat storage yards.

b. The following conditions shall apply to interim uses specified in this subsection.

(1) The applicant agrees to discontinue and remove, at the applicant's sole expense, the interim uses no later than the beginning of the first fiscal year in which monies for acquisition of right-of-way within the affected transportation corridor are first programmed by either the County, in the County's Five-Year CIP or CIE, or the FDOT in the FDOT's 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 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 the FDOT, as applicable, for a time period not to exceed one (1) year for each extension.

(2) Buffer yards may be required in order to ensure compatibility of interim uses with other uses adjacent or nearby.

(3) Interim uses shall meet site design requirements for setbacks for the district.

(4) Interim uses shall comply with all other applicable provisions of this Code as may be required at the time of approval.

4. 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 DRC, 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, and 901.2.I shall continue to apply.

5. Interim uses set forth in this section shall not be assessed transportation impact/mobility fees pursuant to this Code, Chapter 1300.

6. 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. Where the property owner believes that the amount of land required to be dedicated exceeds the amount of land that is roughly proportional to the transportation impacts to be generated by the proposed development site or expanded development site, including all development resulting from any density transfers, the landowner shall be entitled to apply for a dedication waiver in accordance with the provisions of Section 901.2.I.

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 Waiver

1. Where the property owner believes that the amount of land required to be dedicated to the County under the provisions of Section 901.2 exceeds the amount of land that is roughly proportional to the transportation impacts of the proposed development site and expanded development site, or believes that any other County transportation-related exaction, dedication, condition, or requirement (transportation requirement) is not roughly proportional to the transportation impacts of the proposed development site and expanded development site, the property owner may apply to the development review committee for a dedication waiver in accordance with the provisions of this Section 901.2.I.

2. Application for Dedication Waiver

a. Dedication waivers shall be determined by the DRC. The procedure for dedication waivers shall be the same as the notice, public hearing, and procedural requirements set forth in Section 407.2 in connection with a variance, except as provided in this section. DRC decisions on dedication waivers may be appealed to the BCC in accordance with this Code, Section 407.1 In the event of such an appeal, the BCC shall have, in addition to the powers set forth in Section 407.1, the same options as the DRC set forth in Sections 901.2.I.4-6, below. The application for a dedication waiver shall include the following information:

(1) Appraised value of the development site and expanded development site before the Section 901.2.B development approval or other Development Permit/Order, with and without the land to be dedicated pursuant to Section 901.2.H, taking into account any interim uses and density transfers.

(2) Appraised value of the development site and expanded development site after the Section 901.2.B development approval or other Development Permit/Order, with and without the land to be dedicated pursuant to Section 901.2.H, taking into account any interim uses and density transfers.

(3) Traffic impact study (TIS) showing the transportation impacts of the proposed development.

(4) List of transportation mitigation provided or required to be provided by the development, including:

(a) The appraised value of any land dedicated or to be dedicated in accordance with (1) and (2) above;

(b) Certified cost estimates for all transportation improvements provided or required to be provided by the development;

(c) Estimated transportation impact/mobility fees paid or due for the development pursuant to Chapter 1300; and

(d) Any transportation mitigation or proportionate share payments required pursuant to this Code, Section 1301.

3. All appraisals shall be at the applicant's sole expense, prepared by an appraiser licensed in the State and in accordance with all applicable standards, and include the value of the land required to be dedicated as determined by the County Property Appraiser in the most recent appraisal prior to any Section 901.2.B development approval or Development Permit/Order for the property. The TIS shall be undertaken by a professional engineer with experience in transportation impact analysis and in accordance with the County's guidelines and review fees for TIS and substandard roads set forth in Resolution No. 04-203 as amended and as codified in Sections 901.4 and 901.5 (the TIS resolution); provided, however, the following modifications to the TIS resolution shall be required for a TIS prepared to support a dedication waiver application:

a. A TIS and substandard road analysis will be required for the dedication waiver application notwithstanding the applicability and exemption provisions of the TIS resolution or this Code, Section 1301.

b. All analysis and impacted roadways shall be based on the existing network only, without taking into account capacity created by the committed network or committed improvements.

c. Impacted roadway facilities shall be based on where the project traffic consumes more than zero (0) percent of the two (2) way peak hour service flow rate of the roadway segments within the roadway facility using the latest version of the FDOT generalized service flow rate tables.

d. All intersections are impacted along the impacted roadway facilities (as defined above) that provide access to the site from a local/major road where project traffic is more than zero (0) trips.

e. All major signalized or major unsignalized intersections along the impact roadways (as defined above) are impacted.

f. Mainline, ramps, and facilities of toll roads are all impacted where the project traffic is more than zero (0) trips.

g. No percentage of project traffic or trips shall be allowed to travel on substandard roads without mitigating impacts.

h. A proportionate share calculation shall be required, including a proportionate share-share calculation for all improvements needed to achieve minimum roadway and maintenance standards for impacted substandard roads.

i. All impacts, mitigation, and proportionate-share calculations shall be based on traffic generation of the cumulative development, including traffic from previous development or approved phases. In addition, for redevelopment, all impacts, mitigation, and proportionate share calculations shall be based on traffic generation of the new use, without considering traffic generation of the prior use.

j. Turn lane length analysis shall be required for all impacted intersections where project traffic is more than zero (0) trips.

4. DRC action on dedication waiver request. If the DRC determines that any portion of the land required to be dedicated for construction of the County transportation improvements exceeds the amount of land that is roughly proportional to the transportation impacts of the proposed development site or expanded development site, or determines that the transportation requirement is not roughly proportional to the transportation impacts of the proposed development site or expanded development site (the excess dedication amount), the DRC shall either (1) authorize compensation for the excess dedication amount in accordance with Section 901.2.I.5, or (2) decline to authorize compensation for the excess dedication amount, in which case the provisions of Section 901.2.I.6 shall apply. In either event, if the dedication waiver applicant has proven an excess dedication amount, the DRC, subject to BCC approval where required, may authorize reimbursement of some or all of the dedication waiver applicant's required costs of preparing the dedication waiver application. In considering whether any portion of the land required to be dedicated exceeds the amount of land that is roughly proportional to the proposed impacts of the project, the DRC may consider any density transfers. Any Section 901.2.B development approval or other Development Permit/Order for the development site shall not be considered in determining the value of the land for purposes of determining the excess dedication amount or compensation amount.

5. Compensation. If the DRC authorizes compensation for the excess dedication amount, the County, subject to BCC approval where required, shall compensate the landowner or development site for any excess dedication amount by:

   a. Paying for the excess dedication amount, which in the case of an excess land dedication shall be an amount equal to 115 percent of the value of the excess land required to be dedicated as determined by the County Property Appraiser in the most recent appraisal prior to any Section 901.2.B development approval or Development Permit/Order for the property which is being dedicated to the County, and less the value of any density which has been transferred to any other portion of the development site or expanded development site, unless the County and property owner agree to another valuation;

   b. Providing transportation impact/mobility fee credits for the excess dedication amount, subject to the eligibility, timing, and other requirements of Chapter 1300 or the County Transportation Impact Fee Ordinance (Ordinance No. 04-05), as amended;

   c. Designing and/or constructing any of the property owner's or development site's required transportation improvements that have a value equivalent to or greater than the excess dedication amount;

   d. Providing credit for any transportation mitigation or proportionate share payments required pursuant to this Code, Section 1301; or

   e. Some combination of a, b, c, or d that compensates the property owner or development site for the excess dedication amount.

6. No compensation. If the DRC elects to not authorize compensation to the property owner for the excess dedication amount, the property owner shall not be required to dedicate such excess land to the County, or comply with any excess transportation requirement, and may utilize any excess land subject to applicable provisions of this Code and Comprehensive Plan.

7. Dedication Waiver Deadlines

   a. If a property owner chooses to file a dedication waiver application, final action on the dedication waiver application, including any applicable appeals, shall be complete prior to the first deadline for the applicant to resubmit and respond to technical review comments for a Section 901.2.B development

approval or thirty (30) days prior to the first DRC, planning commission, or BCC public hearing for other Development Permits/Orders. A dedication waiver request filed or completed after the foregoing deadlines shall automatically recommence all County review, comment, and public hearing deadlines for the Section 901.2.B development approval, Development Permit/Order, and/or TIS set forth in this Code and TIS resolution, unless the application for such approval(s) has been withdrawn or denied.

b. If a dedication waiver application is filed after the County has taken final action on the Section 901.2.B development approval or Development Permit/Order containing the requirement or condition which is the subject of the dedication waiver request, all Section 901.2.B development approval(s) or Development Permit(s)/Order(s) containing the requirement or condition which is the subject of the dedication waiver request shall be referred to the final County decision-making body, and all advisory bodies, for a new Land Development Code and Comprehensive Plan consistency determination. In such event, the referred Section 901.2.B development approval(s) and/or Development Permit(s)/Order(s) will be subject to all review, comment, and public hearing deadlines of this Code and TIS resolution applicable to a new Section 901.2.B development approval or Development Permit/Order, including the deadlines set forth in Subsection F.1., above. In addition, the referred Section 901.2.B development approval(s) and/or Development Permit(s)/Order(s) may not be used as a basis for further development or development approvals unless and until the final County decision-making body has found the referred approvals consistent with this Code and Comprehensive Plan. In any event, no dedication waiver application may be filed more than four (4) years after the final approval date of the first Development Permit/Order containing the dedication required by Section 901.2.H or transportation requirement unless the Florida Legislature or a court of competent jurisdiction determine that a civil claim, action, or request challenging or seeking compensation for the same dedication required by this section or transportation requirement can be filed after that date. The procedures set forth in Section 901.2.I must be exhausted prior to filing any civil claim, action, or request challenging or seeking compensation for a dedication required by this section or other transportation requirement.

J. <u>Waivers/Variances</u>

1. 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.

2. Where the provisions of this section cause a hardship, a property owner shall be entitled to apply for a variance in accordance with the provisions of this Code, Section 901.2.J.3. Notwithstanding the foregoing, the procedures set forth in Section 901.2.I shall be the County's exclusive administrative remedy for challenging a dedication required by Section 901.2.H or other transportation requirement as not being roughly proportional to the transportation impacts of a development; provided, however, the procedures and appeal provisions set forth in the TIS resolution shall continue to apply to disputes or challenges relating to TIS or mitigation requirements of the TIS resolution, including the modifications to the TIS resolution for dedication waivers set forth in this Code, unless the DRC or BCC determine that the procedures set forth in Section 901.2.I are a more appropriate remedy. In addition, all remedies, rights, and obligations set forth in Chapters 163 and 380, Florida Statutes; Rule 9J-2, Florida Administrative Code; and this Code, Sections 1301 and 901.3 shall continue to apply, unless the DRC or BCC determine that the procedures set forth in Section 902.1.J are a more appropriate remedy.

3. In addition to the relief allowed pursuant to Sections 901.2.I, the DRC shall have the authority to hear and decide variances from the strict requirements of Section 901.2. The shall grant a variance from the terms or requirements of this Code, Section 901.2, when the DRC finds, based on the application submitted, and the substantial competent evidence presented at the public hearing, that the variance requested is the minimum necessary to alleviate or address one or more of the following:

   a. The strict application of the land development regulation creates an unreasonable or unfair noneconomic hardship, or an inordinate burden, that was not created by the variance applicant;

   b. The specific application of the land development regulation conflicts with an important Goal, Objective, or Policy of the Comprehensive Plan, or with the intent and purpose of another recently adopted land development regulation, that serves a greater public purpose;

   c. The granting of the variance will provide a net economic benefit to the taxpayers of Pasco County, and is not in conflict with important Goals, Objectives, and Policies of the Comprehensive Plan;

d. The granting of the variance is necessary to achieve an innovative site or building design that furthers the goals, objectives and policies of the Comprehensive Plan;

e. The intent and purpose of the land development regulation, and related land development regulations and Comprehensive Plan provisions, is met or exceeded through an improved or alternate technology or design;

f. The granting of the variance is necessary to protect the public health, safety or welfare; or

g. The variance is necessary to comply with State or Federal law.

4. If the DRC determines that there is a lack of substantial competent evidence demonstrating compliance with at least one (1) of the foregoing criteria, the DRC shall deny the variance request.

5. The application for variance shall include all written justification, conceptual plans, site plans, citations to applicable authority, and other evidence that is necessary for the DRC to determine compliance with the foregoing criteria. The DRC shall disregard conclusory statements relating to the foregoing criteria that are unsupported by justification or evidence for the conclusion, and such statements shall not be considered substantial competent evidence to support the granting or denial of a variance. References to the Comprehensive Plan, land development regulations or other legal authority shall include citations to the specific provision(s) or authority supporting the conclusion. Evidence supporting a variance from technical provisions of the land development regulations shall be based on generally accepted professional standards and practices.

6. The DRC shall consider the request for variance at a meeting after giving appropriate notice to the applicant and abutting property owners.

7. The procedure requirements of Section 407.2 shall be applicable to applications for variances under this section.

8. Except where the Land Development Code provides otherwise, where a variance is necessary for approval of a preliminary site plan or preliminary plan, the variance request shall be approved prior to or simultaneously with approval of the preliminary site plan or preliminary plan approval, or an amendment thereto.

9. In granting any variance, the DRC may prescribe appropriate conditions and safeguards in conformity with this Code. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Code.

CHAPTER 900. DEVELOPMENT STANDARDS

SECTION 901. TRANSPORTATION

901.3. **Access Management**

A. Intent and Purpose

The intent and purpose of access management is to provide safe access to land development while preserving the flow of traffic in terms of safety, capacity, and speed by:

1. Controlling and regulating the spacing and design of driveways, medians, and traffic signals.

2. Limiting the number of conflict points a vehicle experiences in its travel.

3. Separating conflict points as much as possible where they cannot be completely eliminated.

4. Removing slower turning vehicles which require access to adjacent sites from the traffic lanes of through vehicles.

5. Requiring cross access between development parcels.

B. Applicability

This section shall apply to the following:

1. Any project connecting directly or indirectly to collector, arterial, or controlled access roadways, including projects connecting to roadways on the State highway system, unless compliance with these regulations is specifically prohibited or deemed not permittable by the Florida Department of Transportation (FDOT).

2. This section also applies to projects connecting to County-owned or maintained right-of-way within municipalities in the County. In the case of the State system or municipalities, the County Engineer shall consult with the FDOT and/or any affected municipality in the application of these regulations. In the event of a conflict between these regulations and State or municipal access management regulations, permits, or approvals, the more restrictive regulations shall apply.

3. Any project connecting to a local roadway, but deemed to require access management review by the County Engineer. If access management review is required, standards for collector roads shall apply to local roads.

4. This section shall apply to the following applications and substantial amendments of same filed on or after January 9, 2008:

   a. Development of Regional Impact.

   b. MPUD zoning

   c. Preliminary site plans.

   d. Preliminary development plans.

   e. Right-of-Way Use Permits.

In the event of any conflict between these regulations and any prior County approval(s) or permits for a project, these regulations shall govern; however, existing driveways that have been constructed as of November 9, 2004, shall be governed by this Code, Section 901.3.D.

C. Exemptions

This section shall not apply to the following:

1. Projects within any municipality in the County that connect only to roadways that are not owned or maintained by the County, unless such municipality enters into an Interlocal Agreement with the County providing for the application of these regulations within the municipality;

2. Emergency vehicles;

3. Utility, government, or government contracted vehicles utilized to construct or maintain collector, arterial, controlled access, or local roadways; and

4. Utility, government, or government contracted vehicles utilized for construction or maintenance on utility or government owned or leased property adjacent to collector, arterial, controlled access, and local roadways.

D. Nonconforming Access/Significant Change

Driveway connections constructed as of November 9, 2004, not conforming with the standards herein shall be designated as nonconforming and shall be brought into compliance when:

1. New or modified access connection permits are requested; or

2. Substantial improvements are proposed to the nonconforming property that affect the existing driveway connection; or

3. There is a change in the use of the property, including land structures or facilities that results in (a) an increase in the trip generation of the property exceeding twenty-five (25) percent (either peak hour or daily), or exceeding 100 vehicles per day more than the existing use; or (b) an increase in truck traffic equal to or greater than ten (10) percent of the total gross trips generated by the site. Trip generation shall be determined in accordance with the *Institute of Transportation Engineers Trip Generation Manual* trip rate, latest edition, or other trip rate as approved by the County Administrator or designee. When such additional traffic is projected, the County will review data to determine if modifications to an existing connection will be required; or

4. If the principal activity on a property with nonconforming access features is discontinued for a consecutive period of 365 days.

E. Access Management Analysis/Traffic Impact Study

All projects subject to this section shall complete the Access Connection Permit Application Form 901.3.A and complete any analysis required pursuant to Form 901.3.A. If required pursuant to this Code, Section 901.5, the project shall also be required to complete a Traffic Impact Study (TIS). Notwithstanding any requirement to the contrary, the County Engineer may require more detailed access management information or a more detailed access management study where the County Engineer determines:

1. That the information on the Access Management Connection Permit Application Form 901.3.A or in the TIS is inadequate to determine compliance with these access management regulations; or

2. That the information or study is necessary to ensure the safety of the traveling public.

Based on the information or study provided, the County Engineer may impose conditions on any access permit or project approval granted including, but not limited to, conditions requiring improvements, such as turn lanes.

F. Access Order

Every owner of property which abuts a road on the County road system has a right to reasonable access to the abutting County road system if no other access is provided, but does not have the right of unregulated access to such roadways.

The order of preference for providing access to collector, arterial, and controlled access roadways for all land uses shall be as follows:

1. Connections in accordance with corridor access management plans where adopted and approved by the County or approved by the FDOT for roads on the State highway system.

2. Connections to existing or extended local public streets where such access will not create an operational or safety conflict with residential uses and accesses.

3. Access to collector roadways.

4. Access to arterial roadways.

5. Access to controlled access roadways.

G. Driveway Design Criteria

The access rights of an owner of property abutting County roads are subject to reasonable regulation to ensure the public's right and interest in a safe and efficient roadway system. For the purposes of determining whether an access is safe and efficient, Section 335.184(3)(a), Florida Statutes, and the *FDOT Driveway Manual*, latest edition, may be used. Property owners are encouraged to use joint access where available.

In addition, driveway design and construction shall be in substantial conformance with the standards outlined in the latest editions of the American Association of State Highway and Transportation Officials manuals, the *FDOT Roadway and Traffic Design Standards Manual*, and the *FDOT Manual on Uniform Minimum Standards* (Green Book).

H. Number and Spacing of Driveways

Every owner of property which abuts a road on the County road system has a right to reasonable access to the abutting County roadway system, but does not have the right of unregulated access to such roadways. No building shall be erected on a lot or parcel of land subject to this Code, nor shall any Building Permit be issued unless such lot or parcel abuts or has legal access to a street dedicated to and accepted by the Board of County Commissioners, is shown on a legally recorded subdivision plat, or such lot or parcel is authorized pursuant to this Code.

One (1) driveway shall be permitted for ingress/egress purposes to any project. For projects proposing more than one (1) two (2) way driveway based upon parcel size, projected trip generation of the site, amount of roadway frontage, and other design considerations, additional drives may be permitted if approved by the County Administrator or designee.

Notwithstanding the foregoing, the County Administrator or designee may require any project which is permitted one (1) or more driveway connections to provide cross access or a frontage/reverse-frontage road connecting such project to neighboring projects or properties in accordance with Section 901.3.M, and if such project later has reasonable access to a collector or arterial roadway through such cross access or frontage/reverse-

frontage road, the County Administrator or designee may terminate the permit(s) for the original driveway(s).

The County Administrator or designee may issue one (1) or more Temporary Access Permits for the project where the County Administrator or designee anticipates that a future access for a project will:

1. Be safer;

2. Create better traffic circulation;

3. Create less traffic conflicts; and

4. Be more consistent with these access management regulations, but such future access is not feasible at the time such project is reviewed.

The issuance of any Temporary Access Permit pursuant to these regulations is not a vested right or property right and is subject to modification or termination by the County provided that each project maintains reasonable access.

All accesses shall be functional at the time of development impact. A functional access shall be defined as a constructed two (2) lane connection to a Type 1 street or a street functionally classified as major County roads. Unless otherwise approved at the time of preliminary plan approval, an emergency access is a constructed, single lane connection to a Type 1 street or a street functionally classified as major County roads, which may be barricaded.

The following access requirements are established:

TABLE 901.3.A

Number of Dwelling Units Within Development	**Developments in Coastal Zones**		**Developments in Noncoastal Zones**	
	Functional Accesses	Emergency Accesses	Functional Accesses	Emergency Accesses
0-50	1	0	1	0
51-100	1	1	1	0
101-200	1	1	1	1
201-400	1	1	1	1
401-600	2	1	1	1
601 or greater	2	2	2	0

Where no feasible alternative exists in the opinion of the County Engineer, an emergency access may be provided by adding a lane to any Type 1, 2, 3, or 4 street. Additional functional accesses shall be preferred in lieu of emergency accesses.

I. Access Control

The following general standards shall be used in evaluating proposed access connections to County and State arterials and collectors:

TABLE 901.3.B

Arterial/Collector Standards

Facility Type	Posted Speed	Corner Clearance/ Connection Spacing (Min.)	Median Opening Spacing (Min.)		Signal Spacing (Min.)
			Directional	Full	
Arterial	>45	660	1,320	2,640	2,640
	≤45	440	660	1,320	2,640
Collector	>45	440	660	1,320	1,320
	≤45	245	330	660	1,320

NOTE 1: Corner clearance and connection spacing are measured from the edge of the pavement on one (1) connection to the closest edge of the pavement of the neighboring roadway or connection.

NOTE 2: Distance between median openings and signals are measured from the center of the opening or intersection to the center of the adjacent opening or intersection.

NOTE 3: Up to ten (10) percent deviations from these requirements may be permitted for good cause upon approval by the County Engineer. Deviations greater than or equal to ten (10) percent require approval in accordance with this Code, Sections 901.3.T and 407.5.

J. Isolated Corner Properties

If, due to a property's size, the County Engineer finds that corner clearance standards cannot meet Table 901.3.A, and where cross-access which meets or exceeds the minimum corner clearance standards cannot be obtained with a neighboring property or is not feasible in the opinion of the County Engineer, then the following minimum corner clearance measurements can be used to permit connections:

TABLE 901.3.C

Corner Clearance for Isolated Corner Properties

Median Type	Position	Access Allowed	Minimum (Feet)
With Restrictive Median	Approaching Intersection	Right-In/Out	115
	Approaching Intersection	Right-In Only	75
	Departing Intersection	Right-In/Out	230
	Departing Intersection	Right-Out Only	100
Without Restrictive Median	Approaching Intersection	Full Access	230
	Approaching Intersection	Right-In Only	100
	Departing Intersection	Full Access	230
	Departing Intersection	Right-Out Only	100

NOTE 1: Corner clearance and connection spacing are measured from the edge of the pavement on one (1) connection to the closest edge of the pavement of the neighboring roadway or connection.

NOTE 2: Up to ten (10) percent deviations from these requirements may be permitted for good cause upon approval by the County Engineer. Deviations greater than or equal to ten (10) percent require approval in accordance with this Code, Sections 901.3.T and 407.5.

K. Throat Distances

The length of driveways or "throat length" shall be designed in accordance with the anticipated storage length for entering vehicles to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation.

>200,000 GLA	Minimum 100 feet
<200,000 GLA	75-100 feet
Other driveways	40-75 feet

Up to ten (10) percent deviations from these requirements may be permitted for good cause upon approval by the County Engineer. Deviations greater than or equal to ten (10) percent require approval in accordance with this Code, Sections 901.3.T and 407.5.

L. Driveway Width and Radii

The following minimum standards shall be utilized for all driveways:

1. Access width for any type of access with or without curbs shall be measured exclusive of the radii or flared sections.

2. One (1) way access shall have a minimum width of fifteen (15) feet.

3. A minimum twenty-four (24) feet in width shall be used for any two (2) way access.

4. The initial fifty (50) feet of the inbound lane from a County road into the project shall be a minimum fifteen (15) feet in order to facilitate the movement of traffic off high speed facilities with a posted speed equal to or greater than forty-five (45) miles per hour.

5. A minimum thirty-four (34) feet of width shall be used for any two (2) way access when one (1) or more of the following apply to the access:

   a. Multiunit vehicles are intended to use the access, or

   b. Single unit vehicles in excess of thirty (30) feet in length will use the access.

6. Maximum widths shall be determined during the plan review process.

7. No access shall have a turning radius of less than twenty-five (25) feet, when a radial return is required.

8. Radii on collector or arterial roads shall have a minimum radius of thirty-five (35) feet. A fifty (50) foot radius shall be required for an access when multiunit or single unit vehicles exceeding thirty (30) feet

in length are intended to use the access or on high speed facilities with a posted speed equal to or greater than forty-five (45) miles per hour. Wheel tracking diagrams shall be submitted to determine radii used to support entrance geometrics.

Up to ten (10) percent deviations from these requirements may be permitted for good cause upon approval by the County Engineer. Deviations greater than or equal to ten (10) percent require approval in accordance with this Code, Sections 901.3.T and 407.5.

M. Cross Access/Frontage/Reverse-Frontage Roads

1. General Requirement

To further the goals of reducing conflict points and improving traffic circulation along collector and arterial roadways, each project shall be required to provide one (1) or more minimum twenty-four (24) foot wide travel lane(s) connecting the project to neighboring properties, projects, travel lanes, or roadways in a location to be determined by the County Administrator or designee during the review of the project, except in cases where all neighboring properties or projects are existing, platted, single-family residential subdivisions with no legally available roadway points of connection. Such travel lane(s) shall be free and clear of buildings, parking spaces (except as permitted by the cross-access/parking standards set forth below), landscaping, retention ponds, or any other obstruction that would prevent the free flow of traffic between the project and neighboring properties, projects, or roadways. The County Administrator or designee may determine that a travel lane or frontage/reverse-frontage road wider than twenty-four (24) feet is required if warranted based on the size and trip generation of the project and adjacent projects, or if required pursuant to an adopted frontage/reverse-frontage road or access management plan or other approved master roadway plan.

2. Cross Access/Parking Standards

a. For properties with an existing developable depth less than or equal to 400 feet along arterials and collector roadways, parking spaces may connect to the twenty-four (24) foot travel way, but shall not obstruct the connection point between the properties.

b. For properties along arterial and collector roadways exceeding a developable depth of 400 feet; or for properties otherwise required to provide for a frontage/reverse frontage road pursuant to the Comprehensive Plan, Zoning Amendment, Development of Regional Impact conditions of approval, an approved frontage/reverse frontage roadway plan, access management plan, or other approved master roadway plan, parking spaces shall not connect to the twenty-four (24) foot

travel way and shall not obstruct the connection point between properties.

c. For infill development, parking space connections to the twenty-four (24) foot travel way shall be similar to the adjacent property(ies), but shall not obstruct the connection point between the properties.

d. When only two (2) adjacent developments can interconnect, parking spaces may connect to the twenty-four (24) foot travel way, but shall not obstruct the connection point between the properties.

e. If all uses along a proposed/possible interconnect are office and/or industrial, and the combined trip generation rate is less than 600 daily trips, parking spaces may connect to the twenty-four (24) foot travel way, but shall not obstruct the connection point between the properties.

3. Cross Access/Construction Standards

a. If the development is located within the RES-3 (Residential - 3 du/ga) or higher Land Use Classification, the cross access shall be constructed with a minimum pavement structural number (SN) of 2.96 with a minimum two (2) inches of asphaltic-concrete surface course.

b. If the development is located within the RES-1 (Residential - 1 du/ga) Land Use Classifications, the cross access shall be stabilized to LBR-40.

c. If the development is located within the AG (Agricultural) and AG/R (Agricultural/Rural) Future Land Use Classification, a cross access easement is only required to be reserved.

N. Median Openings

To ensure traffic safety, capacity, and control, median openings shall be spaced the maximum distance apart that will allow safe and adequate traffic circulation.

Median openings may be permitted only where the need and location is justified in the opinion of the County Engineer, taking into consideration, but not limited to, the following:

1. Potential number of left turns into or out of the driveway.

2. Length of frontage along the street right-of-way line of the property proposed to be developed.

3. Distance of proposed opening from intersections or other openings.

4. Lengths and widths of proposed storage lanes as functions of the estimated, maximum number of vehicles to be in the lane during peak hour.

5. Safety concerns.

O. Requirements for Turning Lanes

Turning lanes shall be required in accordance with the standards outlined in Table 901.5.A. In addition, where safety concerns are present, such as limited sight distance, high traveling speed, or the presence of a significant percentage of heavy vehicles, the County Engineer may require installation of turning lanes.

All required turning lanes shall be designed and constructed in accordance with FDOT Indexes 301 and 526.

P. Drainage

1. Each access shall be constructed in a manner that shall not cause water to enter onto the roadway and shall not interfere with the existing drainage system on the right-of-way (FDOT Index 515).

2. The permittee shall provide, at the permittee's expense, drainage structures for the permittee's access which will become an integral part of the existing drainage system. The type, design, and condition of these structures must be in accordance with FDOT standards and meet the approval of the County.

3. The County drainage system is designed for the protection of the County roadway system. It is not designed to serve the drainage requirements of abutting properties beyond that which has historically flowed to the County right-of-way. Drainage to the County system shall not exceed the undeveloped, historical flow.

Q. Other Design Elements

1. Within the right-of-way, maximum grades shall be limited to ten (10) percent, unless the County Engineer finds that significant physical constraints require the use of a steeper grade, the steeper grade is in conformance with FDOT Index 515, and access by the largest anticipated vehicle can be properly accommodated.

2. The horizontal axis of an access to the roadway shall be at a right angle to the centerline of the road. An angle between ninety (90) and sixty (60) degrees may be approved only if the County Engineer finds that significant physical constraints require a skew angle less than ninety (90) degrees.

3. An access that has a gate across it shall be designed so that a minimum three (3) car stack distance (seventy-five [75] feet) is provided between the right-of-way line and the gate.

4. The access shall be designed to facilitate the movement of vehicles off the highway to prevent the queuing of vehicles on the traveled way. An access shall not be approved for parking areas that require backing maneuvers within the County right-of-way. All off-street parking must include on-site maneuvering areas to permit vehicles to enter and exit the site in a forward gear.

R. Maintenance

The permittee, successors-in-interest, and occupants of the property serviced by the access shall be responsible for the maintenance beyond the edge of the traveled way. The County shall maintain the culverts under the accesses which are an integral part of the drainage system in the right-of-way.

S. Controlled Access Roadways

Notwithstanding anything in these regulations to the contrary, direct access to the following roadways shall be restricted to specific locations approved by all governmental entities with jurisdiction over such roadways:

1. The Suncoast Parkway and the impacted portion of collector/arterial roadways forming the interchanges with the Suncoast Parkway as determined by applicable Florida Turnpike Enterprise (FTE) and FDOT regulations, where access is restricted to those locations approved by the FTE and FDOT, in consultation with the County.

2. I-75 and the impacted portion of collector/arterial roadways forming the interchanges with I-75 as determined by applicable Federal Highway Administration (FHA) and FDOT regulations, where direct access is restricted to those locations approved by the FHA and FDOT, in consultation with the County.

T. Alternative Standard Procedures

Except where these regulations specifically allow for deviation by the County Engineer, if an applicant wishes to deviate from the requirements of this section, an alternative standards request in accordance with Section 407.5 must be submitted and approved by the Development Review Committee (DRC). A recommendation to the DRC shall be made by the County Engineer. Before making a recommendation on any alternative standard affecting the State highway system or within any municipality, the County Engineer shall consult with the FDOT and/or the affected municipality, if applicable.

U. Access Violations

1. Violations: At any time under the provisions of this Code, Section 108, the County may elect to cite the owner(s) or occupant(s) of the property or project for any conditions on such property or within the right-of-way that are prohibited by these regulations or applicable permit conditions.

2. Corrective Action: When closure or modification of an access or driveway or other corrective action is required or when the owner(s) and/or occupant(s) of the property in violation has not corrected the condition(s) in violation, the County or other authority may complete the necessary corrective action with public funds or may contract with an individual, firm, or other legal entity for such services. An invoice shall be submitted to the owner(s) for payment of the costs incurred by the County or its contractor. The owner(s) shall be required to pay all costs incurred, including any administrative costs, within thirty (30) days of the date of the invoice. If payment is not made by the owner(s) within thirty (30) days of the date of the invoice, the County may impose a lien upon the property for the costs of performing the corrective action, administrative costs, interest, and recording fees. The lien shall be of the same priority as liens for ad valorem taxes and, as it represents costs expended for the benefit of the property itself, the lien shall be superior to all other encumbrances, whether secured and regardless of priority. Such lien shall be duly recorded in the official records of the County and shall accrue interest at the rate of eight (8) percent per annum from the date of recording. Upon foreclosure of the lien, the County shall be entitled to all costs and attorney's fees incurred as a result.

3. The authority to correct dangerous conditions provided by this section does not impose any affirmative duty on the County to warn of or to correct such conditions. Making such repairs does not create a continuing obligation on the part of the County to make further repairs or to maintain the property, and does not create any liability against the local governing body for any damages to the property if such repairs were completed in good faith.

FORM 901.3.A

PASCO COUNTY
ACCESS CONNECTION PERMIT APPLICATION

The following information is required from all applicants directly or indirectly accessing any collector or arterial road or as otherwise directed by the County Engineer:

Basic Information:

Step 1. Name of Project: _____

County Assigned Project No.: _____

Project Location (road name/vicinity): _____

_____

Speed Limit: _____

Step 2. Existing Property Use (size in square feet and/or the number of units, etc.):

_____

_____

Step 3. Proposed property use, including any interim traffic generating uses such as heavy vehicles in brackets [ ] (size in square feet and the number of units):

_____

_____

Step 4. Provide the location of all existing and proposed connections to the property. This will include a location map and site plan of any physical features (existing and/or proposed) that will have an impact on traffic circulation and sight distance on the County road system and may include an aerial photograph. Examples of such physical features are walls, fences, trees, gates, utility poles, etc.:

_____

_____

Step 5. Describe any unique traffic-safety issues with the access; i.e., sight-distance problems:

_____

_____

Step 6. Trip Generation Data and Total Daily Trip Generation: The *Institute of Transportation Engineers* (ITE) *Handbook*, latest edition, is acceptable as a source. Other sources may be required by and/or authorized of the County Engineer. Land excavation and mining (as defined in Appendix A) and removal of more than 30,000 cubic yards, 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. Heavy vehicles adversely affect traffic, because they occupy more roadway space and have poorer operating capabilities than passenger cars, particularly with regard to acceleration, deceleration, and the ability to maintain speed on upgrades. Accordingly, for trip generation purposes, if heavy vehicles are ten (10) percent or more of the trips generated by the proposed land use, the total estimated trips for heavy vehicles shall be multiplied by two (2) unless ITE heavy vehicle data or other County-approved heavy vehicle trip generation data for the land use support a different multiplier; however, in no event shall the multiplier be less than one (1). Provide trip generation from interim traffic generating uses in brackets [ ].

Source: _____

ITE code (if used): _____

Existing maximum daily trip generation: _____ (1)

Net increase in maximum daily trip generation: _____ (2)

Total maximum daily trip generation: _____ (Add 1 & 2)

Estimated daily trips from heavy vehicles* included in the total maximum:

_____ (a)

Heavy vehicle multiplier _____ (b)

Additional heavy vehicle trips (multiply a X b-1) _____ (c)

If (c) is ≥ ten (10) percent of total maximum daily trip generation, list additional heavy vehicle trips from (c) _____ (3).

Total maximum daily trip generation with heavy vehicles _____ (Add 1, 2, & 3)

If the total maximum daily trip generation from Step 6 above does not exceed the thresholds set forth in Exhibit 901.5.A, "Size of Development that Generates 100 Daily Driveway Trips," no further information is required. However, a substandard road fair-share payment pursuant to this Code, Section 901.4, as it may be amended from time-to-time, may still be required.

If the total maximum daily trip generation from Step 6 above exceeds the thresholds set forth in Exhibit 901.4.A, "Size of Development that Generates 100 Daily Driveway Trips," then Steps 7 and 8 are required to be completed. Step 7 is required prior to proceeding with "Turn Lane Warrants and Design Criteria," and Step 8 is required to address any substandard road issues.

In addition, a project shall be required to complete a TIS in accordance with this Code, Section 901.5, unless such project is exempt from TIS requirements pursuant to this Code, Section 1301. Notwithstanding the foregoing, the County Engineer may require more detailed access-management information or a more detailed access management study where the County Engineer determines (1) that the information

on the Access Connection Permit Application Form 901.3.A or in the TIS is inadequate to determine compliance with the access management regulations or (2) that the information or study is necessary to ensure the safety of the traveling public.

Additional traffic data required for projects exceeding 100 driveway trips per day unless a TIS is required pursuant to this Code, Section 1301:

Step 7. Existing counts on the public roadway (www.pascocountyfl.net. Recent data, if available on this website, may be acceptable):

a. P.M. peak _____ NB _____ SB _____ EB _____ WB

A.M. peak _____ NB _____ SB _____ EB _____ WB

Total daily count: _____

Date and source of the count: _____

b. Using the ITE *Trip Generation Handbook* or trip rates as approved by the County, provide trip generation of the proposed site during a.m. and p.m. peak periods of the adjacent public road. Provide trip generation from interim traffic generating uses in brackets [ ].

P.M. peak hour trips: _____

A.M. peak hour trips: _____

If additional heavy vehicle trips from Step 6 are ≥ ten (10) percent of the total maximum

Daily Trip Generation: Provide additional a.m. and p.m. peak hour trips for heavy vehicles utilizing the same multiplier and formula from Step 6:

Additional heavy vehicle
p.m. peak hour trips: _____

Additional heavy vehicle
a.m. peak hour trips: _____

Total p.m. peak hour trips
with heavy vehicle trips: _____

Total a.m. peak hour trips
with heavy vehicle trips: _____

c. Provide a sketch illustrating the distribution of the project traffic during the a.m. and p.m. peak periods of the adjacent public road.

↑
N

Proceed with Warrants and Turn Lane Design Criteria.

Step 8. Perform a Substandard Roadway Analysis in accordance with this Code, Section 901.4.

TURN LANE WARRANTS AND DESIGN CRITERIA

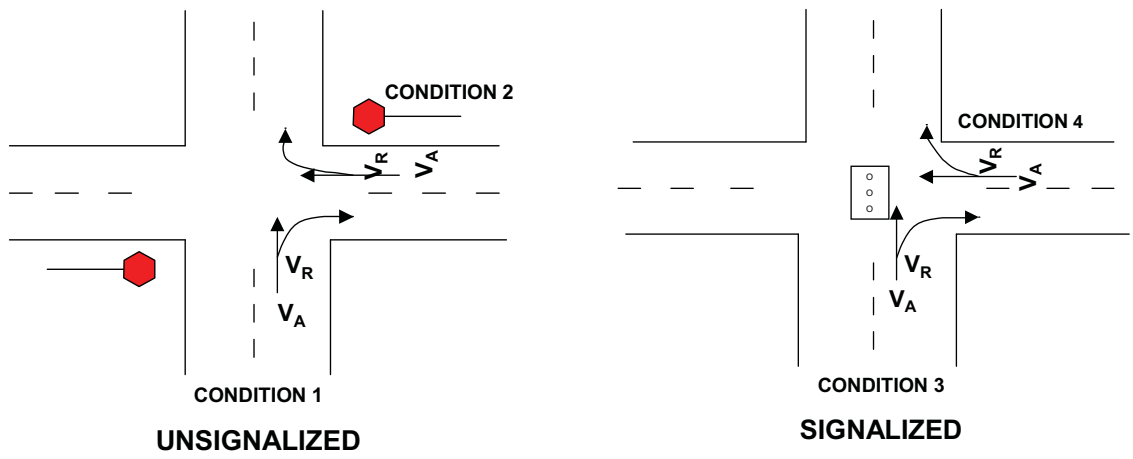
DEFINITIONS OF TERMS

Access Road	Driveways or roads connecting developments, such as shopping centers or office parks, to major roads and do not serve major road through traffic.
Vehicles Per Hour (VPH)	The design hourly volume during the peak fifteen (15) minutes of the highest peak hour expressed in terms of VPH (peak fifteen [15] minute volume times four [4]).
V_A—Approaching Volume (VPH)	Total volume approaching the intersection from the subject direction includes right and left turning and through vehicles.
V_O—Opposing Volume (VPH)	Total volume approaching the intersection from the opposite direction.
V_L—Left Turning Volume (VPH)	Volume of vehicles turning left at the subject intersection.
V_R—Right Turning Volume (VPH)	Volume of vehicles turning right at the subject intersection.
% of Left Turns in V_A	Volume of left turning vehicles divided by the approaching volume at the subject intersection.

TABLE 1

Right Turn Warrants

Unsignalized		
Condition 1	On major roads without stop control (approach).	See Graph Nos. 1A and 1B
Condition 2	Access roads or major through roads with stop control (approach).	$V_R \geq 150$ **OR** There are 5 or more related accidents in 1 year.
Signalized		
Condition 3	On major roads (approach).	$V_R \geq 150$ **AND** The total outside lane approach volume (VA) is at least 200 VPH (including right turn). **OR** There are 5 or more related accidents in 1 year.
Condition 4	On access roads approach.	$V_R \geq 150$ **OR** There are 5 or more related accidents in 1 year.



NOTES:

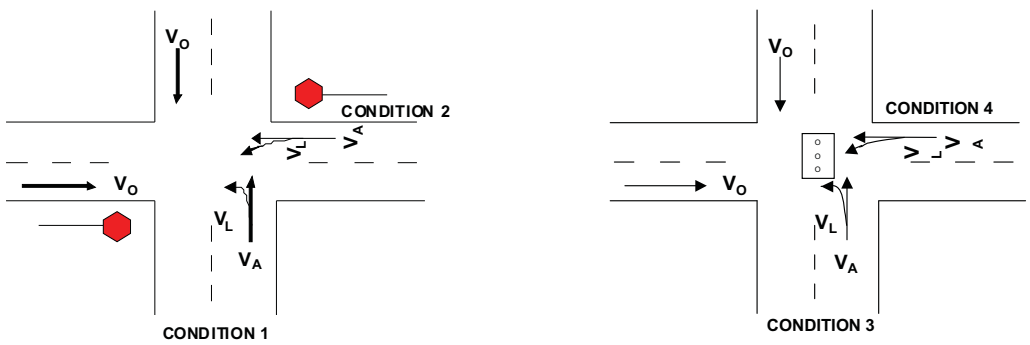
1. When public safety so requires due to site specific conditions, such as limited sight distance, high traveling speed, or the presence of a significant percentage of heavy vehicles, a turn lane may be required by the County Engineer even though the criteria in Graphs 1A and 1B are not met.

2. The provisions of the Right Turn Warrants may be modified by the County Engineer if it is determined that due to site specific constraints, the implementation will not be feasible or practical.

TABLE 2

Left Turn Warrants

Unsignalized		
Condition 1	On major roads without stop control (approach).	See Graph Nos. 2A through 2D
Condition 2	On access roads or through roads (approach).	$V_L \geq 100$ **OR** There are 4 or more related accidents in 1 year.
Signalized		
Condition 3	On major roads (approach).	$V_L \geq 100$ **OR** 20 percent or more of the total approach volume in the inside lane is left turn. **OR** There are 5 or more related accidents in 1 year.
Condition 4	On access roads or through roads approach.	$V_L \geq 100$ **OR** There are 5 or more related accidents in 1 year.



UNSIGNALIZED **SIGNALIZED**

NOTES:

1. An exclusive left turn lane at signalized intersections or on access roads and through roads with stop control are more often needed to reduce the total delay to the approaching vehicles; therefore, use of traffic engineering software, with the approval of the County Engineer, may be used.

2. When public safety so requires due to site specific conditions, such as limited sight distance, high traveling speed, or the presence of a significant percentage of heavy vehicles, a turn lane may be required by the County Engineer even though the criteria in Graphs 2A through 2D are not met.

3. The provisions of the left turn warrants may be modified by the County Engineer if it is determined that due to site specific constraints, the implementation will not be feasible or practical.

4. A dual left turn lane may be required by the County Engineer when the left turn volume exceeds 300 VPH.

5. At high speed (greater than forty-five [45] mph), unsignalized/signalized intersections, a separate left turn lane may be required by the County Engineer for safe operations. A high speed shall be the greater of the posted or operating speed where an operating speed study has been conducted.

TABLE 3

Right Turn Lane Length
(Deceleration and Storage)

Unsignalized		
Condition 1	On major roads without stop control and on major through roads with stop control (approach).	Deceleration Length: FDOT Index 301 Storage Length: 25 feet desirable unless there are site-specific conditions that require a longer storage length.
Condition 2	On access roads (approach).	Deceleration Length: Taper only Storage Length = $V_R/2$
Signalized		
Condition 3	On major roads (approach).	Deceleration Length: FDOT Index 301 Storage Length = $V_R/2$
Condition 4	On access roads (approach).	Deceleration Length: FDOT Index 301 Storage Length = $V_R/2$

NOTES:

1. In many instances, the storage length of a right turn lane at signalized intersections or access/major roads with stop control is dictated by the required storage length for left and/or through movements. Refer to the left turn section for determining the storage length for a left turn.

2. If the right turn flow is limited due to heavy volume of conflicting movements, then the storage length shall be based on the left turn storage length formula.

3. The provision of storage lengths and deceleration lengths may be modified or waived by the County Engineer if it is determined that, due to site specific constraints, the implementation will not be feasible or practical.

4. Traffic engineering software, with the approval of the County Engineer, may be used to determine the storage length for right turns.

TABLE 4

Left Turn Lane Lengths
(Deceleration and Storage)

Unsignalized		
Condition 1	On major roads (approach).	Deceleration Length: FDOT Index 301 Storage Length = 25 X V_L/30
Condition 2	On access roads (approach).	Deceleration Length: Taper only Storage Length = 25 X V_L/30
Signalized		
Condition 3	On major roads (approach).	Deceleration Length: FDOT Index 301 Storage Length = 2 X 25 X V_L/N
Condition 4	On access roads (approach).	Deceleration Length: FDOT Index 301 Storage Length = 2 X 25 X V_L/N

NOTES:

1. N = The number of traffic signal cycles per hour. Use thirty (30) as a default (assumes 120-second cycle length).

2. If the formula yields a storage length of less than fifty (50) feet for unsignalized intersections, then a minimum storage of fifty (50) feet shall be provided.

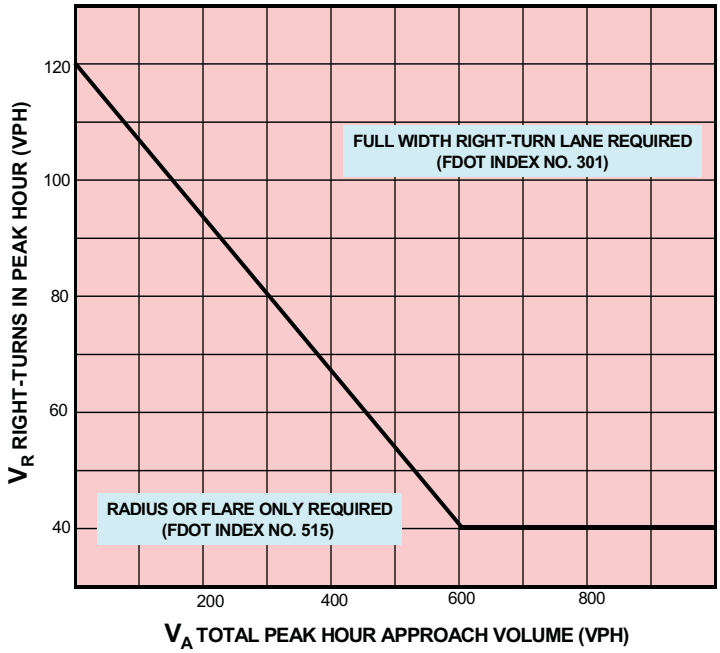
3. If the formula yields a storage length of less than 100 feet for signalized intersections, then a minimum storage of 100 feet shall be provided.

4. The provision of storage and deceleration lengths may be modified or waived by the County Engineer if it is determined that due to site specific constraints, the implementation will not be feasible or practical.

5. In some instances at signalized intersections or on access/major roads with stop control, the storage length of the left turn is dictated by the through or right movements. Unless otherwise approved by the County Engineer, the storage length for all movements shall be calculated and the highest length shall be used. For through storage length, the same formula as the left turn can be used. Refer to right turn section for determining the storage length for right turns.

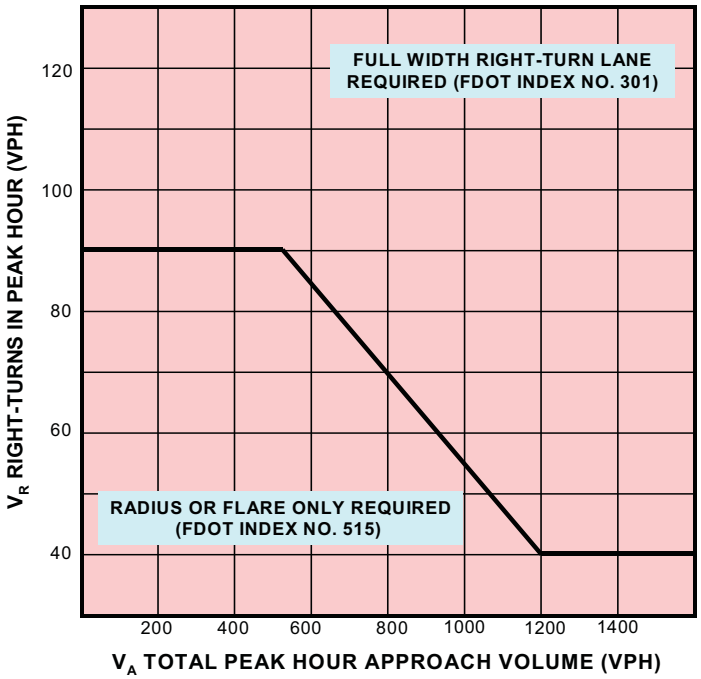
6. Traffic engineering software, with the approval of the County Engineer, may be used to determine the storage length for right turns.

GRAPH 1A. RIGHT-TURN LANE WARRANTS – TWO-LANE FACILITIES



NOTE: For posted speeds at or under forty-five (45) mph, peak hour right turns greater than forty (40) VPH, and total peak hour approach less than 300 VPH, adjust right turn volumes. Adjust peak hour right turns = peak hour right turns—twenty (20).

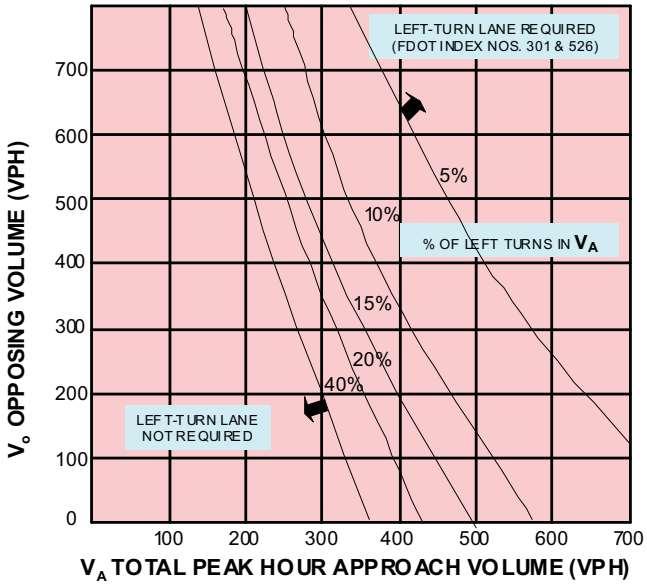
GRAPH 1B. RIGHT-TURN LANE WARRANTS
FOUR- OR SIX-LANE FACILITIES



NOTE: For application on high speed highways.

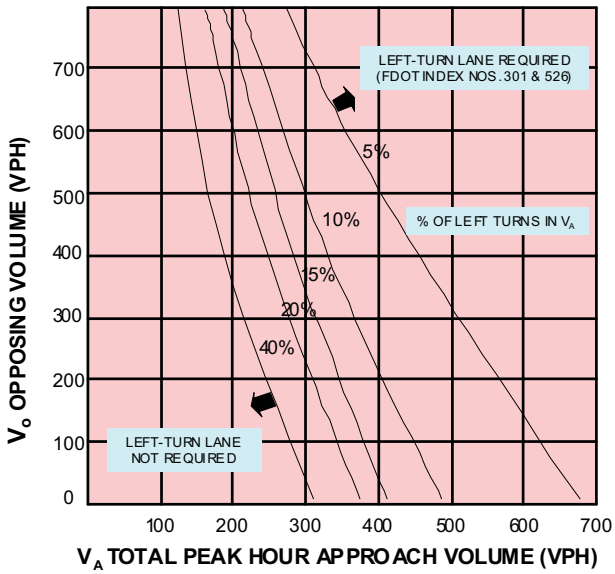
Graphs 1A & 1B Source: National Cooperative Highway Research Program, Report No. 279.

GRAPH 2A. LEFT-TURN LANE WARRANTS – TWO-LANE FACILITIES (≤ 40 MPH)



NOTE: Left-turn lane not required when intersection of V_A and V_O is below the curve corresponding to the % of left turns in V_A.

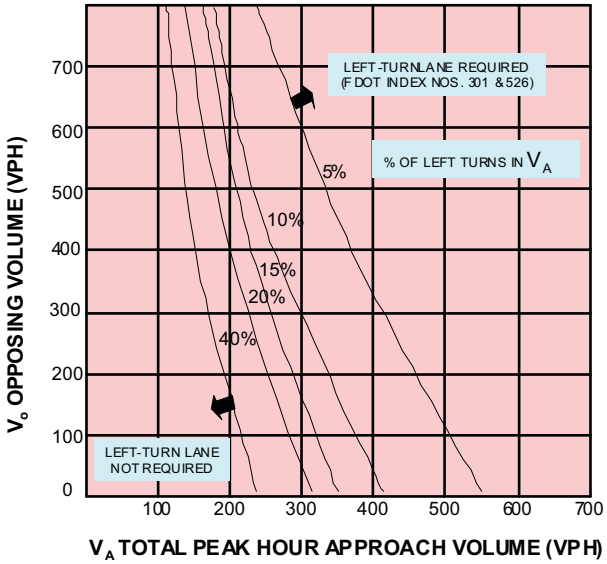
GRAPH 2B. LEFT-TURN LANE WARRANTS – TWO-LANE FACILITIES (45-50 MPH)



NOTE: Left-turn lane not required when intersection of V_A and V_O is below the curve corresponding to the % of left turns in V_A.

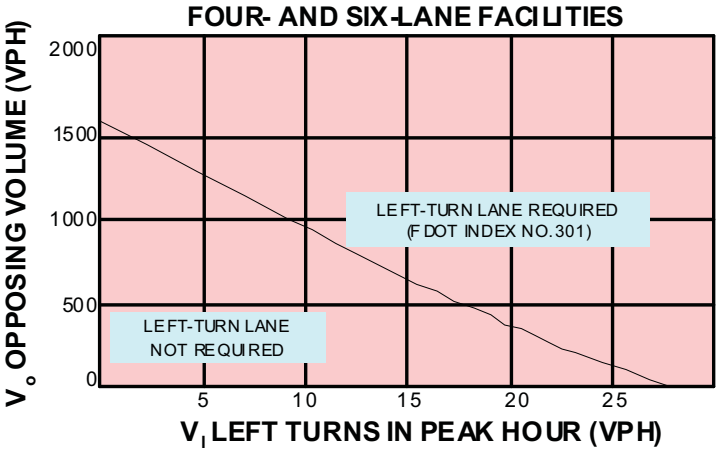
Graphs 2A & 2B Source: National Cooperative Highway Research Program, Report No. 279.

GRAPH 2C. LEFT-TURN LANE WARRANTS – TWO-LANE FACILITIES (55-60 MPH)



NOTE: Left-turn lane not required when intersection of V_A and V_O is below the curve corresponding to the % of left turns in V_A.

GRAPH 2D. LEFT-TURN LANE WARRANTS – FOUR- AND SIX-LANE FACILITIES



NOTE: When V_O < 400 VPH, a left-turn lane is not normally warranted unless the advancing volume (V_A) in the same direction as left-turning traffic exceeds 400 VPH. (V_A > 400 VPH).

Graphs 2C & 2D Source: National Cooperative Highway Research Program, Report No. 279.

SAMPLE PROBLEM NO. 1

Steps 1-6

1. Ninety-four (94) unit apartment complex. West side of Rowan Road, north of Nebraska Avenue (Main Street). Four (4) lane urban. Speed limit forty-five (45) mph.

2. Existing use—vacant.

3. Proposed use—apartments.

4. Site plan, etc., not included in sample.

5. Proposed access on Rowan Road, west side, at existing median opening, approximately 365 feet north of Indiana Avenue. No existing turn lane facilities north or southbound. No other access to this site is proposed.

6. Source: ITE, 6th Edition
   ITE Code: 220
   Existing Maximum Trip Generation: 0
   Net Increase in Maximum Trip Generation: 698
   From ITE: No. of Trips = (5.994 X 94 units) + 134.114 = 698
   Total Maximum Daily Trip Generation: 698

If the total maximum daily trip generation is greater than 100 and no TIS is required pursuant to this Code, Section 1301, proceed with Step 7.

Step 7

7. From the Pasco County Traffic Operations Division, Traffic Count File for Rowan Road (C.R. 77) (Section 820.1):

P.M. Peak	455	385	N/A	N/A
	NB	SB	EB	WB

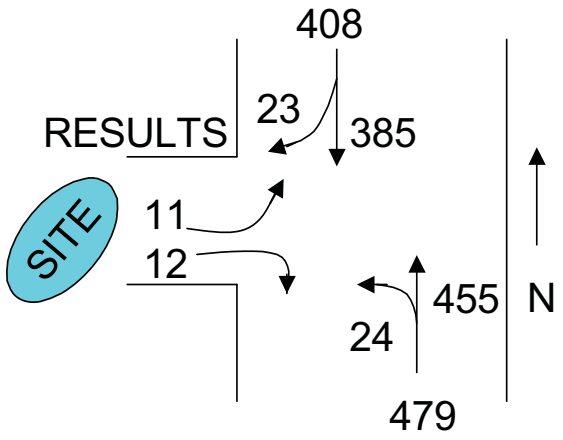
A.M. Peak Not Available

Total Daily Count: 23,624 (ADT) 10/4/01

From ITE Manual, P.M. Peak Hour Trips = (0.541 X 94 units) + 18.744 = 70 trips

A.M. Peak Hour Trips: N/A

From ITE, 67 percent (47) entering and 33 percent (23) exiting. Say 50/50 directional distribution.



Proceed to Warrants and Turn Lane Design Criteria.

Right Turn Warrants

From Table 1, Condition 1, see Graph 1B to check warrants for the southbound, right turn lane on Rowan Road.

$V_R = 23$, $V_A = 385 + 23 = 408$

From Graph 1B, a full width, right turn lane is not warranted.

Left Turn Warrants

From Table 2, Condition 1, see Graph 2D to check warrants for the northbound, left turn lane on Rowan Road.

$V_L = 24$, $V_A = 455 + 24 = 479$, $V_O = 385 + 23 = 408$

From Graph 2D, the intersection of V_O and V_L is to the right of the curve; therefore, a left turn lane is required.

Left Turn Lane Lengths

From Table 4, Condition 1, the required deceleration length is determined by FDOT Index No. 301. A total deceleration distance (L) of 185 feet is required for the forty-five (45) mph urban condition and includes the fifty (50) foot taper length.

The required storage length (queue) is calculated as follows:

Storage Length = 25 X V_L/30 = 25 X 24/30 = 20 feet

Per Note 1, the required minimum storage length is fifty (50) feet. This is in addition to the 185-foot deceleration, for a total deceleration and storage length of 235 feet.

CHAPTER 900. DEVELOPMENT STANDARDS

SECTION 901. TRANSPORTATION

901.4. Substandard Roadway Analysis and Mitigation

A. Intent and Purpose

The intent and purpose of this section is to ensure that deficiencies on substandard roads impacted by new development are corrected or mitigated.

B. Applicability

This section applies to all development where any portion of the development has connection, either directly or indirectly, to County, local, collector, arterial, or controlled access roadways, including non-State public roadways and privately owned roadways on which anyone other than the owners travel.

This section shall apply to the following applications and substantial amendments of same filed on or after June 8, 2004:

1. Development of Regional Impact.

2. MPUD Master Planned Unit Developments, Conditional Uses, and Special Exceptions.

3. Preliminary site plans.

4. Preliminary development plans.

5. Right-of-Way Use Permits.

C. Standard of Acceptability

At least eighty (80) percent of the project traffic shall access the site from the major County road continuously on, not merely crossing, standard roads. Up to twenty (20) percent of the project traffic, but not more than 100 daily trips on any given road, will be allowed to access the site via substandard roads.

D. Analysis

1. When Required:

a. A Substandard Roadway Analysis shall be required for those developments generating more than 100 driveway trips, as indicated in Exhibit 901.4.A. Subthreshold projects, those generating less than 100 driveway trips, shall be responsible for substandard roadway mitigation requirements pursuant to this Section, but shall have the option of having the analysis performed by the County.

A required Substandard Roadway Analysis may be waived by the County Engineer if:

(1) The County agrees that all roads to be accessed, as required by this Code, meet the minimum standards of this section; or

(2) The applicant agrees to improve the roads accessed to comply with the minimum standards of this section as determined by the County.

2. Procedural Requirements

a. Methodology

Prior to undertaking a Substandard Roadway Analysis, the applicant shall prepare a written methodology statement that includes the following items and submit it for review with the appropriate review fee.

(1) Location of development (illustrated on a map).

(2) Proposed land uses and size.

(3) Net external estimated daily traffic generation. If trip generation data for a specific land use is not available, then the latest version of the *Institute of Traffic Engineers (ITE) Trip Generation Manual* shall be used or other trip generation estimates as mutually agreed to by the applicant and the County Engineer. Trip generation estimates shall include separate estimates for interim trip generating uses.

Mining and Land Excavation, even as an interim use, is presumed to be a separate and distinct mining land use requiring separate trip generation estimates.

(4) Internal Capture

Internal capture estimates shall be based on the ITE acceptable methodologies. In no case will an internal capture of more than twenty (20) percent be acceptable unless the County accepts a higher internal capture percentage based on verifiable documentation; e.g., field studies of comparable sites.

(5) Passerby Capture

If passerby data for a specific land use is not available, then the latest version of the *ITE Trip Generation Manual* shall be used, or other data as mutually agreed to by the applicant and the County Engineer. In no event shall the total passerby trips entering and exiting a site exceed the (10) percent of the total background traffic on the adjacent roadway.

(6) Estimated distribution and assignment of daily traffic.

(7) Indication of proposed, potentially substandard roads to be reviewed.

The County Engineer will review and comment on the acceptability of the proposed methodology.

b. Analysis Requirements

The substandard roadway assessment is not intended to be a topographic survey of the impacted roadways, but rather a "windshield survey," supplemented with appropriate field measurements and "ground observations" when potentially substandard conditions are observed.

E. <u>Submittal Information</u>

1. The Substandard Roadway Analysis shall contain all the necessary data and assessment, and a list of any potential improvements that are needed to achieve the above “eighty (80) percent rule” and shall be signed and sealed by a Florida registered professional engineer. The data and assessment shall be sufficient for the County Engineer's review and approval of the substandard section of the study. The assessment shall include a statement as to whether the existing typical condition meets the standards; a general description of physical constraints that may prevent upgrading the substandard condition to a standard condition and a proposal of alternative standards, if necessary; and a detailed description of the proposed improvements and associated costs.

2. Lane Width and Shoulders

a. Data Collection: The lane and shoulder widths that represent a typical lane and shoulder width of the impacted roadways shall be field measured and reported. Extreme variations from the existing typical widths shall also be reported.

b. Standards: The minimum lane and shoulder widths allowed are provided below. The design year and speed as stated in

the below referenced tables shall mean the build-out year of the project and posted speed limit, respectively.

TABLE 901.4 A

Lane and Shoulder Widths—Rural Multilane

Design Year AADT	Design Speed (mph)	Minimum Lane Width (Feet)	Minimum Shoulder Width (Feet)
ALL	ALL	12	6

TABLE 901.4 B

Lane and Shoulder Widths, Two Lane Rural and Urban—Without Curb and Gutter

Design Year AADT	Design Speed (mph)	Minimum Lane Width (Feet)	Minimum Shoulder Width (Feet)
1-750	ALL	10[1]	6[3]
751-2000	<50	11[1-2]	6[3]
	≥50	12[2]	6[3]
>2000	ALL	12[2]	6[3]

[1] For rural and urban projects without curb or gutter (regardless of traffic volume), when widening is required, a minimum lane width of eleven (11) feet is required. A minimum lane width of twelve (12) feet is required if heavy vehicles are ten (10) percent or more of the total daily driveway trips.

[2] May be reduced by one (1) foot if heavy vehicles are less than ten (10) percent of design year traffic and are less than ten (10) percent of the total daily driveway trips.

[3] The required width is eight (8) feet if heavy vehicles are ten (10) percent or more of the total daily driveway trips.

TABLE 901.4 C

Urban Multilane or Two Lane with Curb and Gutter

Design Year AADT	Design Speed (mph)	Minimum Thru-Lane (Feet)	Minimum Turn Lane (Feet)	Minimum Parking Lane (Feet)
ALL	ALL	10[1]	9[2]	7[3]

[1] For rural and urban projects without curb or gutter (regardless of traffic volume), when widening is required, a minimum lane width of eleven (11) feet is required. A minimum lane width of twelve (12) feet is required if heavy vehicles are ten (10) percent or more of the total daily driveway trips.

[2] May be reduced by one (1) foot if heavy vehicles are less than ten (10) percent of design year traffic and less than ten (10) percent of the total daily driveway trips.

[3] A minimum width of seven (7) feet, measured from the face of the curb, may be left in place. Otherwise provide eight (8) feet minimum, measured from the face of the curb.

3. Pavement Condition

a. Data Collection: The thickness of the surface pavement and base and the cross slopes that represent a typical surface and base thickness, and cross slopes of the impacted roadways shall be field measured and reported. The thickness of the subbase need not be field measured unless practical. If the subbase is not measured, the thickness of the subbase can be assumed standard. In addition, any quarter-panel failures and wheel-rutting shall be noted and reported. Extreme variations from the existing typical conditions shall also be reported.

b. Standards: The minimum structural numbers for roadways are:

(1) Local Streets in AG (Agricultural) and AG/R (Agricultural/Rural) Land Use Less Than Sixteen (16) Lots and RES-1 (Residential - 1 du/ga) Land Use Less Than Ten (10) Lots: 1.89

(2) Local Streets: 2.19

(3) Subdivision Collector (Type I): 3.24

(4) Major Collector: 3.42

A minimum structural number of 4.00 is required on local and collector roadways if heavy vehicles are ten (10) percent or more of the total daily driveway trips.

Layer coefficients are provided in Tables 901.4 D and 901.4 E below:

TABLE 901.4 D

Structural Coefficients for Different Pavement Layers

Specification Section	Layer Coefficient	Layer
337	0.00	FC-2
337	0.22	FC-3
331	0.44	Type S
333	0.30	Type III
332	0.20	Type II
280	0.30	ABC-3 (Marshall - 1,000)
280	0.25	4ABC-2 (Marshall - 750)
280	0.20	ABC-1 (Marshall - 500)
272	0.25	Econocrete (1,100 psa)
272	0.22	Econocrete (800 psi)
270	0.20	Soil Cement (500 psi)
270	0.15	Soil Cement (300 psi)
335	0.15	SAHM (Marshall - 300)
204	0.15	Graded Aggregate (LBR-100)
250	0.18	Cemented Coquina Shell (LBR-100)
200	0.18	Limerock (LBR-100)
250	0.16	Bank Run Shell (LBR-100)
230	0.12	Limerock Stabilized (LBR-70)
240	0.12	Sand Clay (LBR-75)
260	0.10	Shell Stabilized (LBR-70)
160-3	0.10	Stabilized Subbase
180	0.08	Stabilized Subbase
160-2	0.08	Type B Stabilized (LBR-40)
160-2	0.06	Type B Stabilized (LBR 30)
160-2	0.06	Type C Stabilized
170	0.12	Cement Treated Subgrade (300 psi)
165	0.08	Lime Treated Subgrade

TABLE 901.4 E

Reduced Structural Coefficients
Asphaltic Materials

Layer	Original Design	Pavement Condition Good	Fair	Poor
Type I	0.37	0.30	0.23	0.15
Binder	0.30	0.25	0.20	0.15
SBRM (300 M)	0.15	0.13	0.11	0.08
FC-3	0.22	0.17	0.15	0.12
Type S	0.44	0.34	0.25	0.15
Type III	0.30	0.25	0.20	0.15
Type II	0.20	0.17	0.15	0.12
ABC-3 (1,000 M)	0.30	0.25	0.20	0.15
ABC-2 (750 M)	0.25	0.20	0.16	0.12
ABC-1 (500 M)	0.20	0.17	0.14	0.10
SAHM (300 M)	0.15	0.13	0.11	0.08

NOTE: Reduced structural coefficients for use in the AASHTO Flexible Pavement Design Equation can be obtained from this table for all asphalt layers based on pavement condition. Pavement condition for this table should be based on the surface appearance of the asphalt pavement (cracking, patching, rutting, etc.) and may be supplemented by additional testing. Structural coefficients are not reduced for existing rock base, subbase, or subgrade.

Recommended Criteria:

Good: No cracking, minor rutting/distortion.
Fair: Crack Rating = eight (8) or higher, minor rutting/distortion.
Poor: Crack Rating = less than eight (8), rutting = ⅜ inch or greater.

NOTE: Quarter-panel failures and wheel rutting are considered to be substandard conditions.

Roadway cross slopes shall conform to Table 901.4 F below:

TABLE 901.4 F

Roadway Cross Slopes

Feature	Standard	Range
Travel Lanes	0.02	0.02-0.04[1]
Shoulders	0.06	0.03-0.08[2]
Parking Lanes	0.05	0.03-0.05

[1] Existing multilane curb and gutter sections originally constructed with a parabolic crown section may be resurfaced using a series of tangents with a cross slope range from 0.015-0.05.

[2] When existing shoulders are to remain, the algebraic difference between the shoulder slope and adjoining roadway pavement slope shall be ≤ 0.07.

4. Flooding

   a. Data Collection: Data collection shall include the compilation of historical flooding locations readily available from the Development Services Branch. The flooding location Geographic Information System map layer titled "Observed Flooding" shall be used to identify flooding areas.

   b. Standards: The standard is no surface ponding upon roadway.

   c. Assessment: The assessment shall include a statement as to whether impacted roadways are within the flood area, a general description of physical constraints that may prevent upgrading the substandard condition to a standard condition, and proposed alternative standards, and a detailed description of the proposed improvements and associated costs.

5. Side Slope

   a. Data Collection: The front and back slopes that represent a typical front and back slope of the impacted roads shall be field measured and reported. Extreme variations from the existing typical conditions shall also be reported.

   b. Standards: The maximum front slope shall be one to four (1:4) within the clear zone and one to three (1:3) outside the clear zone. However, front slopes of one to three (1:3) or flatter may remain within the clear zone, but shielding may be required. Front slopes steeper than one to three (1:3) shall be shielded per *FDOT Design Standards*, Index 400, General Notes, as may be amended. Consideration should be given to

flattening slopes of one to three (1:3) or steeper at locations where run off the road type crashes are likely to occur; e.g., on the outside of horizontal curves.

The maximum back slope shall be one to three (1:3) in the clear zone. The maximum back slope shall be one to two (1:2) outside the clear zone without shielding.

c. Assessment: The assessment shall include a statement as to whether the existing conditions meet the standards, a general description of physical constraints that may prevent upgrading the substandard condition to standard and proposed alternative standards, and a detailed description of the proposed improvements and associated costs.

6. Clear-Zone Widths

a. Data Collection: The clear-zone widths that represent a typical clear-zone width of the impacted roads shall be field-measured and reported. Extreme variations from the existing typical conditions shall also be reported.

b. Standards: Minimum clear-zone widths shall be as listed below on Table 901.4 G. The design speed shall mean the posted speed limit.

TABLE 901.4 G

Clear-Zone Width (Feet)

Design Speed (mph)	Travel Lanes and Multilane Ramps	Auxiliary Lanes and Single-Lane Ramps
<45	6	6
45*	14	8
>45	18	8

General Notes for Table 901.4 G

When relocation is required to meet minimum clear-zone requirements, consideration should be given to providing new construction widths.

Clear-zone widths are for side slopes one to four (1:4) and flatter. For steeper slopes, provide a clear, run-out area at the toe of the fill.

When crash history indicates the need, or where specific site investigation shows definitive crash potential, clear-zone widths shall be adjusted on the outside of horizontal curves with flush shoulders.

Clear-zone width is measured from the edge of the traveled way.

*May be reduced to < 45-mph widths if conditions more nearly approach those for low speed (40 mph or less).

TABLE 901.4 H

Horizontal Clearance for Traffic Control Signs

Placement	Placement shall be in accordance with the *FDOT Design Standards*. Placement within sidewalks shall be such that an unobstructed sidewalk width of four (4) feet or more (not including the width of the curb) is provided.
Supports	Supports, except overhead sign supports, shall be frangible or breakaway. When practicable, sign supports should be located behind barriers that are justified for other reasons. Overhead sign supports shall be located outside the clear zone unless shielded.

TABLE 901.4 I

Horizontal Clearance for Light Poles

Conventional Lighting	Not in the median, except in conjunction with barriers that are justified for other reasons. Rural (Flush Shoulders): Twenty (20) feet from the travel lane and fourteen (14) feet from the auxiliary lane (may be clear-zone width when the clear zone is less than twenty (20) feet). Urban (Curb and Gutter): From the right-of-way line to four (4) feet back from the face of the curb (may be 1.5 feet back from the face of the curb when all other alternatives are deemed impractical). Placement within sidewalks shall be such that an unobstructed sidewalk width of four (4) feet or more (not including the width of the curb) is provided.
High Mast Lighting	Outside the clear-zone unless shielded.

TABLE 901.4 J

Horizontal Clearance for Utility Installations

Shall not be located within the limited access right-of-way, except as permitted by the Telecommunications Facilities on Limited Access Rights-of-Way Policy (Topic No. 000-625-025). Shall not be located in the median. Flush Shoulders: Not within the clear zone. Install as close as practical to the right-of-way without aerial encroachments onto private property. Curb or Curb and Gutter: At the right-of-way line or as close to the right-of-way line as practical. Must maintain 1.5 feet clear from the face of the curb. Placement within sidewalks shall be such that an unobstructed sidewalk width of four (4) feet or more (not including the width of the curb) is provided. See the *Utility Accommodation Manual*, Topic No. 710-020-001, for additional information.

TABLE 901.4 K

Horizontal Clearance to Signal Poles and Controller Cabinets for Signals

Shall not be located in medians. Flush Shoulders: Outside the clear zone. Curb or Curb and Gutter: Four (4) feet from the face of outside curbs and outside the sidewalk. However, when necessary, the signal poles may be located within sidewalks such that an unobstructed sidewalk width of four (4) feet or more (not including the width of the curb) is provided. Also, when site conditions make the four (4) foot clearance impractical, clearance may be reduced to 1.5 feet.

TABLE 901.4 L

Horizontal Clearance to Trees

Minimum horizontal clearance for new plantings shall meet new construction criteria. Minimum horizontal clearance to existing trees where the diameter is or is expected to be greater than four (4) inches when measured six (6) inches above the ground shall be: Flush Shoulders: Outside the clear zone. Curb or Curb and Gutter: 1.5 feet from the face of outside curbs. 3.5 feet from the edge of the inside traffic lane where a median curb is present.

TABLE 901.4 M

Horizontal Clearance to Bridge Piers and Abutments

Minimum horizontal clearance to bridge piers and abutments: Flush Shoulders: Outside the clear zone. Curb or Curb and Gutter: Sixteen (16) feet from the edge of the travel lane.

TABLE 901.4 N

Horizontal Clearance to Railroad Grade Crossing Traffic Control Devices

Placement shall be in accordance with the design standards.

TABLE 901.4 O

Horizontal Clearance to Other Roadside Obstacles

Minimum horizontal clearance to other roadside obstacles: Flush Shoulders: Outside the clear zone. Curb or Curb and Gutter: Four (4) feet back from the face of the curb. May be 1.5 feet back from the face of the curb when all other alternatives are deemed impractical.

c. Assessment: The assessment shall include a statement as to whether the existing conditions meet the standards, a general description of physical constraints that may prevent upgrading the substandard condition to standard and propose alternative standards, and a detailed description of the proposed improvements and associated costs.

7. Railroad Crossing Traffic Control

a. Data Collection: Document/inventory existing control devices and other data needed to assess conditions relative to the following issues:

(1) Traffic control (presence and advance visibility of signing and markings; need for beacons and gates);

(2) Minimum crossing sight distance requirements;

(3) Road surface smoothness (vertical alignment); and

(4) Road surface width through crossing.

b. Standards: As required by the following:

(1) Traffic Control: *Manual on Uniform Traffic Control Devices* (MUTCD), Chapter 8; Federal Highway Administration (FHWA) Report FHWA-TS-86-215 or current edition; and Florida Department of Transportation (FDOT*) Design Standards*, Indices 17881 and 17882, as may be amended.

(2) Sight Distance at Passive Crossing: *AASHTO Green Book*, Case 1, latest edition; and *FDOT Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways*, latest edition.

(3) Road Surface Smoothness and Width Through Crossing: *FDOT Plans Preparation Manual*, Volume 1, Chapter 6, as amended; and *FDOT Design Standards*, Indices 560, 17881, and 17882, as may be amended.

c. Assessment: Compare existing conditions with the requirements of the MUTCD and FDOT standards, and undertake analysis to determine the need for improvements. If improvements are needed, consult with the FDOT and CSX Railroad Company for agreement or disagreement and recommend appropriate improvements.

8. Cost Estimate: The applicant shall prepare an estimate of the cost to cure the substandard conditions, and the County's Development Services Branch shall be the agency to review and accept the cost estimate. The Development Services Branch may develop and maintain average unit costs for estimating the costs of upgrading substandard roads.

F. Mitigation

1. For Projects Conducting Analysis

a. The required mitigation for substandard roads shall be the payment of the development's fair share of the cost of designing, constructing, and acquiring right-of-way for all the improvements needed to achieve the eighty (80) percent rule and the applicable minimum roadway design and maintenance standards. The fair share shall be calculated in accordance with the following equation:

Developer Share = Daily Development Trips/(Existing AADT + Daily Development Trips).

b. The required mitigation for proposed development that exceeds the maximum entitlements of the existing zoning or land use (whichever is more restrictive) shall be the design, construction, and right-of-way donation/acquisition for all the improvements needed to achieve the eighty (80) percent rule and the applicable minimum roadway design and maintenance standards.

2. For Projects Exempt from Analysis

a. Fair-share payment required: Developments generating less than or equal to 100 driveway trips (Substandard Road Subthreshold Developments) shall be required to pay a substandard road fair-share payment, calculated by the County if the development has access or is required to have access to a substandard road or roads (as defined above).

b. Assessment by the County: For Substandard Road Subthreshold Developments, the assessment of whether the road(s) to be accessed are substandard, and the estimate for correcting substandard conditions shall be prepared by the County Engineer. For Substandard Road Subthreshold Developments, the calculation of the fair-share payment shall be based upon the cost estimate for correcting substandard conditions prepared by the County Engineer and shall be computed using: (1) County Paving Assessment equivalent residential unit assessment methodology for local roads; (2) the fair-share formula set forth above for subdivision

collector roads, or (3) other appropriate methodology established by the County.

c. Option to prepare analysis: Any Substandard Road Subthreshold Development that disagrees with the Substandard Roadway Analysis (SRA), the cost estimate for correcting substandard conditions, or the calculation of the fair-share payment as determined by the County shall have the right to prepare an SRA in accordance with the requirements set forth in this section. For the purposes of this subsection, the term "development" shall be defined as a "project" pursuant to the definition in this Code's Definitions.

Any substandard road fair-share payment collected by the County shall be budgeted separately and shall be utilized only to correct substandard conditions on one (1) or more of the roads which formed the basis of the fair-share calculation or on other substandard roads which will benefit the fee payer.

G. Relief

The County Engineer is authorized to grant deviations from the requirements of Section 901.4.D or 901.4.E pursuant to Section 303.6.C or 407.5, as applicable. Relief from the remaining provisions of this section may only be granted in accordance with Section 407.4.

Exhibit 901.4

EXHIBIT A

PASCO COUNTY TIS GUIDELINES
SIZE OF DEVELOPMENT THAT GENERATES 100 DAILY DRIVEWAY TRIPS

Land Use	Trip Rate (1)	Size of Dev.	Unit
RESIDENTIAL:			
Single-Family (Detached)	7.59	14	DU
Multifamily (Apartments)	6.30	16	DU
Mobile Home Park	4.67	22	DU
Age-Restricted Single-Family	3.71	27	DU
Congregate-Care Facility (Attached)	2.25	45	DU
Low-Rise Condominium (1 to 2 stories)/Townhouse	5.20	20	DU
High-Rise Condominium (3 or more stories)	4.18	24	DU
LODGING:			
Hotel	8.30	13	Room
Motel	5.63	18	Room
Resort Hotel	5.10	20	Room
Recreational Vehicle Park	3.70	28	RV Space
RECREATION:			
Marina	2.96	34	Berth
Golf Course	35.74	3	Hole
Miniature Golf Course	3.30	31	Hole
Movie Theaters	106.63	1	Screen
General Recreation	2.28	44	Acres
Racquet Club/Health Club/Spa/Dance Studio	14.03	8	1,000 SF
Bowling Alley	33.33	4	1,000 SF
Community Center	22.88	5	1,000 SF
INSTITUTIONAL:			
Hospital	17.57	6	1,000 SF
Nursing Home	2.48	41	Bed
Elementary School	1.29	78	Student
Middle School	1.62	62	Student
High School	1.71	59	Student
Junior/Community College	1.20	84	Student
University	2.38	43	Student
Church	9.11	11	1,000 SF
Day Care	3.03	34	Student
Cemetery	4.73	22	Acres
OFFICE:			
General Office - 50,000 SF or less	15.65	7	1,000 SF
General Office - 50,001 to 100,000 SF	14.25	All	1,000 SF
General Office - 100,001 to 200,000 SF	12.15	All	1,000 SF
General Office - 200,001 to 400,000 SF	10.36	All	1,000 SF

Land Use	Trip Rate (1)	Size of Dev.	Unit
OFFICE (cont.):			
General Office - Greater than 400,000 SF	8.83	All	1,000 SF
Medical Office	35.95	3	1,000 SF
Office Park	11.70	9	1,000 SF
Veterinarian Clinic	32.80	4	1,000 SF
RETAIL:			
Specialty Retail	49.99	3	1,000 SF
Shopping Center - Under 50,000 GSF	86.56	2	1,000 SF
Shopping Center - 50,000 to 200,000 GSF	62.81	All	1,000 SF
Shopping Center - 200,001 to 400,000 GSF	46.23	All	1,000 SF
Shopping Center - 400,001 to 600,000 GSF	38.66	All	1,000 SF
Shopping Center - 600,001 to 800,000 GSF	34.37	All	1,000 SF
Shopping Center - Greater than 800,000 GSF	30.33	All	1,000 SF
Pharmacy/Drug Store with Drive-Through	95.21	2	1,000 SF
Home Improvement Superstore	29.80	4	1,000 SF
Hardware/Paint	51.29	2	1,000 SF
Quality Restaurant	91.10	2	1,000 SF
High-Turnover Restaurant	126.50	1	1,000 SF
Fast Food Restaurant with Drive-Through	522.62	All	1,000 SF
Gasoline Station	168.56	1	Fuel POS
Quick-Lube	40.00	3	Bays
Auto Repair or Body Shop	30.09	4	1,000 SF
Self-Service Car Wash	108.00	1	Bay
Tire Store	24.87	5	1,000 SF
New/Used Auto Sales	32.93	4	1,000 SF
Supermarket	103.38	1	1,000 SF
Convenience Store with Gas Pumps	803.24	All	1,000 SF
Furniture Store	5.06	20	1,000 SF
Bank/Savings Drive-In	281.55	All	1,000 SF
Convenience/Gasoline/Fast-Food Store	984.59	All	1,000 SF
INDUSTRY:			
General Light Industrial	6.97	15	1,000 SF
General Heavy Industrial	1.50	67	1,000 SF
Industrial Park	6.96	15	1,000 SF
Manufacturing	3.82	27	1,000 SF
Warehouse	4.96	21	1,000 SF
Miniwarehouse	2.50	41	1,000 SF
High-Cube Warehouse	1.20	84	1,000 SF
Airport Hangar	4.96	21	1,000 SF

NOTES: For land uses not listed herein, either the *ITE Trip Generation Handbook*, latest edition, or other trip-generation studies as approved by the County shall be used.

To estimate total daily driveway trips for land uses listed herein with heavy vehicles that are 10 percent or more of the total daily driveway trips, the total estimated daily driveway trips for heavy vehicles shall be multiplied by 2, unless ITE heavy vehicle data or other County-approved heavy vehicle trip generation data for the land use support a different multiplier; however, in no event shall the multiplier be less than 1. The size of development thresholds listed herein may be reduced based on additional heavy vehicles trips.

Source: Pasco County 2006 Transportation Impact Fee Update Study Summary Report.

CHAPTER 900. DEVELOPMENT STANDARDS

SECTION 901. TRANSPORTATION

901.5. Transportation Impact Study

A. Intent and Purpose

The intent and purpose of the Traffic Impact Study (TIS) is to identify the potential traffic impacts of new development on the transportation system and to develop mitigation strategies to offset the impacts in accordance with the provisions of Concurrency and Access Management.

B. Applicability

This section applies to all development on land where any portion of the development site is within the jurisdiction of the County. This part 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 part, or portions thereof, within the municipality.

If a TIS is required by Section 1301, Concurrency, this subsection shall apply to applications filed, resubmitted after expiration, denial, or substantially amended on or after December 1, 2006.

Any project not required to complete a TIS by Section 1301, Concurrency, shall continue to be subject to the 2006 TIS Guidelines or 2004 TIS Guidelines, as applicable.

In the event of a conflict between this subsection and Concurrency Management, the Concurrency section shall govern until such time as the Concurrency or TIS section or subsection is amended to resolve the conflict.

C. Generally

The TIS is to be signed and sealed by a Florida registered professional engineer.

For Development of Regional Impact (DRI) developments and Florida Quality Developments, the methodological procedures and interpretation of the Level of Service (LOS) standards provided in the Definitions, as they relate to the Committed Network, Background Traffic Growth/Future Traffic, LOS Standards, Review Fee, and Substandard Roads sections herein shall be followed. DRIs and Florida Quality Developments shall also comply with the requirement to estimate when facilities are expected to fail and financial feasibility analysis requirements in the Analysis Scenarios section and mitigation requirements of Section 901.4, Substandard Roadway Analysis.

To demonstrate Concurrency de minimis status, the following subsections shall be applicable, in addition to other information as required by the County:

- Methodology Statement
- Definitions
- General Analysis Requirements and Software
- Impacted Roadways/Intersections
- Trip Generation
- Distribution/Assignment
- Internal Capture
- Passerby Capture
- Traffic Counts
- Background Traffic Growth

The network on which de minimis determinations are based may include the Committed Network as defined herein.

D. Methodology Statement

Prior to conducting any study, a methodology statement shall be prepared by the applicant and submitted for review and approval by the County Administrator or designee. 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 de minimis and further traffic study and review is not required. The following elements of the methodology, as listed below, should be specifically addressed at a minimum:

- Description of land uses, site location, build-out schedule, and phasing, including any interim uses generating traffic.
- Preliminary Site Plan
- Trip Generation
- Internal Capture
- Background Traffic Growth Procedure
- Distribution and Assignment

- De Minimis Assertion, if applicable.

- Committed Network

Unless otherwise agreed to in the methodology process, the procedures of this subsection shall be followed.

A methodology statement shall be prepared using the guidelines provided in the following paragraphs. The methodology statement shall be first reviewed by a County representative, if necessary, through a methodology meeting with the applicant's consultant. The applicant's consultant will then revise the statement based upon agreed-upon methodologies. The applicant shall ensure the consultant does not prepare a traffic study without an approved methodology statement signed by the County Administrator or designee.

In some subsections, these TIS Guidelines identify optional ways to undertake elements of the analysis, and the methods to actually be applied should be agreed upon in the methodology process.

Methodology Agreements shall be valid to govern submittal of the TIS for a period of six (6) months from the date of approval. If Methodology Agreements have been reached under earlier editions of these procedures, those agreements will remain valid for a period of six (6) months after approval of the methodology. Expired Methodology Agreements must be updated to reflect the current version of the TIS Guidelines, as well as changes in the Committed Network, Background Traffic Growth/Future Traffic, and the Non-De Minimis Roadway List.

E. <u>Impacted Roadways/Intersections</u>

Impacted roadways and intersections that must be studied in the TIS shall include the following:

1. If a development generating less than 1,200 gross external (driveway) daily trips is determined to require a traffic study; e.g., is not de minimis under Concurrency, then the study network for that development shall include the road facilities on the Non-De Minimis Roadway List causing that determination as well as any others required under the below sections. In the case that the roadway causing the requirement to undertake the traffic study is a Near-Critical Road and if development traffic consumes less than one (1) percent of the service volume, then no further analysis of that facility is required.

2. Any Major Road Network Facilities to which development traffic makes its first connection to the Major Road Network, provided the development traffic consumes one (1) percent or more of the facility service volume on any one (1) Road Segment of the facility. If the first connection to the Major Road Network is to a Critical Road, then

the facility shall be studied even if development traffic is below one (1) percent of the service volume.

3. Major Road Facilities on which the two (2) way peak-hour project traffic consumes five (5) percent or more of the existing or committed two (2) way peak-hour-service flow rate on any included Road Segment.

4. The site driveway connections to public roads are considered impacted. In addition, intersections of the local/nonmajor roads with the Major Road Network segments identified in this Code, Section 901.5.D.2, that provide access between the site to the Major Road Network.

5. Major Intersections that are part of the impacted roadways.

Lanes	Road Type	Area	Service Volume	
			LOS C	LOS D
2	Collector	Urbanized	870	1,390
4	Collector	Urbanized	2,030	2,950
2	Arterial	Urbanized	1,310	1,560
4	Arterial	Urbanized	3,300	3,390
6	Arterial	Urbanized	4,950	5,080
8	Arterial	Urbanized	6,280	6,440
4	Freeway	Urbanized	5,350	6,510
6	Freeway	Urbanized	8,270	10,050
8	Freeway	Urbanized	11,180	13,600
2	Collector	Transitioning	670	1,300
4	Collector	Transitioning	1,570	2,810
2	Arterial	Transitioning	1,260	1,490
4	Arterial	Transitioning	3,150	3,290
6	Arterial	Transitioning	4,730	4,930
4	Freeway	Transitioning	5,250	6,220
6	Freeway	Transitioning	8,110	9,600
8	Freeway	Transitioning	10,960	12,980
2	Arterial	Rural Undeveloped	740	1,190
4	Arterial	Rural Undeveloped	4,000	5,140
6	Arterial	Rural Undeveloped	6,000	7,710
4	Freeway	Rural Undeveloped	4,980	5,890
6	Freeway	Rural Undeveloped	7,690	9,090
2	Collector	Rural Developed	1,070	1,350
2	Arterial	Rural Developed	1,100	1,500
4	Arterial	Rural Developed	4,060	5,250
6	Arterial	Rural Developed	6,080	7,870
4	Freeway	Rural Developed	4,980	5,890
6	Freeway	Rural Developed	7,690	9,090

Mainline segments of toll roads may be excluded from the analysis, but analysis of ramp-merge and diverge sections, toll booths, and ramp

connections of expressways to the nonexpressway-road network shall be included to ensure toll-road operations do not adversely affect other public road operations.

For purposes of determining if peak-hour-development traffic consumes one (1) percent or five (5) percent or more of the existing service capacity of a road, the generalized roadway-service volumes from the Generalized Service Volumes tables of the Florida Department of Transportation (FDOT) current *Quality/LOS Handbook* (the 2002 values are reproduced in Table 1 for convenience) shall be used. Roadway functional classification shall be based on the Vision Plan Map of the Comprehensive Plan.

F. Analysis Scenarios

1. The Existing Scenario is defined as the analysis of existing traffic on the Existing Network.

2. The Future Scenario is defined as the analysis of existing traffic, plus background traffic, and the project's traffic on the Committed Network. For locations which are estimated to fail, identify when each failure is expected as a fraction of the development trips, associated on-site land-use quantities, and estimated year. These parameters may be estimated by interpolating between the "Existing Scenario" analysis and the "Future Scenario" (without mitigation) analysis. If new corridors that shift travel patterns are proposed as the solution, the interpolation should be based on an analysis that does not consider the new corridor. In the case of large Master Planned Unit Developments (MPUDs), DRIs, and Florida Quality Developments, the County reserves the right to modify timing of failure estimates to reflect other pending or approved developments that are presented between the time the methodology is approved and when the list of improvements to cure identified deficiencies at build-out are finalized by the County.

3. Future scenario with mitigation is defined as analysis of existing traffic, plus background traffic, plus project traffic on the Committed Network with the inclusion of any other improvements that are required to restore the adopted LOS standard. This analysis scenario will be required only if mitigation is required as the result of the future scenario analysis. For purposes of analyzing site-access requirements only, the County may allow consideration of improvements scheduled in the first five (5) years of the Capital Improvement Program. For large MPUD, DRI, and Florida Quality Development projects, the County may require an additional five (5), ten (10), and/or fifteen (15) year analysis of the financial feasibility of the improvements that are required to restore the adopted LOS standard.

G. General Analysis Requirements and Software

LOS and turn lane length analysis shall be undertaken for all impacted roadways and intersections in accordance with the procedures below.

1. For the facility on the Major Road Network to which the development has direct access:

   a. If the future year total volume is seventy (70) percent or less of the Major Road, generalized service volume using the latest version of FDOT generalized tables, detailed capacity and turn-lane length analyses shall be undertaken for site-driveway connections to that facility, and/or of the local street providing site traffic access to that major road facility. Turn lane length analysis shall be undertaken in accordance with Section 901.3, Access Management.

   b. If the future year total volume is more than seventy (70) percent of the generalized service volume using the latest version of FDOT generalized tables, a detailed capacity analysis shall be undertaken for that facility that evaluates LOS and the adequacy of turn-lane lengths. Turn lane length analysis shall only be required for signalized and major unsignalized intersections within the directly accessed facility that are within one mile of the driveway or local street intersection providing access to the site from the Major Road. Turn lane length analysis shall be undertaken in accordance with Section 901.3, Access Management.

2. For analysis of roadways outside of the area as described in Paragraph 901.5.G.1.b above, the use of the latest version of FDOT's generalized tables is permitted as an initial screening tool. If failure is estimated, then a more detailed analysis is required using the procedures described below.

3. Road Facility limits shall be as defined in the County's Annual Concurrency monitoring LOS report. Adjustments, if appropriate, shall be proposed in the methodology statement, and be developed based on acceptable engineering and planning practices as set forth in the *Highway Capacity Manual* (HCM).

4. All analysis shall be undertaken for conditions during the 100th highest hour of the year. Other time periods or a.m. analysis may be required if requested during the methodology meeting or during the first sufficiency review.

5. Use of analysis software is allowed in accordance with the following:

a. For unsignalized intersections, the latest version of Highway Capacity Software is the preferred software for analyzing delay and LOS.

b. For signalized intersections, the latest version of *Synchro* software using the percentile delay methodology is required.

c. For interrupted flow road segment analysis, the preferred software is the latest version of *Synchro*.

d. For uninterrupted flow roads (those with more than two (2) mile signal spacing) the latest version of the FDOT's *Highplan* software is acceptable.

e. The electronic copy of the analysis files shall be provided. The hard copy of the summary sheets shall be provided unless otherwise requested by the County Administrator or designee.

f. Other analysis software may be required by the County to address situations not addressed by the above provisions or if requested by the applicant and approved by the County Administrator or designee during the methodology step.

g. If any analysis software is used as an alternative to the FDOT's generalized tables, detailed LOS analysis of all major intersections within the facility is required.

h. The input data to the software shall be field verified and provided in the report including, but not limited to:

(1) Geometry, including lane widths and turn-lane lengths.

(2) Heavy vehicle factor.

(3) Directional factor (D Factor, not to be less than 0.52 for the future conditions analysis).

(4) Peak-hour factor, not to exceed 0.95 for the future conditions analysis.

(5) Values of the above parameters should be estimated in the future conditions analysis to reflect unconstrained, demand conditions.

(6) Existing signal timing and phasing can be obtained from the County Administrator or designee. The existing signal timing, including its maximum and minimum settings, shall be used for the initial analysis

of future conditions. Any timing change outside of the existing minimum and maximum setting may be presented for County approval as part of the mitigation strategy.

(7) Segment lengths.

i. If the FDOT's generalized, roadway service-volume tables are used, the following information shall be provided in a separate table:

(1) Class of roadway (interrupted or uninterrupted).

(2) County or State maintained.

(3) Area type.

(4) Signal density.

(5) LOS standard.

j. Other parameters that govern the roadway/intersection capacity analysis shall be based on the parameters described in the latest version of the HCM.

k. The County may require the inclusion of proposed or anticipated traffic signals in the future year condition that may not exist in the "existing condition," including signals at development entrances.

6. Where driveway movements are restricted, the associated necessary U-turns and added flow at the upstream and downstream median openings or intersections should be identified and analyzed as development traffic.

7. Procedure to determine detailed facility service volume for purposes of establishing Critical and Near-Critical Roads:

a. Undertake *Synchro* intersection capacity analysis using current 100th highest-hour volume estimates.

b. Check turn movements to be sure the volume/capacity (v/c) ratio is less than or equal to one (1.0) on all turning movements.

c. Check turn lane length to accommodate 95th percentile queue, if inadequate, increase green to shorten the queue.

d. Allocate remaining green time to through movements to minimize delay subject to the v/c ratio <1.0.

e. Apply the through movement v/c ratios determined in this way to an Art-Plan analysis to solve for facility service volume;

f. Divide the weighted average volume for the facility (weighted by segment length) by the facility service volume determined by Art Plan.

H. Trip Generation

The trips from/to the site shall be estimated using the latest *Institute of Transportation Engineers* (ITE) *Trip Generation Handbook*, including separate trip generation estimates for interim traffic generating uses. An interim use would be land excavation, as defined in this Code, Chapter 1300, and removal of more than 30,000 cubic yards, 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. Other rates may be required by the County, or may be used if requested by the applicant and approved by the County. Use of other rates must be requested during the methodology step.

Heavy vehicles adversely affect traffic because they occupy more roadway space and have poorer operating capabilities than passenger cars, particularly with regard to acceleration, deceleration, and the ability to maintain speed on upgrades. Accordingly, for trip generation purposes, if heavy vehicles are ten (10) percent or more of the trips generated by the proposed land use, the total estimated trips for heavy vehicles shall be multiplied by two (2) unless ITE heavy vehicle data or other County-approved heavy vehicle, trip generation data for the land-use support a different multiplier; however, in no event shall the multiplier be less than one (1). The multiplier shall not be used for purposes of study area determination. The multiplier shall not be used in addition to the multiplier used in the analysis software to determine LOS.

For estimating daily trip generation for purposes of establishing de minimis status, the daily trip generation rates of Section 1302.9, Transportation Impact Fees, shall be acceptable.

To encourage redevelopment of previously developed sites, a credit against any previously existing land uses shall be given for the replacement of any traffic generating building or structure that existed on or after January 1, 1985. If the petitioner can provide evidence of such a prior use on the site, the TIS shall analyze the net increase in trips associated with the proposed land use as development traffic. If the site was dormant during the collection of the traffic-count data the analysis is based upon, then the "prior vested" portion of the development traffic must be added as "background" traffic. For purposes of access management analysis, the total trips (prior vested plus additional, new trips) should be analyzed at site access and connection points to the Major Road Network.

I. Internal Capture

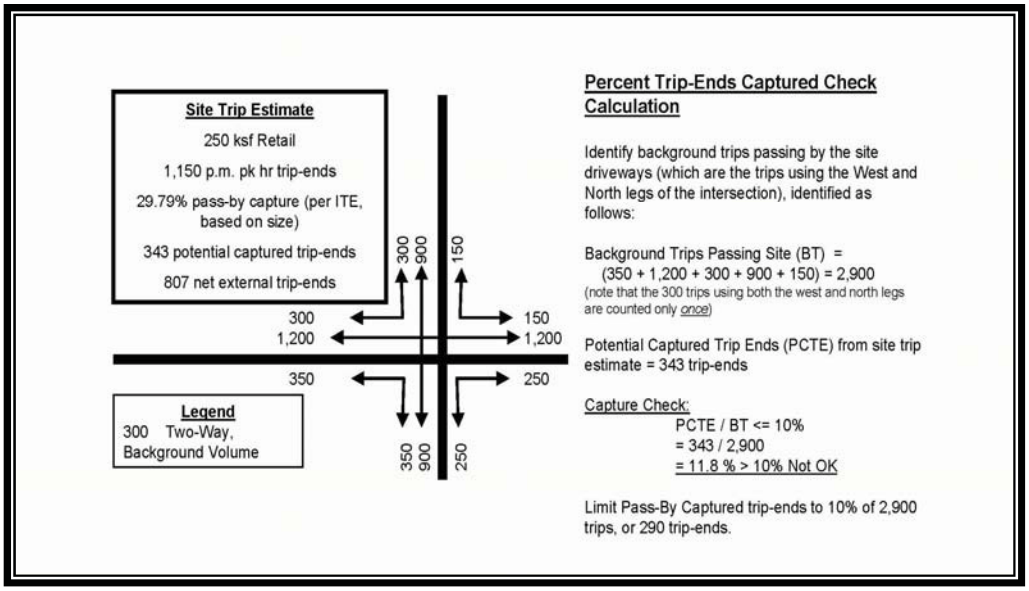
Internal capture estimates shall be based on ITE acceptable methodologies and, where the ITE data is not applicable, professional judgment. However, in no case will an internal capture of more than twenty (20) percent be acceptable unless the County accepts a higher internal capture percentage based on verifiable documentation; e.g., field studies of comparable sites.

J. 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 shall not exceed twenty (20) percent of site generated traffic unless data supporting higher rates are included in the current version of the ITE Trip Generation reference or are otherwise approved by the County Administrator or designee. In no event shall the total passerby trips entering and exiting a site exceed ten (10) percent of the total, background traffic on the adjacent roadway. In analysis of the site-access intersections with major roads, the passerby trips shall be included and separately identified.

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 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 roads directly abutting or passing through the site. An example of this computation is provided below:



K. Distribution/Assignment

The latest, adopted, Tampa Bay Regional Planning Model (TBRPM) is acceptable in determining the trip-distribution percentages and trip assignments. The results of the model will be reviewed by the County Administrator or designee for reasonableness to ensure the existing and future travel patterns are correctly simulated. Manual trip distribution and assignment may also be acceptable as long as it is reviewed and accepted by the County Administrator or designee and logically replicates the existing and future travel patterns.

L. Traffic Counts

All counts shall be conducted based on acceptable engineering standards. Raw turning-movement counts and daily tube counts (minimum forty-eight [48] hours) shall be provided for all the intersections and road segments that are being analyzed. The raw counts shall be converted to the 100th highest hour of the year based on the FDOT's peak season adjustment factors and minimum K100 factors. Prior to approval of the methodology statement, other peak season adjustment factors or adjustment methodologies that may result in different peak season adjustment factors may be requested at the discretion of the County.

For saturated intersections, the FDOT's methodology shall be followed to estimate the turning movement counts by multiplying the average annual daily traffic (AADT) tube count at appropriate locations by field verified "D" and minimum K100 factors, and by applying the percentage turns obtained from the field turning movement counts. In no event; however, shall the estimated, turning movement counts be less than the existing field counts.

Tube counts at appropriate locations shall be provided for segment analysis using the FDOT procedures. The segment tube counts at mid-block locations shall be checked against turning movement counts at near intersections. In general, the mid-block counts and turning movement counts shall not be significantly different unless the difference can logically be explained.

Approved FDOT- or County-maintained counts may be used if they are less than one (1) year old. However, new counts may be requested if there are recent improvements to the transportation system that cause significant changes in traffic patterns. Counts more than one (1) year old will not be acceptable unless otherwise approved by the County Administrator or designee. Machine counts should start no earlier than 9:00 a.m. on Mondays and end no later than 3:00 p.m. on Fridays.

M. Background Traffic Growth/Future Traffic

The existing traffic counts shall be increased by a growth factor up to the project's build-out date, which shall be reasonably specified to account for increases in existing traffic due to other approved and pending developments,

as determined by the County Administrator or designee. The development build-out date shall be no less than two (2) years and no more than either ten (10) years for non-DRI developments or fifteen (15) years for DRI developments from the date of the initial transportation methodology submittal.

In the case of pending or approved developments having a build-out period longer than the development under review, the County Administrator or designee may allow the incorporation of a reasonable fraction of the approved or pending development in the background traffic estimate. The County Administrator or designee may maintain a database of traffic growth rates for this purpose.

Any development for which the applicant demonstrates that the project is not built; the project is not pending; the project is no longer exempt from transportation concurrency pursuant to Section 1301 and transportation capacity is no longer reserved for such project pursuant to, Section 1301, need not be considered in background traffic.

Background traffic growth rates and background traffic volume estimates shall be based on any combination of the following techniques, which must be proposed and agreed upon in the methodology process:

1. Historical growth rates (minimum of the past three [3] years) may be used in areas where the expected growth is representative of the past growth.

2. Consideration of traffic from approved and pending developments may be required in areas where the historical trend is judged by the County to be inappropriate. This may be accomplished through application of the latest adopted TBRPM, the Metropolitan Planning Organization's (MPO) Urban Area Transportation System Planning Model.

3. The growth/future traffic on roads that do not currently exist shall be based on the TBRPM (the latest, adopted model).

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, and (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 the MPO's or County's adopted, validated year

and the adopted, interim, or future year, socioeconomic data, then adjusting to reflect the pending and approved developments.

5. The socioeconomic data of the model shall reasonably represent, if appropriate, the approved and pending developments in the vicinity of the project as approved by the County Administrator or designee during the methodology process.

6. Minimum, annual growth rates in all cases shall be two (2) percent, unless otherwise approved by the County Administrator or designee.

7. The assumed growth rate for each impacted roadway segment shall be presented in a table.

8. The background traffic growth estimates of the model will be reviewed by the County Administrator or designee to ensure growth reasonably reflects recent and expected growth trends.

9. The connections of surrounding traffic analysis zones in the model should be reviewed to reflect other approved and pending developments and to ensure appropriate network loading.

For purposes of de minimis determinations under Section 1301.6.D.3.e, 100th highest hour-traffic volume data shall be factored to account for vested and de minimis trips to the calendar year of the published List of Non-De Minimis Roads that is current at the time the petition for de minimis determination is submitted.

N. Level of Service Standards

1. The LOS standards for all major road segments (facilities) shall be consistent with the letter standards per the County's latest adopted Comprehensive Plan.

2. The overall intersection LOS standard is the same as the segment (facility) standard. Where different LOS standards apply to different legs of an intersection, the overall intersection LOS standard will be "D."

3. The delay for individual turning movements and through movements may exceed the segment standard by one (1) letter grade provided that the v/c ratio for the subject movement remains less than or equal to one (1). Average delays up to 100 seconds are acceptable for individual turning movements where the v/c ratio is less than 0.8.

4. For site access driveways and local street connections serving site access traffic, delays up to 100 seconds will be considered acceptable.

O. Inventory of Existing and Future Conditions

At minimum, the following additional information shall be provided:

1. Build-out date of the project must be a reasonable date based on the size of the project, but not less than two (2) years from the date the TIS is submitted, nor more than ten (10) years for non-DRI developments or more than fifteen (15) years for DRIs.

2. The geometry, speed limit, and the LOS standard of all the existing roadways, intersections and committed intersections, and roadway improvement projects within and in close proximity of the study area.

3. Existing vehicle counts and data supporting heavy vehicle factor for capacity and substandard road analysis.

4. Graphic presentation of the project's proposed access locations, types, and internal roads with connections to the County's vision/build-out or long-range plan of roadways. The graphic shall also cover the area beyond the boundary of the project to include all the external, major roadways and existing or future, access points and types of developments surrounding the project.

5. Pavement marking plans/concept plans of roadways that provide direct access to the project and have completed or are undergoing design or route study phase, if available.

6. Graphic presentation of project, traffic percent distribution and total background and project traffic assignments.

7. Inventory of existing or committed, traffic control devices.

P. Mitigation of Impacts

1. General Guidance

a. This subsection provides discussion on how the adequacy of mitigation will be technically reviewed and determined by the County Administrator or designee. The mitigation options discussed below are set forth in Section 1301, Concurrency. In the event the discussions below are found to conflict with the requirements of this Code, this Code shall prevail.

b. Improvements for mitigation of impacts at an individual location must work effectively relative to upstream and downstream roadway conditions. As examples:

- A proposed improvement that relies upon dual lefts, three (3) through lanes, and a right-turn lane to provide adequate capacity to serve the traffic demand at an

intersection approach where only one (1) lane feeds traffic might not be considered an effective improvement, because; for example, one (1) lane can only feed traffic at a rate of 1,850 vehicles per hour, but the intersection capacity analysis relies upon approach-lane capacity in excess of the 1,850 vehicles per hour.

- A proposed improvement that cannot achieve effective lane utilization due to downstream conditions would not be considered an effective improvement. For example, provision of a second through lane with a receiving lane on the far side of an intersection of only 300 feet in length.

- Analyses of improvements to closely spaced intersections should include evaluations of the traffic flow interaction and signal timings of the two (2) intersections to ensure the proposed improvements will achieve the intended result.

c. For unsignalized intersections, below standard conditions should be mitigated by first considering the addition of auxiliary lanes, then consideration of signalization. If development traffic contributes to the side street volumes, but the deficient delay is not mitigated through an auxiliary lane addition, warrants for signalization are not met, and signalization is shown to be a viable solution when warranting conditions are met, then a financial contribution to future signalization may be considered as mitigation. Widening of the major road may also be necessary. See the "Proportionate Share Mitigation" section below for share computation methodology for adding a traffic signal at a previously unsignalized location.

2. Mitigation Options

a. Restore to adopted standard: Identify an improvement at an impacted location that restores LOS to the adopted standard for the "future year with development traffic" condition, as defined in the Analysis Scenarios section of these guidelines.

b. Proportionate Share Mitigation: The proportionate share payment shall be calculated as follows:

(1) Identify all the needed improvements to bring all deficient locations in the study network back to the LOS standard.

(2) Submit a cost estimate of the required improvements in accordance with procedures below.

(3) Calculate the proportionate share cost of those improvements per the following formulas:

(a) For road segments:

Proportionate share cost = Total cost of improvement X project traffic/increase in capacity created by the improvement. The increase in facility capacity shall be based on the generalized service volume table provided in the "Impacted Roadways/ Intersections" section of this document. The above values shall be in units of peak-hour, two (2) way values.

(b) For signalized and unsignalized intersections (where signalization is not needed):

Proportionate share cost = Total cost of improvement X project traffic/increase in capacity created by the improvement.

Where project traffic is the development traffic in all movements at the intersection, and increase in capacity is the sum of the changes in physical capacity of all of the movements at the intersection.

(c) For installation of signals at unsignalized locations:

Proportionate share cost = Total cost of improvement X project traffic/increase in capacity created by the improvement.

Where project traffic is the development traffic in all movements at the intersection. Increase in capacity is the sum of the changes in physical capacity for the minor-street movements only at the intersection.

If other unforeseen situations arise, they will be dealt with on a case-by-case basis.

(4) Cost values shall include route study costs, design, right-of-way, construction, construction engineering/ inspection costs, and contingency costs.

(a) For improvements to County roads, the following general rules shall apply to estimate improvement costs. The County Administrator or designee reserves the right to make use of more detailed information when available prior to the issuance of a Certificate of Capacity requiring a proportionate share or cost calculation. The latest available cost estimates will be used only after the needed improvements for the proposed development are identified to the satisfaction of the County using the County's Concurrency Management System:

(i) The route study cost should be $40,000.00 per mile.

(ii) The construction cost should be based on 85 percent of the costs in the latest available FDOT District Seven (7) Cost Reports column presently titled "Subtotal." This cost column represents Long-Range Estimates costs, plus Maintenance of Traffic, plus Mobilization.

(iii) The design cost should be five (5) percent of the total construction cost from Step (ii).

(iv) The Construction Engineering Inspection (CEI) cost should be three (3) percent of the cost from Step (ii).

(v) Contingency cost shall be ten (10) percent of the construction cost from Step (ii).

(vi) Right-of-way costs from a location specific study should be used when available. Right-of-way costs of at least 23.5 percent of the cost from Step (ii) are generally expected.

For intersections, site-specific conditions should be reviewed in every case.

The County Administrator or designee will be the agency responsible for review and approval of the County road improvement cost estimates.

(b) For FDOT-maintained roads the following general rules shall apply to estimate improvement costs. If more detailed studies have been undertaken that provide better estimates, they may be submitted for consideration. The FDOT shall have the right to change these general rules no later than two (2) weeks prior to the issuance of a Certificate of Capacity requiring a proportionate share or cost calculation.

(i) The construction cost, including Design and CEI for improvements, should be based on latest available general cost estimates produced by FDOT District 7.

(ii) The right-of-way cost estimate should be 120 percent of the estimated construction cost (LRE column).

(iii) The Project Development and Environment Study cost should be five (5) percent of the construction cost.

The latest available costs estimates will be used after the list of needed improvements are finalized to the satisfaction of the County using the County's Concurrency Management System.

(5) Where an improvement to an alternate road, which draws background traffic away from an existing road estimated to fail, is identified as a solution to congestion, and development traffic is assigned to both the existing road as well as the alternate road, then the proportionate share computation will include the total, development traffic on the existing road and the new road.

PASCO COUNTY TIS GUIDELINES
SIZE OF DEVELOPMENT THAT GENERATES 600 DAILY DRIVEWAY TRIPS

Land Use	Trip Rate (1)	Size of Dev.	Unit
RESIDENTIAL:			
Single-Family (Detached)	7.59	80	DU
Multifamily (Apartments)	6.30	96	DU
Mobile Home Park	4.67	129	DU
Age-Restricted Single-Family	3.71	162	DU
Congregate-Care Facility (Attached)	2.25	267	DU
Low-Rise Condominium (1 to 2 stories)/Townhouse	5.20	116	DU
High-Rise Condominium (3 or more stories)	4.18	114	DU
LODGING:			
Hotel	8.30	73	Room
Motel	5.63	107	Room
Resort Hotel	5.10	118	Room
Recreational Vehicle Park	3.70	163	RV Space
RECREATION:			
Marina	2.90	205	Berth
Golf Course	35.74	17	Hole
Miniature Golf Course	3.30	182	Hole
Movie Theaters	106.63	6	Screen
General Recreation	2.28	264	Acres
Racquet Club/Health Club/Spa/Dance Studio	14.03	43	1,000 SF
Bowling Alley	33.33	18	1,000 SF
Community Center	22.88	27	1,000 SF
INSTITUTIONAL:			
Hospital	17.57	35	1,000 SF
Nursing Home	2.48	242	Bed
Elementary School	1.29	466	Student
Middle School	1.62	371	Student
High School	1.71	351	Student
Junior/Community College	1.20	501	Student
University	2.38	253	Student
Church	9.11	66	1,000 SF
Day Care	3.03	199	Student
Cemetery	4.73	127	Acres
OFFICE:			
General Office - 50,000 SF or less	15.65	39	1,000 SF
General Office - 50,001 to 100,000 SF	14.25	All	1,000 SF
General Office - 100,001 to 200,000 SF	12.15	All	1,000 SF
General Office - 200,001 to 400,000 SF	10.36	All	1,000 SF

Land Use	Trip Rate (1)	Size of Dev.	Unit
OFFICE (cont.):			
General Office - Greater than 400,000 SF	8.83	All	1,000 SF
Medical Office	35.95	17	1,000 SF
Office Park	11.70	52	1,000 SF
Veterinarian Clinic	32.80	19	1,000 SF
RETAIL:			
Specialty Retail	49.99	13	1,000 SF
Shopping Center - Under 50,000 GSF	86.56	7	1,000 SF
Shopping Center - 50,000 to 200,000 GSF	62.81	All	1,000 SF
Shopping Center - 200,001 to 400,000 GSF	46.23	All	1,000 SF
Shopping Center - 400,001 to 600,000 GSF	38.66	All	1,000 SF
Shopping Center - 600,001 to 800,000 GSF	34.37	All	1,000 SF
Shopping Center - Greater than 800,000 GSF	30.33	All	1,000 SF
Pharmacy/Drug Store with Drive Through	95.21	7	1,000 SF
Home Improvement Superstore	29.80	21	1,000 SF
Hardware/Paint	51.29	12	1,000 SF
Quality Restaurant	91.10	7	1,000 SF
High-Turnover Restaurant	126.50	5	1,000 SF
Fast Food Restaurant with Drive-Through	522.62	2	1,000 SF
Gasoline Station	168.56	4	Fuel POS
Quick-Lube	40.00	16	Bays
Auto Repair or Body Shop	30.09	20	1,000 SF
Self-Service Car Wash	108.00	6	Bay
Tire Store	24.87	25	1,000 SF
New/Used Auto Sales	32.93	19	1,000 SF
Supermarket	103.38	6	1,000 SF
Convenience Store with Gas Pumps	803.24	1	1,000 SF
Furniture Store	5.06	119	1,000 SF
Bank/Savings Drive-In	261.55	3	1,000 SF
Convenience/Gasoline/Fast-Food Store	984.59	1	1,000 SF
INDUSTRY:			
General Light Industrial	6.97	87	1,000 SF
General Heavy Industrial	1.50	401	1,000 SF
Industrial Park	6.96	87	1,000 SF
Manufacturing	3.82	158	1,000 SF
Warehouse	4.96	121	1,000 SF
Miniwarehouse	2.50	241	1,000 SF
High-Cube Warehouse	1.20	501	1,000 SF
Airport Hangar	4.96	121	1,000 SF

NOTES: For land uses not listed herein, either the *ITE Trip Generation Handbook*, latest edition, or other trip-generation studies as approved by the County shall be used.

To estimate total daily driveway trips for land uses listed herein with heavy vehicles that are 10 percent or more of the total daily driveway trips, the total estimated daily driveway trips for heavy vehicles shall be multiplied by 2, unless ITE heavy vehicle data or other County-approved heavy vehicle trip generation data for the land use support a different multiplier; however, in no event shall the multiplier be less than 1. The size of the development thresholds listed herein may be reduced based on additional heavy vehicles trips.

Source: Pasco County 2006 Transportation Impact Fee Update Study Summary Report.

EXHIBIT 901.5.B

PASCO COUNTY TIS GUIDELINES
SIZE OF DEVELOPMENT THAT GENERATES 1,200 DAILY DRIVEWAY TRIPS

Land Use	Trip Rate (1)	Size of Dev.	Unit
RESIDENTIAL:			
Single-Family (Detached)	7.59	159	DU
Multifamily (Apartments)	6.30	191	DU
Mobile Home Park	4.67	257	DU
Age-Restricted Single-Family	3.71	324	DU
Congregate Care Facility (Attached)	2.26	634	DU
Low-Rise Condominium (1 to 2 stories)/Townhouse	5.20	231	DU
High-Rise Condominium (3 or more stories)	4.18	288	DU
RECREATION:			
Hotel	8.30	145	Room
Motel	5.63	214	Room
Resort Hotel	5.10	236	Room
Recreational Vehicle Park	3.70	325	RV Space
INSTITUTIONAL:			
Marina	2.96	406	Berth
Golf Course	35.74	34	Hole
Miniature Golf Course	3.30	364	Hole
Movie Theaters	106.03	12	Screen
General Recreation	2.28	527	Acres
Racquet Club/Health Club/Spa/Dance Studio	14.03	86	1,000 SF
Bowling Alley	33.33	37	1,000 SF
Community Center	22.88	53	1,000 SF
INSTITUTIONAL:			
Hospital	17.57	69	1,000 SF
Nursing Home	2.48	484	Bed
Elementary School	1.29	931	Student
Middle School	1.62	741	Student
High School	1.71	702	Student
Junior/Community College	1.20	1,001	Student
University	2.38	505	Student
Church	9.11	132	1,000 SF
Day Care	3.03	397	Student
Cemetery	4.73	254	Acres
OFFICE:			
General Office - 50,000 SF or less	15.65	None	1,000 SF
General Office - 50,001 to 100,000 SF	14.25	85	1,000 SF
General Office - 100,001 to 200,000 SF	12.15	All	1,000 SF
General Office - 200,001 to 400,000 SF	10.36	All	1,000 SF

Land Use	Trip Rate (1)	Size of Dev.	Unit
OFFICE (cont.):			
General Office - Greater than 400,000 SF	8.83	All	1,000 SF
Medical Office	35.95	34	1,000 SF
Office Park	11.70	103	1,000 SF
Veterinarian Clinic	32.80	37	1,000 SF
RETAIL:			
Specialty Retail	49.99	25	1,000 SF
Shopping Center - Under 50,000 GSF	86.56	14	1,000 SF
Shopping Center - 50,000 to 200,000 GSF	62.81	All	1,000 SF
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Shopping Center - 600,001 to 800,000 GSF	34.37	All	1,000 SF
Shopping Center - Greater than 800,000 GSF	30.33	All	1,000 SF
Pharmacy/Drug Store with Drive-Through	95.21	13	1,000 SF
Home Improvement Superstore	29.80	41	1,000 SF
Hardware/Paint	51.29	24	1,000 SF
Quality Restaurant	91.10	14	1,000 SF
High-Turnover Restaurant	126.50	10	1,000 SF
Fast Food Restaurant with Drive-Through	522.02	3	1,000 SF
Gasoline Station	168.56	8	Fuel POS
Quick-Lube	40.00	31	Bays
Auto Repair or Body Shop	30.09	40	1,000 SF
Self-Service Car Wash	108.00	12	Bay
Tire Store	24.87	49	1,000 SF
New/Used Auto Sales	32.93	37	1,000 SF
Supermarket	103.38	12	1,000 SF
Convenience Store with Gas Pumps	803.24	2	1,000 SF
Furniture Store	5.06	238	1,000 SF
Bank/Savings Drive-In	201.55	5	1,000 SF
Convenience/Gasoline/Fast-Food Store	964.59	2	1,000 SF
INDUSTRY:			
General Light Industrial	6.97	173	1,000 SF
General Heavy Industrial	1.50	801	1,000 SF
Industrial Park	6.96	173	1,000 SF
Manufacturing	3.82	315	1,000 SF
Warehouse	4.96	242	1,000 SF
Miniwarehouse	2.50	481	1,000 SF
High-Cube Warehouse	1.20	1,001	1,000 SF
Airport Hangar	4.96	242	1,000 SF

NOTES: For land uses not listed herein, either the *ITE Trip Generation Handbook*, latest edition, or other trip-generation studies as approved by the County shall be used.

To estimate total daily driveway trips for land uses listed herein with heavy vehicles that are 10 percent or more of the total daily driveway trips, the total estimated daily driveway trips for heavy vehicles shall be multiplied by 2, unless ITE heavy vehicle data or other County-approved heavy vehicle trip generation data for the land use support a different multiplier; however, in no event shall the multiplier be less than 1. The size of the development thresholds listed herein may be reduced based on additional heavy vehicles trips.

Source: Pasco County 2006 Transportation Impact Fee Update Study Summary Report.

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 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 the maximum density permitted by the land use classification as designated by the Comprehensive Plan and assuming compliance with Section 901.6.D.11.

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'

Street Type	Urban	Rural
3 with parking on both sides	66'	86'
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 Fire Marshal or designee. Additional turnouts may be required by the 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 major collector, arterial, and subdivision collector 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.

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.

F. <u>Pedestrian and Bicycle Facilities</u>

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.

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

Classification	Subclassification	Definition	Equivalent Residential Units Served
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 901. TRANSPORTATION

901.7. Bicycle Facilities

A. Intent and Purpose

The intent and purpose of this section is to provide for the safe and efficient accommodation of bicyclists.

B. Applicability

For developments located within the RES-3 (Residential - 3 du/ga) or higher Future Land Use Classification, all Type 1 streets shall be designed and constructed to provide for bicycle facilities in addition to the requirement for sidewalks, unless otherwise approved at the time of preliminary development plan approval.

C. Continuity

Bicycle facilities shall align with abutting bicycle facilities. 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, or any other structure. When there is an existing or anticipated obstruction, the bicycle facilities shall be installed around the object while maintaining the required bicycle facilities width.

D. Construction

1. Bicycle facilities shall be provided in one (1) of the following ways:

   a. Bicycle Lane

      A continuous, minimum four (4) foot widening of both sides of the street pavement (bicycle lanes); or

   b. Bicycle Path

      A minimum eight (8) foot wide bicycle path not contiguous to the street pavement and separate from the sidewalk. If a part of a multiuse path, the multiuse path shall be a minimum of twelve (12) feet wide.

2. Bicycle 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.

3. Bicycle paths shall be constructed of:

   a. 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; or

   b. One (1) inch thick SP-9.5 asphaltic-concrete surface placed on a four (4) inch thick limerock base over an LBR 100 compacted to a 98 percent modified proctor subgrade; or

   c. Other cross section as approved by the County Engineer.

   d. Shall comply with the Americans with Disabilities Act requirements for ramps at intersections.

4. Where a separate bicycle path is provided, it shall be constructed prior to the issuance of a Certificate of Occupancy for the abutting dwelling unit. Along nonlot areas, bike paths shall be constructed with the abutting infrastructure improvements or common areas, such as roads, utilities, drainage areas, landscape tracts, and neighborhood parks.

E. Obstructions

The bicycle lane or bicycle path shall be constructed to provide clearance from trees, poles, walls, fences, guardrails, or other lateral and/or vertical obstructions. Street conditions should be favorable for bicycling, including safe drainage grates, smooth pavements, and signals responsive to bicycles.

F. Maintenance

Nothing herein is intended or shall be inferred to impose any obligation on the part of the County to maintain or inspect bicycle paths constructed in accordance with this or any other section of this Code. All bicycle paths 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 County Commissioners to accept responsibility for maintenance of the bicycle path, or if such responsibility for maintenance of the bicycle path is otherwise voluntarily assumed by the County.

CHAPTER 900. DEVELOPMENT STANDARDS

SECTION 901. TRANSPORTATION

901.10. Traffic Control Devices

A. Compliance with State Law

All traffic control devices, including signage and pavement markings, uniform signals, and devices installed within County rights-of-way, shall conform to the system adopted by the Florida Department of Transportation pursuant to Section 316.0745, Florida Statutes, and any other County standards.

B. Responsible Party

Where required by a development approval, the cost of design/permitting and/or cost of construction of all required traffic control devices shall be the responsibility of the developer.

C. Street Name Signage

The color and size of all street name signs shall be in accordance with current County standards and the *Federal Manual on Uniform Traffic Control Devices*, current edition, at Section 2D.43, as may be amended. On streets to be maintained by the County, all signs other than street name signs shall be date coded with a reflective label affixed to the back of the sign. It shall be punched to show month, day, and year of installation as follows:

Sample Label: Size 2" X 4"

PASCO COUNTY
WARNING:
REMOVAL OF OR
DEFACING ANY
TRAFFIC CONTROL
DEVICE IS
PUNISHABLE BY
FINE AND/OR
IMPRISONMENT
REPORT DAMAGE
BY CALLING (727)
847-2411
INSTALLED J F M A
M J J A S O N D 10's
20's 30's - 1 2 3 4 5 6
7 8 9 90 91 92 93 94

D. Construction Materials

All post systems, mounting brackets, and hardware shall be of a type currently in use by the County. Alternative systems shall only be used if approved by the County Administrator or designee.

All traffic control devices and materials shall be on the current Florida Department of Transportation approved products list. Proof of certification shall be required prior to installation.

E. Maintenance

Street name signs and traffic control devices shall not be accepted by the County until the associated street has been accepted for maintenance by the County. Prior to acceptance by the County, the developer shall be responsible for all maintenance of traffic control devices and shall provide a point of contact.

CHAPTER 900. DEVELOPMENT STANDARDS

SECTION 901. TRANSPORTATION

901.11. Street Lighting

A. Applicability

Streetlights shall be provided within all subdivisions as follows:

1. For subdivisions located within the AG (Agricultural), AG/R (Agricultural/Rural), or RES-1 (Residential - 1 du/ga) Future Land Use Classification, street lighting shall be required, as determined necessary at the time of preliminary plan approval, at all intersections which involve a Type 1 street, a Type 2 street, or a street functionally classified by the Comprehensive Plan, Future Roadway Network.

2. For subdivisions located within the RES-3 (Residential - 3 du/ga) or higher land use classification, street lighting shall be required throughout the subdivision, except along Type 5 streets.

B. Specifications

Street lighting shall be constructed per plans approved by the appropriate service provider.

C. Street Lighting Service Area

At any time after the initial installation, the property owner(s) may petition the Board of County Commissioners (BCC) to establish a street lighting service area. Upon creation of the said area, the developer shall, at no cost to the County, transfer to the County all contracts as required by the County for the area in accordance with current BCC policy. Until such time as a street lighting service area is established, the owner/developer shall be responsible for all maintenance and the cost of operation.

901.8. Pedestrian Facilities

A. Intent and Purpose

The intent and purpose of this section is to provide for the safe and efficient accommodation of pedestrians.

B. Applicability

For developments located within the RES-3 (Residential - 3 du/ga) or higher Future Land Use Classification, sidewalks shall be provided along both sides of all streets, except Type 5 streets, within or near the project, including those areas abutting nonlot areas, unless an alternative standard is approved at the time of preliminary development plan approval. Double-frontage lots shall have sidewalks on both frontages, unless an alternative standard is approved at the time of preliminary development plan approval.

C. Continuity

Sidewalks shall align vertically and horizontally with abutting sidewalks. Sidewalks 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, or any other structure.

D. Construction

Unless an alternative standard is approved at the time of preliminary development plan approval, sidewalks shall be constructed of natural or colored concrete at least 3,000 psi in strength, fiber reinforced, a minimum of five (5) feet in width along Type 1 collector or arterial streets and four (4) feet in width along all other 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. The grades of sidewalks shall be such that changes of grades greater than ten (10) percent are not encountered within blocks. When there is an existing or anticipated obstruction, the sidewalk shall be installed around the object while maintaining the required sidewalk width.

Sidewalks shall be constructed prior to the issuance of a Certificate of Occupancy for the abutting dwelling unit. Along nonlot areas, sidewalks shall be constructed with the abutting infrastructure improvements or common areas, such as roads, utilities, drainage areas, landscape tracts, and neighborhood parks.

E. Curb Ramps

Permanent curb ramps meeting the requirements of the Americans with Disabilities Act shall be provided at crosswalks at all intersections where sidewalks are constructed.

Curb ramps shall be a minimum of four (4) feet in width 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.

F. Obstructions

The pedestrian facilities shall be constructed to provide clearance from trees, poles, walls, fences, guardrails, or other lateral and/or vertical obstructions.

G. 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 County Commissioners to accept responsibility for maintenance of the sidewalk, or if such responsibility for maintenance of the sidewalk is otherwise voluntarily assumed by the County.

CHAPTER 900. DEVELOPMENT STANDARDS

SECTION 901. TRANSPORTATION

901.9. Street Naming and Addressing

A. Intent and Purpose

The intent and purpose of this section is to provide the residents of the County with a uniform and standardized system of street naming and addressing to:

1. Minimize future street name and addressing conflicts.

2. Provide a database for County records and enhanced E9-1-1 services.

3. Expedite property identification by emergency services.

4. Comply with the addressing guidelines published by the U.S. Postal Service, *Publication 28*, and the National Emergency Number Association (NENA).

B. Applicability

These regulations shall apply to the naming of all public and private streets and the addressing of all addressable structures and parcels within the incorporated and unincorporated areas of the County.

C. Street Names

1. All public and private streets within the County shall receive names from the County Administrator or designee unless a street name change is requested which shall be heard by the Board of County Commissioners (BCC) at a duly noted public hearing.

2. Street names assigned within the County shall be done in such a manner as to avoid duplication of names.

3. Street names shall be chosen in a manner which relates to the scale and location of a project or street. In the opinion of the County Administrator or designee, street names shall be pleasant sounding, easy to read, and of a character which allows the public, and children in particular, to remember the name in an emergency situation.

4. No duplication of street base names is permitted within the County. A street base name is that word or series of words that precede the word street, road, etc. Similar sounding names, in the opinion of the County Administrator or designee, shall be considered to be duplication, regardless of the spelling.

D. Application for Street Names or Name Changes

1. Application for street names or street name changes may be requested by the developer or any property owner abutting the street involved. Applications shall be made to the County Administrator or designee and shall contain the proposed street name; copies of surveys showing the exact location of the street/easement; a general location map; where a street name change is requested, a petition or other demonstrative form of approval of the street name change by all other property owners on the street/easement; and, for a private street or easement, written permission from the property owner on whose property the sign is to be placed for the County to install the sign shall also be submitted and a fee established by the County Administrator or designee.

2. Street names and street name changes shall be reviewed by the County Administrator or designee and a street name will be assigned where the base name requested complies with Section 901.9.C.

3. A street name may be changed where any of the following conditions exist:

   a. There is an existing duplication of street base names.

   b. A street has more than one (1) name, and a change to a single name would be in the best interest of the public safety, health, and welfare.

   c. A street has a similar sounding name in the opinion of the County Administrator or designee to another street within the County.

   d. The configuration of a street results in confusion in the numbering process.

4. The BCC, exercising the power granted to it pursuant to Section 336.05, Florida Statutes, may determine that a condition exists for changing a street name. A street name shall be changed by resolution adopted by the BCC.

E. Designation of Street Numbers and Changes

Street numbers for dwelling units and places of business shall be assigned at the time of Building Permit application. Where necessary in the interest of public safety, health, and welfare, street numbers may be changed by the County Administrator or designee. Numbers shall be assigned in accordance with administrative procedures adopted by the County Administrator or designee; however, such procedures shall, at a minimum, include the following:

1. The owner, occupant, or person in charge of any house or building to which a number has been assigned shall be notified in writing of the number assigned.

2. For new construction, two (2) legible copies of the approved, final plats showing all lots with lot numbers and all streets with approved names or, alternatively, where no plat is involved, an approved, final site plan shall be furnished to the County Administrator or designee. Upon completion of the numbering by the County Administrator or designee, one (1) copy of the plat or plan depicting numbers assigned shall be returned to the developer.

3. Within thirty (30) days after the receipt of such written notification, the owner, occupant, or person in charge of the house or building to which a number has been assigned shall affix the number in a conspicuous place over or near the principal entrance. Where the number is assigned at the time of Building Permit, the number shall be affixed prior to issuance of the Certificate of Occupancy (CO).

F. Standards for Street Numbering

The physical numbering of buildings or houses shall conform to the following:

1. Numbers must be easily legible from the street, with figures not less than three (3) inches high for residences, and not less than five (5) inches high for nonresidential development.

2. Numbers must be in a color contrasting to the building background.

3. Where there is a free-standing mailbox serving the building or house, easily legible numbers shall be affixed to the mailbox.

4. Numbers shall be displayed on the front entrance of each principal building and, for a principal building which is occupied by more than one (1) business or family dwelling unit, on each separate front entrance.

5. Numbers which might be mistaken for or confused with the street number assigned by the County Administrator or designee shall be removed upon the display of the street number.

6. Subaddresses shall only be numeric and shall conform to NENA Standards.

G. Coordination with Municipalities

Within the municipalities of the County, street naming, street name changes, street numbering, and street number changes shall be finalized only after acceptance of such names or street numbers by the County Administrator or designee. The standards as set forth in this section shall apply to such names and addressing.

H. Compliance Required

1. No Building Permit shall be issued for any principal building until the owner or developer has procured the official numbers for the premises, and no CO shall be issued until the said numbers are displayed in accordance with this section.

2. Any person failing to comply with this section within thirty (30) days after notification of a street name, street name change, street number, or street change shall be deemed to be in violation of this section.

CHAPTER 900. DEVELOPMENT STANDARDS

SECTION 902. STORMWATER

902.1. Stormwater Quality

A. Intent and Purpose

Pollutants discharged from storm sewer systems have a significant impact on receiving waters. Improperly treated discharges from industrial activities and interconnected Municipal Separate Storm Sewer Systems (MS4s) and illicit discharges or disposal of material other than stormwater to the MS4s, adversely affects the quality of waters receiving such discharges. Therefore, the Board of County Commissioners (BCC) finds it necessary for the health, safety, and general welfare of the citizens of the County and in the public's interest to protect the quality of waters receiving stormwater discharges.

B. Applicability

This section shall apply to all parcels where any portion of the parcel is within unincorporated Pasco County or activities that result in discharges to the County's MS4s or United States waters that are within or border unincorporated Pasco County.

C. Exemptions

The following discharges are exempt from this section:

1. Water line flushing.

2. Landscape irrigation.

3. Uncontaminated groundwater infiltration (as defined at 40 CFR 35.2005[20]) to separate storm sewers.

4. Uncontaminated pumped groundwater.

5. Potable water.

6. Air conditioning condensation.

7. Irrigation water.

8. Springs.

9. Lawn watering.

10. Individual residential car washing.

11. Flows from riparian habitats and wetlands.

12. Street wash waters.

13. Flows from emergency fire fighting activities.

D. Control of Stormwater Discharges

1. Stormwater Discharges to the MS4s and United States Waters:

a. Stormwater discharges to the County's MS4s shall be controlled to the extent that such discharge will not impair the operation of, or contribute to, the failure of the County's MS4s.

b. Stormwater discharges to United States waters shall be controlled to the extent that the discharge will not adversely impact the quality or beneficial uses of the receiving water or result in violation of any Federal, State, or local laws.

c. Reporting Illegal Stormwater Discharge to the MS4s and United States Waters. Upon discovery of stormwater discharge to the County's MS4s that does or will impair the operation of or contribute to the failure of the County's MS4s or to United States waters that does or will adversely impact water quality or beneficial uses of the receiving water, or result in violation of Federal, State, or local law, the persons responsible for the discharge or the connection shall report their findings by telephone within twelve (12) hours to the County Administrator or designee and follow within forty-eight (48) hours with written notification.

d. Control of Illegal Stormwater Discharge to the MS4s and United States Waters. Any person responsible for stormwater discharge to the County's MS4s that does or will impair the operation of or contribute to the failure of the County's MS4s or to United States waters that does or will adversely impact water quality or beneficial uses of the receiving water, or result in violation of Federal, State, or local law, shall immediately, upon notification or discovery, cease discharging or provide suitable containment facilities until corrective measures approved by the County are made, and may also be subject to fines and damages.

2. Stormwater Discharges from Commercial Activities, Industrial Activities, and Construction Activities:

a. Stormwater from sites where construction activities are occurring or have occurred shall be controlled in such a way as to retain pollutants, including sediment, onsite. All erosion, pollution, and sediment controls required to retain pollutants

onsite shall be properly implemented, maintained, and operated to prevent pollutants from leaving the site.

b. Stormwater from areas of commercial and industrial activity, but which are not the site of construction activities shall be treated or managed onsite using Best Management Practices (BMP), in accordance with National Pollutant Discharge Elimination System (NPDES) Permits, prior to discharging to the County's MS4s or to United States waters. Also, all stormwater discharges from the site shall be of a quality which will not adversely impact the water quality or beneficial uses, such as drinking, recreation, fishing, etc., of the receiving water.

c. The owners or operators of commercial facilities, industrial facilities, or construction sites which intend to discharge stormwater to the County's MS4s must first receive Development Permit approval from the County.

d. Reporting Illegal Stormwater Discharges from Construction, Commercial, and Industrial Activities. Upon discovery of a stormwater discharge contaminated with pollutants from construction activity or stormwater discharge from a commercial or industrial facility that is of a quality that does or will adversely impact the water quality or beneficial uses of the receiving water, the persons responsible for the discharge or the connection shall report their findings by telephone within twelve (12) hours to the County Administrator or designee and follow within forty-eight (48) hours with written notification.

e. Control of Illegal Stormwater Discharges from Construction, Commercial, and Industrial Activities. Any person responsible for stormwater discharge contaminated with pollutants from construction activity, or stormwater discharge from a commercial or industrial facility that is of a quality that does or will adversely impact the water quality or beneficial uses of the receiving water, shall immediately, upon notification or discovery, cease discharging or provide suitable containment facilities until corrective measures approved by the County are made, and may also be subject to fines and damages.

3. Control of Pollutant Contributions from Interconnected MS4s:

a. The discharge of stormwater between interconnected State, County, or other MS4s shall not impair the quality of the discharge from the receiving MS4s.

b. Owners of sections of an interconnected MS4 shall be responsible for the quality of discharge from their portion of the

system and shall coordinate with the owners of the downstream segments prior to connections into their systems.

c. Reporting Pollutant Contributions from Interconnected MS4s. Upon discovery of stormwater discharge between interconnected State, County, or other MS4s that does or will impair the quality of the discharge from the receiving MS4s, the persons responsible for the discharge or the impairment shall report their findings by telephone within twelve (12) hours to the County Administrator or designee and follow within forty-eight (48) hours with written notification.

d. Control of Pollutant Contributions from Interconnected MS4s. Any person responsible for stormwater discharge between interconnected State, County, or other MS4s that does or will impair the quality of the discharge from the receiving MS4s, shall immediately, upon notification or discovery, cease discharging or provide suitable containment facilities until corrective measures approved by the receiving MS4 are made and may also be subject to fines and damages.

E. Nonstormwater Discharges and Connections

1. Prohibition of Nonstormwater Discharges. Any discharge, other than stormwater, to MS4s or to United States waters which is not exempt is prohibited.

2. Prohibition of Illicit Connections. Any point source discharge to Pasco County's MS4 or United States waters, which is not composed entirely of stormwater and is not authorized by an NPDES Permit is an illicit connection and is prohibited. Failure of a person responsible for a commercial or industrial facility or construction site to obtain Development Permit approval prior to connection to the County's MS4 is an illicit connection and is prohibited.

3. Reporting Illicit Nonstormwater Discharges or Illicit Connections. Upon discovery of an illicit discharge or illicit connection, the persons responsible for the discharge or the connection shall report their findings by telephone within twelve (12) hours to the County Administrator or designee and follow within forty-eight (48) hours with written notification.

4. Control of Illicit Nonstormwater Discharges or Illicit Connections. Persons responsible for illicit discharges or illicit connections shall immediately, upon notification or discovery, initiate procedures to cease discharging or provide suitable containment facilities until corrective measures approved by the County are made and may also be subject to fines and damages.

F. Inspection and Maintenance of MS4s

1. Inspection and Monitoring for Compliance. County personnel shall be granted access for inspection of land, structures, mechanical systems, and facilities discharging, or suspected of discharging, to the County's MS4s or United States waters in order to evaluate and investigate the potential for release of materials other than stormwater or potential violations of any of the terms of this code. All structures, systems, facilities, and processes which allow or may result in discharges to the MS4s or United States waters and all records concerning them shall be made accessible to County personnel for investigation and monitoring of the existence of, or quality of, the discharges.

2. Maintenance. Structural controls and other BMPs used to prevent nonstormwater discharges or to reduce pollutants in stormwater discharges shall be operated and maintained so as to function in accordance with the permitted design or performance criteria and to meet the standards for discharge allowed by this code.

G. Enforcement, Penalties, and Proceedings

1. Any person who violates any subsection of this section may be prosecuted and punished as provided by this Code, Section 108. In addition to any fines which may be imposed by this section, persons responsible for a discharge which adversely impacts a receiving water shall be liable for all sampling and analytical costs incurred in monitoring the discharge, any State or Federal fines imposed as a result of the discharge, and the cost of removing or properly treating the discharge for complete restoration of the quality of all receiving waters to the extent in which they were impaired.

2. Any fines or other funds received as a result of enforcement under this section, which are not used for specific purposes set forth in the section shall be deposited in the Stormwater Management Fund.

CHAPTER 900. DEVELOPMENT STANDARDS

SECTION 902. STORMWATER

902.2. Stormwater Management Requirements

A. Intent and Purpose

It is the intent and purpose of this section to reduce existing and future flooding problems, improve surface water quality in the County, and protect the functions of natural features and surficial aquifer recharge.

B. Applicability

This section shall apply to all development where any portion of the development is within the jurisdiction of unincorporated Pasco County.

C. General Standards and Alternative Approaches

1. General Standards

The stormwater management methodologies and requirements shall be in accordance with this section.

The developer shall be responsible for obtaining any necessary permits for the stormwater management system required by local, State, or Federal agencies.

In addition to the specific standards of this section, stormwater management systems shall be designed to ensure:

a. Site alteration shall not contribute to water becoming a health hazard or encourage the breeding of mosquitoes;

b. The drainage area used in runoff calculation shall be the total watershed area, which may include areas beyond the site limits;

c. Flood, safety hazards, and health hazards are reduced; and

d. Groundwater recharge is enhanced where applicable; however, in an area designated as a groundwater recharge area, the developer shall limit runoff from the proposed site to no more than the predevelopment discharge.

2. Alternative and Innovative Approaches:

Alternative and innovative approaches to the design of water retention or detention structures and flow devices may be proposed.

If alternate and innovative stormwater management plans are proposed, it must be demonstrated to the satisfaction of the County Administrator or his designee that the proposed development activity has been planned, designed, and will be constructed and maintained to meet each of the standards of this section.

D. Performance and Design Standards

To ensure attainment of the intent and purpose of this section and to ensure that standards will be met, the design, performance, construction, and maintenance of the drainage system shall be consistent with the following:

1. All new developments shall be required to provide a detention/retention system in order to detain/retain increased runoff caused by the development. Where public or private lakes, ponds, borrow pits, or similar type water detention/retention areas are incorporated in a comprehensive drainage plan, drainage calculations shall demonstrate that the facilities have sufficient capacity for the design storm. In the design of detention/retention facilities, the effective volume shall be based on the pond bottom or the seasonal high groundwater level, whichever is higher, as a minimum starting elevation of the stage/storage computations.

2. The rate of stormwater discharge from new developments shall be limited to amounts which are equal to or less than the rate of discharge which existed prior to development in accordance with Rules 40D-4 and 40D-40, Florida Administrative Code (FAC), administered by the Southwest Florida Water Management District (SWFWMD), provided, however, that Drainage Basins of Special Concern shall be subject to the requirements of this Code, Section 902.2.N.

3. The volume of stormwater discharge shall be in accordance with Rules 40D-4 and 40D-40, FAC, administered by the SWFWMD, provided; however, that Drainage Basins of Special Concern shall also be subject to the requirements of this Code, Section 902.2.N.

4. Protect or improve the quality of ground and surface water.

5. Maintain groundwater levels and enhance groundwater recharge where applicable.

6. Protect the wetlands for the storage of surface waters and the biological and physical reduction and assimilation of pollutants.

7. Prevent saltwater intrusion, where applicable, by adhering to Best Management Practices.

8. Prevent damages due to increased flooding.

9. Encourage the maintenance of the natural levels of salinity in estuarine areas.

10. Minimize adverse impacts to flora, fauna, fish, and wildlife habitats.

11. To otherwise further the objectives of this Code.

12. Channeling runoff directly into natural water bodies shall be prohibited, unless permitted by appropriate regulatory agencies. Runoff shall be routed through swales and other systems designed to increase time of concentration, decrease velocity, increase infiltration, allow suspended solids to settle, and otherwise remove pollutants.

13. Natural water courses shall not be dredged, cleared of vegetation, deepened, widened, straightened, stabilized, or otherwise altered without specific approval of the appropriate regulatory agencies. Water shall be retained or detained before it enters any natural water course in order to preserve the natural flow characteristics of the water course and to decrease siltation and other pollutants.

14. The area of land disturbed by development shall be as small as practicable. Those areas which are not to be disturbed shall be protected by an adequate barrier from construction activity. Whenever possible, natural vegetation shall be retained and protected.

15. No grading, cutting, or filling shall be commenced until erosion and sedimentation control devices have been installed between the disturbed area and water bodies, water courses, and wetlands.

16. Land which has been cleared for development and upon which construction has not been commenced shall be protected from erosion by appropriate techniques designed to revegetate the area.

17. The drainage system shall be designed so that sediment shall be retained on the site of the development.

18. Wetlands and other water bodies shall not be used as sediment traps.

19. Erosion and sedimentation facilities shall be regularly maintained to ensure proper function.

20. Artificial water courses shall be designed, considering soil type and side bank stabilization, so that the velocity flow does not cause erosion.

21. Vegetated buffer strips shall be provided or, where practicable, retained in their natural state along the banks of all water courses, water bodies, and/or wetlands.

22. Intermittent water courses, such as swales, shall be vegetated, except where flows exceed five (5) feet per second (fps), then they shall be concreted or otherwise sufficiently stabilized.

23. Although the use of wetlands for storing and purifying water is encouraged, care must be taken not to overload their capacity, thereby harming the wetlands and transitional vegetation. Wetlands should not be damaged by the construction of detention ponds.

24. Runoff shall be retained or detained on site in accordance with the applicable SWFWMD rules.

25. Runoff from streets and parking lots shall be treated to reduce the quantity of oil and sediment entering receiving waters.

26. The banks of detention and retention areas shall slope at a gentle grade into the waters in accordance with the applicable County and SWFWMD rules as a safeguard against drowning, personal injury, or other accidents, to encourage the growth of vegetation, and to allow the alternate flooding and exposure of areas along the shore as water levels periodically rise and fall.

27. The use of drainage detention and retention facilities and vegetated buffer zones as open space, recreation, and conservation areas shall be encouraged except where this Code is more stringent.

28. Development, including grading, shall take place in a manner that protects the roots and stability of trees.

29. General stormwater conveyance facilities include swales, ditches, channels, culverts, storm sewers, inlets, and weirs. The collection of stormwater runoff should be by positive gravity means without the use of siphons, pumps, or similar devices, unless specific approval is obtained.

30. Unless otherwise approved by the County, standard details and specifications for the construction of storm drainage systems shall conform to applicable sections of the latest editions of the following:

    a. Florida Department of Transportation (FDOT), *Roadway and Traffic Design Standards*, latest edition.

b. FDOT, *Standard Specifications for Road and Bridge Construction*, latest edition.

E. System Designs (Frequency of Design Storms)

The drainage systems shall be designed for "design storms" resulting from rainfall of the following minimum frequencies:

1. Ten (10) Year: All storm sewers and culverts, except those crossing arterial roads. A minimum time of concentration of fifteen (15) minutes to the first inlet may be utilized in determining design flows.

2. Twenty-Five (25) Year/Twenty-Four (24) Hour: All floodways, ditches, channels, and detention/retention areas with outfalls (open drainage basin).

3. Fifty (50) Year: All storm sewers and culverts crossing arterial roads.

4. 100-Year/Twenty-Four (24) Hour: All retention areas without outfalls (closed drainage basin).

Rainfall intensity factors shall come from accepted meteorological and rainfall sources applicable to the County.

F. Runoff

Runoff and routing analysis shall be based on current hydrological design procedures. Computations shall include a tabulation of inflow, discharge, storage capacity, minimum and maximum water elevations, and retention/detention time to peak.

Basic hydrological calculations shall be based on commonly accepted procedures, such as those of:

1. Natural Resources Conservation Service

a. *A Method for Estimating Volume and Rate of Runoff in Small Watersheds*, U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS), Technical Paper No. 149.

b. *Urban Hydrology for Small Watersheds*, USDA, NRCS Technical Release No. 55.

c. *National Engineering Handbook,* Section 4*, Hydrology*, U.S. Department of Agriculture, NRCS, latest edition.

The NRCS, Type II, Florida Modified Rainfall Distribution, with antecedent moisture Condition II will be used. Other rainfall distributions may be utilized for design with prior approval of the County. The same shape factor shall be used for predevelopment and postdevelopment calculations unless otherwise approved by the County.

2. Rational Method:

   a. *Drainage Manual*, FDOT, Volume 2A, latest edition.

   b. Standard Engineering Texts: The rational method of routing analysis may be used for systems serving projects with less than five (5) acres total contributing area.

   The rational method of routing analysis may be used for systems serving projects with less than five (5) acres total contributing area.

3. Others Alternatives as Approved by the County:

   Ultimate land usage shall be assumed for the selection of proper runoff coefficients or curve numbers within the basins involved. Weighted runoff coefficients or curve numbers shall be utilized where different coefficients or curve numbers exist within the areas comprising the basin.

G. <u>Standards for Detention/Retention, Stormwater Runoff Storage/Discharge, and Floodplain Encroachment</u>

1. The detention/retention of cumulative stormwater runoff in excess of predevelopment release rates shall be provided by sufficient storage capacity constructed on the property to be developed or within approved off-site drainage areas. Detention/retention storage capacity shall be based on a twenty-five (25) year/twenty-four (24) hour design for open basins. Design high water elevations shall be established in consideration of adjacent properties and facilities such that off-site drainage impacts are minimized.

2. The detention/retention facilities designed for the storage of stormwater to control runoff rates shall:

   a. Be designed in accordance with requirements of the SWFWMD, the FDOT, or other agencies with jurisdiction.

   b. Be identified as a drainage easement on the final plat of a subdivision or duly recorded as such in other developments.

   c. Have bank slope grades not steeper than four (4) feet horizontal to one (1) foot vertical which shall be sodded to the

seasonal high water elevation. Slopes steeper than 4:1 may be submitted for review and may be approved by the County. Wet ponds with slopes steeper than 4:1 may require the installation of a security fence.

d. Include an outlet structure in detention facilities sized to release, as a maximum, the predevelopment runoff rate, and designed to provide water quality treatment of the runoff from the contributing area, in accordance with applicable standards of the respective agencies (the SWFWMD, the Florida Department of Environmental Protection, and the FDOT) having jurisdiction.

e. Be constructed to provide a minimum of six (6) inches of freeboard between the design high water elevation and the lowest berm elevation surrounding the detention/retention area.

f. Where practicable, include in detention areas an emergency overflow spillway or other structure acceptably protected from erosion with the invert no lower than the design high water level.

g. Have the discharge of controlling and overflow structures flow through an abutting drainage easement or public right-of-way in order to convey stormwater runoff away from the detention area.

h. Include special engineering features, such as skimmers, designed to remove oils and other objectionable materials, in accordance with criteria established by the SWFWMD.

3. Off-site discharge is limited to amounts which will not cause adverse off-site impacts.

a. For a project or portion of a project located within an open drainage basin, the allowable discharge shall not exceed the historic discharge, which is the peak rate at which runoff leaves a parcel of land under existing site conditions. These criteria shall not apply to projects which have been discharging stormwater runoff directly to the Gulf of Mexico.

b. For a project or portion of a project located within a closed drainage basin, the required retention volume shall be the postdevelopment runoff volume, less the predevelopment runoff volume, computed using the SWFWMD's twenty-four (24) hour/100-year rainfall map, and the SCS, Type II, Florida modified twenty-four (24) hour rainfall distribution with an antecedent moisture Condition II. The total postdevelopment

volume leaving the site shall be no more than the total predevelopment volume leaving the site for the design 100-year storm, unless otherwise approved by the County.

4. Maintenance of predevelopment, off-site low flow may be required in hydrologically sensitive areas.

5. Floodplain Encroachment

   No net encroachment into the floodplain, up to that encompassed by the 100-year event, which will adversely affect either conveyance, storage, water quality, or adjacent lands will be allowed. Any required compensating storage shall be equivalently provided between the seasonal high water level and the 100-year flood level to allow storage function during all lesser flood events. A detailed flood study performed by a registered engineer which indicates no adverse impact to off-site flood elevations may be approved by the County to lessen or remove the flood plain compensation requirements.

6. Off-Site Lands

   Adequate provisions shall be made to allow drainage from off-site, upstream areas to downstream areas without adversely affecting the upstream or downstream areas.

7. Exfiltration systems and percolation designed in conjunction with detention/retention systems:

   a. The detention/retention facilities must have the capacity to retain the volume required for water quality treatment without considering discharges.

   b. The seasonal high water level must be at least one (1) foot below the bottom of the exfiltration pipe.

   c. Exfiltration should not be proposed for systems to be operated and maintained by the County, unless otherwise approved by the BCC.

   d. Double ring infiltrometer tests shall be performed at each detention/retention facility. The said test shall be performed at the approximate elevation of infiltration.

   e. A safety factor of 2.0 or more shall be applied in the exfiltration design to allow for geological uncertainties by dividing the percolation rate by the safety factor.

H. <u>Storm Sewer Systems</u>

The capacity of inlets, with the allowable head conditions, should equal or exceed the runoff from their individual drainage areas. The size, type, and location of storm sewer inlets, gratings, or other openings into an enclosed storm drainage system shall be in accordance with the FDOT *Drainage Manual*, latest edition, unless otherwise approved by the County.

1. Drainage Structures

   a. Roadway Inlets: Roadway inlets in curb and gutter construction shall be designed and constructed to:

      (1) Avoid abrupt changes in hydraulic slope and velocity.

      (2) Limit the quantity of stormwater flowing in a street to a depth not to exceed two (2) inches below the crown of collector streets and arterial streets, unless otherwise approved in writing by the County, but in no case shall more than one-half the width of the outside lane be flooded at design flow. Limit the quantity of stormwater flowing in local residential streets to a depth not to exceed six (6) inches deep at the inlet at the design flow.

      (3) Prevent design flows across street intersections unless concrete valley gutters are approved by the County.

      (4) Have formed inverts a minimum of six (6) inches above the flow line to properly drain inlet bottoms.

      (5) Have pipes cut flush with the inside wall.

      (6) Provide for ease of maintenance.

   b. Commercial Parking Lot Inlets: Commercial parking lot inlets shall be designed and constructed to:

      (1) Accommodate a ten (10) year/twenty-four (24) hour storm.

      (2) Have the hydraulic gradient at or below the inlet elevation.

I. <u>Pipe Standards</u>

1. The piping and appurtenances used in the stormwater collection system shall be designed to convey the runoff of a ten (10) year storm with a minimum time of concentration of not less than fifteen (15) minutes to the first inlet.

2. Unless otherwise approved by the County, reinforced concrete pipe (RCP) shall be used in all easements and street rights-of-way with the exception of residential driveways. 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.

3. Minimum pipe sizes, not including driveway culverts, shall be as follows:

Type	Minimum Size
Under Drains	6"
Pipe Culvert	18"
Box Culvert	3' X 3'

Application of these values to oval or elliptical pipe shall be based on equivalent round diameter.

4. Roughness coefficients for use in Manning's Formula for storm pipe and box culverts shall be as follows:

a.	Concrete Pipe and Box Culverts	N
	18-30", inclusive	0.013
	36-48", inclusive	0.012
	54" and up, including smooth concrete boxes of 15 square feet and up	0.011
b.	Corrugated Metal Pipe (CMP) or Aluminum Pipe	0.023
	Asphalt Coated	0.018

Applications of these values to oval or elliptical pipe shall be based on equivalent round diameter.

5. The slopes for culverts used as storm sewers shall produce a velocity within the following limits, unless otherwise approved by the County:

Maximum	Minimum
RCP 12 fps	2 fps
CMP 10 fps	3 fps

6. The maximum length of pipe without an access structure shall be:

a. 18"-36" pipes: 400'

b. 42" and over, and all box culverts: 500'

7. The minimum and maximum allowable hydraulic slopes shall be those that produce the aforementioned minimum and maximum velocities. Manholes may be used as drop structures where necessary to lessen slopes in storm sewers.

8. Culvert capacity shall be based on sound engineering practice. Detailed analysis and design shall be based on either inlet or outlet control, whichever is applicable, using appropriate entrance loss coefficients and culvert nomographs. Backwater curve data, flood profiles, and other hydraulic information along a watershed reach shall be used to establish design water elevations and set the culvert crown elevations.

9. When required to control high groundwater conditions, underdrains shall be designed to maintain the groundwater table elevation at least twenty-four (24) inches below the edge of the pavement.

10. Unless otherwise approved by the County, 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. Culverts in residential areas may be CMP or RCP with a minimum diameter of fifteen (15) inches. Culverts in commercial areas shall be RCP with a minimum diameter of eighteen (18) inches.

J. Scour and Erosion

It shall be the responsibility of the developer to control soil erosion by wind or water from the date of ground breaking until such time as the responsibility is transferred to an acceptable entity in accordance with this Code.

The developer's engineer must provide for use of sediment basins, straw bale dams, velocity checks, hydroseeding applications, etc., to minimize erosion within the limits of the site being developed and prevent damage to wetland systems which are to remain in the development.

The design of canals, streams, ditches, and other waterways shall be based on current open channel design procedures using the Chezy, Talbot, and/or Manning's Formula. Design velocities without erosion protection shall not exceed the maximums for soil types as shown below. Where design levels exceed the top of banks for the required design storm; i.e., twenty-five (25) year for major waterways and berms are not provided, the extent of flooding in the flood plain shall be shown. Runoff and roughness coefficients, safe velocities, nomographs, erosion control, and practical limitations on use of design formulas shall be based on current practice in the field of hydraulics, notwithstanding any requirements of this section.

Conditions such as alignment and presence of sever irregularities in smoothness will alter the allowable velocities. Maximum flow velocities for various soil types without erosion protection are as follows:

Type of Soil	Allowable Velocity
Fine Sand	1.50 fps
Sandy Loam	1.75 fps
Silt Loam	2.00 fps
Firm Loam	2.50 fps
Fine Gravel	2.50 fps

The above allowable velocities may be increased if appropriate erosion protection devices are provided and approved.

Where erosion protection structures are constructed in floodway banks and bottoms, the design section shall be selected to provide a maximum velocity of ten (10) fps with energy dissipation structures at flow discharges to unprotected floodways. Check dams designed to control velocities in open channels shall be detailed in the plans of the proposed development to provide acceptable erosion protection.

K. Lot Drainage

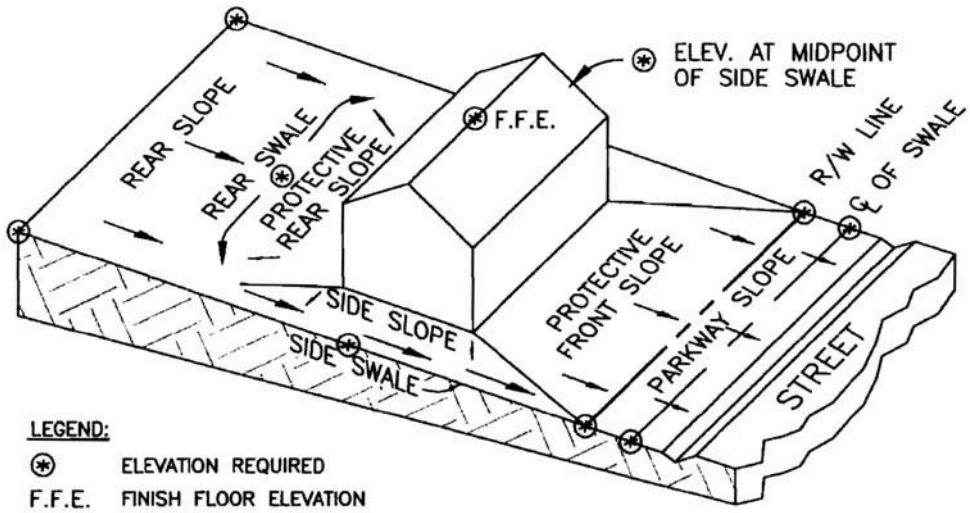
1. Drainage Plan

The finished grade of individual lots shall be shown on the construction plans. Generally, lots shall be graded in accordance with Types A, B, or C Typical Grading Plans as shown in Figures 902.2.A, 902.2.B, and 902.2.C. When topography or other features make such lot grading impractical, alternate standards may be presented for the County Administrator's or his designee's review and approval.

The proposed minimum, finished floor elevation of all structures which may be constructed shall be included on the construction plans. As a minimum, the finished floor elevation shall be at least sixteen (16) inches above the highest crown line of the street lying between the projection of the side building lines, unless otherwise approved by the County Administrator or his designee. In no case shall finished floor elevations be specified below the 100-year flood plain as designated by the Federal Insurance Administration Flood Hazard Boundary Maps. When a detailed study from the Federal Emergency Management Agency (FEMA) has not been provided, the engineer shall submit the best available data for the 100-year base flood elevation for review and approval by the County Administrator or his designee.

FIGURE 902.2.A

TYPE A TYPICAL GRADING PLAN



LEGEND:

⊛ ELEVATION REQUIRED

F.F.E. FINISH FLOOR ELEVATION

NOTES:

1. FINISH FLOOR ELEVATION TO BE A MIN. 16" ABOVE ℄ OF ROAD GRADE AND BE AT OR ABOVE THE 100 YEAR FLOOD PLAIN.
2. FINISH FLOOR ELEVATIONS OF ADJACENT STRUCTURES, IF EXISTING, SHALL BE PROVIDED.
3. ELEVATION OF SWALE ℄ AT EACH PROPERTY LINE PROJECTION AND BOTH CULVERT INVERTS, IF EXISTING, SHALL BE PROVIDED.

PASCO COUNTY
DEVELOPMENT SERVICES

STORM DRAINAGE DETAIL

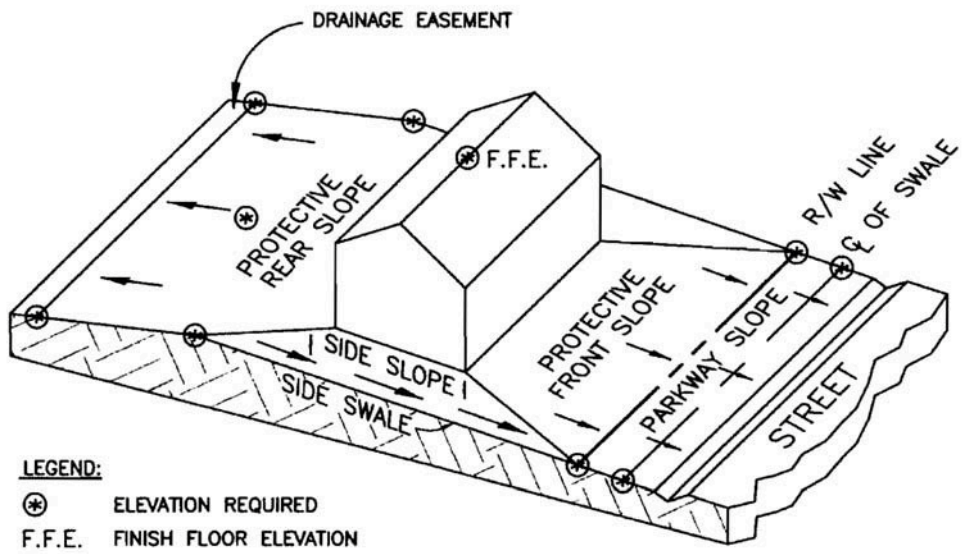
TYPICAL LOT GRADING TYPE "A"

SD 5
SHEET 1 OF 3

DATE: JAN 1998
TYPEA.DWG
C.JOLLY/RFP

FIGURE 902.2.B

TYPE B TYPICAL GRADING PLAN



LEGEND:

⊛ ELEVATION REQUIRED

F.F.E. FINISH FLOOR ELEVATION

NOTES:

1. FINISH FLOOR ELEVATION TO BE A MIN. 16" ABOVE ℄ OF ROAD GRADE AND BE AT OR ABOVE THE 100 YEAR FLOOD PLAIN.
2. FINISH FLOOR ELEVATIONS OF ADJACENT STRUCTURES, IF EXISTING, SHALL BE PROVIDED.
3. ELEVATION OF SWALE ℄ AT EACH PROPERTY LINE PROJECTION AND BOTH CULVERT INVERTS, IF EXISTING, SHALL BE PROVIDED.

PASCO COUNTY
DEVELOPMENT SERVICES

STORM DRAINAGE DETAIL

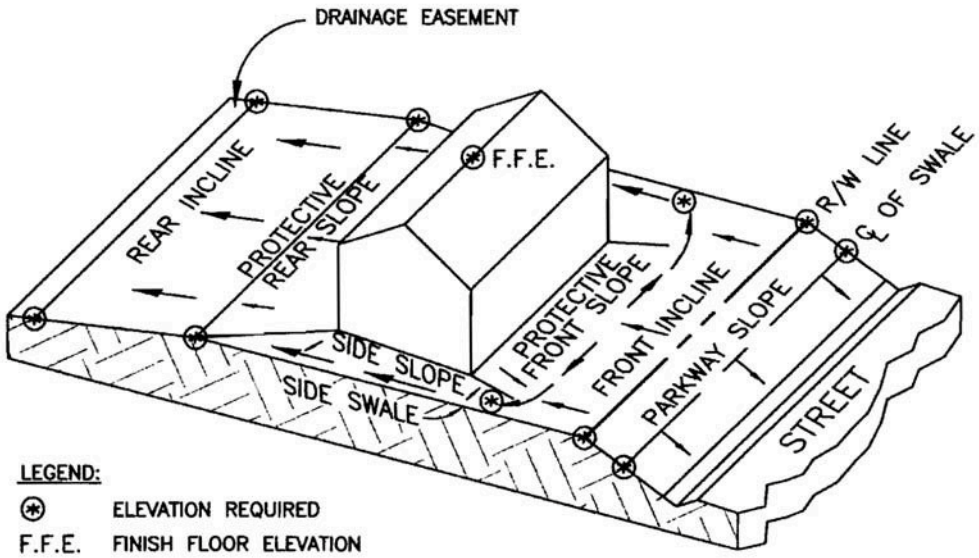
TYPICAL LOT GRADING TYPE "B"

SD 6
SHEET 2 OF 3

DATE:JAN 1998
TYPEB.DWG
C.JOLLY/RFP

FIGURE 902.2.C

TYPE C TYPICAL GRADING PLAN



LEGEND:

⊛ ELEVATION REQUIRED

F.F.E. FINISH FLOOR ELEVATION

NOTES:

1. FINISH FLOOR ELEVATION TO BE A MIN. 16" ABOVE ℄ OF ROAD GRADE AND BE AT OR ABOVE THE 100 YEAR FLOOD PLAIN.
2. FINISH FLOOR ELEVATIONS OF ADJACENT STRUCTURES, IF EXISTING, SHALL BE PROVIDED.
3. ELEVATION OF SWALE ℄ AT EACH PROPERTY LINE PROJECTION AND BOTH CULVERT INVERTS, IF EXISTING, SHALL BE PROVIDED.

PASCO COUNTY
DEVELOPMENT SERVICES

STORM DRAINAGE DETAIL

SD 7

SHEET 3 OF 3

TYPICAL LOT GRADING TYPE "C"

DATE:JAN 1998
TYPEC.DWG
C.JOLLY/RFP

2. Drainage Plan Requirements for Individual Lots

For lots one (1) acre or less in size, two (2) copies of a drainage plan shall be submitted with the Building Permit Application for review and approval. The following information shall be included in the plan, which shall be signed and sealed by a Florida registered Professional Engineer.

a. The plan shall indicate the name of the development (if applicable), scale of plan, north arrow, and legend; parcel identification number or legal description sufficient to describe the size and location of the project site, including the plat book page and number, if platted; and the name, address, and telephone number of the builder, owner, and engineer/ surveyor.

b. The plan shall show the abutting sections of any roadway(s) and the corresponding elevations along the projection of the building lines onto the centerline of the roadway(s) and the elevations on all corners of the building pad. Lot elevation at a minimum of a 100-foot grid for lots larger than one (1) acre and a fifty (50) foot grid minimum for lots one (1) acre or less. A reference elevation may be assumed.

3. Lot Drainage Enforcement

a. Prior to constructing a structure on one (1) acre or less, the builder shall be required to provide an engineered lot grading plan with the Building Permit Application that does not cause an adverse impact on adjacent or off-site property.

b. As part of the Building Permit Application for any accessory structure on one (1) acre or less where impervious area is added or where a lot's contours are proposed to be altered for an area over 500 square feet, an engineered plan addressing the lot grading shall be required. These types of permits are additions, pools, slabs, etc.

c. Prior to the release of the Certificate of Occupancy (CO), or final inspection where no CO is issued, the developer/ owner/builder shall execute the Affidavit of Lot Grading and Finished Floor Elevation Compliance, provide an as-built survey prepared by a surveyor and mapper registered in the State of Florida of the lot and the driveway construction, and return same to the County Administrator or his designee. The as-built survey shall be in conformance with the approved Stormwater Management Plan and Report. Any deviations

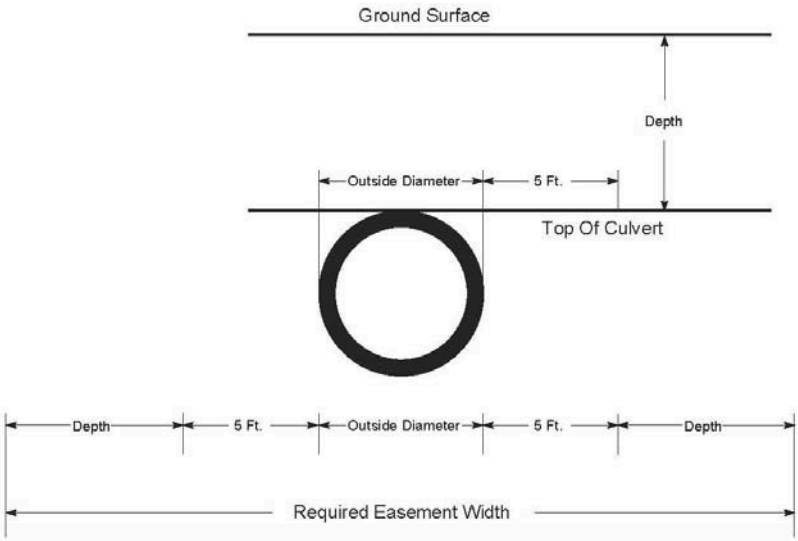
from the approved plan must be noted and will be reviewed for compliance with this Code.

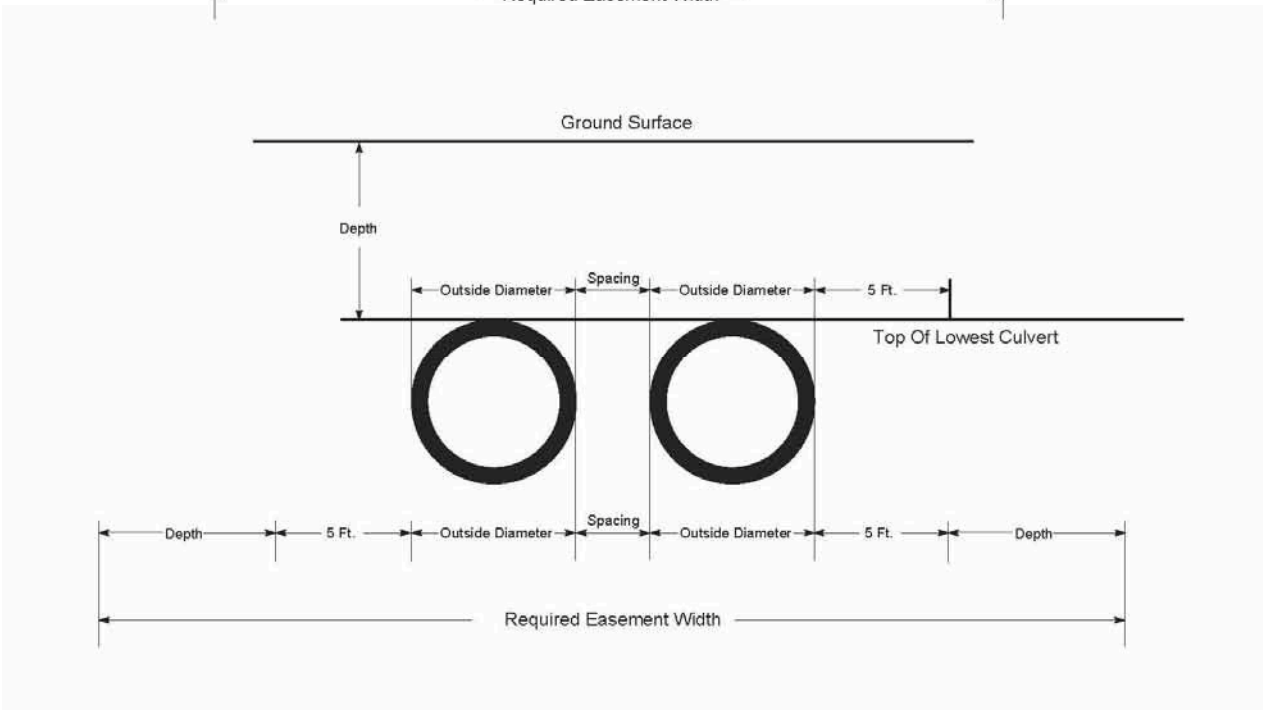
L. Swales, Culverts and Pipes

All swales, ditches, channels, and closed storm-drainage conduits within subdivisions shall be within an easement or dedicated right-of-way. Right-of-way or maintenance easements by instrument or plat dedication shall be provided for all facilities used to convey stormwater. The minimum width of said rights-of-way or easements shall conform to the widths shown in the following table:

	Minimum Controlled Width
Swales (except in right-of-way)	
• Rear Yard	5'
• Side Yard	10' (5' each side of swale centerline)
Pipes and Culverts	15 '(7.5' each side of pipe centerline)
See Figure	The easement required shall be the greater of fifteen (15) feet or the combination of: • the outside diameter(s) of the culvert(s), plus • all spacings between culverts, plus • five (5) feet on both sides of the culvert(s), plus • the depth of the top of the lowest culvert . From the outer edge of any culvert, the easement must be at least five (5) feet plus the depth of the culvert.

Easements for Culverts/Pipes





A right-of-way or easement of fifteen (15) feet shall be provided for access to any stormwater detention/retention facility from a dedicated road or street. In addition, a continuous perimeter maintenance and operation easement, with a minimum width of fifteen (15) feet and slopes no steeper than 4:1 (horizontal/vertical), shall be provided landward of the control elevation water line.

M. Dedication and Maintenance

1. If a stormwater management system approved under this Code will function as an integral part of the County maintained regional system as determined by the County, the facilities may be required to be dedicated and formally accepted by the County.

2. All stormwater management systems that are not dedicated to the County shall be operated and maintained by one of the following entities:

   a. A local governmental unit, municipality, a special district, or an active water control district created pursuant to Chapter 298, Florida Statutes; a drainage district created by special act; a Community Development District created pursuant to Chapter 190, Florida Statutes; or a Special Assessment District created pursuant to Chapter 170, Florida Statutes; or other governmental unit.

   b. An officially franchised, licensed, or approved communication, water, sewer, electrical, or other public utility.

   c. The property owner or developer if:

      (1) Written proof is submitted in the appropriate form, by either letter or resolution, that a governmental entity or such other acceptable entity as set forth in this Code, Section 902.2.M.2.a or 902.2.M.2.b will accept the operation and maintenance of the stormwater management and discharge facility at a time certain in the future; and

      (2) A bond or other assurance of continued financial capacity to operate and maintain the system is submitted.

   d. For profit or nonprofit corporations, including homeowners' associations, property owners' associations, condominium owners' associations, or master associations if:

      (1) The owner or developer submits documents constituting legal capacity and a binding legal obligation between the entity and the County affirmatively taking responsibility for the operation and maintenance of the stormwater management facility.

(2) The entity has sufficient powers reflected in its organizational or operational documents to:

(a) Operate and maintain the stormwater management system as permitted by the County;

(b) Establish rules and regulations;

(c) Assess members;

(d) Contract for services; and

(e) Exist perpetually with the articles of incorporation providing that, if the entity is dissolved, the stormwater management system will be maintained by some other acceptable entity as described above.

3. The developer shall convey, at no cost to the County, a drainage easement within the project for an uninterrupted flow through the project of any offsite drainage sufficient to accommodate a 100-year/five-day, and 100-year/one-day, storm event within the limits of the easement without any increase in predevelopment upstream stages for the purpose of maintaining natural drainage and the free flow of stormwater and other surface waters with a limited right of ingress and egress to perform maintenance activities related thereto for the County's agents and necessary equipment. The easement, encumbering SWFWMD jurisdictional wetlands, associated regulatory buffers, any channels, swales or ditches and access only, shall be dedicated prior to the final plat approval of any phase immediately adjacent to said easement. The easement dedication shall be essentially in the form approved by the Engineering Services Department except as may be modified as requested by the SWFWMD. It is expressly understood and agreed that the developer or its assigns will reserve onto itself rights of ownership of the easement premises not inconsistent with the easement rights granted in the easement to the County, including the grant of additional rights not in conflict with the rights granted in the easement; provided, however, that the developer or its assigns shall not conduct nor allow development on the easement premises. Additionally all internal drainage features must also be included in an easement dedicated to the County. The County does not assume maintenance responsibility for these easements.

4. Phased Projects

a. If a project is to be constructed in phases, and subsequent phases will use the same stormwater management facilities as

the initial phase or phases, the operation/maintenance entity shall have the ability to accept responsibility for the operation and maintenance of the stormwater management systems of future phases of the project.

b. In phased developments that have an integrated stormwater management system but employ independent operation/maintenance entities for different phases, the operation/maintenance entities, either separately or collectively, shall have the responsibility and authority to operate and maintain the stormwater management system for the entire project. That authority shall include cross easements for stormwater management and the authority and ability of each entity to enter and maintain all facilities should any entity fail to maintain a portion of the stormwater management system within the project.

5. Applicant as Acceptable Entity: The applicant shall be an acceptable entity and shall be responsible for the operation and maintenance of the stormwater management system from the time construction begins until the stormwater management system is dedicated to and accepted by another acceptable entity.

6. Off-Site Drainage Facilities: The County Administrator or designee may allow stormwater runoff to be discharged into drainage facilities off-site pursuant to the following:

a. The off-site drainage facilities and channels leading to them are designed, constructed, and maintained in accordance with the requirements of this Code and the proper easement from the owner(s) of the property to be utilized is provided; and

b. Adequate provision is made for the sharing of construction and operating costs of the facilities. The developer may be required to pay a portion of the cost of constructing the facilities as a condition to receiving approval of the drainage plans.

When drainage facilities which are not within a previously recorded drainage easement are utilized for off-site drainage, the owner/developer shall provide a drainage easement on the approved form with a legal description and sketch (certified by a Florida registered land surveyor) for each off-site drainage facility. The drainage easement shall be submitted to the County Administrator or his designee prior to the construction plan approval of the individual unit or phase affected.

N. Drainage Basins of Special Concern

1. Regulated Drainage Basins: The BCC may identify drainage basins or subbasins of Special Concern in order to protect the health, safety, and welfare of the public and to protect property.

   Designation of Drainage Basins or subbasins of Special Concern shall include the following steps:

   a. Documentation of the fact that the basin or subbasin is prone to flooding based on records of flooding occurrence and severity. The records can include photographs and statements from the County staff or area residents.

   b. Evaluation of basin or subbasin drainage characteristics and cause of flooding, based on review of relevant information, including topographic maps; drainage features and structures, such as channels and culverts; surficial soils; land use; and soil stratigraphy. If warranted, this evaluation may include modeling of stormwater runoff generation and conveyance.

   c. Determination that the flooding would be exacerbated unless the provisions of this section are put in place.

      The area(s) shall be accurately depicted on maps that will be available from the County in digital and hard-copy format.

   d. Removal of the drainage Basin of Special Concern designation from any drainage Basin of Special Concern may be considered upon submittal of the following:

      (1) A scientific analysis and a proposal to remediate or otherwise improve the conditions that supported the designation.

      (2) Proposed funding for the implementation of the remediation plan.

      (3) The County Administrator or designee, in consultation with the SWFWMD, will consider whether the remediation plan presents a viable solution that is permitted and funded, and shall present same to the BCC, who shall make the final determination on the proposal.

2. Exemptions: The Drainage Basins of Special Concern requirements shall not apply to development having:

a. An approved master drainage plan or stormwater management plan, which has not expired prior to the date the BCC designated the area as a Drainage Basin of Special Concern. All subsequent stormwater management plans submitted in compliance with an approved, unexpired master drainage plan shall be exempt from this section.

b. A stormwater management plan for which a complete application for a stormwater management plan or drainage plan had been submitted to the County and not withdrawn prior to the date on which the applicable drainage basin is designated as one of special concern by the BCC and that is not subsequently denied or expired. The County and the applicant may agree to an earlier application date.

c. If required by the SWFWMD, the County shall allow deviations from the Drainage Basin of Special Concern criteria to the extent necessary to prevent adverse impacts to wetlands or other surface waters when it is demonstrated that adverse impacts cannot otherwise be practicably avoided.

3. Existing Designated Drainage Basins of Special Concern:

a. Effective July 18, 2005, Tank Lake (west of the old railroad berm) and East Zephyrhills (excluding Lake Pasadena, but including Lake Dorothea, Lost Lake, and Silver Oaks) are designated as closed Drainage Basins of Special Concern as delineated on the maps attached as Maps 902.2.A and 902.2.B.

b. Effective September 27, 2005, Timber Oaks is designated as a closed Drainage Basin of Special Concern as delineated on the map attached as Map 902.2.C.

4. Basin Specific Design Standards: The BCC may establish special design standards applicable to new development activity within a specific Drainage Basin of Special Concern. Special design standards may include, but are not limited to, the following:

a. Maximum allowable peak rate of discharge per acre.

b. Minimum required retention volume required per acre.

5. Standard Design Regulations for Drainage Basins of Special Concern: Unless the BCC adopts a more stringent special design standard within any Drainage Basin of Special Concern, the following standard regulations shall be applicable to Drainage Basins of Special Concern:

a. Open Drainage Basin

(1) The maximum peak rate of stormwater runoff discharge from any development activity shall not exceed the prior existing maximum peak rate of stormwater runoff discharge for a two (2), ten (10), twenty-five (25), and 100-year return frequency storm event for a duration of twenty-four (24) hours.

(2) There shall be no net loss of storage volume from the most restrictive of:

(a) FEMA established floodplain storage volume.

(b) Storage volume below the elevation of a recorded County observed flooding.

(c) Calculated ponding based upon a 100-year return frequency, twenty-four (24) hour storm event.

(d) A more critical event standard, including a 100-year return frequency, ten (10) day storm event, defined in a County or SWFWMD approved study for the applicable drainage basin.

(3) The minimum habitable finished floor elevation shall be above the highest elevation established by the following criteria:

(a) This Code, Section 1103, Flood Damage Prevention.

(b) Recorded, County observed high water elevation, plus one (1) foot.

(c) Calculated ponding elevation based upon a 100-year return frequency, twenty-four (24) hour duration storm event, plus one (1) foot.

(d) A more critical event standard, including a 100-year return frequency, ten (10) day storm event, defined in a County or SWFWMD approved study for the applicable drainage basin, plus one (1) foot.

(4) Permit applicants may present for consideration off-site mitigation plans that demonstrate that the mitigation will be viable and sustainable in perpetuity.

b. Closed Drainage Basin

(1) The maximum peak rate of stormwater runoff discharge from any development activity shall not exceed the prior existing, maximum, peak rate of stormwater runoff discharge for a two (2), ten (10), twenty-five (25), and 100-year return frequency storm event for a duration of twenty-four (24) hours.

(2) Runoff volume shall be limited to predevelopment conditions such that there shall be no increase in the volume of runoff resulting from development activity for a 100-year return frequency, ten (10) day duration storm event.

(3) There shall be no net loss of storage volume from the most restrictive of:

(a) FEMA established floodplain storage volume.

(b) Storage volume below the elevation of a recorded, County observed flooding.

(c) Calculated ponding based upon a 100-year return frequency, ten (10) day storm event.

(d) A more critical event standard, including a 100-year return frequency, ten (10) day storm event, defined in a County or SWFWM approved study for the applicable drainage basin.

(4) The minimum habitable finished floor elevation shall be above the highest elevation established by the following criteria:

(a) This Code, Section 1103, Flood Damage Prevention.

(b) Recorded, County observed flooding elevation, plus one (1) foot.

(c) Calculated elevation based upon a 100-year return frequency, ten (10) day duration storm event, plus one (1) foot.

(d) A more critical event standard, including a 100-year return frequency, ten (10) day storm event, defined in a County or SWFWMD approved study for the applicable drainage basin, plus one (1) foot.

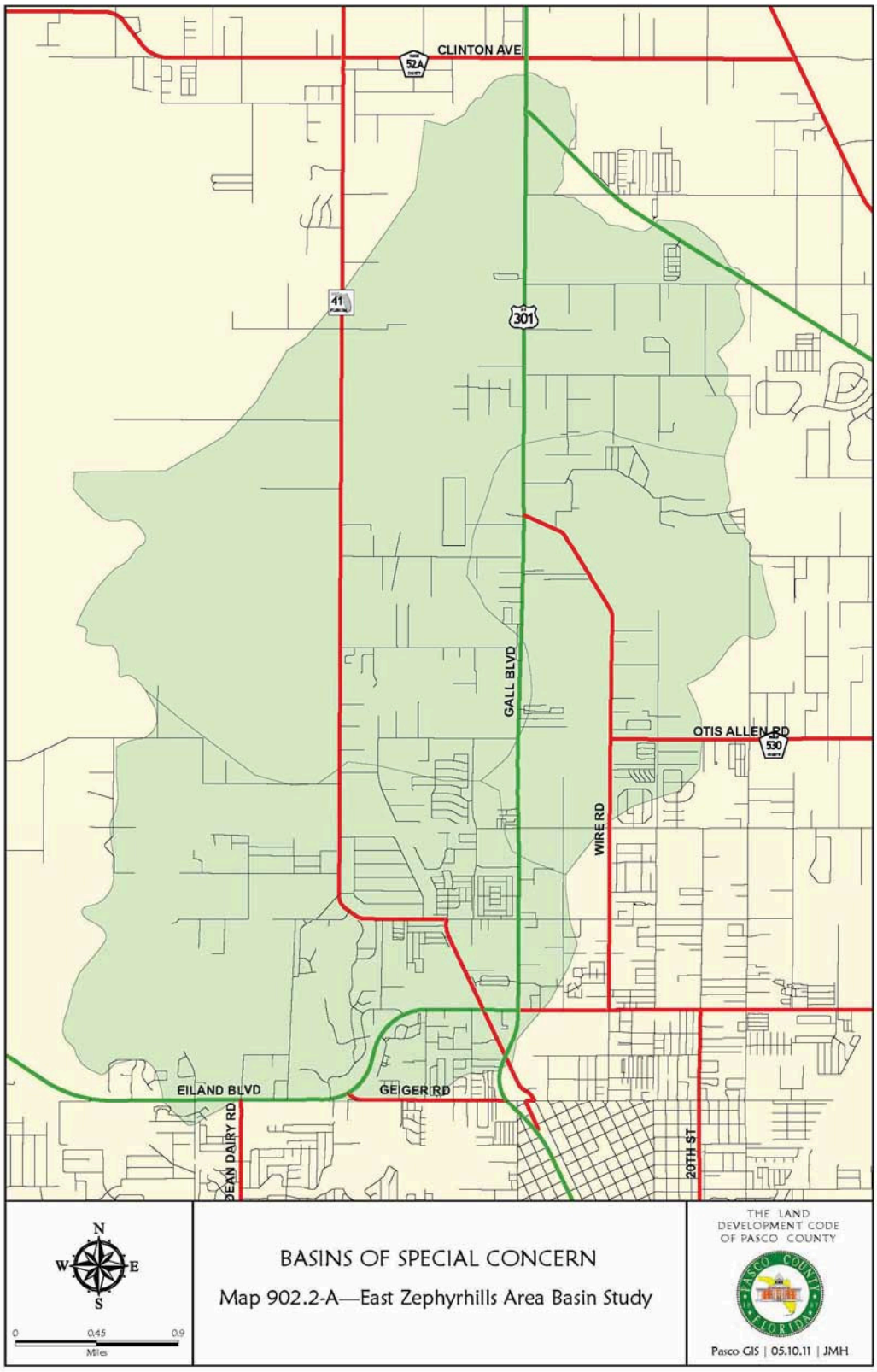
(5) Permit applicants may present for consideration, off-site mitigation plans demonstrating that the mitigation will be viable and sustainable in perpetuity.

O. False Information

It is a violation of this Code to knowingly furnish false information or information that is not supported by scientific data to the County or any official in charge of the administration of this section on any matter relating to the administration of this section.

BASINS OF SPECIAL CONCERN

MAP 902.2-A - EAST ZEPHYRHILLS AREA BASIN STUDY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301
GALL BLVD
OTIS ALLEN RD
530
WIRE RD
EILAND BLVD
GEIGER RD
DEAN DAIRY RD
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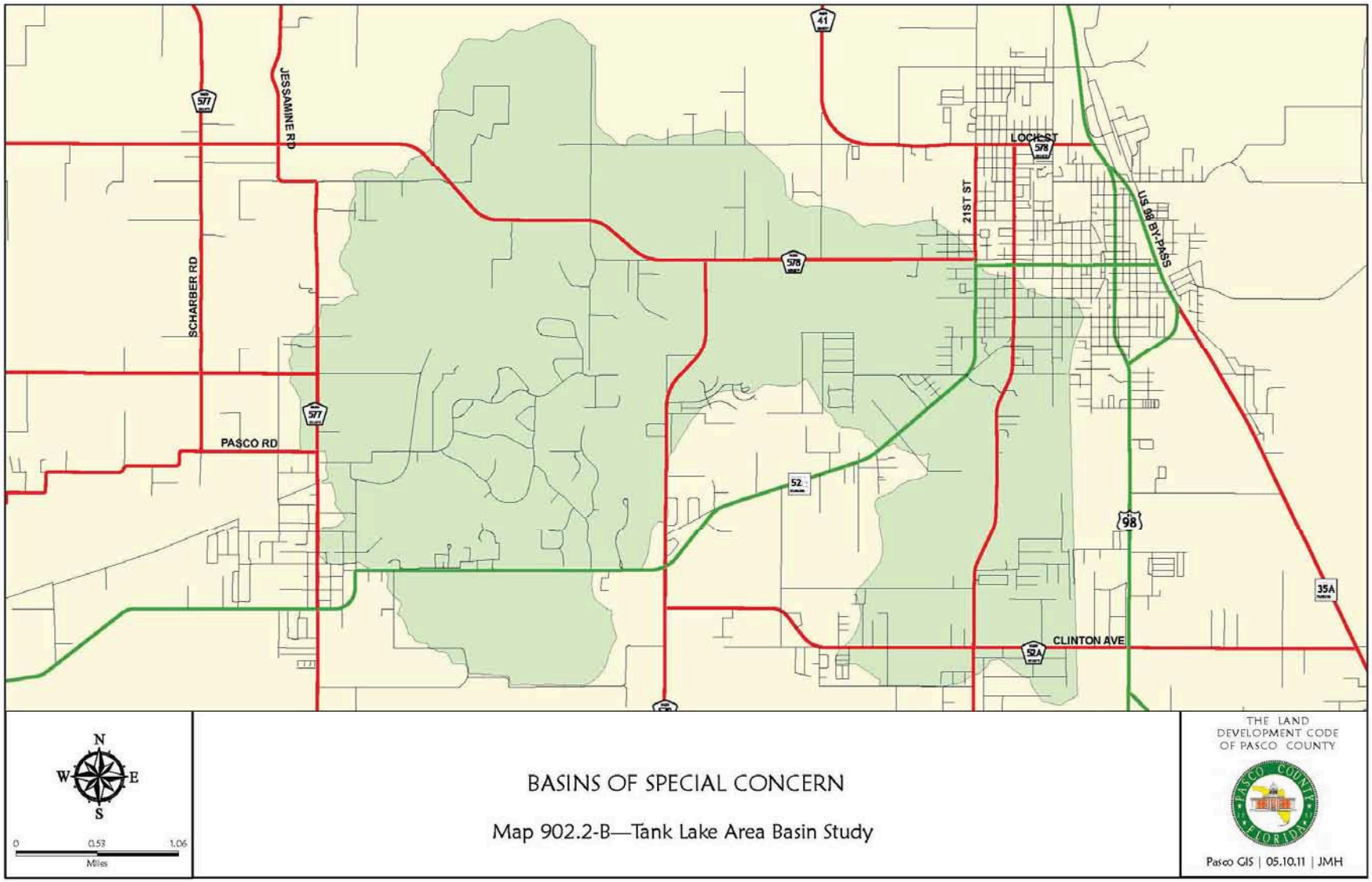
N
W
E
S
0
0.45
0.9
Miles
BASINS OF SPECIAL CONCERN
Map 902.2-A—East Zephyrhills Area Basin Study
THE LAND
DEVELOPMENT CODE
OF PASCO COUNTY
PASCO COUNTY FLORIDA
Pasco GIS | 05.10.11 | JMH

BASINS OF SPECIAL CONCERN

MAP 902.2-B - TANK LAKE AREA BASIN STUDY


JESSAMINE RD
SCHARBER RD
PASCO RD
LOCUST
21ST ST
US 98 BY-PASS
CLINTON AVE
N
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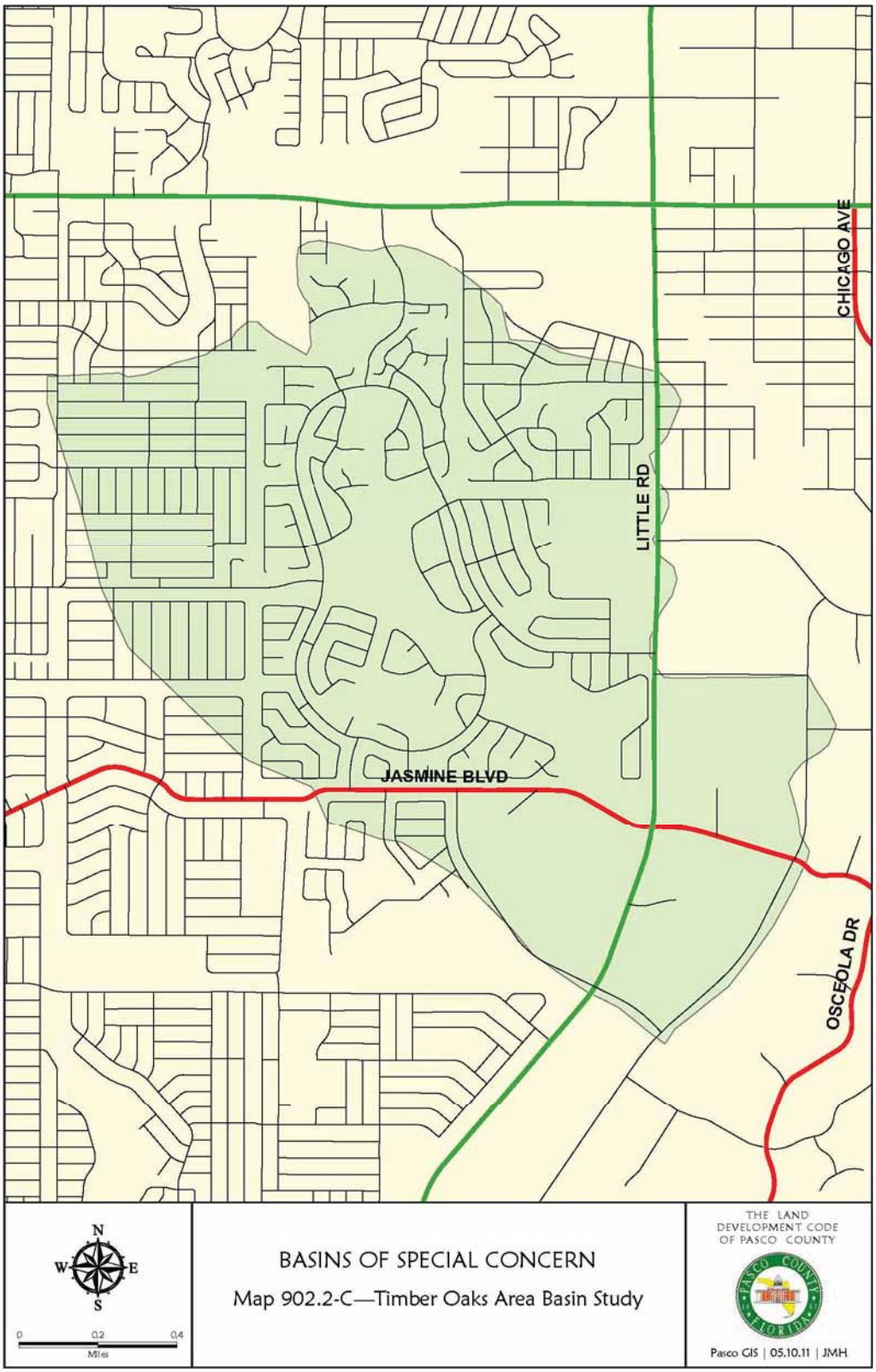
1.06
Miles
BASINS OF SPECIAL CONCERN
Map 902.2-B—Tank Lake Area Basin Study
THE LAND DEVELOPMENT CODE OF PASCO COUNTY
Pasco GIS | 05.10.11 | JMH

BASINS OF SPECIAL CONCERN

MAP 902.2-C - TIMBER OAKS AREA BASIN STUDY


CHICAGO AVE
LITTLE RD
JASMINE BLVD
OSCEOLA DR
N
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0
0.2
0.4
Miles
BASINS OF SPECIAL CONCERN
Map 902.2-C—Timber Oaks Area Basin Study
THE LAND
DEVELOPMENT CODE
OF PASCO COUNTY
PASCO COUNTY
FLORIDA
Pasco GIS | 05.10.11 | JMH

CHAPTER 900. DEVELOPMENT STANDARDS

SECTION 903. UTILITIES

903.1. General

A. Intent and Purpose

It is the intent and purpose of this section to:

1. Protect and conserve the quality and quantity of groundwater resources;

2. 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 Pasco County Comprehensive Plan;

3. 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; and

4. Establish requirements for connection to potable water, reclaimed water, and sanitary sewer facilities.

B. Applicability

This section shall apply to developments requiring preliminary development plan or preliminary site plan approval.

C. If a development is located within the RES-3 (Residential - 3 du/ga) or higher Future Land Use Classification, utility lines of all kinds including, but not limited to, those of public or franchised utilities, electric power and light, telephone and telegraph, cable television, water, sewer, and gas, shall be constructed and installed beneath the surface of the ground within new residential subdivisions, unless it is approved otherwise 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.

D. 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 provide. At the time of construction plan approval, commitment letters from serving utilities shall be provided.

903.2. Potable Water Systems

Potable water, including fire protection, shall be provided in accordance with the standards established in the Comprehensive Plan.

Where a central potable water system is provided, it shall be designed and constructed in accordance with the standards established by the serving utility. All systems shall be designed and constructed in conformance with the requirements established by the Florida Department of Environmental Protection (FDEP).

Individual potable water systems shall not be allowed unless otherwise approved at the time of preliminary plan approval. If allowed, it shall be subject to the requirements of the Pasco County Health Department.

903.3. Reclaimed Water Systems

Where available and 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 to reduce water demand for irrigation. Where a reclaimed water system is provided, it shall be designed and constructed in accordance with the standards established by the serving utility. All systems shall be designed and constructed in conformance with the requirements established by the FDEP.

903.4. Wastewater Systems

Wastewater disposal systems shall be provided in accordance with the Comprehensive Plan.

Where a central sanitary sewer system is provided, it shall be designed and constructed in accordance with the standards established by the serving utility. All systems shall be designed and constructed in conformance with the requirements established by the FDEP.

Individual sewage disposal systems shall not be allowed unless otherwise approved at the time of preliminary plan approval. If allowed, it shall be subject to the requirements of the Pasco County Health Department.

903.5. Wells and/or Septic Tanks

A. Wells

Where a potable water system is not available, the building shall be connected to a private well that is permitted by the State of Florida, Pasco County Health Department.

B. Septic Tanks

Where a sanitary sewer system is not available, the building shall be connected to a private wastewater disposal system that is permitted by the State of Florida, Pasco County Health Department.

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 from time to time.

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 Required to Provide Fire Protection Water Systems

Generally, the following developments shall provide a fire protection water system in accordance with this section:

1. Recreational Vehicle (RV) Parks. RV parks where 100 or more RV sites are provided.

2. Residential. Residential developments of more than fifty (50) dwelling units on lots of less than one (1) acre or any development with multiple structures exceeding 200,000 gross square feet.

3. Multiple Family. Multiple family developments of more than fifty (50) total dwelling units or ten (10) or more living units in any one (1) building.

4. Commercial. Commercial developments exceeding five (5) acres or any commercial structure or group of structures exceeding 12,000 gross square feet.

5. Industrial. Industrial developments exceeding five (5) acres or any industrial structure or group of structures exceeding 20,000 gross square feet.

6. Located Near Utility System. Any structure or group of structures constructed within 1,000 feet of any utility system capable of providing required fire flows within the same utility service area.

Developments not provided with a fire protection water system may be required by the Pasco County Fire Marshal to have a fire protection water system designed by a Florida registered professional engineer in accordance with The National Fire Protection Association (NFPA), Code No. 1142, pertaining to standards on water supplies for suburban and rural firefighting. Drawings of the proposed fire protection water system shall be submitted to and approved by the County Emergency Services Department prior to the issuance of a Building Permit.

D. Distribution System

The distribution system for the fire protection water system shall be designed to deliver the following fire flows for a period of not less than two (2) hours with a residual pressure of twenty (20) pounds per square inch:

Development Type	**GPM**
RV Parks	500
Residential	500
Multiple Family	750
Commercial	1,000
Industrial	1,200

E. Fire Hydrant Spacing:

1. Fire hydrants shall be located on the same side of any arterial road as the development for which they serve.

2. Fire hydrant spacing shall be as follows:

a. RV Parks: 750 feet apart as measured along the centerline of the street.

b. Residential: 750 feet apart as measured along the centerline of the street.

c. Multiple Family and Commercial: 500 feet apart as measured along the centerline of the street.

d. Industrial: 500 feet apart as measured along the centerline of the street.

3. Where deemed necessary by the authority having jurisdiction, hydrant spacing may be varied by NFPA Code No. 24. All structures shall be located within one-half of the above-listed distances.

F. Fire Hydrant Specifications

1. Hydrant Standard. All fire hydrants shall meet all requirements of the *American Water Works Association Standards for Dry-Barrel Fire Hydrants, C502-80*, as such exists on the adoption date of this Code, for post-type, dry-barrel hydrants used in public water supply systems, and the additional criteria of this section.

2. Water Mains. Fire hydrant assemblies shall be connected to water mains as follows:

a. Residential and RV parks shall have hydrants installed on water mains no less than six (6) inches in diameter.

b. Multiple family, industrial, and commercial shall have hydrants installed on water mains no less than eight (8) inches in diameter. Variations for a lesser diameter main may be approved by the authority having jurisdiction where the required fire flow is met.

3. Hydrant Type. All hydrants shall be of the dry-topped bonnet type with a self-lubrication system or an oil reservoir system. If an oil reservoir system is used, the bonnet shall be constructed in such a manner that the oil will not come in contact with water in the waterway when the hydrant is in use. The operating nut shall be pentagon shape, 1½ NST. Nut faces shall be uniform and shall be not less than one (1) inch in height. All hydrants shall open counterclockwise.

4. Hose and Pumper Nozzle. All hydrants shall have one (1) 4½-inch pumper outlet and two (2) 2½-inch hose outlets, and all outlet threads shall be national standard. Outlet caps with gaskets shall be furnished with each hydrant. The cap nut shall be pentagon shape, 1½-inch NST.

5. Height and Orientation. Fire hydrants shall be installed so that the 4½-inch steamer connection is no less than fifteen (15) inches or more than twenty-four (24) inches above the finished grade, and shall face the street.

6. Clearance. No obstructions or plantings shall be placed that will restrict the use of hydrants in accordance with the Florida Fire Prevention Code.

7. Markings:

   a. Blue, raised pavement markings shall be installed to indicate the location of each fire hydrant and shall be installed in accordance with specifications approved by the County Engineering Services Director.

   b. Fire hydrants shall be classified and marked in accordance with the latest adopted edition of the NFPA Code No. 291. Additionally, privately owned hydrants shall have the barrel painted red and tops and caps painted in accordance with NFPA Code No. 291.

8. Maintenance: It shall be the responsibility of the hydrant owner, whether owned by a utility company or individual, to maintain all hydrants in good, operable condition, including clearances, height, and markings. Any hydrant which is rendered inoperable for a period of more than twenty-four (24) hours shall be bagged and wrapped or have the top painted silver.

CHAPTER 900. DEVELOPMENT STANDARDS

SECTION 905. GREENSPACE REQUIREMENTS AND STANDARDS

905.1. Neighborhood Parks

A. Intent and Purpose

The intent and purpose of this section is to advance the health, safety, and welfare of the residents of the County by providing common areas as neighborhood parks in residential development in which to engage in recreation and play.

B. Applicability

This section shall apply where more than twenty-five (25) dwelling units are proposed. For purposes of this requirement, a development shall be aggregated with contiguous or nearby developments developed by the same or a related developer or owner that have not provided neighborhood park(s) in accordance with this section.

For the purposes of this section, a dwelling unit shall consist of single-family, multiple family, and mobile homes.

C. Exemptions

This section shall not apply to any development which received preliminary plan approval prior to November 8, 2002, any development which submitted a complete application for preliminary plan approval prior to November 8, 2002, or any existing unexpired PUD or MPUD project that as of November 8, 2002, received preliminary plan approval for at least eighty (80) percent of the PUD or MPUD project.

D. Not 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 Chapter 1200.

E. Amount of Land Required

The amount of land required to be provided and maintained as neighborhood park(s) is as follows:

1. One (1) acre for 26 to 100 dwelling units;

2. An additional 1/100 of one (1) acre for each additional dwelling unit over 100.

F. Neighborhood Park Standards

1. 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.

2. Uses Prohibited

The following uses/land area(s) shall not be included in the required neighborhood park(s) acreage:

a. Clubhouses;

b. Floodplain mitigation areas;

c. Drainage/stormwater detention areas (except for drainage/stormwater detention areas used solely for required neighborhood park amenities);

d. Parking areas (except for parking areas required to satisfy minimum parking requirements for required neighborhood park amenities);

e. Landscape easements; and

f. Sidewalks and bike/multimodal paths constructed to satisfy the minimum requirements of this Code.

3. Accessibility

The land provided for each neighborhood park shall be easily accessible to the residents of the development by automobile, foot, and bicycle.

The required neighborhood park acreage shall be located no greater than one-half mile from fifty (50) percent of the dwelling units to be served by the neighborhood park or no greater than one-quarter mile from fifty (50) percent of the dwelling units to be served by the neighborhood park if the neighborhood park is separated from the development by a collector or arterial roadway.

4. Uses Within Neighborhood Parks

Neighborhood parks may include, but are not limited to, sports fields, tennis courts, basketball courts, hiking and biking trails, community pools, playgrounds, and other areas where members of the development may congregate for recreational uses.

5. Open Play Area Required

Twenty-five (25) percent of the required neighborhood park acreage, but not less than one-half acre of each required neighborhood park, shall consist of an unpaved, open-play area without trees and structures that impair open play. The required unpaved, open-play area portion of the neighborhood park(s) must:

a. Be set back a minimum of fifty (50) feet from wetlands, lakes, or other water bodies or separated from all wetlands, lakes, or other water bodies by a transparent fence or landscape buffer four (4) feet in height; and

b. Have a minimum width of 100 feet and length of 100 feet.

6. 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 (1) acre in size.

7. Minimum Dimension

The required neighborhood park acreage shall have a minimum dimension of thirty (30) feet. As noted above, the open play area shall be a minimum of 100 feet X 100 feet.

8. 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.

G. Neighborhood Park Maintenance

The developer of a development that includes the 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:

1. 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.

2. Membership in the organization is mandatory for all purchasers of dwelling units therein and their successors.

3. The organization shall be responsible for maintenance of and insurance and taxes on the neighborhood park(s).

4. The members of the organization shall share equitably the costs of maintaining and developing neighborhood park(s) in accordance with procedures established by them.

5. The organization shall have or hire adequate staff to maintain the neighborhood park(s).

6. 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).

H. Alternative Standards

Alternative standards that meet or exceed the intent and purpose of this section may be approved.

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 water-efficient landscaping within the County. Landscaping includes trees, shrubs, and groundcover.

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.

B. Applicability

1. This section shall be applicable to all development plans submitted on or after February 26, 2002, and to single and two (2) family residential lots with the exception of those within agricultural zoning districts.

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 when a new building permit or preliminary site plan application is submitted pursuant to this Code according to the following:

a. Intent and Purpose

The intent and purpose of this section is to provide for the timely compliance with the landscaping and buffering provisions of this Code, while recognizing and encouraging redevelopment. As such, the requirement for bringing a site into conformance with this section will be based on the degree of investment proposed for the site.

b. Improvements Required

Landscaping and buffering requirements in circumstances of redevelopment shall be as shown in Table 905.2-A.

TABLE 905.2-A

Circumstance	Conformity Required
• Alteration of vehicular use area other than restriping, resealing, or resurfacing.	• Expanded area shall provide the required minimum landscape area as required by Table 905.2.C.
• Existing structure size is expanded by up to twenty-five (25) percent.	• Building perimeter landscaping shall be required adjacent to any addition, where feasible.
• Structure size is expanded by more than twenty-five (25) percent.	• Building perimeter landscaping shall be installed adjacent to the entire building, where feasible.
• Value of work associated with redeveloped, remodeled, or renovated structure is between twenty-five (25) and fifty (50) percent of the appraised value.	• Buffers shall be installed: ○ Along roadways. ○ Adjacent to residential properties. • Building perimeter landscaping adjacent to addition.
• Value of work is between fifty-one (51) and seventy-five (75) percent of the appraised value.	• All property buffers shall be installed. • Building perimeter landscaping adjacent to addition, where feasible.
• Value of work exceeds seventy-five (75) percent of the appraised value.	• All property buffers. • All building perimeter landscaping, where possible. • All vehicular use landscaping.

NOTE: Appraised value shall be as shown by the Property Appraiser. The value of improvements shall be cumulative from February 26, 2002.

c. 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) Alternative Standards. An applicant may propose an alternative standard pursuant to Section 407.5 to the required planting, meeting the purpose and intent of this section for a balance between conformity with this section and the encouragement of redevelopment. Alternative standards may be appropriate based on the adjacent uses and the ability of practical installation.

(2) Performance Security. Where performance security in a form acceptable to the County is provided, the landscaping and buffering required in Table 905.2-A may be installed in phases over a five (5) year period.

(3) 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 (SWFMD) or the University of Florida Institute of Food and Agricultural Sciences (IFAS), 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.

C. General Standards

1. Design

a. Maintenance Responsibility. Landscaping plans must designate a person or entity, other than the County, to be responsible for maintenance of the landscaping.

b. 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.

c. 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.

d. Diversity

(1) A maximum of fifty (50) percent of the plant materials used, other than trees, may be nondrought 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
26-30	6
31-35	7
35 or more	8

(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) No one (1) plant species of shrubs or ground cover plants or combination thereof, excluding turfgrass, shall constitute more than twenty-five (25) percent coverage of the overall landscape area.

(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. Trees shall be planted at the base of the berm. 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 along rights-of-way or on public lands, so long as approval is obtained through the applicable review process and all necessary agreements and/or permits have been obtained. 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.

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 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:

(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, 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) 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.

(5) Trees located within environmentally sensitive lands shall not be counted or credited toward the total number of trees required.

2. Quality of Trees

a. 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.

b. Invasive Species

(1) 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.

(2) Invasive species located within the area of the project proposed to be developed are required to be removed.

c. 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 with a maximum spacing of thirty (30) feet on center. 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.

d. 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.

e. 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.

f. 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. 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, unless the applicant can demonstrate that the growth structure of a proposed species will obtain a continuous appearance within one (1) year of planting.

(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. 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, unless the applicant can demonstrate that the growth structure of the proposed species will obtain a continuous appearance within one (1) year of planting.

g. 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.

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.

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 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.

d. 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.

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. 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.

4. 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.

D. Specific Planting Requirements

1. Generally. The following general standards and the specific planting standards below shall apply to all sites:

   a. 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.

   b. Sidewalks and other impervious areas shall not be located within a required buffer except:

      (1) Driveways and sidewalks are constructed perpendicular to the buffer and provide direct access to the parcel or adjacent parcels.

      (2) A meandering sidewalk, bike trail, or nature trail is provided within the buffer and the buffer width is increased by the equivalent sidewalk or trail width.

2. Specific Standards for Single and Two (2) Family Residential

   a. Minimum 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 the following table:

Size of Lot (Square Feet)	**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

   This requirement does not apply to lots of record existing on or before February 26, 2002.

3. Vehicular Use Areas. Landscaping and buffering of vehicular use areas shall be in accordance with Table 905.2.C.

TABLE 905.2-C

Vehicular Use Area Landscaping

Purpose	To divide and break up large expanses of paving and provide shading for paved areas, creating an aesthetically pleasing environment.
When Required	All new or expanded off-street parking or other vehicular use areas. 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.
Landscape Area Required	A minimum of ten (10) percent of the on-site, vehicular use area shall be devoted to interior landscaped areas.
Shade Trees Required	A minimum of one (1) shade tree for every 200 square feet of required interior landscaped area.
Standards for Shade Trees	Proposed tree species shall be appropriate for the space available considering the size of the tree, root growth patterns, and water needs at maturity.
Existing Trees Preferred	Use of existing noninvasive trees is preferred when trees are located within the parking area and may feasibly be incorporated into the parking area design in a manner ensuring survivability. The island size shall be large enough to allow the continued health of the retained tree. Where existing trees are retained in the landscape islands to satisfy the requirements of this Code, the number of interrupted parking spaces in a row may be increased to fifteen (15).
Landscape Islands	A minimum of one (1) landscape island per every ten (10) parking spaces. These may be reduced to every fifteen (15) spaces when the existing trees are incorporated.
Island Size	100 square feet; minimum dimension of eight (8) feet.
Plantings Required and Location	A minimum of one (1) shade tree with shrubs, dwarf shrubs, and/or other ground cover plants per each island. Other than trees, planting materials shall naturally grow no taller than thirty (30) inches. Trees shall be set back from drive aisles a minimum of four (4) feet.
Terminal Islands Required	All rows of parking shall be bordered by a terminal landscaped island. The terminal island shall be a minimum of nineteen (19) feet long for a single row of parking; thirty-eight (38) feet long for a double row. Each terminal island shall be a minimum of eight (8) feet wide.

	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.
Landscaping Required for Terminal Islands	Shade trees, shrubs, dwarf shrubs, and ground cover plants shall be used in terminal islands. If a large tree with a mature canopy of thirty-five (35) feet or more is proposed in a double island, only one (1) such tree shall be planted in the island.
Alternative Planting Beds	Planting beds may be used to satisfy ten (10) percent of the landscaping requirement. Planting beds may be in addition to the required landscape islands. Planting beds must be five (5) feet wide (minimum); 150 square feet. Shade trees shall be planted with a minimum of one (1) tree per thirty (30) linear feet of planting bed. The remainder of the planting bed shall be planted with shrubs, dwarf shrubs, and ground cover plants. When planting beds are used, the terminal island may be reduced to a minimum width of five (5) feet measured inside the curb. Pedestrian walkways shall be provided through or adjacent to planting beds to provide access to parking areas. These walkways may be included in meeting the ten (10) percent minimum landscaping if the planting bed shelters the walkway along its entire length.
General Requirements	Landscape areas shall be protected from vehicular encroachment. Parking lots shall be designed so that water runs into the landscaped areas to the greatest extent possible to maximize stormwater retention; e.g., islands are recessed and curbing has openings to allow water. The amount of required interior landscaping shall be shown on all preliminary development plans and landscape plans.
Alternative Standards	Alternative standards meeting or exceeding the intent and purpose of this section may be approved by the County Administrator or designee. If any approved alternative standards has applicability to other sites, the County Administrator or designee may take the alternative standard to the BCC for approval as an available template to be used by other applicants.

4. Building Perimeters

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. Building perimeter landscaping shall be placed such that a minimum of fifty (50) percent of the building perimeter is landscaped.

a. All shopping center, retail, office, apartment, condominium, townhouse, clubhouse, and 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.

b. These building perimeter landscapings 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 shade trees, understory trees and/or palms, shrubs, dwarf shrubs, and ground cover plants.

Alternative design solutions for these building perimeter landscaping requirements that meet or exceed the intent and purpose of this section may be approved through the alternative standards review process.

5. 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. Generally, perimeter landscaping is required on all sides of a lot, with the exception of single, two (2), and mobile home lots where the landscaping shall be required on individual lots and around the project as a whole. Buffer type required 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.

a. Where the buffers are located within subdivisions, the buffers shall be indicated as tracts and the applicable minimum side or rear yard shall be measured from the tract line.

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

BUFFER REQUIREMENTS BY ZONING CLASSIFICATION												
Subject Property's District/Use* **		**Adjacent District/Use**										
		1	2	3	4	5	6	7	8	9	10	11
1.	Agricultural Districts (A-C Agricultural, AC-1 Agricultural, A-R Agricultural-Residential, AR-1 Agricultural-Residential, AR-5 Agricultural-Residential, AR-5MH Agricultural-Residential)	-	-	-	-	-	-	-	-	-	-	F
2.	Residential Single-Family Districts (E-R Estate-Residential, ER-2 Estate-Residential, R-1 Rural Density Residential, R-2 Low Density Residential, R-3 Medium Density Residential, R-4 High Density Residential)	A	-	B	B	B	B	B	D	C	C	F
3.	Multiple Family Districts (MF-1 Multiple Family Medium Density, MF-2 Multiple Family High Density, MF-3 Multiple Family)	A	B	-	B	B	B	B	D	C	C	F
4.	Mobile Home Districts (R-MH Mobile Home, R-1MH Single-Family/Mobile Home, R-2MH Rural Density Mobile Home)	A	B	B	-	B	B	B	D	C	C	F
5.	Commercial Districts/Uses (C-1 Neighborhood Commercial, C-2 General Commercial, C-3 Commercial/Light Manufacturing)*	A	B	B	B	A	A	A	D	B	C	F
6.	Professional Office Districts/Uses (PO-1 Professional Office, PO-2 Professional Office)	A	B	B	B	A	A	A	D	B	C	F
7.	Industrial Districts/Uses (C-3 Commercial/Light Manufacturing, I-1 Light Industrial Park, I-2 General Industrial Park)	B	C	B	B	B	B	E	D	B	C	F
8.	Rights-of-Way**	-	D	D	D	D	D	D	-	G	C	F
9.	Automotive Service Stations and Convenience Stores With Gas Pumps	B	C	C	C	B	B	B	G	B	C	F
10.	Vehicle Dealerships	A	H	H	H	A	A	A	D	A	A	D
11.	Mining Operations/Construction and Demolition Debris Disposal Facilities/Landfills (All Types)	-	C	C	C	C	C	C	C	C	-	F
12.	Controlled Access Roadways	F	F	F	F	F	F	F	F	F	F	-

*For golf courses, the play area buffer may consist of the required number of plants and trees grouped so as to delineate the golf course boundaries.

**Applies to major County roads and Type 1 subdivision collectors 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.

***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.

TABLE 905.2-E

Landscaping Buffer and Screening Requirements

Type A	Ten (10) feet wide. Single row of trees; maximum sixty (60) feet on center. Continuous row of evergreen shrubs.
• **Type B**	Fifteen (15) feet wide Single row of trees; maximum sixty (60) feet on center. Visual screen designed to be eighty (80) percent opaque within one (1) year. Screening a minimum of six (6) feet in height at the time of the installation. Screening shall include one (1) or more of the following: • Opaque Fence • Wall • Berm • Hedge Wooden fences are prohibited. Fences and walls shall not exceed eight (8) feet in height and may be placed adjacent to the property line. Shrubs used to provide a visual screen shall be placed a maximum of five (5) feet on center.

Type C	Twenty (20) feet wide. Two (2) staggered rows of trees with a maximum spacing of sixty (60) feet on center per row. Visual screen designed to be eighty (80) percent opaque within one (1) year. Screening a minimum of six (6) feet in height at the time of installation. Screening shall include one (1) or more of the following: • Opaque Fence • Wall • Berm • Hedge Wooden fences are prohibited. Fences and walls shall not exceed eight (8) feet in height and may be placed adjacent to the property line. Shrubs used to provide a visual screen shall be placed a maximum five (5) feet on center.
Type D Nonlocal Roadway	Landscape buffer shall be required: • Adjacent to any road right-of-way external to the development. • Adjacent to any nonlocal access roads internal to a development. • Adjacent to all double-frontage lots. The minimum width will vary according to the ultimate width of abutting right-of-way and project size as follows: **Right-of-Way Width** — **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 When a corridor right-of-way is dedicated in accordance with this Code, the Type D buffer width may be reduced to no less than ten (10) feet as part of plan review, provided the purpose and intent of this section are met. Shade and understory trees shall be planted an average of thirty (30) feet apart. Minimum spacing twenty (20) feet; maximum forty-five (45) feet.

	The remainder of the buffer shall be landscaped with shrubs at a minimum rate of five (5) shrubs per tree or palm and ground cover plants. Where a vehicular use area abuts the right-of-way buffer, the buffer shall also contain an earthen berm a minimum of eighteen (18) inches in height; shall be planted so as to form a continuous, unbroken, solid visual screen within one (1) year of time of planting; and ground cover plants. Berms and landscaping shall be eighty (80) percent opaque and shall be a minimum of three (3) feet in height at the time of planting and all times thereafter. Berm may be undulating to allow tree placement and promote visual interest. Berm shall not be required within clear-sight triangle area. No more than thirty (30) percent of the required landscape area shall be grassed. Wooden fences shall be prohibited Where a wall is used: • The masonry or other ornamental wall, not to exceed eight (8) feet in height, may be located within a required Type D buffer (right-of-way buffer) to separate a residential development from the roadway. • The masonry or other ornamental wall shall be installed so as to allow the required landscaping to be provided along the right-of-way side of the wall. • Any sidewalk located adjacent to the said masonry or other ornamental wall shall be separated from the masonry or other ornamental wall by a single row of trees spaced thirty (30) feet on center. • The trees shall be planted so as to provide shade along the sidewalk. Vines and ground cover may also be incorporated into the landscaping. It is not the intent of this requirement to obscure from view decorative elements, such as emblems, tile molding, and wrought iron.

Type E Industrial to Industrial	Five (5) foot wide buffer. Shade trees planted a maximum of sixty (60) feet on center. No substitution of palms is permitted. 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. A continuous row of evergreen shrubs. The remainder shall be landscaped with other plantings and/or drought-tolerant sod.
Type F: Controlled Access Roadways	Twenty (20) feet adjacent to any controlled access roadway. In residential districts: • A sound wall, a minimum of ten (10) feet high when the closest residential lot or potential lot is within 500 feet of the controlled access highway. • When a residential lot or potential lot is more than 500 feet from a highway, a wall a minimum of eight (8) feet high is required. • Masonry or other ornamental walls shall be used. Wooden and plastic-type fences, including PVC are prohibited. • Walls may be placed atop berms to achieve minimum height. • Walls shall be installed to allow required landscaping to be provided on the right-of-way side of the walls. In all other districts: • Shrubs, undulating berms, walls, or any combination a minimum of eight (8) feet high. • Shrubs used as a visual screen shall be eighty (80) percent opaque within one (1) year. • Masonry or other ornamental walls shall be used. Wooden and plastic-type fences, including PVC are prohibited. • Wall may be placed atop berms to achieve minimum height. • Walls shall be installed to allow required landscaping to be provided on the right-of-way side of the walls.

	• This requirement shall not apply to those portions of the perimeter where existing wetlands adjacent to the controlled access roadway are to be retained on site. • For corporate business parks, this requirement shall only apply to those portions of the park's vehicular use areas adjacent to the controlled-access roadway rights-of-way. Required Landscaping: • Row of trees, maximum sixty (60) feet on center. • Minimum five (5) shrubs per tree or palm. • Shrubs may be in groups or hedgerows. • Remaining area planted with ground cover plants and grassed. It is not the intent to obscure from view decorative items, such as emblems, tile molding, and wrought iron. For corporate business parks, the required landscaping may be grouped to delineate the boundaries of the park and to soften the walls and berms as an alternative to the planting requirements of this section.
Scenic Highways	Areas adjacent to designated scenic highways 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. In no case shall the plantings be less than generally required for a Type H buffer.
Type G: Service Stations and Convenience Stores with Gas Pumps	Twenty (20) feet in width between the right-of-way and project. • Minimum twenty-four (24) inch high earthen berm. • Maximum 3:1 slope. • Entire length of buffer. • Berm may undulate to allow tree spacing and provide visual interest.

	• Shrubs shall be planted in staggered, double rows and maintained to form a continuous, unbroken, solid visual screen within one (1) year from planting. • Berms shall be planted with ground cover plants, shrubs, trees, and palms. • Berms and landscaping shall be eighty (80) percent opaque and shall be a minimum of three (3) feet high at the time of installation and shall be maintained at least at that height. • Height shall be measured at finished grade of vehicular use area. • Berm shall not be required within the clear-sight triangle areas for any driveways or pedestrian walkways. Shade trees shall be planted in staggered, double rows with an average of thirty (30) feet on center.
Type H: Vehicle Dealership/Residential	Seventy-five (75) foot wide buffer. The first thirty (30) feet adjacent to the exterior of the site shall be planted with trees, shrubs, ornamentals, and ground cover. The interior forty-five (45) feet shall also be planted with turf grass, ornamentals, shrubs, trees, ground cover, or any combination thereof. Only stormwater features may be installed within the interior forty-five (45) feet of the buffer. Trees shall be planted a maximum of sixty (60) feet on center. A continuous row of evergreen shrubs, a minimum of twenty-four (24) inches in height at planted, and spaced as appropriate for the species, but not more than thirty-six (36) inches apart, shall be installed within the exterior thirty (30) feet.

b. Joint Landscape Areas. When side or rear perimeter landscape areas are required on adjacent properties, the County Administrator or designee may approve a Joint Landscape Area permitting installation of one (1) such landscape area on the adjacent boundary, as long as such agreement is binding on both property owners and their successors in interest, and is approved as part of the permit application by the County Administrator or designee. It is intended that Joint Landscape Areas be utilized where adjacent uses have similar densities and intensities.

c. Alternative Standards. The County Administrator or designee may approve a request of alternative standards when the intent and purpose of this section are met or exceeded by the proposed buffering design. This section is specifically designed to encourage the application of creativity in proposals for landscape solutions. If an approved alternative standard has applicability to other circumstances, the County Administrator or designee may take the alternative standard to the BCC for approval as an available template to be made available for use by other applicants.

6. Water Management Systems

a. All manmade dry and wet retention areas that are visible from the right-of-way or located within a required buffer shall be designed to appear natural by providing offsets in the edge alignment. Offsets should be a minimum of five (5) feet with a maximum spacing of fifty (50) feet. 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.

(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 SFWMD 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 Maintenance and Prohibitions

1. 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.

2. All required landscaping shall be maintained in a healthy condition in perpetuity in accordance.

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. Ongoing maintenance to prevent the establishment of prohibited, invasive species is required.

5. 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.

6. Paving, treating, or covering a required landscape area in any way that renders it impervious is prohibited.

7. Parking of vehicles shall not be permitted in required landscape areas.

F. Alternative Standards

Alternative standards may be approved when design solutions meet or exceed the intent of this section or in cases related to government buildings and the Department of Homeland Security.

905.3. Landscape Fertilizer Use

A. Intent and Purpose

The intent and purpose of this section is to regulate the proper use of fertilizers; require certification; establish prohibitions; and specify allowable fertilizer application rates and methods, fertilizer free zones, low maintenance zones, and exemptions. This section requires the use of Best Management Practices (BMPs) to minimize negative secondary and cumulative environmental effects associated with the misuse of fertilizers. These secondary and cumulative effects can occur in and on natural and constructed stormwater and drainage conveyances, rivers, creeks, canals, lakes, estuaries, and other water bodies which are an asset critical to the environmental, recreational, cultural, and economic well-being of County residents and the health of the public. Overgrowth of algae and vegetation associated with the misuse of fertilizer hinders the effectiveness of natural and constructed stormwater and drainage conveyances. Regulation of nutrients, including both phosphorus and nitrogen contained in fertilizer, will help improve and maintain water and habitat quality.

B. Applicability and Exemption

This section shall apply to all application of fertilizer in unincorporated Pasco County, except:

1. Bona fide farm operations as defined in the Florida Right to Farm Act, Section 823.14, Florida Statutes.

2. Pastures used for grazing livestock.

However, even where exempt, fertilizers must be applied in accordance with the appropriate BMP Manual adopted by the Florida Department of Agriculture and Consumer Services, Office of Agricultural Water Policy.

C. Fertilizer Application Prohibitions

1. No applicator shall apply fertilizers containing nitrogen and/or phosphorus to turf and/or landscape plants when there is a National Weather Service issued Flood Watch or Warning, Tropical Storm Watch or Warning, Hurricane Watch or Warning, or a three (3) day Cone of Uncertainty in effect for any portion of the County.

2. Fertilizer shall not be applied within the Fertilizer-Free Zone which is within ten (10) feet, or three (3) feet if a deflector shield or drop spreader is used, on any pond, stream, water course, lake, canal, or wetland as defined by Rule 62-340, Florida Administrative Code

(F.A.C.), or from the top of a seawall. Newly planted turf and/or landscape plants may be fertilized in the Fertilizer Free Zone only for the first sixty (60) day establishment period.

3. Fertilizer shall not be applied, spilled, or otherwise deposited on any impervious surfaces. Any fertilizer applied, spilled, or deposited, either intentionally or accidentally, on any impervious surface shall be immediately and completely removed to the greatest extent practicable. Fertilizer released on an impervious surface must be immediately contained and either legally applied to any legal site or placed in an appropriate container. In no case shall fertilizer be washed, swept, or blown off impervious surfaces into stormwater drains, ditches, conveyances, or water bodies.

D. Fertilizer Content and Application Rates

1. Fertilizers shall be formulated and applied in accordance with requirements and directions provided by Rule 5E-1.003(2), FAC, Labeling Requirements for Urban Turf Fertilizers.

2. Fertilizers shall be applied at the lowest rate necessary. Nitrogen shall not be applied at an application rate greater than 0.7 pound of readily available nitrogen per 1,000 $ft.^2$ at any one (1) time based on the soluble fraction of formulated fertilizer, with no more that one (1) pound total N per 1,000 $ft.^2$ to be applied at any one (1) time, and not to exceed the annual nitrogen recommendations in the Fertilization Guidelines for Established Turfgrass Lawns in Three Regions of Florida, as pertaining to the County as set forth below:

Species	**Nitrogen Recommendation (lbs. N/1,000 $ft.^2$/year)**
Bahia	2-4
Bermuda Grass	4-6
Centipede Grass	2-3
St. Augustine Grass	2-5
Zoysiagrass	3-6

3. No phosphorus fertilizer shall be applied to existing turf and/or landscape plants within the County at application rates which exceed 0.25 pound. P_2O_5/1,000 $ft.^2$ per application nor exceed 0.50 pound P_2O_5/1,000 $ft.^2$ per year.

4. For new turf or landscape plants that are being installed or established, a one (1) time use of starter fertilizer as described in Rule 5E-1.003, F.A.C., shall be allowed at an application rate not to exceed 1.0 pound of P_2O_5/1,000 ft^2.

5. Nitrogen or phosphorus fertilizer may not be applied to turf or landscape plants except as provided above, unless a soil or tissue deficiency has been verified by an approved test.

E. Deflector Shield Required

Spreader deflector shields are required when fertilizing via rotary spreaders. Deflectors must be positioned such that fertilizer granules are deflected away from all impervious surfaces, fertilizer free zones, and water bodies, including wetlands.

F. Low-Maintenance Zones

A six (6) foot low-maintenance zone is strongly recommended around any pond, stream, water course, lake, wetland, or from the top of a seawall. A swale/berm system is recommended at the landward edge of this low-maintenance zone to capture and filter runoff. No mowed or cut vegetative material shall be deposited or left remaining in this zone or deposited in the water. Care should be taken to prevent the overspray of aquatic weed products in this zone.

G. Certification of Applicators

1. All applicators, other than private homeowners on their own property, shall process an active DACS Certification, Chapter 482, Florida Statutes.

2. All businesses applying fertilizer to turf and/or landscape plants must ensure that at least one (1) employee has an appropriate DACS Certification, Chapter 482, Florida Statutes.

3. Applicators not otherwise required to be certified are required to follow the recommendations of the University of Florida, Institute of Food and Agricultural Sciences, Florida Yards and Neighborhoods Program, when applying fertilizers.

CHAPTER 900. DEVELOPMENT STANDARDS

SECTION 905. GREEN SPACE REQUIREMENTS AND STANDARDS

905.4. Irrigation

A. Intent and Purpose

As landscape irrigation comprises a significant portion of water use, the intent and purpose of this section is to improve landscape irrigation water use efficiency by ensuring that landscape systems meet or exceed minimum criteria.

B. Applicability

This section shall apply to:

1. New development including where permanent in-ground irrigation systems are installed.

2. Newly irrigated landscaped and turf areas for a development.

C. Exemptions

The following are exempt from the provisions of this section:

1. Landscaping having no supplemental irrigation through a permanent in-ground system.

2. Bona fide agricultural land pursuant to Section 193.461, Florida Statutes.

3. Athletic fields.

4. Golf course play areas.

5. Community play areas.

6. Cemeteries.

7. Class I and II developments where, prior to February 26, 2002, either final construction plan approval was obtained from the County or the County's written technical review comments pertaining to the construction plan were transmitted to the applicant. Class III developments where a completed application for preliminary plan approval was submitted to the County Administrator, or his designee, prior to February 26, 2002.

D. Irrigation System Types

1. Conventional in-ground systems.

2. Soil moisture sensor systems.

3. Other types of irrigation systems meeting or exceeding the intent of this section.

E. Irrigation System Specifications

The *Florida Irrigation Society* (FIS) *Standards* (5th Edition, December 2005, as amended), which is incorporated herein by reference, shall be used for all irrigation design and installation procedures, except where the requirements of this section supersede the *FIS Standards* or an alternative standard is approved.

1. All irrigation systems installed after February 26, 2002, shall meet the following standards:

a. Irrigation systems shall be designed to meet the needs of the plants in the landscape plan, specifically using the principle of Right Plant/Right Place.

b. The design shall consider soil, slope, and other site characteristics in order to minimize water waste, including overspray, the watering of impervious surfaces and other non-vegetated areas, and off-site runoff.

c. The system shall be designed to minimize free flow conditions in case of damage or other mechanical failure.

d. The system shall be designed to use the lowest quality water feasible.

e. Rain switches or other approved devices, such as soil moisture sensors, to prevent unnecessary irrigation, shall be incorporated.

f. A recommended seasonal operating schedule and average precipitation rates for each irrigation zone for both establishment and maintenance conditions shall be provided.

g. Control systems shall provide the following minimum capabilities:

(1) Ability to be programmed in minutes, by day of week, season, and time of day;

(2) Ability to accommodate multiple start times and programs;

(3) Automatic shut off after adequate rainfall;

(4) Ability to maintain time during power outages for a minimum of three (3) days; and

(5) Operational flexibility to meet applicable year-round water-conservation requirements and temporary water-shortage restrictions.

h. Recommended maintenance activities and schedules shall be included.

i. Precipitation rates for sprinklers and all other emitters in the same zone shall be matched, except that microirrigation emitters may be specified to meet the requirements of individual plants.

j. Irrigation systems shall be designed to maximize uniformity, considering factors, such as:

(1) Emitter types.

(2) Head spacing.

(3) Sprinkler pattern.

(4) Water pressure at the emitter.

k. Irrigation systems with main lines larger than two (2) inches or designed to supply more than seventy (70) gallons per minute shall incorporate a means to measure irrigation water use, at a minimum of ninety-five (95) percent accuracy across the flow range.

F. Irrigation System

1. Submittal Requirements: An irrigation site plan, drawn at a readable scale or accurately dimensioned, shall be submitted at the time the construction plan is submitted or building permit if site development has been completed, providing the following information:

a. Property boundary, location of existing or proposed structures, roadways, sidewalks, other impervious features, and landscape features on site.

b. Statement of water source for irrigation system.

c. Design operating pressure.

d. Delineate proposed conventional and micro irrigation zone(s), flow rate and application rate per zone.

e. Indicate watering schedule.

f. Materials to be used, location of pipes, controllers, valves, sprinklers, backflow prevention devices, filters, elevation, electrical supply, and pump locations.

g. Rain switches or other approved devices.

h. Location of mainline and lateral pipes and sizes.

i. Location of control valves with sizes and zone numbers.

j. Designer's name, address, and telephone number.

2. Irrigation System Plan Standards

a. Where available, reclaimed wastewater shall be used for landscape irrigation.

b. A maximum of fifty (50) percent of the green space shall be allowed to utilize a conventional irrigation system unless a soil moisture sensor is used, in which case sixty-five (65) percent may use conventional irrigation.

c. The irrigation system shall be designed to accommodate separate landscape plant zones based on differing water requirements. Turf areas shall be on separate irrigation zones from other landscape plant zones.

d. Sprinkler spacing shall not exceed fifty-five (55) percent of the sprinklers' diameter of coverage.

e. Sprays and rotors shall have matching application rates within each irrigation zone. Sprays and rotors shall not be combined on the same irrigation zone.

f. All irrigation systems shall be designed to avoid overspray, runoff, or other similar conditions where water flows onto or over adjacent property, nonirrigated areas, walkways, roadways, structures, or water features. Narrow areas (four [4] feet wide or less) shall not be irrigated unless microirrigation is utilized.

g. Irrigation control equipment shall include an operable and functioning automatic irrigation controller having program flexibility, such as repeat cycles and multiple program capabilities. Automatic irrigation controller(s) shall have battery backup to retain the irrigation program(s). Automatic control systems shall be equipped with an operable and functioning rain-sensor device. The rain-sensor device shall be placed where it is exposed to unobstructed natural rainfall.

G. Maintenance and Management

The irrigation system shall be maintained and managed to ensure efficient water use and to prevent wasteful practices. This includes, but is not limited to, resetting the automatic controller according to season; cleaning irrigation filters; testing the rain-sensor device; monitoring, adjusting, and repairing irrigation equipment to ensure that the efficiency of the system is maintained; replenishing mulch; utilizing turf and landscape best management practices, which include pruning plants and cutting grass around sprinkler heads.

H. Certification

1. Certification to the County: A registered landscape architect, as authorized by Chapter 481, Florida Statutes, as amended; irrigation contractor; or other type of professional, as approved by the County Administrator, or designee, shall conduct a final field inspection of both the installed landscaping and irrigation system.

   Prior to the issuance of the Certificate of Occupancy for all developments, including single-family or two-family residential lots, the builder of the primary structure shall provide a Certificate of Compliance that the irrigation and landscaping as installed meet the requirements of this Code.

2. Provided to Owner: In addition, the property owner shall be provided the following:

   a. As-built drawing of the irrigation system which includes the locations and sizes of the meter, manual shutoff valve, backflow prevention device, mainline pipes and zone valves, location of the controller and sensors (rain, freeze, etc.).

   b. An irrigation valve site map detailing:

      (1) Valve locations.

      (2) Gallons per minute demands.

      (3) Precipitation rates.

(4) Plant types within valve circuits.

(5) Operating pressure requirements for each valve.

c. Design-pressure criteria, including recommended system static pressure range, recommended system operating pressure range, and recommended system operating pressure.

d. Zone-specific design criteria, including predominant plant type, soil type, slope, root zone depth, precipitation rate, recommended operating pressure range, recommended operating pressure, and wind derating criteria.

e. Current irrigation schedule.

f. System operation manual(s) and maintenance schedule.

g. All required testing and inspection certificates/completed permits. If the property owner installs the irrigation system, the owner shall act as certifying agent.

CHAPTER 900. DEVELOPMENT STANDARDS

SECTION 906. OUTDOOR REFUSE, LOADING, AND MECHANICAL EQUIPMENT SCREENING

906.1. Outdoor Refuse Storage

A. Intent and Purpose

The intent and purpose of this section is to establish regulations for areas utilized as loading areas or dock(s), outdoor refuse storage, trash collection, mechanical equipment areas, recycling, or other service functions to be screened.

B. Applicability

This section shall apply to a new development site, a redeveloped site, or where a change in site use occurs.

C. Exemptions

Industrial parks are exempt from this section.

D. Existing Nonconformities

Existing sites not meeting the requirements of this section shall be brought into full compliance when one 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. A substantial amendment is required to an existing approved site plan.

3. A change in use generates a requirement for outdoor storage.

E. Standards

Areas of nonresidential development that are utilized as loading areas or docks, outdoor refuse storage, trash collection, mechanical equipment, trash compaction, recycling, or other service functions shall be screened and out of view from adjacent developable properties at ground level and from rights-of-way by a masonry wall a minimum of six (6) feet in height.

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.

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:

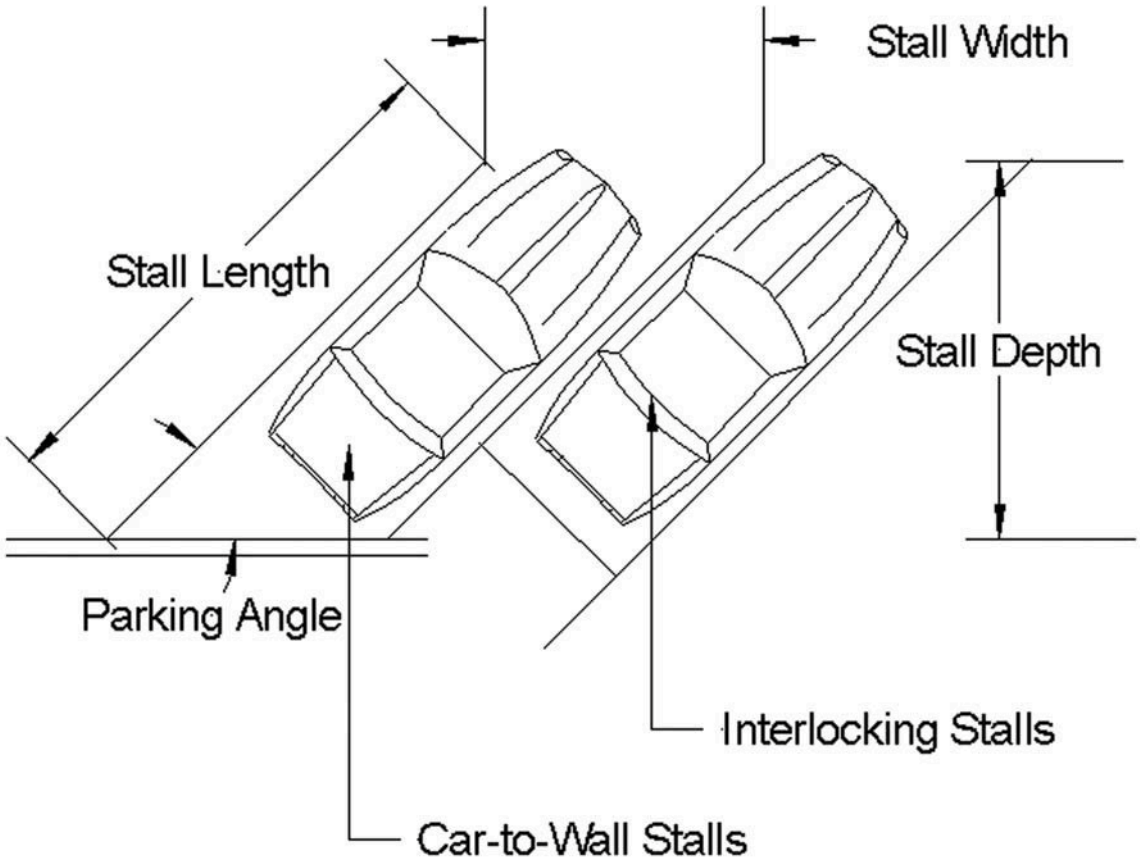
Vehicle Type	Width (feet)	Length (feet)
Standard	9	20
Compact	8	18
Smart Car (or other like vehicle)	8	16
Motorcycle	4	12

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)

1. Parking Angle (Degrees)	2. Stall Depth		3. Aisle Width	
	Car to Wall Stalls	Interlocking Stalls	One-Way Operation	Two-Way Operation
30	17	13	15	24
45	19	16	15	24
60	20	18	15	24
75	20	19	15	24
90	18	18	15	24



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 Fire Marshal

sufficient for a thirty-eight (38) foot long truck with a thirty-two (32) foot wheel base, or as determined by the 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.

l. 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
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 tan-dem 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
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			0.02 per provided space	
Up to 25,000 SF	1 space per 200 SF of gross floor area (GFA)	75/25	0.02 per provided space	
Over 25,000 SF	1 space per 300 SF of 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.
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 abut the storage building, such aisles may be used as parking and loading space and only office parking is required.
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	
Other Nonoffice Commercial Services	At least 1 space per 400 SF	75/25	0.02 per provided space	Dependent upon traffic or site analysis.

USE	MINIMUM ON-SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
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. For an office building of 6 or more stories in height and which contains less than 250,000 SF of GFA of office uses, the parking requirement shall be 1 space per 300 SF of GFA.
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 out-door/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	4 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 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.

USE	MINIMUM ON-SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
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	
Kennels, Boarding	1 space/300 SF	75/25	0	Kennel spaces are in addition to any required residential parking.

USE	MINIMUM ON-SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
Kennels, Breeding	1 space per nonresi-dential 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 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	

USE	MINIMUM ON-SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
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
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	
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, and Industrial uses may be reduced; such options shall be assessed cumulatively:

1. Carpools or Vanpools

Where infrastructure and support programs to facilitate shared vehicle use, such as carpools, vanpools, car-share services, ride boards 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 a building entrance) of one (1) or more 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 adequate information by which the proposal can be reviewed which includes, but may not necessarily be limited to, the following:

a. Type(s) of shared facilities to be provided.

b. Numbers of employees proposed to use the shared facilities.

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.

907.2. Loading

A. Intent and Purpose

On site loading and unloading areas shall be provided to lessen congestion in the streets and to allow the safe loading and unloading of goods without interference to or by other on site activities.

B. Applicability

Any site with new development, redevelopment, or change in use shall comply with this section.

C. Exemptions

Single-family residential or multiple-family residential developments where there is not an on site office.

D. Existing Nonconformities

Existing sites not meeting the requirements contained in this section shall be brought into full compliance under one or more of the following conditions:

1. If 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. If an amendment, other than a minor amendment, is required to an existing approved site plan.

3. If a change in use generates a requirement for more or larger loading spaces.

E. Loading and Unloading Space Requirements

1. In addition to on site parking space(s) required, any building erected, converted, or enlarged in any district for multiple-family residential, common amenity centers, commercial, office building, manufacturing, wholesale, hospital, or similar uses, shall provide adequate on site areas for loading and unloading of vehicles. The default, minimum size loading space shall be 50'D X 12'W, with an overhead clearance of fourteen (14) feet. A standard parking space may be appropriate for uses such as offices, banks, or similar uses where the typical delivery is not by semi-tractor trailer.

2. All nonresidential establishments shall provide loading and unloading and commercial vehicle storage space adequate for their needs.

3. This required space will be provided in addition to established requirements for patron and employee parking.

4. In no case where a building is erected, converted, or enlarged for commercial, manufacturing, or business purposes shall the public right-of-way be used for parking or loading and unloading of materials.

F. Access to On Site Parking and Loading Area

Access to and from all on site parking, loading, and vehicle service areas along public rights-of-way shall consist of well-defined separate or common entrances and exits and shall comply with this Code.

907.3. Stacking Spaces and Drive-Through Facilities

A. Intent and Purpose

Stacking spaces (queue spaces) shall be provided to lessen congestion in the streets and to allow the safe conduct of drive-through transactions without interference by or to other on-site activities.

B. Applicability

Any site with new development, redevelopment, or change in use that uses drive-through facilities for some or all of its transactions shall comply with this section.

C. Exemptions

Facilities without proposed drive-throughs are exempt.

D. Existing Nonconformities

Existing sites not meeting the requirements contained in this section shall be brought into full compliance under one or more of the following conditions:

1. If 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. If an amendment, other than a minor amendment, is required to an existing approved site plan.

3. If a change in use generates a requirement for more or larger loading spaces.

E. Stacking Space Requirements

1. Stacking spaces shall be provided for any use having a drive-through facility. The following general standards shall apply to all stacking spaces and drive-through facilities:

   a. Stacking spaces and lanes for drive-through stations shall not impede on- and off-site traffic movements by blocking vehicular or pedestrian circulation. The minimum standards given herein may be adjusted upward if the project vehicle type warrants such adjustment in the review process.

b. Drive-through lanes shall be separated from parking areas by distinctly delineating the lane through striping or other means.

c. Queuing spaces shall not offset required number of parking spaces.

d. Alleys or driveways in residentially zoned areas adjacent to drive-through facilities shall not be used for circulation of customer traffic.

e. Stacking lanes for drive-through facilities shall have the following minimum widths:

(1) One (1) lane = twelve (12) feet per lane

(2) Two (2) or more lanes = ten (10) feet per lane

f. All drive-through facilities shall be provided with a bypass lane with a minimum width of ten (10) feet if the bypass has no parking spaces or is not a required drive aisle for nondrive-through traffic.

g. Each stacking space shall be a minimum of 10' X 20'.

2. Stacking spaces shall be provided as follows:

a. Financial institutions with drive-through windows:

(1) Six (6) stacking spaces for the first drive-through window and three (3) stacking spaces for each additional window.

b. Car wash:

(1) Four (4) stacking spaces per bay/stall for self-service establishments, and five (5) stacking spaces per bay/stall for an automated establishment.

c. Drive-in or fast food restaurant:

(1) Eight (8) stacking spaces per drive-through window measured from the order board or station to driveway.

d. All other uses:

(1) Three (3) stacking spaces for each window.

907.4. Lighting

A. Intent and Purpose

The intent and purpose of this section is to eliminate light trespass from buildings and sites, improve night sky access, and reduce development impact on nocturnal environments.

B. Applicability

This section shall apply to new development and when fifty (50) percent or more of any component; e.g., luminaries, poles, etc., of an exterior lighting system on a building or project is upgraded, changed, or replaced (not including regular maintenance), such component and the remainder of the exterior lighting shall be brought into compliance with the requirements of this Code.

C. Standards

1. General: Any lighting used to illuminate any parking area shall be so arranged as to direct and/or shield light away from adjoining residential premises and right-of-way.

2. Vehicle Dealerships: Vehicle dealerships shall comply with the lighting requirements of Section 1101.3.B.

3. Large scale commercial projects shall comply with the lighting requirements of Section 1102.4.K.

Chapter 1000 - Miscellaneous Structure Regulations
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CHAPTER 1000. MISCELLANEOUS STRUCTURE REGULATIONS

SECTION 1001. DOCKS AND SEAWALLS

1001.1. Intent and Purpose

The intent and purpose of this section is to:

A. Provide standards to protect the waterfront views of property owners.

B. Preserve canal-use rights, access to public waters, and ensure the navigability of all waters of the County, including unmarked as well as marked channels.

1001.2. Applicability

This section shall apply to:

A. Waterfront property.

B. Marine waters, including seawater canals, man-made freshwater canals, and rivers.

1001.3. Permit Required

No person shall construct or substantially improve any dock or similar structure or a seawall on the waters of the County without first obtaining a permit from the County; all authorizations required by State, Federal, or local governments or agencies; and authorization from the owner(s) of the upland property to which the dock will be attached. For a proposed dock or similar structure to be located at the dead end of a canal or where lot lines converge, the permit applicant shall provide proof of compliance with the canal use zone via a survey at the time of application and upon completion of construction. "Substantial improvement" is defined for the purposes of this section as any modification that requires a Building Permit as determined by the Building Official, including but not limited to, adding an electrical, or plumbing system; extending the dock laterally into a waterway; and any modifications that require placement of new or replacement supports for the structure.

1001.4. Visibility

A. No building or structure on waterfront property shall be located within fifteen (15) feet of the mean high-water line. This applies to dwelling structures, accessory buildings, enclosed swimming pools, and any type of construction that presents a visually solid-type wall.

B. These requirements shall also apply to structures built over water and adjacent to such waterfront property provided; however, the structures meeting the definition of "dock" and permitable pursuant to this section shall be allowed subject to the following:

1. No dock or similar structure shall exceed a maximum height of fifteen (15) feet above the mean high-water mark measured when standing at the mean high-water line. This also applies to boatlift pilings.

2. With the exception of any roof or wall structure constructed on a dock pursuant to a Dock Permit issued by the County and existing as of June 1, 2010, no roofs, walls, enclosures, or other similar, visual obstructions shall be allowed.

1001.5. **Navigability and Protection of Watercourses**

A. Obstruction Prohibited

It shall be unlawful for any person to maintain, construct, substantially improve, erect, establish or create, place, dump, or abandon on any water of the County (including any unmarked or marked channels), rivers, man-made waterways, and canals any obstruction, whereby the normal navigation of boats may be obstructed or impeded.

B. Maximum Projection

No dock, structure, moored vessel, or combination thereof shall project from the seawall or shoreline (mean high-water line) into the waterway a distance greater than one-third of the total width of the waterway, project beyond the side-use lines of the associated upland property, project beyond the edge of any marked or unmarked channel, nor project a distance great enough to reduce the navigable channel within a canal to a width of less than twelve (12) feet.

1. For purposes of this section, the width of the waterway shall be calculated at the narrowest place where the dock is located and between opposing seawalls or, if seawalls are not present, between opposing mean low-water lines, except lots at the end of a canal shall use the narrowest width of the canal measured at the adjoining side lots.

C. Dead-End Canals and Lot Line Convergence

For the dead end of canals and other instances where the side-use lines of adjoining lots may converge (the point at which the lines between properties no longer run perpendicular with the general direction of the shoreline and/or seawall), such as a bend or curve in a waterway or canal, docks shall be placed so as to maximize navigability and to preserve canal-use rights to all nearby property owners. To this end, docks on all lots (typically three [3] or four [4] lots including the last lots on each side of the canal and the lot[s] at

the end) that make up a dead end of a canal and other instances where side-use lines converge shall be built within the confines of the side-use lines extending out toward the radial point of the canal dead end or bend and shall further be limited to the waterward-use line located within the side-use lines. Additionally for dead ends, the canal-side owners shall build within their canal-use-rights envelope (canal-use zone) as far away from the end of the canal as practicable and the end-lot owner shall build in the center of the lot or canal to the extent practicable.

D. Common Ownership Docks

Common ownership docks may be permitted if the applicant(s) comply with the following in addition to the criteria already enumerated in this section:

1. The applicant(s) shall furnish a written agreement, signed and acknowledged by all record owners, of the participating upland riparian properties in a form acceptable to the County providing for appropriate reciprocal easements, restrictions, and covenants running with the land, which shall be filed in the Public Records of the County at the expense of the applicant(s);

2. The permit shall provide that all parties shall have reciprocal rights under the permit and shall be held jointly responsible for compliance with all rules, regulations, and conditions set forth in the permit and this section; and

3. The regulations for setbacks apply to joint-ownership docks with the exception that docks may be extended over common side-use lines of the coapplicants.

E. Flotation Material

Any flotation material used in floating docks shall be fully encapsulated; suitable for marine use; resistant to puncture, fire, cracking, peeling, or loss of pellets; and generally impervious to water or fuel damage.

F. This section shall apply retroactively; however, for the purposes of this section, a Nonconforming Use Exception for an existing dock or structure or combination thereof may be granted as an acceptable Nonconforming Use provided that:

1. The dock or structure or combination thereof must actually be in existence on the effective date of the ordinance from which this section is derived;

2. The dock or structure or combination thereof must have continued without abandonment;

3. The dock or structure or combination thereof does not extend beyond the side-use lines;

4. The dock or structure or combination thereof must be in legal compliance with previous dock ordinances and other State, Federal, and local regulations; and

5. The dock or structure or combination thereof must not pose a threat or hazard to navigation or the general health, welfare, or safety of the public.

6. The Nonconforming Use may continue provided that there are no additions, expansions, or other modifications to the existing dock or structure or combination thereof which will have the effect of increasing the square footage of the dock or otherwise increase the Nonconforming Use. The Nonconforming Use shall terminate and the dock or structure or combination thereof shall be brought into full compliance with this section in case of:

   a. Abandonment of the property or premises for six (6) consecutive months or more;

   b. The dock or structure is substantially damaged, destroyed, or substantially improved (substantial damage is defined as described in Appendix A for substantial damage related to flood damage prevention); and

   c. Any extension, expansion, or modification of the dock or structure or combination thereof has the effect of increasing the area, size, capacity, or nonconformity of such dock or structure or combination thereof.

G. <u>Seawall Location</u>

The maximum projection allowed of the waterward side of new seawalls shall be the lesser of:

1. Even with adjacent seawalls; or

2. Even with the property line of the lot on which the seawall is to be constructed.

CHAPTER 1000. MISCELLANEOUS STRUCTURE REGULATIONS

SECTION 1002. WIRELESS 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 facilities that accomplish the following:

A. Allow for various types of wireless 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 facilities.

C. Discourage new towers when existing structures are available for the placement of wireless facilities.

D. Expedite the review process for those applications choosing the least intrusive alternative for providing the wireless 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 facilities with surrounding land uses and protect the attractiveness, health, safety, general welfare, and property values of the community.

1002.2. Unlawful Wireless Facility

A. Any wireless facility, or portion thereof, not authorized by County ordinances, rules, or regulations shall be considered an unlawful wireless facility. Upon identification of an unlawful wireless facility by the County, the owner of the unlawful wireless 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 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 facilities are a permitted use or a conditional use in all Future Land Use (FLU) Classifications and all zoning districts, provided that such wireless facilities comply with the standards of this section and the permits under which the wireless facilities are regulated.

1002.4. **Tiered Review**

A. Each application for a wireless facility shall be reviewed under one (1) of three (3) "tiers."

1. Tier One applications shall be reviewed through the Building Permit review process, as provided in Chapter 18, Article III, of the Pasco County Code (PCC).

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 wireless facilities shall be reviewed as Tier One:

A. Placed on New or Existing Utility Poles

1. Close-mounted or mitigated wireless facility antennas placed on new or existing utility poles (telephone poles, utility poles) fifty (50) feet or less in height, provided the antennas are no more than ten (10) feet taller than the existing poles.

2. Wireless facility antennas placed on new or existing utility poles greater than fifty (50) feet in height, provided the antennas are no more than twenty (20) feet taller than the existing poles.

3. Ground-mounted accessory equipment to serve wireless facility antennas on utility poles in the right-of-way:

a. If placed underground; or

b. If above ground, is no more than four (4) feet in height, does not exceed a total of 100 square feet, and is screened by a row of shrubs.

Zoning district setback requirements shall not apply to accessory equipment located in the road right-of-way, but a Right-of-Way Use Permit shall be obtained for the equipment to be placed on public rights-of-way. All cables between the

pole and the accessory equipment shall be placed underground.

4. Ground-mounted accessory equipment to serve wireless facility antennas on utility poles located outside of the road right-of-way:

   a. If placed underground, or

   b. If placed above ground, and

      (1) Is located inside the zoning district setbacks for primary structures, does not exceed a total of 100 square feet or a height of four (4) feet, and is screened by a row of shrubs; or

      (2) Meets the primary structure zoning district setbacks.

   All cables between the pole and the accessory equipment shall be placed underground.

B. First Antennas on Existing Towers

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

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

Wireless facilities mounted on structures that are not towers or utility poles provided the facilities do not project more than ten (10) feet above the height of the structure. If the antenna is a mitigated antenna, the height may be up to twenty (20) feet above the height of the structure.

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.

F. Equipment Placement

Equipment buildings, shelters, or facilities that are part of the wireless facility that meet all applicable setback, height, design, and locational regulations, restrictions, or conditions.

G. Site Expansion

The expansion of the wireless 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 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. Tower Replacement 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

Provided that, 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 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 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 facility shall be located in an area where the adverse visual impact on the surrounding area is minimized. Being able to see a wireless facility does not necessarily equate to an adverse visual impact. Whether the visual effect of a wireless 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 facility is visible from normal views.

(2) The wireless 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 facility is in the normal view of a person in a moving vehicle for more than a short period of time.

(4) The wireless facility is to be lighted and in an area with few or no other lights.

(5) The wireless facility is readily identifiable as a wireless facility by the average viewer.

(6) The wireless 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 facility.

(8) There is an absence of vegetation, structures, or other screening between the wireless facility and normal views.

(9) The scale (height and bulk) of the wireless facility is significantly greater than other uses existing or allowed in the surrounding area.

(10) The 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 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 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 facility shall minimize environmental impacts. Ground-mounted wireless 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 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 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. Nonmitigated, Noncollocated Antennas New nonmitigated antennas, which are not part of a collocation, mounted on a building shall not be visible from the front of the building at the pedestrian level.

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 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. <u>New and Replacement Towers (Tier Two and Tier Three Review)</u>

1. Required Collocation Design

New and replacement towers shall be designed for collocation as follows:

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 facility site shall be consistent with the landscape buffering and screening requirements of this Code, Section 905.2, with the wireless 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 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 Facility Applications

In addition to the materials required for the appropriate type of review, all wireless 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 facility.

   b. Relationship to the communication provider's other existing or proposed wireless 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. **Application Completeness Review**

A. Within twenty (20) business days of receipt of an application for a wireless 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) business 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. The applicant shall have 120 days to respond to the Notice of Incompletion and/or resubmit a completed application. The applicant may choose to resubmit a completed application or withdraw the application and request a refund of application fees. After the expiration of the 120 days, the application will be deemed withdrawn unless an extension is requested within fourteen (14) days prior to the expiration of the 120-day period. Upon a written request by the applicant, one (1) extension of the response time for each Notification of Incompletion may be granted by staff upon a showing that a good faith effort is being made to provide additional or revised information. Additional extension requests shall necessitate the Board of County Commissioners (BCC) approval. In the event a completed application is not submitted or an extension obtained, the County will consider the application withdrawn.

D. 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 twenty (20) business days after the application is resubmitted. The same 120-day period indicated in Paragraph 1002.10.C. above shall apply to each subsequent Notification of Incompletion.

E. If County staff fails to notify the applicant in writing that the application is incomplete within twenty (20) business days after the application is initially submitted or additional information is resubmitted, the application is deemed, for administrative purposes only, to be properly complete.

F. 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 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 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 facility is to be located.

2. A narrative describing which type of Tier Two wireless 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 facility qualifies to be reviewed as a Tier Two.

4. Other materials as may be necessary to demonstrate that the proposed wireless 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 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) business 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.

1002.12. **Notice and Opportunity for DRC Review of New Tier Two Towers**

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 written objections can be filed; 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 seek review of this application by the Development Review Committee (DRC). To seek this review, you must file a written objection with the Pasco County Administrator or designee at the address indicated below within fifteen (15) days of the mailing date of this letter and a hearing before the DRC will be scheduled.

B. <u>DRC Review</u>

1. If written objection(s) are received from noticed property owners, they shall be timely forwarded to the applicant. The applicant shall consider the objection(s) and have appropriate contact with the noticed party to resolve this objection(s). Unless the objecting property owner withdraws all objections in writing to the County within ten (10) business days of the applicant's receipt of the written objection, the Tier Two application shall be submitted to the DRC for their review at a public hearing. Notice of the DRC public hearing

shall be provided consistent with the Public Notice Provisions of this Code, Chapter 300. The sole issue to be considered by the DRC is whether the Tier Two application which is the subject of the written objection(s) meets the applicable Tier Two standards of this section. Applications meeting the Tier Two standards shall be approved. A denial by the DRC of a Tier Two application shall be in writing and supported by competent, substantial evidence in the record.

2. If a Tier Two application is found by the DRC, or upon appeal to the BCC, to not comply with Tier Two standards, the applicant may request that the application be processed as a Tier Three application. The applicant shall be required to pay any difference between the Tier Three and Tier Two fees and shall be subject to any additional Tier Three submittal requirements. If such an application is processed as a Tier Three application, such application shall be deemed to be a new application for purposes of computing the time limitations of this Code, Section 1002.10, or, as applicable, 1002.14.B.

1002.13. **Expert Review**

A. Due to the complexity of the methodology and/or analysis required to review an application for a wireless 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 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 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 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 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 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 normal timeframes for similar Building Permits, but in no case later than forty-five (45) business days after the date the application is deemed complete.

2. All other Tier One applications shall be reviewed within the normal timeframes for similar Building Permits, but in no case later than ninety (90) business days after the date the application is deemed complete.

B. Tier Two and Tier Three

The County shall review and grant or deny each properly completed application for Tier Two or Tier Three review within the normal timeframes for a preliminary site plan review or 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 ninety (90) business days from the date the application is determined to be properly complete.

C. If the County does not grant or deny a properly completed application for a wireless facility within the timeframes set forth in Section 1002.14 A. or B, 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.

D. For Tier Three applications only, the ninety (90) business-day timeframe may be extended if the hearing on the conditional use approval before the BCC, following the review process and timeframe applicable to all conditional use approvals for all uses, cannot reasonably occur within the ninety (90) business days. Under such circumstances, the BCC must either grant or deny the application at its next regularly scheduled meeting after the ninety (90) business days have expired or the application shall be deemed automatically approved.

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 facility that is not operated for a continuous period of six (6) months shall be considered abandoned, and the owner of such wireless facility shall remove same within ninety (90) days of notice from the County Administrator or designee that the wireless facility is abandoned. If such wireless facility is not removed within the said ninety (90) days, the County may have the wireless facility removed at the wireless facility owner's expense.

1002.16. **Radio Frequency Emissions FCC Guidelines**

All wireless 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 facility's compliance with FCC Guidelines. A wireless facility that meets the FCC Guidelines shall not be conditioned or denied on the basis of radio frequency impacts.

1002.17. **Personal Wireless Facilities**

A. Definitions

1. Amateur Radio Facilities. Wireless 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 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 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 facilities.

3. Personal Antenna. An antenna that will be used as a component of a personal wireless facility (PWF).

4. Personal Tower. A tower, mast, or other structure specifically erected to support a personal antenna and other PWF components.

5. PWF. OTARD facilities and amateur radio facilities. Wireless facilities that do not meet the definition of or requirements for a PWF shall be considered a wireless 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, manufacturer, sales, repair logos, or signage required by State and/or Federal regulations.

6. All amateur radio facilities shall be subject to appropriate FCC and FAA requirements.

C. OTARDS

1. An owner or a tenant may install an OTARD facility on property that he or she owns or over which he or she has exclusive use or control. This includes single-family homes, condominiums, cooperatives, town

homes, and manufactured homes. In the case of condominiums, cooperatives, and rental properties, these requirements apply to "exclusive use" areas, like terraces, balconies, or patios that only the owner/renter and people allowed by the owner/renter may enter and use. If the area is shared with others or accessible without the owner/renter's permission, it is not considered to be an exclusive use area.

2. An OTARD facility may also be installed by a landlord, a community association, or jointly by condominium owners for common use.

D. Design Standards

1. Personal towers shall be no taller than is required for proper operation of the intended service's requirements. In the case of personal towers for the support of OTARDS, the height shall be no greater than twelve (12) feet above the maximum building/structure height of the zoning district in which the personal tower is located;

2. Personal towers may be guyed, provided the guy wires terminate inside the area exclusively available to the owner or operator of the PWF;

3. The wind loading capacity of a personal tower must be sufficient to safely support the personal antenna mounted on it; and

4. A personal antenna shall not have a dimension exceeding one (1) meter nor a flat plate wind load of more than one (1) square meter (10.9 square feet).

E. Prohibited Uses

1. A personal tower shall not be shared with nonpersonal wireless facilities.

2. A personal tower shall not be converted to a nonpersonal tower except through the tiered permitting processes of this section.

3. Operation of a PWF for profit or other commercial purpose is prohibited.

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 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 so as to not pose a hazard.

C. 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 must be removed and any replacement gate, fence, or wall must be erected in compliance with the requirements of this section.

D. 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.

E. Fences, gates, and walls shall be constructed in such a manner so as not to interfere with drainage. 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.

1003.2. Exemptions

A. Gates, fences, and walls which are owned or erected by utility companies or owned, erected, or required by governmental agencies.

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. In side or rear yards, gates, fences, or walls, shall not exceed six (6) feet in height.

C. The finished side of the gate, fence, or wall shall face the adjoining lot and any abutting right-of-way.

D. Gates, fences, and walls that are electrified or constructed of corrugated metal, sheet aluminum, barbed wire, or similar materials are prohibited.

E. When used for security purposes, barbed wire may be used when attached to gates, fences, or walls around designated community facilities. Such barbed wire must 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.

1003.4. **Additional Requirements for Waterfront Properties**

A. All fences in the rear yard or abutting the water on waterfront property shall be a maximum height of four (4) feet and shall be so constructed so as to not obstruct vision within fifteen (15) feet of the rear property line or the mean high water line.

B. Fences in side yards 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.

C. See Section 1001, Docks and Seawalls, for additional waterfront property development standards.

Chapter 1100 - Special Development Standards
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CHAPTER 1100. SPECIAL DEVELOPMENT STANDARDS

SECTION 1101. VEHICLE DEALERSHIPS

1101.1. Intent and Purpose

The intent and purpose of this section is to protect residential land uses from intensive commercial uses that create noise, odors, glare, and blighting effects.

1101.2. Applicability

This section shall apply to sales, leasing, incidental display, storage, and service departments for land uses established on new or existing sites after January 25, 2005, new and preowned passenger and commercial vehicles, trucks, trailers, motorcycles, boats, and recreational vehicles (including golf carts, ATV, and similar vehicles), hereinafter referred to as vehicles.

1101.3. Design and Use Standards for Sites Approved After January 25, 2005, or Establishment of a Vehicle Dealership Occurring After January 25, 2005

A. No test drives shall occur on local residential roadways.

B. To prevent glare visible from off-site locations, all lighting fixtures shall be a cut-off type fixture. The use of upward tilt and similar glare producing effects are prohibited. Floodlights are prohibited.

To limit overspill of lighting onto adjacent properties, lighting must be specifically designed such that the maximum average illumination measured at the property line does not exceed 0.5 foot candle on adjacent residential sites and one (1) foot candle on adjacent commercial sites and public rights-of-way measured on a horizontal plane on grade at the property line.

A detailed photometric plan depicting the light levels shall be submitted with the preliminary site plan application package. The submitted photometric plan shall show the location, type, and height of all fixtures and poles in foot candle output with points of calculations on a ten (10) foot by ten (10) foot grid, a maximum of thirty (30) feet beyond all property lines. The photometric plan shall provide a breakdown indicating the maximum foot candle, minimum foot candle, average maintained foot candles, and maximum to minimum ratios. Average light levels on a site shall not exceed the following standards:

Location on Site	Foot Candles
Front Row/Display Standards	40
General Auto Merchandising Area	25
Parking and Entrances	7

Prior to the Certificate of Occupancy on new sites, an inspection shall be conducted by the licensed electrical Engineer of Record for the project. A

signed and sealed letter shall be submitted to the County by the electrical Engineer of Record confirming that all outdoor lighting has been installed according to the photometric plans approved by the County. This section shall supersede the lighting provisions of this Code, Section 1102.

C. Amplified speaker/public address systems are prohibited except within fully enclosed buildings. Fully enclosed buildings do not include buildings with service bays and/or exterior walls that may be opened.

D. Parking and display areas shall be designed so that each increment of no more than twenty (20) spaces are part of the clearly defined grouping of spaces. Such groups shall be broken into individual areas and/or clearly separated by landscaped or geographic features and/or by design components of the proposed building(s).

E. The outdoor display and sales buffering provisions of this Code, Section 1102, shall not apply to vehicle use and display areas. However, vehicle sales, leasing, displays, storage, and service departments abutting right(s)-of-way shall be buffered pursuant to this Code, Section 905.2. Existing sites previously developed for another use that cannot be buffered to meet this standard may not be used. Exterior display areas shall not be elevated unless the said area is a permanent structure attached to the principal building and exceeds no more than 600 square feet in size and four (4) feet in height. Displays on roofs are prohibited. Elevation shall be measured from the finished grade of the interior parking area.

F. The interior parking lot landscaping requirements of this Code shall apply.

G. A greenspace buffer area no less than seventy-five (75) feet wide shall be provided along each vehicle dealership boundary abutting a residential district. The buffer shall be a Type H buffer. Existing sites previously developed for another use that cannot be buffered to meet this standard may not be used. Vehicles shall not be stored or displayed within landscaped, on-site greenspace, buffer areas, or within the rights-of-way.

H. All storage areas (those areas not readily available to the public), including vehicles to be serviced shall be located within the rear yard of the principal building and/or its accessory buildings, whichever is furthest from the right(s)-of-way.

I. There shall be no outside display or sale of parts or tires.

J. Service bay doors shall not face residential districts and must be oriented away from residential districts a minimum of ninety (90) degrees.

K. The maximum building front setback of the principal building shall not exceed 150 feet from all front property lines.

1101.4. **Use Standards for Sites Approved Prior to January 25, 2005**

For site plan approval prior to January 25, 2005, and the said approval has not expired:

A. No test drives shall occur on local residential roadways.

B. Amplified speaker/public address systems are prohibited except within fully enclosed buildings. Fully enclosed buildings do not include buildings with service bays and/or exterior walls that can be opened.

CHAPTER 1100. SPECIAL DEVELOPMENT STANDARDS

SECTION 1102. LARGE SCALE COMMERCIAL RETAIL DESIGN STANDARDS

1102.1. Intent and Purpose

The intent and purpose of this section is to implement those policies of the Pasco County Comprehensive Plan that regulate commercial development, specifically, Future Land Use Policies 1.1.8 and 3.1.3, and to provide developers the design standards necessary to address the unique characteristics of large scale commercial retail buildings and large scale commercial retail development projects because such uses attract a large number of people consistently and continually, requiring safe and effective pedestrian and motor vehicle circulations; demand large impervious areas, requiring enhanced landscaping to reduce glare, provide shade, and decrease stormwater runoff; and typically require large, one (1) story building structures with minimal windows that do not blend well with their surroundings. As a basis for developing such standards, the County citizens and visitors alike will benefit from enhanced large scale commercial retail building and large scale commercial retail, development project design that accomplishes the following objectives:

A. Encourage large scale, commercial retail buildings and large scale, commercial retail development projects to have good architectural design, rather than an enormous, warehouse appearance with unbroken, blank walls. Good design encourages clearly defined entryways, articulated rooflines to prevent monotony, pedestrian amenity areas, and concealment of unsightly mechanical structures from public view.

B. Encourage pedestrian oriented design that effectively resolves the incompatibility between pedestrians and motorists while providing interconnectivity between buildings, parking areas, and other internal/external components.

C. Encourage parking lot design that meets vehicular needs while providing a safer, efficient, comfortable pedestrian flow.

D. Encourage adequate landscaping that allows large buildings and its components to blend with its surroundings while providing screening and shade for the public benefit.

E. Encourage enhanced lighting and compatible signage design and avoid forms of nuisance and intrusiveness into adjacent areas while enhancing public safety.

1102.2. Applicability

Large scale commercial retail buildings and all buildings within large scale commercial retail development projects shall be subject to the requirements of this section. A large scale commercial retail building is a single commercial building or grouping of buildings closer than twenty (20) feet whose total gross building area, including outdoor display and sales areas, is equal to or exceeds 25,000 square feet.

In the event the site is exempt from the site aspects of this section, the architectural renderings and a signage plan shall be submitted to the County Administrator or designee for review and approval prior to submittal of the applicable Building Permit.

1102.3. **Exemptions**

The following shall be exempt from this section:

A. Large scale commercial retail buildings where, on or before May 11, 2004, either final construction site plan approval was obtained from the County or the County's written technical review comments pertaining to the construction site plan review were transmitted to the applicant, shall be exempt from Subsections 1102.4.D, F, G, and H.

B. Large scale commercial retail buildings where a completed Building Permit Application was received by the County on or before May 11, 2004, shall be exempt from this section.

C. Large scale commercial retail development projects, where the large scale commercial building is partially exempt from this section pursuant to Subsection 1102.3.A, shall be exempt from Subsections 1102.4.D, F, G, and H of this section.

D. Large scale commercial retail development projects, where two (2) or more Building Permits were issued by the County on or before May 11, 2004, or where one (1) Building Permit was issued and one (1) Building Permit was applied for on or before May 11, 2004, shall be exempt from this section.

1102.4. **Additional Design Standards**

In addition to all other applicable requirements of this Code, the following additional design standards shall be required for all large scale commercial retail buildings and all buildings within large scale commercial retail development projects:

A. Facades. Facades containing the service area may be uninterrupted. No uninterrupted and no unadorned length of any other portion of the facade shall exceed 100 linear feet. Interruptions of such continuous lengths of the facades shall include wall plane projections, recesses, and/or offsets of not less than five (5) feet in offset and twenty (20) feet in length. Architectural features used to adorn facades shall include one (1) or more of the following: projecting ribs, pilasters, columns, canopies/porticos, arcades, and colonnades.

1. Multiple Stores Within a Single Building. The intent and purpose of this subsection is to provide good architectural design, details, and clearly defined entryways rather than unbroken, blank walls.

Where the large scale commercial retail building contains multiple stores with separate exterior customer entrances, the street-level

facade containing the customer entrances shall provide fenestration, such as windows between the height of a minimum of three (3) feet and eight (8) feet above the walkway grade for no less than sixty (60) percent of the horizontal length of the building facade of each store.

Alternative standards meeting or exceeding the intent and purpose of this subsection and this Code may be approved by the County Administrator or designee.

2. Detail Features. All facades shall include features at intervals of no more than thirty (30) feet either horizontally or vertically. Such features shall include windows, awnings associated with windows or doors, ornamental and structural details that are integrated into the building structure, arches or arched or curvilinear forms, color changes, banding, texture changes or material module changes, and/or surface modeling changes, such as reveals or ribs of no less than twelve (12) inches in width.

B. Materials. Predominant, exterior, building material shall include architectural or split-face block, brick, glass, wood, stucco, artificial stucco, stone, or concrete with an architectural finish.

C. Entryways. Facades with customer entrances shall be clearly defined and include at least two (2) of the following features: canopies/porticos; overhangs; recesses/projections; arcades; raised, above-the-doorway parapets with cornices; peaked roof forms; arches; outdoor patios; display windows; and integrated, architectural details, such as tile work, moldings, or wing walls.

D. Service Area. The service area is the area designated for the loading and unloading of goods and refuse collection and shall be buffered from rights-of-way and the upland areas of lesser intensity zoned areas by a masonry wall a minimum of eight (8) feet in height and extending the entire length of the applicable service area. A landscaped area six (6) feet in width containing evergreen plants a minimum of six (6) feet in height and spaced no more than six (6) feet apart shall be provided along the exterior of the wall.

This provision shall not apply to service areas that face a nonupland area or an existing wall; or adjoining property zoned for an equal or greater intensity; and provided that the adjoining property's existing building facade(s) facing the proposed large scale commercial retail buildings or large scale commercial retail development project's building(s) also incorporate service area(s).

E. Roofs. The intent and purpose of this subsection is to conceal flat rooflines and unsightly mechanical structures from public view. Flat roof lengths longer than 100 feet shall be concealed or addressed utilizing at least one (1) of the following options:

1. Effective concealment of flat rooflines; rooftop equipment; and heating, ventilating, and air-conditioning units from view by adjacent land uses of lesser intensity and rights-of-way shall be accomplished by constructing a parapet. The parapet design shall be a minimum of three (3) feet in height and shall incorporate a three (3) dimensional cornice treatment. Alternative designs, such as varying the parapet height for a minimum linear distance of 100 feet and a minimum vertical height of two (2) feet, shall be subject to approval by the County Administrator or designee as an alternative standard.

2. Two (2) or more sloping roof planes that extend a minimum of three (3) feet above the eave.

F. Pedestrian Circulation. The intent and purpose of this subsection is to provide for pedestrian oriented connectivity among buildings and to pedestrian walkways/bicycle paths and transit stops on adjacent roadways.

1. Sidewalks. Pedestrian connectivity between the building facade and each grouping of parking spaces, any out-parcel buildings, and transit stops shall be clearly provided and indicated through the use of landscaped areas and sidewalks.

a. A sidewalk leading from each building parking area to each customer entrance is required for all large scale commercial retail buildings 75,000 square feet and larger. For multiple store buildings with separate exterior customer entrances for each store a sidewalk leading from the building to the parking area is required for stores 75,000 square feet and larger.

b. Sidewalks leading from the building shall be a minimum of five (5) feet in width and provide a minimum of three (3) feet of a green/landscaped area containing shade trees a maximum of thirty (30) feet on center and/or alternative cover, and landscaped sitting areas between each edge of the sidewalk and the vehicle use area. The said green/landscaped areas required on either side of the remote sidewalk may be combined on one (1) side of the said sidewalk for a minimum of a six (6) foot wide green/landscaped area.

c. Along each facade with a customer entrance, there shall be a sidewalk with an unobstructed walkway area a minimum of five (5) feet wide along the full length of the facade.

d. For multiple store buildings, all facades with multiple, exterior, customer entrances shall include a sidewalk a minimum of

eight (8) feet wide connecting all entryways, and at least sixty (60) percent of the said facade with multiple, exterior, customer entrances shall include a canopy, arcade, or other architectural and functional overhang that extends from the facade to a minimum of five (5) feet over the sidewalk.

For standalone, single store buildings, a covered canopy shall be provided from the entryways to the edge of the sidewalks connecting to the remote parking area.

e. Alternative standards for these pedestrian circulation requirements that meet or exceed the intent and purpose of this subsection and this Code may be approved by the County Administrator or designee.

2. Pedestrian Amenity Area. A pedestrian amenity area, including landscaped sitting areas with design components, such as covered seating elements and/or other elements in shaded areas, shall be located adjacent to the building. At least one (1) pedestrian amenity area shall be required for large scale commercial retail buildings. For projects with a total gross building area equal to or in excess of 100,000 square feet, a pedestrian amenity area shall be provided for each customer entrance. The pedestrian amenity areas shall be placed in areas which have the highest pedestrian traffic.

G. Parking Areas. Parking lots and access aisleways shall be designed utilizing the following standards:

1. 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.

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 landscaped or geographic features and/or by design components of the proposed building(s). The design of these separators shall consider pedestrian movements, conflict points with vehicles, site distance and angles, security site lighting, and safety within the parking lot area. Separations shall be no less than eight (8) feet in width at any point.

b. The parking lot shall be designed with traffic calming features along the fire lanes fronting the building facades. Parking lots shall be designed to reduce vehicle movement along the fire lane. Design features may include cross driveways, ninety

(90) degree parking space design, and consideration of site-access points.

c. For projects 75,000 square feet and larger, at least ten (10) percent of the required parking spaces shall be placed in the side areas of the proposed development project.

d. For out-parcels, no more than twenty (20) percent of the parking, shall be located between the building and the adjacent right-of-way.

e. Alternative standards for these parking lot design requirements that meet or exceed the intent and purpose of this subsection and this Code may be approved.

2. Parking Spaces. The required number of parking spaces shall be determined by this Code, Section 907.1. A minimum of ten (10) percent of the parking area shall be pervious parking. Pervious parking areas shall be constructed of permeable pavement or turf pavement like "turf block," "turf stone," and *SF-Rima* or grass, or some other pervious material. If grass parking is proposed, the parking shall be designed and constructed with a structural support; i.e., go-grid, go-block, etc. The areas designated for pervious parking shall be maintained. The areas designated for pervious parking shall be located throughout the parking lot area in conjunction with Best Management Practices for an integrated stormwater management system. The pervious parking does not count towards meeting the requirements of this Code, Section 905.2.

H. Landscaping. The following landscaping standards shall be incorporated into the design of all large scale commercial retail buildings and large scale commercial retail development projects.

1. Building Perimeter. The building perimeter landscaping required below may be credited toward meeting the requirements of the building perimeter landscaping subsection of this Code, Section 905.2. However, in order to meet the requirements below, those building perimeter requirements may have to be exceeded.

a. Facade with Customer Entrance. The intent and purpose of this subsection is to require facades with customer entrances to have significant landscaping/streetscaping so as to provide visual interest, prevent monotony, break up wall and pavement expanses, and clearly define entryways. Building perimeter landscaping required pursuant to Section 905.2, shall be placed such that a minimum of fifty (50) percent of the facade length has perimeter landscaping. The building perimeter landscaping shall be in landscaped areas, raised planters, or planter boxes that are each a minimum of five (5) feet wide and are at a maximum ten (10) feet from the building, and

landscaped with plant clusters of varied species and heights with each cluster containing at least one (1) tree or three (3) palm trees, each a minimum of ten (10) feet in height at the time of planting. Alternative standards for building perimeter landscaping requirements that meet or exceed the intent and purpose of this subsection and this Code may be approved.

b. All other facades, except the facade incorporating the service area, shall be screened from public view with no less than a ten (10) foot wide buffer with foundation landscaping. The buffer area shall, at a minimum, have landscaping in planters or planter beds which extend a minimum of eighteen (18) inches from the building along the entire length of the facade, contain plant clusters of varied species and heights, and a minimum of one (1) evergreen shade or three (3) palm trees (each a minimum of ten (10) feet in height at the time of planting) every thirty (30) feet. Landscaping materials shall meet the principles of right plant/right place of Section 905.2.

c. Landscaping shall be maintained in accordance with this Code, Section 905.2.E.

I. Compatible Signage. Sign construction material and finishes shall be compatible with the associated buildings and/or development projects. The location(s) design shall be reviewed and approved as part of the overall construction plan. The predominate sign material shall include architectural or split-faced block, brick, glass, wood, stucco, artificial stucco, or stone, and be compatible with the principal building design. Architectural renderings and a signage plan shall be dimensioned and include the types of materials used. Architectural renderings and a signage plan shall be submitted with contruction plan application and prior to the submittal of the applicable Building Permit.

J. Outdoor Display and Sales. Any permanent display areas not within the building which face a right-of-way, parking area, or residential zoning district, shall be shielded from view by a wall made from architectural or split-face block, brick, glass block, wood, stucco, artificial stucco, stone, or concrete with an architectural finish, or a combination of the foregoing materials, and incorporated into the overall design of the building. The wall shall extend a minimum of four (4) feet in height. As an alternative, an evergreen landscape buffer a minimum of four (4) feet in height and opaque at the time of planting may be utilized.

K. Lighting. The intent and purpose of this subsection is to avoid forms of light nuisance and intrusion, such as light pollution, light trespass, and glare from adjacent areas, which affects both people and wildlife. All outdoor light fixtures, other than fixtures on the building facade, emitting 2,050 or more lumens shall be shielded as follows:

1. Within fifty (50) feet of the property boundary, must be full-cutoff light fixtures.

2. All other outdoor lighting fixtures shall be semicutoff or full-cutoff light fixtures.

3. Alternative standards that meet or exceed the intent and purpose of this subsection and this Code.

CHAPTER 1100. SPECIAL DEVELOPMENT STANDARDS

SECTION 1103. HURRICANE HAZARDS

1103.1. **Applicability**

All projects requiring rezoning and preliminary plan approvals of more than three (3) Equivalent Residential Units (ERU) within the Hurricane Vulnerability Zone or mobile home developments of more than three (3) ERUs Countywide.

1103.2. **Standards**

A. Public information programs. The development shall implement a public information program. This Hurricane Awareness Program shall include the following elements:

1. Risk statement. A risk statement shall be provided to all prospective home or lot buyers stating the development's hurricane vulnerability and the potential protective action required. For example, the ABC development is a gulf access community located in Hurricane Evacuation Level A and is in the National Flood Insurance Program's velocity zone. This means homes in this area may except to experience saltwater flooding from the Gulf of Mexico.

2. Public education materials. A package shall be provided to homeowners at move-in that includes a copy of the community's hurricane evacuation plan and information on personal hurricane preparedness. Annual updates to the plan and public information materials will be provided to all homeowners as a minimum prior to June 1st of each year. The County Office of Emergency Management develops and distributes personal preparedness materials, including the official *Hurricane Guide for the Tampa Bay Region*, which will be made available upon request.

3. Annual hurricane education seminar. The development shall host an annual hurricane preparedness seminar for its residents. Notice of the seminar will be sent to all homeowners. The seminar agenda will include a review of the development's hurricane and shelter plans as well as information on personal preparedness. The County Office of Emergency Management shall assist with the seminar when requested with sufficient notice.

B. Site specific evacuation plan. The development shall provide a site specific evacuation plan. The plan shall be developed by the developer/homeowners' association and submitted to the Office of Emergency Management for review, in accordance with the Pasco County Guidance Document for Comprehensive Emergency Management Plans for Multiple Unit Developments written by the Office of Emergency Management and incorporated by reference. The plan must be updated annually and provided

to the Office of Emergency Management for review. At a minimum, the plan must include:

1. Background information on the hazards expected in the development;

2. Description of the public information program;

3. Identification of the shelter for the development;

4. If the shelter is privately contracted, detailed operations plan;

5. Instructions regarding evacuation of the development and directions to a safe shelter (friends/family, hotel/motel, private shelter, or public shelter);

6. Information regarding management support during an emergency (elevator operation, generator, etc.);

7. Instructions for preregistration in case someone needs special assistance to evacuate; and

8. Re-entry and redevelopment plans.

CHAPTER 1100. SPECIAL DEVELOPMENT STANDARDS

SECTION 1104. FLOOD DAMAGE PREVENTION

1104.1. Intent and Purpose

The special flood hazard areas of the County are subject to periodic inundation, which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

Flood losses are caused by the cumulative effect of obstructions in floodplains, occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood proofed, or otherwise unprotected from flood damages. These contribute to an increase in flood heights and velocities.

The County joined the National Flood Insurance Program (NFIP) on November 18, 1981. Continued implementation and enforcement of the requirements of the NFIP through this section will enable the County and its property owners to continue to participate in the NFIP.

It is the intent and purpose of this section to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions by:

A. Restriction of uses which are dangerous to health, safety, and property and minimize public and private losses due to flood conditions;

B. Requiring uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;

D. Controlling land filling, grade changes, dredging, and other development where such activities will cause or increase erosion or flood damage or inhibit floodwaters;

E. Regulating the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands, and

The objectives of this section are to:

F. Protect human life and health;

G. Minimize expenditure of public money for costly flood-control projects;

H. Minimize the need for rescue and relief efforts associated with flooding; generally undertaken at the expense of the general public;

I. Minimize prolonged business interruptions;

J. Minimize damage to public facilities and utilities, such as water and gas mains; electric, telephone, and sewer lines; and street and bridges located in floodplains; and

K. Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize flood blight areas;

L. Ensure that potential homebuyers are notified that property is in a flood area.

1104.2. **Applicability**

This section shall apply to all development on land where any portion of the development is within a special flood hazard area in unincorporated Pasco County, including development that does not otherwise require a Site Development or Building Permit, such as a barn or chickee hut.

It is intended that the interpretation and application of all provisions in this section be:

- Considered as minimum requirements;
- Liberally construed in favor of the governing body; and
- Deemed neither to limit nor repeal any other powers granted under State Statute.

1104.3. **Establishment of Areas of Special Flood Hazard**

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in the Flood Insurance Study for the County dated May 18, 1981, with accompanying maps and other supporting data and any revisions thereto are adopted by reference and incorporated herein. The flood insurance study and maps are on file in the offices of the County Administrator or designee.

1104.4. **General Procedures**

A. General Permit Procedures

Prior to any development in an area of special flood hazard, a Development Permit shall be obtained. Application for a Development Permit shall be made to the County Administrator or designee on forms furnished by him prior to any development activities and may include, but not be limited to, the following plans in duplicate and drawn to scale showing the nature, location, dimensions, and elevations of the area in question, existing or proposed structures, earthen fill, storage of materials or equipment, drainage facilities, and the location of the foregoing. Additionally, during the development approval process the following specific information is required:

1. Preliminary Plan Application Stage

   a. Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all buildings.

   b. Elevation in relation to mean sea level to which any nonresidential building will be flood proofed.

   c. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

2. Building Permit Application Stage or when construction does not require a Building Permit, such as a barn or chickee hut

   a. Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all buildings.

   b. Elevation in relation to mean sea level to which any nonresidential building will be flood proofed.

   c. Certificate from a registered professional engineer or architect that the nonresidential flood-proofed building will meet the flood-proofing criteria in this Code, Sections 1104.5.B.2 and 1104.5.D.2.

   d. Prior to the issuance of a Certificate of Occupancy (CO), or where no CO is required, prior to final inspection of the structure, it shall be the duty of the permit holder to submit to the County Administrator or designee a certification of the elevation of the lowest floor or flood-proofed elevation, as-built, in relation to mean sea level. The said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by the same. When flood proofing is utilized for a particular building, the said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by the same. Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The County Administrator or designee shall review the lowest floor and/or flood-proofing elevation and survey data submitted for compliance with this section. The permit holder immediately and prior to the issuance of the CO and/or final inspection of the structure shall correct deficiencies detected by such review. Failure to submit the survey or failure to make the said corrections required hereby shall be cause to issue a Stop-Work Order for the project and/or deny issuance of a CO for the structure and/or deny use of the structure.

3. The County Administrator or designee shall not issue any permit for a 1316 structure unless the permit is for activities to bring the 1316 structure into compliance with this section.

B. Floodplain Administrator

The Board of County Commissioners hereby appoints the County Administrator or designee to administer and implement this section. The duties shall include, but not be limited to:

1. Review all development applications to ensure that the permit requirements of this section have been satisfied.

2. Advise the permittee that additional Federal or State permits may be required and require that copies of such permits be provided and maintained on file with the Development Permit.

3. Notify adjacent communities, the Florida Department of Community Affairs, and other Federal and/or State agencies with statutory or regulatory authority prior to any alteration or relocation of a watercourse.

4. Ensure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained.

5. Verify and record the actual elevation (in relation to mean sea level) of the lowest floor, including basement, of all new or substantially improved buildings in accordance with this Code, Section 1104.4.B.2.

6. Verify and record the actual elevation (in relation to mean sea level) to which the new or substantially improved nonresidential buildings have been flood proofed in accordance with this Code, Section 1104.4.B.2.

7. Review certified plans and specifications for compliance with this Code, Sections 1104.4.B and 1104.5.

8. In velocity zones, certification shall be obtained from a registered professional engineer or architect that the structure is designed to be securely anchored to adequately anchored pilings or columns in order to withstand velocity waters and hurricane wave wash.

9. In velocity zones, review plans for adequacy of breakaway walls in accordance with this Code, Section 1104.5.F.

10. Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard; for example, where there appears to be a conflict between a mapped boundary and actual field conditions, make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Code, Section 407.1.

11. When base flood elevation data or floodway data have not been provided in accordance with this Code, Section 1104.3.B, obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source in order to administer the provisions of this Code, Section 1104.5.

12. All records pertaining to this section shall be maintained in the office of the County Administrator or designee and shall be open for public inspection.

1104.5. **Flood Hazard Reduction**

A. General Standards

In all areas of special flood hazard, the following are required:

1. New construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

2. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable State requirements for resisting wind forces.

3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

4. New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.

5. Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities, including ductwork, shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.

8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

9. Any alteration, repair, reconstruction, or improvement to a building that is in compliance with the provisions of this section shall meet the requirements of "new construction" as contained in this section.

10. Any alteration, repair, reconstruction, or improvement to a building that is not in compliance with the provisions of this section shall be undertaken only if the nonconformity is eliminated or the building is otherwise brought into compliance and the activities shall meet the requirements of "new construction" as contained in this section.

B. Specific Standards

In areas of special flood hazard, Zones "AE," "A1-30," and/or "AH," where base flood elevation data have been provided in this Code, Section 1104.3.B, the following is required:

1. Residential Construction

New construction or substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated no lower than one (1) foot above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the automatic equalization of hydrostatic flood forces on both sides of the exterior walls shall be provided in accordance with standards of this Code, Section 1104.5.B.3.

2. Nonresidential Construction

New construction or substantial improvement of any commercial, industrial, or other nonresidential building (or manufactured home) shall have the lowest floor, including basement, elevated no lower than one (1) foot above the level of the base flood elevation. Nonresidential buildings located in "A" zones may be flood proofed at least one (1) foot above the base flood elevation in lieu of being elevated provided that all areas of the building below the required elevation are watertight with walls substantially impermeable to the passage of water and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in this Code, Section 1104.4.B.

3. Elevated Buildings

New construction or substantial improvements of elevated buildings that include any fully enclosed areas formed by foundation and other exterior walls below the lowest floor shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.

a. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

(1) Provide a minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding;

(2) The bottom of all openings shall be no higher than one (1) foot above grade ;

(3) Openings must be located so that the portion of the opening intended to allow for inflow and outflow is below the base flood elevation; and

(4) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.

b. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).

c. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.

d. Electrical, plumbing, and other utility connections are prohibited below the base flood elevation.

4. Standards for Manufactured Homes and Recreational Vehicles

a. All manufactured homes placed or substantially improved on individual lots or parcels, in expansions to existing manufactured home parks or subdivisions in a new manufactured home park or subdivision or in substantially improved manufactured home parks or subdivisions must meet all the requirements for new construction, including elevation and anchoring in accordance with this Code, Sections 1104.4.B and 1104.5.

b. All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that:

(1) The lowest floor of the manufactured home is elevated no lower than one (1) foot above the level of the base flood elevation; or

(2) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least an equivalent strength of no less than thirty-six (36) inches in height above the ground.

(3) The manufactured home must be securely anchored to the adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(4) On a site in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, any manufactured home placed or substantially improved on that site must meet the standards of this Code, Sections 1104.5.B.4.b.(1) and (3).

c. All recreational vehicles placed on sites must either:

(1) Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect-type utilities and security devices, and has no permanently attached additions);

(2) Meet all the requirements for new construction, including anchoring and elevation requirements of this Code, Sections 1104.5.B.4.a or b.(1) and (3); or

(3) Be on the site for fewer than 180 consecutive days.

5. Floodways

Located within areas of special flood hazard established in this Code, Section 1104.3.B, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris and potential projectiles and has erosion potential, the following shall apply:

a. Prohibit encroachments, including fill, new construction, substantial improvements, and other developments unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during occurrence of the base flood discharge.

b. If this Code, Section 1104.5.B.6.a, is satisfied, all new construction and substantial improvements shall comply with all applicable flood-hazard reduction provisions of this Code, Section 1104.5.

c. Prohibit the placement of manufactured homes (mobile homes), except in an existing manufactured home (mobile home) park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring standards of this Code, Section 1104.5.A.2; and the elevation standards of this Code, Section 1104.5.B.1; and the encroachment standards of this Code, Section 1104.5.B.6.a, are met.

C. Standards for Streams Without Established Base Flood Elevation and/or Floodways

Located within the areas of special flood hazard established in this Code, Section 1104.3, where streams exist but where no base flood data has been provided or where base flood data has been provided without floodways, the following provisions apply:

1. When base flood elevation data and/or floodway data has not been provided in accordance with this Code, Section 1104.3, then the County Administrator or designee shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source, in order to administer the provisions of this Code, Section 1104.5.

2. In special flood hazard areas with base flood elevations (Zones "AE" and "A1-30"), but without floodways, no encroachments, including fill material or structures, shall be permitted unless certification by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.

3. If base flood elevations and floodway data are not available from outside sources, then the following provisions may be used:

   a. In special flood hazard areas without base flood elevation data, new construction and substantial improvements of existing structures shall have the lowest floor of the lowest enclosed area, including basement, elevated no less than three (3) feet above the highest adjacent grade at the building site.

   b. No encroachments, including fill material or structures, shall be located within a distance of the stream bank equal to the width of the stream at the top of the bank or twenty (20) feet each side from the top of the bank, whichever is greater, unless

certification by a registered professional engineer is provided demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.

D. Standards for Areas of Shallow Flooding ("AO" Zones)

Located within the areas of special flood hazard established in this Code, Section 1104.3, are areas designated as shallow flooding areas. These areas have flood hazards associated with base flood depths of one (1) to three (3) feet, where a clearly defined channel does not exist and the water path of flooding is unpredictable and indeterminate; therefore, the following provisions apply:

1. All new construction and substantial improvements of residential structures shall have the lowest floor, including basement, elevated to at least the flood depth number specified on the flood insurance rate map, in feet, above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated at least three (3) feet above the highest adjacent grade.

2. All new construction and substantial improvements of nonresidential structures shall:

   a. Have the lowest floor, including basement, elevated to at least the flood depth number specified on the flood insurance rate map above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated at least three (3) feet above the highest adjacent grade; or

   b. Together with attendant utility and sanitary facilities be completely flood-proofed to the specified flood level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Certification is required per this Code, Section 1104.4.B.

E. Standards for Site Developments

1. All site development proposals shall be consistent with the need to minimize flood damage.

2. All site development proposals shall have public utilities and facilities, such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.

3. All site development proposals shall have adequate drainage provided to reduce exposure to flood hazards.

4. Base flood elevation data shall be provided for site development proposals and other proposed development, including manufactured home parks and subdivisions, which is greater than the lesser of fifty (50) lots or five (5) acres.

F. Velocity Zones ("V" Zones)

Located within areas of special flood hazard areas established in this Code, Section 1104.3, are areas designated as Zones "V1-V30," "VE," and/or "V." These areas have special flood hazards associated with high velocity waters from surges; and, therefore, in addition to meeting all provisions in this section, the following provisions shall also apply:

1. All new construction and substantial improvements in Zones "V1-V30," "V," and "VE" shall be elevated on pilings and columns so that:

   a. The bottom of the lowest horizontal structural member of the lowest floor, excluding the pilings or columns, is elevated no lower than one (1) foot above the base flood elevation level.

   b. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values shall each have a one (1) percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).

2. A registered professional engineer or architect shall develop or review the structural design, specifications, and plans for the construction and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of this Code, Sections 1104.5.F.1.1 and 1104.5.F.1.(a).

3. Obtain the elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor, excluding pilings and columns, of all new and substantially improved structures in Zones "V1-V30" and "VE." The County Administrator or designee shall maintain a record of all such information.

4. All new construction shall be located landward of the reach of mean high tide.

5. Provide that all new construction and substantial improvements have the space below the lowest floor either free of obstruction or constructed with nonsupporting breakaway walls; open-wood latticework; or insect screening intended to collapse under wind and

water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purpose of this section, a breakaway wall shall have a design safe loading resistance of not less than ten (10) and no more than twenty (20) pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of twenty (20) pounds per square foot (either by design or when so required by local codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:

a. Breakaway wall collapse shall result from water load less than that which would occur during the base flood.

b. The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Maximum wind and water loading values to be used in this determination shall each have a one (1) percent chance of being equaled or exceeded in any given year.

6. If breakaway walls are utilized, such enclosed space shall be useable solely for parking of vehicles, building access, or limited storage. Such space shall not be used for human habitation.

7. Prohibit the use of fill for structural support of buildings.

8. Prohibit manmade alteration of sand dunes or mangrove stands that would increase potential flood damage.

9. All manufactured homes to be placed or substantially improved within Zones "V1-V30," "V," and "VE" on the community's Flood Insurance Rate Map (FIRM) on sites:

a. Outside of a manufactured home park or subdivision;

b. In a new manufactured home park or subdivision;

c. In an expansion to an existing manufactured home park or subdivision; or

d. In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, meet the standards of this Code, Sections 1104.5.F.1 through 8, and that manufactured homes placed or substantially improved on other sites in an existing manufactured home park or subdivision with Zones "V1-V30," "V," and "VE" on the FIRM meet the

requirements of this Code, Sections 1206.5.B.4.(a) through (b).

10. Recreational vehicles placed on sites within Zones "V1-V30," "V," and "VE" on the community's FIRM either:

    a. Be on the site for fewer than 180 consecutive days;

    b. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect-type utilities and security devices, and has no permanently attached additions; or

    c. Meet the requirements of this Code, Sections 1104.4.B and Sections 1104.5.B and F.

11. Critical Facilities

    Construction of new critical facilities shall be, to the extent possible, located outside the limits of the special flood hazard area (SFHA) (100-year floodplain). Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the Velocity Zone shall have the lowest floor elevated three (3) feet or more above the level of the base flood elevation at the site. Flood proofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible.

G. Technical Bulletins

All Technical Bulletins as issued by FEMA are hereby incorporated by reference (http://www.fema.gove/plan/prevent/floodplain/techbul.shtm).

1104.6. **Variances**

A. Historic Structures

Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

B. Variance Review Criteria

In reviewing applications, the Development Review Committee (DRC) shall consider all technical evaluations, all relevant factors, all standards specified in this section; and

1. The danger that materials may be swept onto other lands to the injury of others;

2. The danger of life and property due to flooding or erosion damage;

3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

4. The importance of the services provided by the proposed facility to the community;

5. The necessity to the facility of a waterfront location in the case of a functionally dependent facility;

6. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

7. The compatibility of the proposed use with existing and anticipated development;

8. The relationship of the proposed use to the Comprehensive Plan and floodplain management program for that area;

9. The safety of access to the property in times of flood for ordinary and emergency vehicles;

10. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and

11. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities, such as sewer, gas, electrical, and water systems; streets; and bridges.

C. <u>Standards of Review for Approval of Variances</u>

1. Variances shall only be issued when there is:

   a. A showing of good and sufficient cause;

   b. A determination that failure to grant the variance would result in exceptional hardship; and

   c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

2. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and in the instance of a "historic structure," a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building.

D. Notification of Final Determination to Applicant

Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:

1. The difference between the base flood elevation and the elevation to which the lowest floor is to be built;

2. The cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation and will result in increased premium rates for flood insurance up to amounts as high as Twenty-Five and 00/100 Dollars ($25.00) for One Hundred and 00/100 Dollars ($100.00) of insurance coverage.

3. Such construction below the base flood level increases risks to life and property.

A copy of the notice shall be recorded by the County Administrator or designee in the Public Records of the County, and the County Administrator or designee will maintain a record of all variance actions, including justification for their issuance, and report such variances issued in the community's biennial report submission to FEMA.

E. Special Conditions

A. Upon consideration of the factors listed in this Code, Section 206.6, and the purposes of this section, the DRC may attach such conditions to the granting of variances, as it deems necessary, to further the purposes of this section.

F. No Impact Certification within the Floodway

Variances shall not be issued within any designated floodway if any impact in flood conditions or increase in flood levels during the base flood discharge would result.

1104.7. **Violations**

Payment of any fines levied for violations of this section shall not alone be considered as to bring a structure into compliance with this section. To achieve compliance, the offending condition(s) must be rectified or removed.

Chapter 1200 - Nonconformities
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CHAPTER 1200. NONCONFORMITIES

SECTION 1201. GENERALLY

1201.1. Intent and Purpose

The intent and purpose of this section is to protect the property rights of owners or operators of nonconforming uses, structures, or lots while encouraging the reduction of nonconforming uses within the County as provided in Chapter 2, Policy FLU 1.5.1, of the Pasco County Comprehensive Plan.

1201.2. Construction and Uses Approved Prior to December 1, 1975

Nothing herein contained shall require any change in plans or construction of a structure for which a Building Permit was issued prior to December 1, 1975, provided such construction was completed by December 1, 1976. Nothing herein shall require any change in a use of land or a structure provided such use lawfully existed before December 1, 1975, and has not since been abandoned as defined in this Code, Section 1202.4.

1201.3. Unlawful Use Not Authorized

Nothing in this section shall be interpreted as authorization for, or approval of, the continuance of any use of a structure or premises in a manner that violated State law and/or County ordinances in effect on December 1, 1975.

1201.4. Applicability

This section applies to all nonconformities. There are three (3) categories of nonconformities as described in Table 1201-1.

TABLE 1201-1

Nonconformities

Situation	Definition
Nonconforming Use	A nonconforming use is a use which legally existed prior to the initial adoption of the Comprehensive Plan or subsequent amendment thereto or the County's first land development regulations, or any subsequent amendment thereto, and which does not comply with the current Code. The casual, temporary, or illegal use of land or structures does not establish the existence of a nonconforming use. A nonconforming use may consist of a nonconforming use of land, a nonconforming use of structures, or a nonconforming use of land and structures.
Nonconforming Structure	A nonconforming structure is a structure lawfully existing prior to the initial adoption of the County's first land development regulations or any subsequent amendment or government action which could not be built under the terms of the current Code by reason of restrictions governing area, lot coverage, height, yards, or other characteristics of the structure or its location on the lot. A nonconforming sign is a sign lawfully erected within the County on December 10, 2002, which does not conform to the requirements of this Code.
Nonconforming Lot	A nonconforming lot is a lot which lawfully existed prior to the December 1, 1975, adoption of the County's first land development regulations Code, or any subsequent amendment or government action that could not be created under the terms of this Code by reason of lot size, dimension, characteristic, or other provision of this Code.

1201.5. **Review of Nonconformities**

Any person may request a review of a nonconformity for the purposes of determination that the use, structure or lot is legally nonconforming, or determination of whether a nonconforming use has been abandoned pursuant to the provisions of this Code. The request shall be submitted to the County Administrator or designee, along with supporting documentation, such as affidavits, dated photographs, utility receipts, statements from utility companies, occupational licenses, or professional licenses showing locations, and a review fee. The County Administrator or designee shall have forty-five (45) days from the date that the application is found to be

sufficient to issue a final determination. The final determination may be appealed to the BCC as provided in this Code, Chapter 400, Section 407.1.

1201.6. **Registration**

The County Administrator or designee shall maintain, for public use and information, a list of uses, lots, and structures determined to be legally nonconforming. The list shall include a general description of the nature and extent of the nonconformities and may include photographs as documentation.

SECTION 1202. NONCONFORMING USES

1202.1. **Nonconforming Use Enlargement Prohibited**

A legal nonconforming use shall not be changed, intensified, expanded, or enlarged in any manner beyond the floor area or lot area that it occupied on December 1, 1975, or the effective date of any amendment to this Code rendering such use nonconforming.

1202.2. **Nonconforming Use Allowed Continuation**

A nonconforming use may continue and may be bought or sold in conjunction with the land upon which the use is operated , subject to the provisions of this Code, even though such use does not conform to the current regulations established for that zoning district in which it is located.

1202.3. **Where Structure is Damaged**

In circumstances where less than fifty (50) percent of the value of the structure (as determined by fair market value of the structure) in which a nonconforming use is located is damaged or destroyed by fire, explosion, flood, or other casualty, or legally condemned, the structure may be reconstructed and the nonconforming use continue provided that (a) the reconstructed structure shall not exceed the height, area, or volume of the structure destroyed or condemned; and (b) reconstruction shall be commenced within six (6) months from the date the structure was destroyed or condemned and shall be carried on without interruption. The act of receiving a Building Permit does not constitute commencement of construction.

1202.4. **Abandonment**

The nonconforming use of a structure or land, except a residential structure being used as a residence, which has been abandoned, shall not thereafter be returned to such nonconforming use. A nonconforming use shall be considered abandoned when one or more of the following conditions exists:

A. When a nonconforming use has been discontinued for a period of 180 days. For the purposes of this section, the intent of the owner of the nonconforming use shall not be controlling in determining whether the nonconforming use has been abandoned. Discontinuance of the nonconforming use for a period

of 180 days, regardless of the intent of the owner, shall constitute abandonment.

B. When it has been replaced by a conforming use.

1202.5. **District Changes**

Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another district of a different classification, the foregoing provisions shall apply to any nonconforming uses existing therein.

1202.6. **Grandfather of Special Exception Uses**

Any use which is currently permissible as a special exception in a district under the terms of this Code and was in existence at the time the property was initially zoned (December 1, 1975) or rezoned shall not be deemed a nonconforming use in such district, but shall without further action be considered a permitted use.

SECTION 1203. NONCONFORMING STRUCTURES

1203.1. **Repair, Maintenance, and Alterations**

Except as below, only ordinary repairs and maintenance may be made to a nonconforming structure:

A. A nonconforming structure may be altered or improved provided that any structural change shall not increase the degree of nonconformity. Structural changes which decrease or do not affect the degree of nonconformity shall be allowed.

B. A nonconforming structure may be altered to the extent necessary, if such alteration is intended, and will result in the structure's conversion to a conforming structure.

C. Nothing in this section shall prevent the strengthening or restoring to a safe condition of any portion of a nonconforming structure declared unsafe by the Building Official.

1203.2. **Restorations**

A. In circumstances where less than fifty (50) percent of the value of the structure (as determined by fair market value of the structure) in which a lawful nonconforming structure is damaged or destroyed by fire, explosion, flood, or other casualty, or legally condemned, the structure may be reconstructed provided that (a) the reconstructed structure shall not exceed the height, area, or volume of the structure destroyed or condemned; and (b) reconstruction shall be commenced within six (6) months from the date the structure was destroyed or condemned and shall be carried on without interruption.

B. In circumstances where fifty (50) percent or more of the value of the structure (exclusive of walls below grade) as of the date of the damage (as determined by fair-market value of the structure) in which a lawful nonconforming structure is damaged or destroyed by fire, explosion, flood, or other casualty, or legally condemned, and which does not comply with the use, area, setback or height regulations of Chapter 500, the structure shall not be restored except in conformity with the regulations for the zoning district in which such structure is located.

C. A nonconforming sign shall not be replaced with another nonconforming sign.

1203.3. **Replacement of Nonconforming Mobile Homes**

Nonconforming mobile homes may be replaced with a larger or same size mobile home provided that the replacement is accomplished within six months from the removal.

SECTION 1204. NONCONFORMING LOTS

1204.1. Notwithstanding the limitations imposed by any other provisions of this section, any lot or parcel, which existed prior to December 1, 1975, and, located within an original zoning district as established at the time of the adoption of zoning, but that did not meet the minimum requirements for that district, shall be considered a small lot of record. A small lot of record may also be created as a result of governmental action including, but not limited to, right-of-way dedication or reservation.

1204.2. Building Permits may be issued upon identification of a parcel or lot as a small lot of record to allow the erection, expansion, alteration, or replacement of any structure, together with accessory buildings as permitted within that zoning classification as follows:

A. Single-family dwellings, including mobile homes, and their accessory buildings constructed or to be constructed upon small lots of record shall not be required to comply with the minimum setback and lot-coverage requirements applicable in the district in which the parcel or lot is located, but shall conform with the required setbacks and lot coverage of the nearest zoning district where minimum lot area, width, depth, or setback regulations can be met.

1. In cases where a small lot of record does not conform to any single-family district, a minimum setback of fifteen (15) feet or other setback as determined by the County Administrator or designee, to be equitable, from any front, or rear lot line, or five (5) feet from any side lot line shall apply, depending upon which dimension is substandard. If the lot width is sixty (60) feet or greater, then the minimum side setback shall be 7.5 feet.

2. No accessory structure in any residential district shall be permitted less than five (5) feet from a side or rear lot line and fifteen (15) feet

from any front lot line unless approved by the Development Review Committee.

3. Existing single-family dwellings shall be allowed to expand, be altered, or replaced, provided that such improvements do not further encroach into the established yard areas and setbacks, if less than the minimum for the district in which they are located.

B. Undeveloped, commercial, or industrial zoned parcels or lots shall not be required to meet minimum lot area and/or width requirements, but shall conform to all other zoning district regulations for the zoning district in which the small lot of record is located.

C. Developed, commercial, or industrial zoned parcels or lots shall not be required to meet minimum lot area and/or width requirements and shall be allowed to expand, alter, or replace existing structures provided that such improvements do not further encroach into the established yard areas and setbacks if less than the minimum for the district in which it is located.

SECTION 1205. EFFECT OF CONDEMNATION ACTIONS ON EXISTING DEVELOPMENT

As a result of a condemnation action by any governmental entity whereby a portion of the property is acquired, to the extent that the condemnation affects the existing use of the property:

1205.1. Reconstruction of existing parking areas or reconstruction of replacement parking areas upon the same site shall not be required to comply with the provisions of on-site parking, loading, and unloading regulations.

1205.2. To the extent that required landscaping and buffering are impacted by the acquisition, that area of the site will not be required to comply with the landscaping and buffering provisions of this Code for that area.

1205.3. Existing lawful signs, lawful on-premises signs, or registered billboards shall not be required to comply with the setback or spacing requirements of this Code for signs and billboards, as amended, so long as such sign will be located a minimum of five (5) feet from the edge of the proposed right-of-way.

1205.4. If the condemning authority provides for alternate retention areas or drainage facilities as part of the condemnation action, facilities in such alternate areas shall not be required to comply with stormwater management requirements, subdivisions, and development review procedures of this Code, as amended.

1205.5. Nonconforming on-site signs may be relocated or reconstructed if required as a result of condemnation action.

Chapter 1300 - Concurrency, Mobility and Impact Fees
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CHAPTER 1300. CONCURRENCY AND IMPACT FEES

SECTION 1301. CONCURRENCY

1301.1. Intent and Purpose

Concurrency facilities include arterial and collector transportation facilities, mass transit, drainage, potable water, water supply, sanitary sewer, solid waste, parks and recreation, and school facilities. The Board of County Commissioners (BCC) has established Level of Service (LOS) standards for such facilities in the Comprehensive Plan. The purpose of these regulations is to allow the County, or the School District as to school concurrency, to determine whether or not there is sufficient capacity of concurrency facilities to meet the Comprehensive Plan LOS standards concurrent with proposed development and ensure consistency with the Capital Improvements Plan (CIP) and Capital Improvements Element (CIE) and/or the School District's Facilities Work Program for school concurrency.

1301.2. Applicability

For purposes of timing applicability for all public facilities other than schools, this section shall apply to nonexempt Initial or Final Certificates of Capacity or Initial or Final Certificate of Capacity Development Orders for which the complete application has been filed, resubmitted after expiration or denial, or substantially amended on or after January 9, 2008, unless the applicant and County agree to an earlier application date. Any project not subject to this section shall continue to be subject to the concurrency management requirements, access management requirements, and Traffic Impact Study (TIS) Guidelines in effect, or imposed, when the project was submitted, unless the project qualified for an exemption from such requirements.

For purposes of timing applicability for school facilities, this section shall apply to nonexempt Initial and Final Certificate of Capacity Development Orders for which a complete application has been filed, resubmitted after expiration or denial, or substantially amended on or after January 1, 2010, unless the County and the applicant agree to an earlier application date. Pending complete applications for preliminary site plans, preliminary plans, and residential subdivisions into more than one (1) dwelling unit per lot that are exempt from an Initial Certificate of Capacity that includes school facilities concurrency are not automatically exempt from the requirement to obtain a Final Certificate of Capacity that includes school facilities concurrency. Pending complete applications for Building Permits and plats as of January 1, 2010, are not subject to this section. Any project not subject to the school facility provisions of this section shall continue to comply with all school facility requirements in effect, or imposed, at the time the project was submitted, unless the project qualified for an exemption from such requirements.

1301.3. **Exemptions**

A. Subject to this Code, Section 1301.3.D, the following projects are permanently exempt from obtaining a Certificate of Capacity:

1. For Other Than School Concurrency:

a. The portion of any project that has received final subdivision plat approval as a residential subdivision into one (1) dwelling unit per lot as of December 1, 2006.

b. Any building or structure that has received a Certificate of Occupancy (CO) as of December 1, 2006.

c. Any public school with an approved site plan or approved Comprehensive Plan consistency review as of December 1, 2006.

d. The portion of any project or area subject to a BCC approved public facility infrastructure financing plan and special district to finance such infrastructure; provided, however, the scope of the concurrency exemption for such project(s) or area shall be defined in the BCC approval.

e. Public transit facilities, as defined in Section 163.3180(4)(b), Florida Statutes, as may be amended.

2. For School Concurrency:

a. The portion of any project that has received final subdivision plat approval as a residential subdivision into one (1) dwelling unit per lot as of January 1, 2010.

b. Any residential dwelling unit that has received a CO as of January 1, 2010.

c. Any age restricted community intended to provide housing for persons who are fifty-five (55) years of age or older that prohibits the permanent residency of individuals under the age of twenty-two (22) by deed restrictions meeting the requirements of the School Impact Fee Ordinance. Said deed restrictions are required to be executed and recorded prior to granting this exemption.

B. Subject to this Code, Section 1301.3.D, the following projects are exempt from obtaining a Certificate of Capacity, but such exemption is subject to expiration:

1. For Other than School Concurrency:

a. The portion of any project in possession of a valid, unexpired, Certificate of LOS Compliance; however, such exemption shall expire upon the expiration of the Certificate of LOS Compliance, or upon default of any conditions of the Certificate of LOS Compliance, unless such project, or portions of such project, remains exempt pursuant to another exemption provision.

b. The portion of nonresidential projects, residential projects not requiring a subdivision plat, or residential subdivisions into more than one (1) dwelling unit per lot that have received a Building Permit as of December 1, 2006; however, such exemption shall expire upon expiration of the Building Permit if the building subject to the Building Permit has not received at least one (1) inspection as of December 1, 2006, unless such project, or portions of such project, remains exempt pursuant to another exemption provision.

c. Developments of Regional Impact (DRIs) Development Orders approved prior to April 9, 1991; however, such exemption shall expire for any phase of the Development Order on the date such phase is subject to an additional traffic study or concurrency review, or for the entire Development Order upon expiration of the Development Order, or upon any material default of the mitigation conditions of such Development Order or a related Development Agreement (DA), unless such project, or portions of such project, remains exempt pursuant to another exemption provision.

2. For School Concurrency:

a. The portion of residential projects not requiring a subdivision plat, or residential subdivisions into more than one (1) dwelling unit per lot that have received a Building Permit as of the effective date of the Pasco County School Concurrency Management Ordinance; however, such exemption shall expire upon expiration of the Building Permit if the building subject to the Building Permit has not received at least one (1) inspection as of January 1, 2010, unless such project, or portions of such project, remains exempt pursuant to another exemption provision.

b. Unless an applicant elects otherwise in writing, the provisions of this ordinance shall not apply to any DRI for which a

Development Order has been issued prior to July 1, 2005, or for which a DRI application has been submitted prior to May 1, 2005. Any exempt DRI which files a notice of proposed change for an extension of the date of build-out or any phase thereof which is presumed to be substantial deviation shall comply with this division for any portion of the development so extended, unless such project, or portion of such project, remains exempt pursuant to another exemption provision.

c. The portion of any project that is the subject of a binding and enforceable DA or other agreement that specifically exempts such project from school concurrency requirements; however, such exemption shall expire upon expiration of the DA, or upon any material default of the school mitigation conditions of such DA or agreement, unless such project, or portions of such project, remains exempt pursuant to another exemption provision.

d. The County Administrator, or designee, shall determine whether an exemption applies and, if an exemption is granted, refer same to the School District for review. If the School District objects to the granting of an exemption, the School District shall notify the County in writing within fourteen (14) days of receipt of the exemption determination and include in the objection notice the reasons why the School District believes that the exemption does not apply. Should the County Administrator, or designee, uphold the exemption, the School District may appeal such decision pursuant to this Code. Should the County Administrator, or designee, deny the exemption, the applicant may appeal such decision pursuant to this Code. If the School District objects to an exemption determination within the fourteen (14) day objection period, the exemption determination, and any Initial or Final Certificate that is issued based on the exemption, shall not be considered final or appealable for purposes of this Code until the County Administrator, or designee, issues a final determination after the School District's written objection.

C. Subject to this Code, Section 1301.3.D, the following projects are exempt from the transportation concurrency and traffic study requirements of these regulations only, but such exemption is subject to expiration:

1. DRIs that have filed a complete Application for Development Approval prior to December 1, 2006; however, such exemption shall expire upon withdrawal, denial, or expiration of the Application for Development Approval. If such DRI has been approved or is approved through a DRI Development Order, such exemption shall expire for any phase of the DRI Development Order on the date such phase is subject to additional traffic study or concurrency review, or for the entire DRI Development Order upon expiration of the DRI

Development Order, or upon any material default of the transportation mitigation conditions of the DRI Development Order or a related DA, unless such project, or portions of such project, remains exempt pursuant to another exemption provision.

2. The portion of any project that completed a traffic study after June 4, 1999, in connection with an Initial or Final Certificate of Capacity Development Order, and such traffic study demonstrated compliance with the LOS standards in effect at the time the traffic study was completed, or the standards of the TIS Guidelines, as applicable, and such portion of the project is not in default of any transportation mitigation requirements resulting from such traffic study; however, such exemption shall expire upon expiration of the build-out date in the traffic study, or in the event no build-out date was established, ten (10) years after the traffic study was submitted, or upon any material default of the transportation mitigation conditions required of such project, unless such project, or portions of such project, remains exempt pursuant to another exemption provision.

3. The portion of any project with an approved methodology statement pursuant to the TIS Guidelines as of December 1, 2006; however, such exemption shall expire upon withdrawal, expiration or denial of the methodology statement or traffic study, or upon expiration of the build-out date in the traffic study, or upon any material default of the transportation mitigation conditions required of such project, unless such project, or portions of such project, remains exempt pursuant to another exemption provision.

4. The portion of any project that is the subject of a binding and enforceable DA that specifically exempts such project from transportation concurrency requirements; however, such exemption shall expire upon expiration of the development agreement, or upon any material default of the transportation mitigation conditions of such DA, unless such project, or portions of such project, remains exempt pursuant to another exemption provision.

D. The foregoing exemptions shall not apply if a material change is made to the exempt portion of any project, building, or structure. The term “material change” shall mean a change that results in an increased demand for or impact on the concurrency facility or facilities for which the project is exempt. For transportation facilities, a “material change” is a change in the build-out date, land-use assumptions, or on-site circulation or access provisions for the project or project phase that results in an increased impact on arterial and collector transportation facilities. However, in the event a project exempt pursuant to this Code, Section 1301.3.A or 1301.3.B.1.b loses exemption status solely as a result of a material change, the Certificate of Capacity, and the applicable review standards and de minimis thresholds shall apply only to that portion of the project that has resulted in an increased demand for or impact on the concurrency facility; and such project shall only be subject to concurrency review for those facilities with increased impacts. All other

exempt projects that make a material change or that lose exemption status for the reasons set forth in the exemptions shall become subject to all applicable requirements of this Code.

E. Before the County Administrator or designee determines that any exemption shall expire based on a material default of a condition, agreement, or Development Order, the County shall provide thirty (30) days prior written notice of the planned expiration to all property owners that would be subject to a new Certificate of Capacity upon such expiration. During such thirty (30) day period, any property owner notified of the planned expiration may either (1) cure the default or (2) appeal the planned expiration pursuant to this Code. In the event of an appeal of the planned expiration, the expiration shall be stayed until such time that the BCC determines that the Certificate of Capacity shall expire.

F. The following projects or areas are exempt from the transportation concurrency and traffic study requirements of these regulations only, subject to compliance with the applicable provisions of Section 163.3180 or 163.3182, Florida Statutes, and any BCC-approved requirements to implement such exemptions:

1. A transportation concurrency exception area.

2. A transportation concurrency management area.

3. A multimodal transportation district.

4. A transportation concurrency backlog area.

5. Affordable workforce housing units that comply with the requirements of Section 163.3180(17), Florida Statutes.

1301.4. **Limited Exemptions**

A. The BCC or the County Administrator, or designee, may administratively exempt any of the following projects, "limited exemption projects," from any provision of these regulations that is more stringent than minimum State law requirements:

1. Public schools governed by the Public School Facilities Element of the adopted Comprehensive Plan, as amended, and community colleges and universities governed by Chapter 1013, Florida Statutes;

2. Governmental uses, including Federal, State, and County owned or leased buildings or land;

3. Target businesses, which are defined for purposes of these regulations as businesses identified by Enterprise Florida's Qualified Target Industry Tax Refund Program and those targeted businesses identified in the Pasco Economic Development Council's Economic

Development Target Industry List, as may be amended from time to time. The County may impose additional zoning restrictions and/or private deed restriction requirements to ensure that target businesses remain target businesses.

4. The corporate business park, targeted primary business, or industrial use portion of an EC (Employment Center) Future Land Use classification, or the corporate business park, targeted primary business, or industrial use portion of another land use classification, which are developed in accordance with the County's EC-MPUD requirements. These uses include the preferred uses listed in this Code, Chapter 500, Zoning. Accessory and ancillary uses allowed within an EC-MPUD shall not be considered limited exemption uses, unless such uses are specifically determined by the County Administrator or BCC to be an integral part of the preferred uses. The County may impose additional zoning restrictions and/or private deed restriction requirements to ensure that preferred EC uses remain preferred EC uses.

5. Portions of projects developed as a traditional neighborhood design, transit-oriented design, or Town Center designated development in accordance with this Code.

6. Affordable housing projects, which are defined for purposes of this section as projects that provide housing 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 as an affordable housing project, the project must be designated as affordable by the County's Community Development Manager, 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 Community Development Manager. The County shall impose deed restrictions, mortgage requirements, and/or liens that ensure that any affordable housing projects that are granted one (1) or more limited exemptions pursuant to these regulations remain affordable. The owner of any dwelling unit or building in an affordable housing project granted a limited exemption that resells or leases such dwelling unit or building at a price or rent that is no longer affordable, or resells or leases such dwelling unit or building to a family that does not satisfy the foregoing income criteria, as determined by the Community Development Manager consistent with the foregoing definition, shall be required to pay to the County the difference between (1) the County estimated pro-rata share of the proportionate-share obligation of the affordable housing project with any limited exemptions granted such project and (2) the County estimated pro-rata share of the proportionate-share obligation of the affordable housing project without any limited exemptions at the time that such dwelling is resold. Failure to pay the difference shall be considered a

violation of this Code punishable in accordance with this Code, in addition to any other remedies of the County as set forth in the County-imposed deed restrictions, mortgage requirements, and/or liens.

B. The limited exemptions for limited exemption projects may include, but are not limited to, one (1) or more of the following:

1. Extension of expired Certificates of Capacity without additional review to the extent allowed by law.

2. In this Code, Sections 1301.6.D.1.a and 1301.6.D.1.b, replacement of "during the fiscal year" with "within three fiscal years of the date".

3. Waiver of County Traffic Study requirements pursuant to this Code, Section 1301.6.D.1.b, regardless of the de minimis thresholds in this Code, Section 1301.6.D.1.c.

4. Payment of impact fees pursuant to Pasco County's Transportation Impact Fee (TIF) Ordinance as the project's proportionate share. In addition, the County and School District may address proportionate share contributions and concurrency obligations for public schools in the Interlocal Agreement for Coordination of Planning Activities, as amended, or other Interlocal Agreement between the County and School District.

   The BCC acknowledges that the provision of limited exemptions to limited exemption projects does not relieve the County from complying with capital improvement element financial feasibility requirements, or from ensuring that adequate concurrency public facilities are available to achieve Comprehensive Plan adopted LOS. Accordingly, the BCC shall prioritize CIP and CIE expenditures for concurrency public facilities necessary to serve limited exemption projects and to achieve Comprehensive Plan adopted LOS for such projects. Because the provision of a limited exemption to a limited exemption project can have an impact on the financial feasibility of the CIE and capacity for concurrency public facilities, the County Administrator, or designee, upon granting any limited exemption to a limited exemption project, shall notify, in writing, the following individual(s), if such individual(s) are responsible for the public facility receiving the limited exemption (all titles are as may be amended from time to time):

   a. County Planning and Growth Management Administrator;

   b. County Engineering Services Director;

   c. County Parks and Recreation Director;

   d. County Transportation Manager;

e. County Development Director;

f. MPO Transportation Planning Manager;

g. Assistant County Administrator for Utilities Services;

h. Assistant County Administrator for Development Services;

i. Director of Office of Management and Budget; and

j. The BCC, as a noted item on the BCC Agenda.

Such notification shall include the minimum information required by Section 1301.5.B.

1301.5. **Generally**

A. Certificates of Capacity

A Certificate of Capacity, as used in these regulations, is a determination that all concurrency review requirements are satisfied for the proposed development and that a specified quantity of concurrency facilities capacity is reserved for the proposed development for the duration of the Certificate of Capacity, subject to the requirements of these regulations, and any conditions imposed with the Certificate of Capacity. A Certificate of Capacity is issued if all adopted LOS standards can be maintained during and following the proposed development, or the impacts of the proposed development are mitigated consistent with the Comprehensive Plan and these regulations. Any Certificate of Capacity may be issued with conditions to ensure the adopted LOS standards can be maintained during and following the proposed development, or to ensure that the impacts of the proposed development are mitigated consistent with the Comprehensive Plan and these regulations. Certificates of Capacity shall be issued by the County on a form designed by the County and relating to a specific development project, or project phase, on a specific parcel of real property. Certificates of Capacity shall run with the parcel(s) of real property upon which they are issued, and the rights and obligations set forth therein shall be binding on subsequent property owners of such real property. Certificates of Capacity may not be transferred to other parcels or property.

B. Certificate of Capacity Information

Each Certificate of Capacity shall include, at a minimum, a statement as to specific land uses, the number of units, and the floor area or square footage for all nonresidential structures or other areas that will be used for display or storage of goods or dedicated to performance of services, as applicable or relevant to the estimation of impacts for purposes of meeting the intent of these regulations. For phased projects, or projects with interim uses that utilize concurrency public facilities, this information shall be provided for each phase or interim phase. The Certificate of Capacity shall also include, at a minimum, the location of the project, including Parcel Identification Numbers. The County Administrator, or designee, may establish application forms requiring additional information or request supplemental information for specific concurrency public facilities. In addition, information supplied by the applicant in any related development approval application(s) may be used for the Certificate of Capacity determination. For school concurrency, each applicant not exempt from school concurrency shall submit a School Concurrency Application to the School District and comply with the School District's Concurrency Implementation Procedures Manual adopted by the School District pursuant to Chapter 120, Florida Statutes, and found at http://.pasco.k12.fl.us/
planning/concurrency/ (the *School Concurrency Implementation Procedures Manual*).

C. Capacity Determination Procedures

1. Initial Certificates of Capacity: For arterial and collector transportation facilities, mass transit, sanitary sewer, potable water, water supply, solid waste, and parks and recreation, an initial Certificate of Capacity shall be required prior to the issuance or approval of one (1) of the following Development Orders for any project or project phase (the Initial Certificate of Capacity Development Orders):

   a. DRI or Florida Quality Development* pursuant to Chapter 380, Florida Statutes,

   b. Zoning Amendments (excluding Zoning Amendments to I-1, I-2, PO-1, and PO-2).

   c. Preliminary Site Plan,

   d. Preliminary Plan,

   e. Nonresidential Subdivision, or

   f. Residential Subdivision into more than One (1) Dwelling Unit Per Lot

For school facilities, an initial Certificate of Capacity shall be required prior to the issuance or approval of one (1) of the following Development Orders for any project or project phase:

- Preliminary Development Residential Plan, or

- Residential Subdivision into more than One (1) Dwelling Unit Per Lot.

Initial Certificates of Capacity shall be valid and reserve capacity for a period of six (6) years from the date of issuance, except for arterial and collector transportation facilities and school facilities. The capacity reservation for arterial and collector transportation facilities shall depend on whether the Initial Certificate of Capacity requires a traffic study in accordance with these regulations and the TIS Guidelines, or traffic study in accordance with Chapter 380, Florida Statutes, to determine capacity for arterial and collector transportation facilities (traffic study). Initial Certificates of Capacity requiring a traffic study shall be valid and reserve capacity from the date of issuance through the build-out date of the traffic study, which shall be no less than two (2) years. Unless otherwise approved by the Development Review Committee (DRC) or the BCC the build-out date of the traffic study shall be no greater than fifteen (15) years from the date of the initial traffic study methodology submittal for DRI and Florida Quality Developments and no greater than ten (10) years from the date of the initial traffic study methodology submittal for all other developments requiring a traffic study. Initial Certificates of Capacity that do not require a traffic study in accordance with these regulations shall be valid and reserve capacity for a period of two (2) years from the date of issuance; however, any Initial Certificate of Capacity applicant that is not required to complete a traffic study may voluntarily complete a traffic study pursuant to these regulations and the TIS Guidelines and be subject to the capacity reservation periods for projects required to complete a traffic study. For school facilities, Initial Certificates of Capacity shall be valid and reserve capacity for a period of three (3) years from the date of issuance of the Initial Certificate of Capacity, unless a longer time period is approved in accordance with the requirements of the *School Concurrency Implementation Procedures Manual*. The foregoing expiration periods for Initial Certificates of Capacity are subject to the additional review and revocation requirements set forth below. Initial Certificates of Capacity that expire may be renewed only upon compliance with all applicable application and review requirements set forth in these regulations. Initial Certificate of Capacity Development Orders shall not require a new Initial Certificate of Capacity if the project or project phase has a valid and unexpired Initial Certificate of Capacity at the time of issuance or approval of the Initial Certificate of Capacity Development Order.

2. Final Certificates of Capacity

For drainage, arterial and collector transportation facilities, mass transit, sanitary sewer, potable water, water supply, solid waste, parks and recreation, and school facilities, a Final Certificate of Capacity shall be required prior to the issuance or approval of one (1) of the following Development Orders for any project or project phase (Final Certificate of Capacity Development Orders):

a. Building Permit issuance for nonresidential development, residential development not requiring subdivision plat, or residential subdivisions into more than one (1) dwelling unit per lot.

b. Final plat approval for residential subdivisions into one (1) dwelling unit per lot.

For public schools, site plan approval to the extent required by the Interlocal Agreement between the County and the School District.

Any project or project phase with a valid and unexpired Initial Certificate of Capacity at the time of issuance or approval of the Final Certificate of Capacity Development Order shall be entitled to issuance of a Final Certificate of Capacity without further analysis or review for the portion of the project with the valid and unexpired Initial Certificate of Capacity, subject to the additional review and revocation requirements set forth below; provided, however, issuance of a Final Certificate of Capacity shall be subject to additional review for drainage concurrency regardless of whether an Initial Certificate of Capacity has been issued. Projects or project phases without a valid and unexpired Initial Certificate of Capacity shall require additional review in accordance with these regulations. Final Certificates of Capacity, once issued, shall not expire and shall constitute a permanent reservation of capacity, subject to the additional review and revocation requirements set forth below.

3. Additional Review and Revocation Requirements

Any project or project phase that changes the number of units, the type of land use, the floor area or square footage for all nonresidential structures, or other areas that will be used for display or storage of goods or dedicated to performance of services, after an Initial or Final Certificate of Capacity has been issued, shall be subject to additional review in accordance with these regulations if the change results in an increased demand for or impact on any concurrency facility. Any project or project phase requiring a traffic study shall be subject to additional traffic study review in accordance with these regulations if, after the issuance of the Initial or Final Certificate of Capacity, the build-out date, land-use assumptions, or on-site circulation or access provisions in the traffic study for the project or project phase have

been changed to the extent that they result in an increased impact on arterial and collector transportation facilities. However, in the event a project or project phase becomes subject to additional review after it has received a Final Certificate of Capacity, such project or project phase shall be subject to additional review only for that portion of the project that has resulted in an increased demand for or impact on the concurrency facility, and such project shall only be subject to concurrency review for those facilities with increased impacts.

An Initial or Final Certificate of Capacity may be revoked if the County Administrator, or designee, determines that (1) the application information used as a basis for the issuance of the Certificate of Capacity was inaccurate and such inaccuracy was material to the capacity determination, or (2) a condition of the Initial or Final Certificate of Capacity has not been fulfilled by the time period required in such condition, or in the absence of a time period, by the issuance of the first CO for the project or project phase that received the Certificate of Capacity. However, before the County Administrator or designee revokes a Certificate of Capacity, the County shall provide thirty (30) days prior written notice of the planned revocation to all property owners that would be subject to a new Certificate of Capacity upon such revocation. During such thirty (30) day period, any property owner notified of the planned revocation may either (1) cure the inaccuracy or noncompliance or (2) appeal the planned revocation pursuant to this Code. In the event of an appeal of the planned revocation, the revocation shall be stayed until such time that the BCC determines that the Certificate of Capacity shall be revoked. As to school facilities, the School District may formulate, adopt, and enforce its own rules of revocation of a Concurrency Capacity Letter in the *School Concurrency Implementation Procedures Manual*. The School District's revocation of a Concurrency Capacity Letter shall be a basis for the County to revoke an Initial or Final Certificate of Capacity.

An applicant may voluntarily relinquish any Initial or Final Certificate of Capacity that has been issued to the applicant, in which case, the capacity reservation for the project, or project phase, shall terminate, and such project or project phase shall be subject to all procedures and review standards set forth in these regulations. However, an applicant may not relinquish any condition or mitigation required by an Initial or Final Certificate of Capacity if such condition or mitigation is guaranteed by a security instrument, such as a bond or Letter of Credit, and voluntary relinquishment by the applicant shall not entitle the applicant to a refund or credit for any payment or mitigation provided to the County as a condition of the relinquished Initial or Final Certificate of Capacity. As to school facilities, the School District may formulate, adopt, and enforce its own rules pertaining to relinquishment of a Concurrency Determination Letter in the *School Concurrency Implementation Procedures Manual.*

D. Effect of Certificate of Capacity Subject to Additional Review, Revocation, or Expiration

The County shall withhold issuance of new Development Orders, permits, or CO for any project or project phase: (1) with an expired or revoked Initial or Final Certificate of Capacity, (2) with an Initial or Final Certificate of Capacity subject to additional review in accordance with these regulations, or (3) that did not obtain an Initial or Final Certificate of Capacity where required by these regulations.

Initial and Final Certificates of Capacity may be subject to additional review or revocation for all concurrency facilities or for specific concurrency facilities. In addition, Initial Certificates of Capacity may have a different expiration period for arterial and collector transportation facilities and/or school facilities than other concurrency facilities. If an Initial or Final Certificate of Capacity is subject to additional review, revocation, or expiration only for a specific concurrency facility, or specific concurrency facilities, it shall not affect the validity of the Initial or Final Certificate of Capacity for purposes of the other concurrency facilities not subject to additional review, revocation, or expiration.

1301.6. Specific Review Standards

The following review standards shall apply to all nonexempt projects, or project phases, seeking an Initial Certificate of Capacity or Final Certificate of Capacity, or projects with Initial or Final Certificates of Capacity subject to additional review, or that have been revoked or expired.

A. Potable Water, Sewer, Solid Waste, Water Supply, Mass Transit, and Drainage

For potable water, sewer, solid waste, water supplies, mass transit, and drainage, the facilities needed to serve the project applying for the Certificate of Capacity and maintain the adopted LOS standards shall be in place and available no later than the issuance of the Final Certificate of Capacity, or the conditions of the Final Certificate of Capacity ensure that such facilities will be in place and available no later than the issuance of the first CO for the project. For water supply, the County shall consult with the applicable water supplier prior to the issuance of the Final Certificate of Capacity to determine whether adequate water supplies to serve the project applying for the Certificate of Capacity and to maintain the adopted LOS standards will be available prior to the issuance of the Final Certificate of Capacity.

B. Parks and Recreation

For Parks and Recreation, the necessary facilities to serve the residential development and maintain the adopted LOS shall be in place or under actual construction no later than one (1) year after the issuance of the Final Certificate of Capacity. However, the acreage for such facilities shall be dedicated to or acquired by the County prior to the issuance of the Final

Certificate of Capacity or funds in the amount of the developer's fair share shall be committed no later than the issuance of the Final Certificate of Capacity. One of the following standards shall be met in order to satisfy these concurrency requirements:

1. The necessary facilities to serve the residential development and maintain the adopted LOS are in place or under actual construction at the time the Final Certificate of Capacity is issued; or

2. No later than the issuance of the Final Certificate of Capacity, the acreage for the necessary facilities to serve the project or project phase seeking the Certificate of Capacity and maintain the adopted LOS is dedicated to or acquired by the County or funds in the amount of the developer's fair share are committed; and

    a. The necessary facilities needed to serve the project or project phase seeking the Certificate of Capacity and maintain the adopted LOS are scheduled to be in place or under actual construction not more than one (1) year after the issuance of the Final Certificate of Capacity as provided in the adopted five (5) year schedule of capital improvements; or

    b. The necessary facilities needed to serve the project or project phase seeking the Certificate of Capacity and maintain the adopted LOS are guaranteed in any enforceable DA which requires the commencement of the actual construction of the facilities within one (1) year of the issuance of the Final Certificate of Capacity. The enforceable DA may include, but is not limited to, DAs pursuant to Section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes.

C. <u>Schools</u>

As to school concurrency, Concurrency Determination Letters, Preliminary Concurrency Deficiency Letters, and Final Concurrency Deficiency Orders shall be issued by the School District pursuant to the *School Concurrency Implementation Procedures Manual*. The County shall not issue Initial and Final Certificates of Capacity until the School District issues its Concurrency Determination Letter, unless the project is exempt from school concurrency pursuant to the provisions of this Code. For school facilities, the necessary facilities to serve the residential development and maintain the adopted LOS shall be in place or under actual construction no later than three (3) years after the issuance of a Concurrency Capacity Letter.

1. De minimis and aggregation determinations shall be made by the School District. Projects that consist of less than the number of dwelling units required to generate one (1) student are de minimis. De minimis projects are those projects and aggregated projects, as

defined in the School District's *School Concurrency Implementation Procedures Manual*, that do not generate one (1) or more student(s).

2. In the event that there is not capacity available at the adopted LOS to serve projected student populations of a proposed development, the developer may elect to negotiate with the School District on proportionate-share mitigation options. The methodology used to calculate School Concurrency Proportionate Share Mitigation shall be adopted by the School District in the *School Concurrency Implementation Procedures Manual*.

3. Proportionate share mitigation options include, but are not limited to, the following:

    a. Contribution of land for an entire school site meeting the applicable School Siting Standards or adjacent to an existing school site; or

    b. Provision of additional permanent student stations through the donation of permanent buildings for use as a primary or alternative public school facility, provided that such buildings meet State Requirements for Educational Facilities (SREF) standards and provided that such student stations are not relocatable or other temporary classrooms; or

    c. Provision of additional permanent student stations through the renovation of existing buildings for use as public school facilities; or

    d. Construction of permanent student stations or core facilities; or

    e. Construction of a school in advance of the time set forth in the District Facilities Work Plan (DFWP); or

    f. Creation of mitigation banking based on the construction of a public school facility in exchange for the right to sell capacity created; or

    g. The contribution of funds or other financial or financing initiatives acceptable to the School District to ensure that the financial feasibility of the DFWP can be maintained by the implementation of the mitigation options; or

    h. Construction of a charter school that (1) provides permanent student stations, (2) is constructed in accordance with SREF standards, (3) limits admission to students residing within the County, and (4) includes provision for its continued existence; or

i. The contribution of funds or other financial or financing initiatives acceptable to the School District to ensure that infrastructure improvements to support a public school facility that are the obligation of the School District will be in place when necessary.

4. The foregoing proportionate-share mitigation options shall be implemented through a proportionate share mitigation agreement. The developer, School District, and the BCC shall all be parties to a proportionate share mitigation agreement. Final Certificates of Capacity shall not be issued in the interim.

5. Proportionate share payments or in lieu of payment improvements or contributions shall be applied as a credit against impact fees in accordance with the credit provisions of this Code. The portion of any proportionate share payment that is equivalent to the school impact fees due shall be considered a payment of school impact fees and shall be budgeted and expended in accordance with this Code. Any proportionate-share payments in excess of the school impact fees due shall be considered a concurrency proportionate share payment and shall be budgeted and expended in accordance with the School District's capital improvements schedule of the DFWP.

D. Transportation Facilities

1. For arterial and collector transportation facilities, the Certificate of Capacity determination shall be in accordance with one of the following provisions:

a. The facilities and services necessary to serve the project or project phase and maintain the adopted LOS standard will be (1) in place or under actual construction at the time of traffic study methodology approval or are scheduled by the County, Florida Department of Transportation (FDOT), or other transportation agency or authority to be in place or under actual construction during the fiscal year the traffic study methodology will be approved for those projects required to or electing to complete a traffic study pursuant to these regulations; or (2) in place or under actual construction at the time the Certificate of Capacity will be issued or are scheduled by the County, FDOT, or other transportation agency or authority to be in place or under actual construction during the fiscal year that the Certificate of Capacity will be issued, for those projects not required to or not electing to complete a traffic study pursuant to these regulations; or

b. The facilities necessary to serve the project or project phase and maintain the adopted LOS are guaranteed in an enforceable DA that includes the provisions of Rule 9J-5.0055(2)(a)1, 7, 8, Florida Administrative Code,

pursuant to Section 163.3220, Florida Statutes, or an agreement or Development Order issued pursuant to Chapter 380, Florida Statutes. The agreement must guarantee, through an enforceable Letter of Credit or other security instrument acceptable to the County, that the necessary facilities to serve the project or project phase and maintain the adopted LOS will be (1) in place or under actual construction at the time of the traffic study methodology approval or are scheduled by the County, FDOT, or other transportation agency or authority to be in place or under actual construction during the fiscal year the traffic study methodology will be approved, for those projects required to or electing to complete a traffic study pursuant to these regulations; or (2) in place at the time of issuance of the Certificate of Capacity or will be in place or under actual construction during the fiscal year that the Certificate of Capacity will be issued, for those projects not required to or not electing to complete a traffic study pursuant to these regulations; or

c. The project or project phase is determined to be de minimis pursuant to this Code, Section 1301.6.D.3; or

d. The project or project phase satisfies the proportionate share mitigation requirements of this Code, Section 1301.6.D.4, or Section 163.3180(12), Florida Statutes, for DRIs.

2. Establishment of TIS Procedures

All projects or project phases not considered de minimis pursuant to this Code, Section 1301.6.D.3 shall demonstrate compliance with the review standards of this Code, Section 1301.6.D through completion of a TIS. The BCC has adopted by Resolution No. 07-53, as amended, the technical procedures and standards governing the preparation of a TIS entitled "Guidelines and Review Fees for Traffic Impact Studies and Substandard Roads," which are consistent with these regulations (TIS Guidelines). All TIS performed to demonstrate compliance with the review standards of this Code, Section 1301.6.D shall be prepared in accordance with the TIS Guidelines; however, DRIs and Florida Quality Developments completing a transportation analysis in accordance with Chapter 380, Florida Statutes, shall comply only with those sections of the TIS Guidelines which the TIS Guidelines identify as applicable to DRIs (in addition to all requirements imposed pursuant to Chapter 380, Florida Statutes). The TIS shall analyze the transportation impact of the entire "project," as that term is defined in this Code, Section 1301.6.D.3.a.(4), including any interim uses within the project that generate traffic.

3. De Minimis Determinations

De minimis determination definitions.

For purposes of applying the de minimis determination rules in this Code, Sections 1301.6.D.3 and 1301.6.D.4 and the TIS requirements of this Code, Section 1301.6.D.2, the following definitions shall apply:

a. The term "direct connection" shall mean:

(1) Any project that is contiguous with and has a driveway connection with the regulated roadway;

(2) Any project having a primary or secondary access connection to any road where such access is within 1,000 feet travel distance from that connection to the regulated roadway;

(3) Any project having access connection(s) to any local road(s) where such connection(s) is/are more than 1,000 feet travel distance from the regulated roadway, and 100 percent of the development traffic (excluding travel on substandard roads) destined to the major road network (as defined in the TIS Guidelines) travels on local roads to the regulated roadway.

For purposes of this definition, the term "regulated roadway" shall be defined as a ninety (90) percent roadway, 110 percent roadway, hurricane evacuation roadway, or U.S. 19, as applicable to the threshold or rule utilizing the term "direct connection."

(4) The term "project" shall mean any development, parcel of land, lot, and tract; and any aggregation of contiguous or nearby (within one-quarter mile) developments, parcels, lots, or tracts that are (1) developed by the same or a related development or landowner or (2) developed as part of the same zoning plan, preliminary plan/preliminary site plan, plat, or other unified or common plan of development, as determined by the County Administrator or designee, consistent with the purpose and intent of these regulations. However, parcels of land, lots or tracts that (1) are exempt pursuant to this Code, Section 1401.3 or (2) were legally subdivided, or filed a complete application to legally subdivide, prior to June 4, 2004, and are not presently owned by a related developer or landowner shall not be aggregated as a single "project." For 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. If an applicant is in doubt as to whether a particular development, parcel of land, lot, or tract will be aggregated with another development, parcel, lot, or tract pursuant to this definition, the applicant may request a written determination from the County Administrator, or designee, in advance of filing an application for a Certificate of Capacity. Notwithstanding the foregoing, for DRIs and Florida Quality Developments, the scope of the "project" for purposes of a traffic study, mitigation and aggregation requirements shall be determined in accordance with applicable laws and policies administered by the Florida Department of Community Affairs (FDCA), or successor agency, Tampa Bay Regional Planning Council, and/or Pasco County. Specifically, where transportation review of an extension of a build-out date for a DRI or Florida Quality Development is required only by Pasco County, and the DRI or Florida Quality Development is not seeking credit for any prior transportation mitigation performed, the "project" shall be defined for traffic mitigation purposes (but not traffic study purposes) as only those portions of the DRI or Florida Quality Development that (1) have not received a Final Certificate of Capacity in accordance with this Code, Section 1301.5.C or (2) are not exempt pursuant to this Code, Section 1301.3.A or 1301.3.B.1.b.

b. State Law Requirements

Pursuant to Section 163.3180(6), Florida Statutes, a project impact is de minimis for transportation concurrency purposes if it would not affect more than one (1) percent of the maximum volume at the adopted LOS of the affected transportation facility. However, no project impact may be de minimis if the sum of existing roadway volumes and the projected volumes from approved projects on a transportation facility would exceed 110 percent of the maximum volume at the adopted LOS of the affected transportation facility or 100 percent of the capacity of the maximum volume at the adopted LOS standard for any affected designated hurricane evacuation route. Section 163.3180(6), Florida Statutes, further requires the County to maintain records to ensure that the de minimis criteria are not exceeded and submit such records annually with the updated CIE. The FDCA has recommended that the annual submission of de minimis records also include roadways where the sum of existing roadway volumes and the projected volumes from approved projects on the

transportation facility would exceed ninety (90) percent of the maximum volume at the adopted LOS. The foregoing requirements of Section 163.3180(6), Florida Statutes, are hereinafter referred to as the "State de minimis requirements." The County has elected to comply with the State de minimis requirements and develop thresholds for the requirement to complete traffic studies pursuant to this Code, Section 1301.6.D.2 through the following procedures.

c. Non-De Minimis Roadway List

The BCC shall adopt annually by resolution, with an effective date sometime between October 1 and December 31, a list of transportation facilities that are estimated, based on County estimates of existing roadway volumes and projected volumes from approved projects, to exceed (1) ninety (90) percent of the maximum volume at the adopted LOS of the facility (ninety [90] percent roadways), (2) 110 percent of the maximum volume at the adopted LOS of the facility (110 percent roadways), and (3) 100 percent of the maximum volume at the adopted LOS for designated hurricane evacuation routes (hurricane evacuation roadways). The annual list of ninety (90) percent roadways, 110 percent roadways, and hurricane evacuation roadways is hereinafter referred to as the "non-de minimis roadway list." Except as set forth in this Code, Section 1301.6.D.3.d.(4), the non-de minimis roadway list shall be used to determine whether a project applying for a Certificate of Capacity can be de minimis for transportation concurrency purposes, and for purposes of the requirement to complete a TIS. Until the BCC adopts a new annual non-de minimis roadway list, the most recently adopted non-de minimis roadway list shall be utilized for purposes of this determination.

d. De Minimis Determination

(1) A project shall be considered de minimis for purposes of the requirement to complete a TIS pursuant to this Code, Section 1301.6.D.2 and for transportation concurrency purposes if:

(a) The project is a single-family home on an existing lot; or

(b) The project does not exceed the thresholds set forth in Exhibit C to the TIS Guidelines entitled "Size of Development that Generates 1,200 Daily Driveway Trips" and does not have a direct connection to a roadway on the non-de minimis roadway list; or

(c) The project does not exceed the thresholds set forth in Exhibit B to the TIS Guidelines entitled "Size of Development that Generates 600 Daily Driveway Trips" and does not have a direct connection to a 110 percent roadway or hurricane evacuation roadway.

(2) A project shall be considered de minimis for purposes of the requirement to complete a TIS pursuant to this Code, Section 1301.6.D.2, but not for transportation concurrency purposes if the project does not exceed the thresholds set forth in Exhibit B to the TIS Guidelines entitled "Size of Development that Generates 600 Daily Driveway Trips," but does have a direct connection to a 110 percent roadway or hurricane evacuation roadway.

(3) The foregoing de minimis determination rules are illustrated in the following table:

	Roadway Capacity		
Daily Trips	≤90 Percent	>90 Percent (90 Percent ≤ 100 Percent for Hurricane Evacuation Roadway)	>110 Percent (or >100 Percent for Hurricane Evacuation Roadway)
≤600	Traffic Study De Minimis and Concurrency De Minimis	Traffic Study De Minimis and Concurrency De Minimis	Traffic Study De Minimis; not Concurrency De Minimis*[1]
>600≤1,200	Traffic Study De Minimis and Concurrency De Minimis	Not De Minimis*	Not De Minimis*
>1,200	Not De Minimis*	Not De Minimis*	Not De Minimis*
*Subject to optional de minimis determination in Section 1301.6.D.3.d.(4).			
[1]Does not include single-family home on an existing lot, which is concurrency de minimis.			

(4) Land uses that are not specifically listed on Exhibit B or C of the TIS Guidelines shall utilize the thresholds of the most similar land use listed on Exhibit B or C. If a similar land use is not listed on Exhibit B or C, then trip generation rates from the most recent edition of the *Institute of Transportation Engineers Trip Generation Manual* (*ITE Manual*) shall be used to determine whether the land use exceeds 600 daily driveway trips or 1,200 daily driveway trips, as applicable. If the 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 trip generation rates.

e. Optional De Minimis Determination

In general, de minimis determinations pursuant to this Code, Section 1301.6.D.3.d shall be made based on the non-de minimis roadway list, Exhibits B and C to the TIS Guidelines, and, where applicable, the *ITE Manual*. However, any applicant for a Certificate of Capacity or the County may elect to demonstrate, through a technical transportation analysis, one (1) or more of the following:

(1) That the roadway or roadways to which the project has direct connections are not ninety (90) percent roadways, 110 percent roadways, or hurricane evacuation roadways, as applicable;

(2) That the project does not generate 600 or 1,200 daily driveway trips, as applicable; or

(3) That the project would not affect more than one (1) percent of the maximum volume at the adopted LOS of the affected transportation facilities.

The technical transportation analysis performed by an applicant to make one (1) or more of these demonstrations shall be in accordance with the de minimis determination requirements and review fees of the TIS Guidelines. If the County Administrator, or designee, determines that the applicant or County has adequately demonstrated this Code, Section 1301.6.D.3.d.(1)(a), (b), or (c) above, the de minimis determination rules set forth in this Code, Section 1301.6.D.3.d shall be applied to make the de minimis determination; however, the demonstration of this Code, Section 1301.6.D.3.d.(1)(a) shall be used in lieu of the non-de minimis roadway list, the demonstration of this Code, Section 1301.6.D.3.d.(1)(b) shall be used in lieu of Exhibit B or Exhibit C to the TIS Guidelines or the *ITE Manual*, as applicable, and the demonstration of this Code, Section 1301.6.D.3.d.(1)(3) shall be considered a determination that the project is de minimis for both transportation concurrency purposes and TIS purposes, unless the project has a direct connection to a 110 percent roadway or hurricane evacuation roadway, in which case, the

project shall be considered de minimis for TIS purposes only.

f. Effect of De Minimis Determination

All projects not considered de minimis for traffic study and transportation concurrency purposes pursuant to this Code, Section 1301.6.D.3.d or 1301.6.D.3.d.(4) shall be required to complete a TIS pursuant to this Code, Section 1301.6.D.2 and shall be required to demonstrate compliance with this Code, Section 1301.6.D.1.d, 1301.6.D.1.b, or 1301.6.D.1.d. All projects considered de minimis for TIS purposes, but not for transportation concurrency purposes, pursuant to this Code, Section 1301.6.D.3.d or 1301.6.D.3.d.(4), shall not be required to complete a TIS pursuant to this Code, Section 1301.6.D.2, but shall be required to demonstrate compliance with this Code, Section 1301.6.D.1.d; however, such projects may elect to complete a TIS and demonstrate compliance with this Code, Section 1301.6.D.1.a, 1301.6.D.1.b, or 1301.6.D.1.d. All projects, regardless of their de minimis status, shall be required to comply with all other Certificate of Capacity requirements in these regulations, unless exempt pursuant to this Code, Section 1301.3. All projects, regardless of their de minimis status, shall also be required to comply with all nonconcurrency transportation requirements of this Code and TIS Guidelines including, but not limited to, regulations and requirements relating to access management and substandard roads, unless such projects are exempt pursuant to such regulations.

g. De Minimis Reporting

The County shall utilize the lists, data, determinations, and analysis required by this Code, Section 1301.6.D.3.d to submit records annually in accordance with the state de minimis requirements.

4. Mitigation of Transportation Impacts

The options below are identified as options for the possible mitigation of arterial and collector transportation facility LOS transportation impacts; however, the final mitigation required for any development will be subject to approval by the County Administrator or designee, DRC, and/or BCC, as applicable to the Initial or Final Certificate of Capacity being reviewed. Procedures to further establish how each of the mitigation options below will be demonstrated shall be included in the TIS Guidelines.

a. Restoration of adopted LOS standard. The developer may identify and implement an improvement that restores LOS to

the adopted standard for the "future year with development traffic" (as described in the TIS Guidelines) condition and consistent with the requirements of this Code, Section 1301.6.D.1.a or 1301.6.D.1.b.

b. Proportionate share mitigation. Subject to the requirements set forth below, proportionate share mitigation shall be available to all developments in the unincorporated County that have identified or have been notified of a lack of capacity to satisfy transportation concurrency on a transportation facility, including transportation facilities maintained by FDOT or another jurisdiction that are examined for concurrency determinations. Proportionate share mitigation does not apply to DRIs using "proportionate share" pursuant to Section 163.3180(12), Florida Statutes.

(1) An applicant may choose to satisfy the transportation concurrency requirements of the County by making a proportionate share contribution, if the five-year schedule of capital improvements in the County CIE, or the long-term schedule of capital improvements for an adopted long-term concurrency management system, includes fully funded transportation improvements that upon completion will restore the adopted LOS.

(2) The County may choose to allow an applicant to satisfy transportation concurrency through a proportionate share contribution for an improvement or improvements that upon completion will restore the adopted LOS, but are not contained in the five (5) year schedule of capital improvements in the County CIE; or a long-term schedule of capital improvements for an adopted long-term concurrency management system, if the County commits to add the improvements necessary to restore the adopted LOS to the five (5) year schedule of capital improvements in the CIE; or long-term schedule of capital improvements for an adopted long-term concurrency management system, no later than the next regularly scheduled update of the CIE. To qualify for consideration under this section, the proposed improvement(s) must be reviewed by the County and determined to be financially feasible pursuant to Sections 163.3164 and 163.3180, Florida Statutes, and consistent with the Comprehensive Plan and these regulations.

(3) The County may choose to allow an applicant to satisfy transportation concurrency by entering into a binding agreement with the applicant authorizing construction of that amount of development on which the

proportionate share contribution is calculated, provided that (1) the proportionate share amount is sufficient to pay for one (1) or more improvements which will, in the opinion of the governmental entity or entities maintaining the transportation facilities, significantly benefit the impacted transportation system, and (2) such improvement or improvements funded by the proportionate fair share amount are adopted by the County into the five (5) year CIE or the long-term schedule of capital improvements for an adopted long-term concurrency management system, at the next regularly scheduled update of the CIE. The funding of any improvements that significantly benefit the impacted transportation system satisfies concurrency requirements as a mitigation of the development's impact upon the overall transportation system even if there remains a failure of concurrency on other impacted facilities. However, to qualify for consideration under this section, the proposed improvement(s) and cures for concurrency failures on other impacted facilities must be reviewed by the County and determined to be financially feasible pursuant to Sections 163.3164 and 163.3180, Florida Statutes, and consistent with the Comprehensive Plan and these regulations.

c. Pursuant to Section 163.3180(16)(e), Florida Statutes, proposed proportionate share mitigation for development impacts to facilities on the strategic intermodal transportation system requires the concurrence of the FDOT. The applicant shall submit evidence of an agreement between the applicant and the FDOT for inclusion with the Certificate of Capacity or Initial or Final Certificate of Capacity Development Order.

d. Pursuant to Chapter 163.3180(16)(c), Florida Statutes, proportionate-share mitigation for concurrency impacts may include, without limitation, separately or collectively, private funds, contributions of land, and construction and contribution of facilities and may include public funds as determined by the County. Proportionate share mitigation may be directed toward one (1) or more specific transportation improvements reasonably related to the mobility demands created by the development, and such improvements may address one (1) or more modes of travel. The form of proportionate share mitigation required for any development will be subject to approval by the County Administrator or designee, DRC, and/or BCC, as applicable to the Initial or Final Certificate of Capacity Development Order being reviewed; however, where an applicant is allowed to make a proportionate share contribution pursuant to this Code, Section 1301.6.D.4.b.(1),

such applicant shall have the right to pay private funds to satisfy the transportation concurrency obligation.

e. Pursuant to Chapter 163.3180(16)(c), Florida Statutes, for purposes of meeting its concurrency obligations, a development shall not be required to pay more than its proportionate share, nor shall the fair market value of the proportionate share mitigation for the impacted facilities differ regardless of the method of mitigation. Proportionate share mitigation shall be limited to ensure that a development meeting the requirements of this section mitigates its impact on the transportation system but is not responsible for the additional cost of reducing or eliminating backlogs. The methodology for calculating an applicant's proportionate-share obligation set forth below does not require a development to mitigate more than its impact on the transportation system and does not assess for the additional cost of reducing or eliminating backlog. The requirements of this paragraph shall not apply when proportionate share mitigation is at the County's option pursuant to this Code Sections 1301.6.D.4.b.(2) and 1301.6.D.4.b.(3). In addition the requirements of this paragraph shall not be interpreted to apply to or limit in any way other nonconcurrency County regulations or mitigation designed to make adequate provision for transportation related facilities, including, but not limited to, regulations and mitigation related to TIFs, transportation corridor management, access management, transit infrastructure, and substandard roads.

f. The methodology used to calculate an applicant's proportionate share obligation shall be as provided for in Section 163.3180(12), Florida Statutes, as follows:

"The cumulative number of trips from the proposed development expected to reach roadways during peak hours from the complete build-out of a stage or phase being approved, divided by the change in the peak hour maximum service volume (MSV) of roadways resulting from construction of an improvement necessary to maintain the adopted LOS, multiplied by the construction cost, at the time of developer payment, of the improvement necessary to maintain the adopted LOS."

Or

Proportionate share = $\Sigma[[(\text{Development Trips}_i)/(\text{SV Increase}_i)] \text{ X Cost}_i]$

Where:

Development $Trips_i$ = The accumulative trips from a development that will arrive on a road segment at the build-out of the stage or phase of development under review.

SV $Increase_i$ = Service volume increase provided by the eligible improvement to roadway segment "$_i$" per Section E;

$Cost_i$ = Adjusted cost of the improvement to segment "$_i$". Cost shall include all improvements and associated costs, such as design, right-of-way acquisition, planning, engineering, inspection, and physical development costs directly associated with construction at the anticipated cost in the year it will be incurred.

(1) "Development trips," "SV increase," and "cost" shall be calculated in accordance with the TIS Guidelines.

(2) Except where the conditions of a Certificate of Capacity provide otherwise, proportionate share, once computed, shall be adjusted to the time it is paid or provided by the cost indexing rates and procedures in the County's TIF Ordinance, if paid or provided more than ninety (90) days after the issuance of the Certificate of Capacity.

(3) If the County has chosen to accept any form of proportionate-share payment other than cash, such as an improvement project or right-of-way dedication proposed by the applicant, then the value of the improvement or right-of-way shall be determined consistent with the procedures of the County's TIF Ordinance.

(4) Notwithstanding the foregoing, the County may allow limited exemption projects as defined in this Code, Section 1301.4, to pay impact fees pursuant to the County's TIF Ordinance as the project's proportionate-share contribution. In addition, projects that are de minimis for traffic study purposes, but not concurrency purposes pursuant to this Code, Section 1301.6.D, may pay (1) generally applicable impact fees pursuant to this Code as the project's proportionate share contribution, if such project is a land use whose adopted transportation impact fee was calculated by the Fishkind & Associates Economic Study, or (2) the "option 1 full fee," as set forth in the County TIF Schedule and indexed to the fiscal year of payment by the adopted construction and right-of-way

indices in this Code (hereinafter defined as the "option 1 full fee"), as the project's proportionate share contribution, if such project is a land use whose adopted TIF was calculated by the Tindale-Oliver & Associates, Inc., Study. For projects that are not de minimis for traffic study purposes, but do not exceed 1,200 daily driveway trips pursuant to this Code, Section 1301.6.D, the proportionate share calculated using the formula set forth above shall not exceed the option 1 full fee for the entitlements that are included in the traffic study; for purposes of calculating this maximum proportionate share, the option 1 full fee shall be indexed to the build-out date assumed in the traffic study.

g. Proportionate share payments or in lieu of payment improvements or contributions shall be applied as a credit against impact fees in accordance with the credit provisions of the County's TIF Ordinance. The portion of any proportionate share payment that is equivalent to the generally applicable impact fees due under this Code shall be considered a payment of TIFs and shall be budgeted and expended in accordance with this Code. Any proportionate share payments in excess of the generally applicable impact fees due under this Code shall be considered a concurrency proportionate share payment and shall be budgeted and expended in accordance with this Code, Section 1301.6.D.4.i. For projects entitled to, or electing to, pay the option 1 full fee as the project's proportionate share contribution, only the portion of the option 1 full fee in excess of the generally applicable TIFs due shall be considered a concurrency proportionate share payment. Because concurrency proportionate share payments/mitigation guarantee transportation concurrency capacity for a particular parcel of real property, proportionate share credit(s) are not transferable outside the project for which the Certificate of Capacity has been issued. Impact fee credits may be transferred in accordance with the County's TIF Ordinance.

h. Completion of the proportionate share obligation; e.g., cash payment, posting of improvement performance guarantees, dedication of right-of-way, etc., shall be in accordance with the time periods and conditions of the Certificate of Capacity and/or Initial or Final Certificate of Capacity; and in the absence of any such time periods or conditions, shall be completed prior to the issuance of the Final Certificate of Capacity. Proportionate share payments or mitigation, once made, constitute a commitment for transportation capacity for the duration set forth in these regulations and are, therefore, nonrefundable. If the payment or mitigation is submitted or

provided more than ninety (90) days from the date of acceptance, then the proportionate-share cost shall be recalculated pursuant to this Code, Section 1301.6.D.4.f.(2).

i. Proportionate fair share revenues shall be placed in the appropriate project account for funding in the CIE of one (1) or more of the improvements from which the proportionate share payment was derived. At the discretion of the County, proportionate share revenues may be used for operational improvements prior to construction of the CIE capacity project(s) for which the proportionate share payment was intended. Proportionate share revenues may also be used as the fifty (50) percent local match for funding under the FDOT Transportation Regional Incentive Program. In the event a scheduled facility improvement is removed from the CIE, then the revenues collected for its construction may be applied toward the construction of another improvement within that same corridor or sector that would mitigate the impacts of the development. The County may not collect proportionate share payments for a single improvement that exceed the actual cost of such improvement. However, the County may use proportionate share revenues to reallocate surplus, nonproportionate share revenues previously committed to a proportionate share improvement.

Notwithstanding the foregoing, all fees or payments collected by the County pursuant to Ordinance No. 04-07 (the U.S. 19 Fair Share Fee), or proportionate share payments collected from any project with a direct connection to U.S. 19, shall be deposited in the U.S. 19 redevelopment/ concurrency fund. The fees and payments deposited into the U.S. 19 redevelopment/concurrency fund shall be earmarked and expended solely for (1) capacity, mobility, and safety improvements, including all necessary design, right-of-way acquisition, and construction costs, for U.S. 19; and (2) costs associated with the development and implementation of an urban infill and redevelopment plan for the West Market Area.

j. Where an applicant constructs a transportation facility that exceeds the applicant's proportionate share obligation (and the exceedance is not the result of underestimated improvement costs), and the applicant is allowed to make a proportionate share contribution pursuant to this Code, Section 1301.6.D.(4).b, the County shall reimburse the applicant for the excess contribution using one (1) or more of the following methods:

(1) An impact fee credit account may be established for the applicant in the amount of the excess contribution, a portion or all of which may be assigned and

reassigned under the terms and conditions acceptable to the County.

(2) An account may be established for the applicant for the purpose of reimbursing the applicant for the excess contribution with proportionate share payments from future applicants on the facility.

(3) The County may reimburse the applicant for the excess contribution through payment or some combination of means acceptable to the County and the applicant.

k. (1) Pursuant to this Code, Section 1301.6.D.2 projects which are contemplated to be phased are required, through the traffic study, to analyze the transportation impact of the full anticipated development levels of the entire project and establish a proportionate share amount for the entire project, if a proportionate share payment is allowed pursuant to this Code, Section 1301.6.D.4. If the applicant is seeking an Initial Certificate of Capacity for a phased project, the County may allow the proportionate share mitigation requirement for each phase of the project to be prorated in proportion to the magnitude of the net external peak hour trips generated by that phase if such proration is consistent with the requirements of this Code, Section 1301.6.D.4. Consistent with Future Land Use (FLU) Policy 1.8.10 of the Comprehensive Plan, project phasing and proportionate share proration shall not overly burden present and future high paying, employment generating land uses, such as office, industrial, and employment centers. If a Final Certificate of Capacity for only the initial phase or phases is secured, then payment or construction of needed improvements associated with the initial phase(s) only will be required, unless the conditions of the Initial Certificate of Capacity or Initial Certificate of Capacity require an earlier payment or construction for subsequent phases to satisfy the requirements of this Code, Section 1301.6.D.4 or Policy 1.8.10 of the Comprehensive Plan. If the County allows the proportionate share mitigation to be prorated by phase and earlier payment or construction for subsequent phases is not required, the traffic study and Initial Certificate of Capacity will remain valid for the subsequent phases through the build-out date of the traffic study, but the mitigation requirement for each phase will be indexed to the year in which the mitigation improvements or payments are made, using the indexing procedures of this Code.

(2) If the Initial Certificate of Capacity for a project is subject to additional review, expires, or is revoked, an updated traffic study will be required for the entire project as a part of any individual subsequent phase transportation concurrency review. However, if a proportionate share payment is again allowed pursuant to this Code, Section 1301.6.D.4, the mitigation requirement for those phases that have not received a Final Certificate of Capacity shall be established by calculating the proportionate share amount for the entire project, as updated through the traffic study, and then reducing such amount by the value of the proportionate share or impact fee mitigation already provided by the project, indexed to current value using the indexing procedures of the County's TIF Ordinance. The difference may then be allocated to the remaining phases that have not received a Final Certificate of Capacity in proportion to the net external trips generated by each remaining phase, if such proration is consistent with the requirements of this Code, Section 1301.6.D.4. Notwithstanding the foregoing, the County, Tampa Bay Regional Planning Council, and/or FDCA or successor, as applicable, may agree to an alternate method of addressing traffic study requirements and mitigation for phased DRIs and Florida Quality Developments. Specifically, where transportation review of an extension of a build-out date for a DRI or Florida Quality Development is required only by the County, the DRI or Florida Quality Development may elect to either (1) seek credit for any prior transportation mitigation performed in accordance with the mitigation requirements set forth above, or (2) not seek credit for any prior transportation mitigation performed, in which case the transportation mitigation requirements (but not the traffic study area) shall be only for those portions of the DRI or Florida Quality Development that (1) have not received a Final Certificate of Capacity in accordance with this Code, Section 1301.5.C.2, or (2) are not exempt pursuant to this Code, Section 1301.3.A or 1301.3.B.2. In addition, where transportation review of an extension of a build-out date for a DRI or Florida Quality Development is required only by the County, the DRI or Florida Quality Development may elect to (1) complete the required traffic study in accordance with all the requirements of the TIS Guidelines, or (2) complete the required traffic study in accordance with the requirements of Chapter 380, Florida Statutes, and only those sections

of the TIS Guidelines which the TIS Guidelines identify as applicable to DRIs.

(3) For purposes of this subsection, the term "project" shall be as defined in this Code, Section 1301.6.D.3.a.(4).

1301.7. **Concurrency Extensions**

A. Concurrency extensions without additional review or mitigation. Consistent with the one (1) year extension (from December 1, 2007, to December 1, 2008) that the State Legislature granted local governments to adopt a financially feasible CIE, BCC hereby grants a one (1) year extension to the expiration date of all concurrency Certificates of Capacity, Certificates of LOS Compliance, and concurrency exemption periods for all projects in the County that did not receive a concurrency extension of one (1) or longer from the DRC or the BCC after December 1, 2006. This one (1) year extension shall commence on the expiration date of the Certificate of Capacity, Certificate of LOS compliance, or concurrency exemption period, and terminate one (1) year from such date, regardless of the date that the extension is requested or adopted. Notwithstanding any provision of this section or any Development Order or development approval condition to the contrary, this one (1) year extension does not require any additional concurrency review, analysis, or mitigation and applies to all concurrency public facilities. In the event that the FDCA or a court of competent jurisdiction makes a final determination (which is not appealed) that certain DRIs are entitled to a concurrency extension of longer than one (1) year, the longer concurrency extension period shall replace the one (1) year extension period set forth above and shall not be in addition to the one (1) year extension. The BCC may adopt additional concurrency extensions and concurrency extension criteria by resolution. Unless otherwise required by State law for DRIs, the extension granted pursuant to this subsection shall be implemented by the County Administrator or designee as an administrative amendment to the Certificate of Capacity, Certificate of LOS compliance, Development Order approval containing the expiration date, and does not require any additional approval by the DRC or BCC. The County may charge an administrative processing fee for the implementation of extensions granted pursuant to this subsection, which shall be established by resolution.

B. Optional procedure for transportation concurrency extensions. In lieu of the procedures for obtaining an extension of transportation concurrency expiration dates or exemption periods set forth in this section, any project may elect to obtain an extension of its transportation concurrency expiration date or exemption period by agreeing, as a Certificate of Capacity, Development Order, or development approval condition, to pay the option 1 full fee TIF at the time that TIF are due in accordance with the County's TIF regulations. This optional procedure is not required for extensions granted pursuant to this Code, Section 1301.8.A. If a project elects this optional procedure for a transportation concurrency extension, the election shall eliminate the applicability of any provision of this section and any Certificate of Capacity, Development Order, or development approval condition that is

inconsistent with this optional procedure, including specifically any requirements for additional traffic study or traffic analysis at the expiration of the build-out date for the project. However, such election shall not eliminate any traffic study or traffic analysis requirements that may be required by State law for DRIs. The imposition of a condition requiring payment of the option 1 full fee and the project's compliance with such condition shall satisfy the project's transportation concurrency requirements until (1) such time that the BCC or State Legislature adopts an area-wide, Countywide, or Statewide transportation concurrency fee, or mobility fee; (2) three (3) years from the date that the amended Certificate of Capacity, Development Order, or development approval containing the condition is approved; or (3) a specific date approved by the BCC or DRC, whichever occurs later. Unless otherwise required by State law for DRIs, any extension granted pursuant to this subsection shall be implemented by the County Administrator or designee as an administrative amendment to the Certificate of Capacity, Certificate of LOS Compliance, Development Order, or development approval containing the expiration date and does not require any additional approval by the DRC or BCC. The County may charge an administrative processing fee for the implementation of extensions granted pursuant to this subsection, which shall be established by resolution.

1301.8. Relief for any provision of this section that is not based on a minimum standard of State law or the Comprehensive Plan may be requested pursuant to the requirements of this Code, Section 407.4. Proposed requests to school facilities concurrency requirements shall also be submitted to the School District for review and recommendation prior to being heard by the DRC. Disagreements between the School District and the County regarding the granting of relief for school facilities concurrency requirements shall be subject to Chapter 164, Florida Statutes, and shall be initiated by the School District within thirty (30) days of the written decision of the DRC. If the School District has timely initiated the Chapter 164, Florida Statutes, process, the relief shall not be effective until the Chapter 164, Florida Statutes, process is complete and any appeals exhausted.

1301.9. **Appeals, Vested Rights, and Appeals of Exemption Denials**

Any determination made pursuant to this section may be appealed in accordance with this Code including, but not limited to, Certificate of Capacity determinations, de minimis determinations for transportation concurrency, determination related to proportionate share, and determinations related to exemptions and limited exemptions. Notwithstanding the foregoing, appeals of technical issues addressed in the TIS Guidelines shall be addressed in accordance with the appeal procedures of the TIS Guidelines. Further, notwithstanding the foregoing, de minimis and aggregation determinations for school concurrency, and School Concurrency Determination, Preliminary Concurrency Deficiency Letters and Final Concurrency Deficiency Orders may be appealed to the School District pursuant to Chapter 120, Florida Statutes, and the *School Concurrency Implementation Procedures Manual*. Proposed vested rights determinations and appeals of exemption denials relating to school facilities concurrency requirements shall also be submitted to the School District for review and recommendation prior to being heard by the BCC. Disagreements between the School District and the County regarding the BCC's

granting of a vested right or exemption relating to school facilities concurrency requirements shall be subject to Chapter 164, Florida Statutes, and shall be initiated by the School District within (30) days of the written decision of the BCC. If the School District has timely initiated the Chapter 164, Florida Statutes, process, the vested rights determination or exemption shall not be effective until the Chapter 164, Florida Statutes, process is complete and any appeals exhausted.

CHAPTER 1300. CONCURRENCY AND MOBILITY/IMPACT FEES

SECTION 1302. MOBILITY AND IMPACT FEES

1302.1. Uniform Procedures and Provisions

A. Legislative Findings and Intent

1. This section is intended to implement and be consistent with the Comprehensive Plan and is intended to be consistent with Section 163.31801, Florida Statutes (the Florida Impact Fee Act).

2. It is the further intent of this section that new development pay for its fair share of the cost of capital improvements required to accommodate new development through the imposition of impact and mitigation fees that will be used to finance, defray, or reimburse all or a portion of the costs incurred by the County to construct or acquire capital improvements to accommodate that new development.

3. It is also the intent of this chapter to be consistent with the principles for allocating a fair share of the cost of new capital improvements to new users as established by the Florida Supreme Court and the District Courts of Appeal of Florida in the case of *Contractors and Builders Association of Pinellas County v. City of Dunedin*, 329 So.2d 314 (Fla. 1976), and other cases. This is accomplished by ensuring new development does not pay more than its proportionate share of the cost of these capital improvements; ensuring such proportionate share does not exceed the cost incurred by the County for such capital improvements to accommodate new development; and ensuring that new development receives sufficient benefit from the funds collected in the form of such capital improvements.

4. It is the further intent of this section to establish a system for the efficient and coordinated administration of mobility, impact, and mitigation fees authorized by this section, including the consistent administration of payments, expenditures, appeals, offsets, credits, refunds, and reviews of independent impact analysis.

5. It is not the intent of this chapter to collect any mobility, impact, and mitigation fees from any new development in excess of the actual amount necessary to offset new demands for capital improvements.

6. It is not the intent of this chapter that any monies collected from any mobility, impact, or mitigation fees deposited in a fee account ever be commingled with monies from a different fee account, ever be used for a type of capital improvement or equipment different from that for which the fees are paid, or ever be used to operated, repair, or maintain existing capital improvements.

B. Mobility, Impact, and Mitigation Fees Adopted

1. School Impact Fees (Effective February 28, 2001)

At the request of the Pasco County District School Board (School Board), the County adopts school impact fees. The County, by the adoption of this section, does not intend to explicitly or implicitly assume any portion of the responsibilities of the School Board and the State to provide for the school system, but only seeks to supplement funding of those growth-related capital improvements which have not been provided for by the State.

2. Mobility Fees (Effective July 20, 2011)

The County adopts mobility fees to assist in providing increased capacity for the transportation system to accommodate the increased demand development activity will have on the transportation system.

3. Water and Wastewater Service Impact Fees (Effective April 27, 1999)

The County adopts water and wastewater service impact fees in order to assist the County in attempting to maintain existing levels of water and wastewater service and to avoid future deficiencies in service.

4. Park and Recreation Impact Fees (Effective January 29, 2002)

The County adopts park and recreation impact fees in order to defray all or a portion of the parks and recreation facilities required to accommodate the impact on those facilities imposed by new residential construction.

5. Library Impact Fees (Effective September 4, 2002)

The County adopts library impact fees in order to defray all or a portion of the library facilities required to accommodate the impact on those facilities imposed by new residential construction.

6. Fire Combat and Rescue Service Impact Fees (Effective January 21, 2004)

The County adopts fire combat and rescue service impact fees in order to defray all or a portion of the costs of the fire combat and rescue service facilities and equipment required to accommodate the impact on that system imposed by new building construction.

7. Hurricane Preparedness Mitigation Fees (Effective September 21, 2004)

The County adopts hurricane preparedness mitigation fees to address the impacts created by new development on hurricane shelter availability and evacuation capability in the County.

C. General Provisions

1. This section shall not invalidate the provisions of any development order or development approval requiring the developer to contribute property as a part of the development approval process, unless the development order or development approval is specifically amended or modified by the Board of County Commissioners (BCC). The donation of land, recording of a plat, or other development approval prior to the effective date of an individual mobility, impact, or mitigation fee or any amendment, adjustment, or modification thereto shall not exempt or vest any person from the provisions of this section or any amendment thereto unless such person is exempt pursuant to the terms of this section.

2. Effect of payment of mobility, impact, or mitigation fees on other applicable County and/or city land development regulations:

   a. The payment of mobility, impact, or mitigation fees shall not entitle the applicant to a Building Permit, Certificate of Occupancy (CO), or a final inspection as such other requirements, standards, and conditions are independent of the requirements for payment of an impact fee.

   b. Neither these procedures nor this section shall affect, in any manner, the permissible use of property, density/intensity of development, design and improvement standards, or other applicable standards or requirements of the Comprehensive Plan, this Code, the Pasco County Code of Ordinances, and the codes and ordinances of the municipalities in the County which shall be operative and remain in full force and effect without limitation.

3. The payment of a mobility, impact, or mitigation fee shall be in addition to all other fees, charges, or assessments due for the issuance of a Building Permit, CO, and a final inspection.

4. Where an impact fee, mobility fee, or mitigation fee is imposed, the fee shall be paid or it is a violation of this Code. The obligation for payment of mobility and impact fees shall run with the land.

D. Reductions of Mobility Fees and Waivers of School Impact Fees

Mobility fees may be reduced and school impact fees waived on new residential construction within communities and subdivisions providing housing for persons who are fifty-five (55) years of age or older. The reduced mobility fee is referred to as the "age restricted" rate in the mobility fee schedule. New residential construction within communities and subdivisions meeting the requirements of 42 U.S.C. § 3607 and Florida Statutes will not be presumed to be entitled to a reduction or a waiver. The County has created

the following procedures in order for the mobility fee reduction and/or school impact fee waiver to be granted:

1. The County shall be informed at the time of platting that such community or subdivision is intended to provide housing for persons who are fifty-five (55) years of age or older.

2. Communitywide covenants and restrictions in compliance with Form 1302.1-A of this section incorporated herein, providing that no one under the age of twenty-two (22) is permitted to permanently reside within the community must be adopted, recorded, and submitted to the County.

3. Prior to the issuance of a CO or where a CO is not required prior to the final inspection, a copy of a recorded deed containing the age restrictive language as provided in Form 1302.1-B of this section and incorporated herein shall be produced to the County in lieu of payment of the full mobility fee and/or the school impact fee.

   However, where a breach or dissolution of such a restrictive covenant occurs or the community that the waived dwelling units are located within ceases to be a fifty-five (55) and older community, the full mobility fee and school impact fee shall be due pursuant to the fee schedules in place at the time that the breach or dissolution occurs. However, no mobility fee and/or school impact fees shall be due during the term of any litigation between the homeowners' association or similar entity responsible for the enforcement of the communitywide covenants and restrictions described in this section and a unit/property owner for the enforcement of the restriction on permanent occupancy by persons under twenty-two (22) years of age.

E. Independent Fee Calculations

The following shall apply to all fees except for mobility fees and hurricane preparedness mitigation fees:

1. Applicant Fee Study. If an applicant opts not to have an impact fee determined according to the applicable impact fee schedule(s), then the applicant shall prepare and submit to the County Administrator or designee an independent fee calculation study for the new construction for which a Building Permit(s) is sought for each impact fee schedule challenged.

2. The independent fee calculation study shall follow the prescribed methodologies and formats used in the study as adopted by the County, as may be amended, that is relied upon by the County in the challenged fee schedule.

3. The proposed independent fee calculation study shall be submitted to the County Administrator or designee who shall, after consultation and

review of the independent fee study with any consultant if one has been retained, mail a written determination to the applicant within sixty (60) calendar days of a completed submittal as to whether such calculation complies with the prescribed methodologies and formats. A CO shall not be issued or final inspection conducted in the interim.

4. The County Administrator or designee shall consider the documentation submitted by the applicant, but is not required to accept such documentation if it is deemed to be incomplete, inaccurate, or unreliable. The County Administrator or designee may, in the alternative, require the applicant to submit additional or different documentation for consideration.

5. If the independent fee calculation study is determined to be acceptable by the County Administrator or designee then the applicant shall pay the independent fee calculation impact fee amount in lieu of an amount based upon the challenged impact fee schedule.

6. If the independent fee calculation study is determined to be unacceptable, then the independent fee calculation shall be rejected. Such rejection shall be in writing and set forth the reasons for the rejection and shall be provided to the applicant by certified mail. The applicant shall pay an impact fee based upon the impact fee schedule in effect at the time of rejection.

7. The applicant shall have thirty (30) calendar days from the receipt of written notification of rejection to request a hearing pursuant to this Code. A CO shall not be issued or a final inspection conducted in the interim.

F. Credits

The following shall apply to all park, school, and library impact fees. Any credit information for mobility fees, fire combat and rescue service impact fees, hurricane preparedness mitigation fees, and water and wastewater service impact fees is located in the individual section:

1. Any applicant or successor in interest that donates land or a facility may be entitled to a credit against the impact fees due provided:

   a. The costs of such site or facility have been included in the applicable impact fee study; or

   b. The land donated or facility provided is determined by the County Administrator or designee to be a reasonable substitute for the impact fee due. For a school site or school facility donation, the Superintendent shall determine whether the donation is a reasonable substitute for the school impact fee due.

2. The credit shall be granted at such time as the land or facility, which is the subject of the donation, has been conveyed to and accepted by the County or School Board. The credit shall be granted in the name of the person conveying the land or facility. No CO shall be issued or, where a CO is not required, any final inspections conducted until such property is conveyed. To convey land, the following provisions shall be met, at no cost to the County or School Board, and all documents shall be in a form approved by the County or School Board attorney:

   a. The delivery of a complete and current abstract of title or a title insurance commitment to insure the said property for the amount equal to the value of the credit;

   b. The delivery of a deed, in appropriate form, with sufficient funds for recording same based upon the agreed value of the property;

   c. The payment of taxes for the current year through the time of conveyance pursuant to Chapter 196, Florida Statutes;

   d. The issuance of a title insurance policy subsequent to the recording of the deed and escrow of taxes; and

   e. Any and all other documents reasonably required by the County or School Board attorney.

3. The value of the credit shall be calculated as follows:

   a. If the land was donated, the value of the credit shall be based upon the value of the donated property at the time of conveyance. The method of determining the value of the donated land shall be in accordance with this section.

      (1) If the value of the donated land is less than or equal to the land portion of the impact fee on a per dwelling unit basis, then the land portion of the impact fee shall not be due for those approved dwelling units whose land impact was mitigated by the land donated as determined by the County Administrator or designee. However, the facilities portion of the impact fee would still be due.

      (2) If the value of the donated land is greater than the land portion of the impact fee on a per dwelling unit basis, then the land portion of the impact fee shall not be due for those approved dwelling units whose land impact was mitigated by the land donated as determined by the County Administrator or designee. The excess value of the dedicated land shall become a credit that is transferable as provided for in this section.

However, these dwelling units are still required to pay the facilities portion of the impact fee.

b. The amount of a credit for facilities or equipment shall be established in a written agreement between the person donating the facilities or equipment and the BCC.

(1) If the value of the donated facility is less than or equal to the facility portion of the impact fee on a per dwelling unit basis, then the facility portion of the impact fee shall not be due for those approved dwelling units whose facility impact was mitigated by the facility donated as determined by the County Administrator or designee. However, these dwelling units are still required to pay the land portion of the impact fee.

(2) If the value of the donated facility is greater than the facility portion of the impact fee on a per dwelling unit basis, then the facility portion of the impact fee shall not be due for those approved dwelling units whose facility impact was mitigated by the facility donated as determined by the County Administrator or designee. The excess value of the donated facility shall become a credit that is transferable as provided for in this section. However, these dwelling units are still required to pay the land portion of the impact fee.

4. Requests for credits shall be submitted to the County Administrator or designee. The request for a credit shall be accompanied by relevant documentary evidence establishing the eligibility of the applicant for the credit.

5. Credits for donations of land and/or the provision of school facilities, where such land or facilities are located within the boundaries of the cities, shall not occur without the formal approval of the Superintendent and the County Administrator or designee.

6. Transferable credits may be sold, assigned, or conveyed to another person or transferred to another project of the applicant. Unless a longer period is specifically authorized by the BCC, transferable credits must be used within eight (8) years of the date created. The creation date is the date the credits were approved by the County Administrator or designee. Impact fee credits not used within eight (8) years of the date of creation will be void. 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.

7. Unused credits shall not be refunded.

G. Government Acquisition Credit

1. Program Established

a. If the County, or another entity with eminent domain authority, acquires land by condemnation, by threat of condemnation, or otherwise purchases land with a building or structure located thereon that existed on or after the original effective date of an impact fee ordinance and intends to remove the said building or structure, and such land is either: (1) replaced with a use that precludes construction of any buildings; or (2) encumbered by a deed restriction that precludes construction of any buildings, the County shall create an impact fee credit, equivalent to the impact fee(s) that would be due for the said building or structure if rebuilt on the date that title transfers pursuant to an Order of Taking, the date of closing for other acquisitions, or some other date as approved by the BCC (government acquisition credit).

b. The County shall establish a separate government acquisition credit tracking system for each applicable impact fee.

c. Government acquisition credits may be appropriated to a property owner at the discretion of the County. Where a government acquisition credit is appropriated to a property owner:

(1) Language, including the amount of credit, granting the credit to the property owner must be included in the agreement for sale and purchase and approved by the BCC; or

(2) If a petition for eminent domain has been filed, the credit and credit amount must be included in the settlement agreement of the eminent domain proceeding and approved by the BCC.

d. The property owner who receives a credit may utilize the said credit for payment of the impact fees due upon relocation. If the credit amount is insufficient to pay the impact fees due at the new location at the time such fees are due, the property owner shall be responsible for payment of the difference between the credit amount and the impact fees due, unless the BCC specifically appropriates additional unused government acquisition credit from the applicable tracking

system or another funding source to pay the difference between the credit amount and the impact fees due.

e. Unless otherwise approved by the BCC in the agreement for sale and purchase or the eminent domain settlement agreement, the property owner receiving the credit must utilize the government acquisition credit within three (3) years from the date that the title transfers or the date of closing for other acquisitions.

f. Government acquisition credit shall not be available to property owners when the issue of compensation is determined by a jury, pursuant to Section 73.071, Florida Statutes.

2. Calculation

The amount of the governmental acquisition credit shall be calculated based on the fees in effect at the time that title transfers pursuant to an Order of Taking, the date of closing for other acquisitions, or other date as approved by the BCC. Government acquisition credits may not be available for impact fees adopted or increased after the date of the agreement for sale and purchase, the eminent domain settlement agreement, or some other agreement.

3. Estimates

A person may request at any time a nonbinding estimate of the government acquisition credit for a particular property; however, such estimate is subject to change until the BCC approves the agreement for sale and purchase or the settlement agreement of an eminent domain proceeding.

4. Transfers and Appropriations

a. Any government acquisition credits not used within three (3) years or created but not appropriated to an individual property owner shall remain within the applicable tracking system until used. The BCC or, subject to purchasing authority, the County Administrator or designee, may appropriate unused government acquisition credits within the applicable tracking system to pay impact fees on behalf of: (1) qualified businesses pursuant to the Economic Development Incentive Ordinance; (2) residences or developments eligible for the mobility affordable housing rate or other affordable housing fee payers; or (3) any other use permitted by law. The BCC's utilization or transfer of such credits is not subject to transfer restrictions.

b. Government acquisition credits are not transferable from property owners to other persons or nongovernmental entities unless otherwise approved by the BCC in the agreement for sale and purchase, the eminent domain settlement agreement, or some other agreement.

c. Government acquisition credits may not be refunded or exchanged for monies. No monies shall be payable where the amount of the said credit exceeds the impact fees due.

H. Refunds

1. The procedures in this section shall apply when:

a. A refund is required by a substantive provision of this chapter, any agreement, or other applicable law;

b. A refund is due because a final determination of eligibility for a waiver, credit, offset, or reduced impact fee pursuant to this chapter, any agreement, or applicable law was not made or available at the time the impact fee was paid; or

c. A refund is due if the development activity or new construction is canceled due to noncommencement of construction before the funds have been encumbered and expended pursuant to this section. For purposes of this section, noncommencement means either notice to the County of intent not to commence development or the date of expiration of a Building Permit following the application of any applicable Building Permit extensions. Refund requests shall be made within ninety (90) days from the date of noncommencement. If a refund is granted, any applicable administration fee shall be retained by the County.

2. Refunds shall be made in accordance with the following procedure: The present owner of the property for which the impact fee was paid or owner of the right to the refund pursuant to a contract, agreement, or letter must petition the County Administrator or designee for the refund. The written petition must be submitted to the County Administrator or designee and must contain:

a. The name, address, and telephone number of the petitioner.

b. A notarized, sworn statement that the petitioner is the current owner of the real property for which the fee was paid or the petitioner is the lawful owner of the right to the refund pursuant to a contract, agreement, ordinance, or letter.

c. A copy of the latest recorded deed, contract, agreement, or letter establishing the right to the refund.

d. A copy of the most recent ad valorem tax bill.

e. The name of the person to whom the refund shall be issued.

f. If applicable, the description and documentation of the County's nonuse of the impact fee.

Upon acceptance of a completed request for a refund, the County Administrator or designee shall review the request and documentary evidence submitted by the applicant as well as such other information and evidence as may be deemed relevant. After complete verification and satisfaction of the requirements, the County shall refund the mobility or impact fee.

3. The right to a refund shall run with the land; accordingly, all refunds due pursuant to this chapter shall be issued to the current owner of the real property entitled to the refund, unless another person presents the County with a contract, agreement, or letter signed and notarized by the current owner, or an agreement or ordinance is approved by the BCC which assigns or allocates the current owner's right to such refund to the other person.

4. Within ninety (90) days from the date of acceptance of a complete petition for refund, the County Administrator or designee will issue a final determination on the refund request.

5. Other than retained administration fees, no fee shall be charged for a refund and a refund received shall not include interest or investment income while on deposit in an impact fee fund.

6. For the purpose of refund requests for failure to use impact fee funds, "budgeted" shall mean that the funds are allocated within the County's Capital Improvement Plan, Capital Improvements Element, or some other appropriate capital improvement plan. The County Administrator or designee may request that the BCC grant a one (1) year extension to the timeframe for budgeting or encumbering a specific fee type. Fees collected shall be deemed to be spent on the basis of "the first fee in shall be the first fee out." For purposes of this section, all mobility and impact fees shall be deemed to be spent prior to the expenditure of any interest or investment income. The present owner shall request the refund within one (1) year following the end of the calendar year immediately following eight (8) years from the date on which the fee was received.

I. Appeals

Unless otherwise provided for in this Code, a person who receives a final determination from the County Administrator or designee pursuant to this

section, shall have the right to request an appeal hearing before the BCC in accordance with the procedures and rules in this Code.

J. Administration Fees

Administration fees shall be set by separate resolution(s) or ordinances of the BCC and shall be based upon the actual cost of administering and implementing the County's mobility, impact, and fee programs including, but not limited to, establishing, reviewing, updating, calculating, and collecting impact fees; establishing and maintaining credit and other impact fee accounts; and processing refunds of impact fees. Administration fees shall be in addition to the impact fees due pursuant to this chapter and impact fee credits or offsets shall not apply to administration fees. Any administration fees collected to date on any of the County's impact fees may be used for funding administrative costs associated with any of the impact fees. Administration fees shall be nonrefundable unless the BCC or a court of law with jurisdiction determines that the administration fees exceed the County's actual cost of administering and implementing the County's mobility and impact fee programs or otherwise violate Florida law.

FORM 1302.1-A

To be acceptable to the County for waiver of the school impact fee or reduction of the mobility fee, transportation impact fee (TIF) or trip generation/transportation mitigation, community covenants must contain, at a minimum, the following language in its entirety.

1. The community described in these covenants is a housing facility or community operating under the exemption requirements of the Fair Housing Act, 42 U.S.C. § 3607, as amended, as housing for older persons [insert one of the following that applies, a or b]:

    a. At least eighty (80) percent (unless a more restrictive provision is provided for in the general applicable covenants) of the units are occupied by at least one (1) person fifty-five (55) years or older, and the housing facility or community complies with 24 C.F.R. § 100.305, 100.306, and 100.307, as amended.

    b. All occupied units are solely occupied by persons sixty-two (62) years of age or older.

2. No person under the age of twenty-two (22) [Note: age restrictions greater than twenty-two (22) are also permissible; age restrictions less than twenty-two (22) are not permissible] shall be allowed to permanently occupy any residential unit in [insert name of community]. Occupancy by the said individual(s) in any residential unit(s) for more than ninety (90) days (replace with time period less than ninety [90] days as applicable) shall constitute "permanent" occupancy.

3. The [insert developer, successor and assigns, and/or name of community property homeowners' association, as applicable] shall be responsible for enforcing the foregoing restrictions and shall be jointly and severally liable along with the owner(s) of the violating unit(s) to the County and the District School Board of Pasco County (School Board), for payment(s) of any school impact fees, mobility fees, TIFs, or transportation mitigation waived or reduced if such restrictions have been violated. Such payment(s) shall be calculated in accordance with the school impact fee, mobility fee, TIF, or the transportation mitigation rates or rules in effect at the time the violation(s) are discovered.

4. The foregoing restrictions are for the benefit of the County and the School Board who shall have the right to enforce violations of the foregoing restrictions by assessment of school impact fees, TIFs, mobility fees, or transportation mitigation by any means legally available to the [insert developer, successor and assigns, and/or name of the community property homeowners' association, as applicable], or by any other legal remedy, including injunctive relief. The County and the School Board shall be entitled to recover any attorney's fees expended to enforce violations of the foregoing restrictions or to collect school impact fees, TIFs, or transportation mitigation waived or reduced in violation of the foregoing restrictions.

5. The foregoing restrictions shall survive any expiration of the other applicable deed restrictions and shall not be removed or amended without the consent and written agreement of both the County and the School Board.

FORM 1302.1-B

To be acceptable to the County for waiver of the school impact fee or reduction of the mobility fee, transportation impact fee (TIF), or trip generation/transportation mitigation, individual deeds and lease agreements for real property/units within housing facilities or communities established pursuant to 42 U.S.C. § 3607 must contain the following language in its entirety:

1. The community of [insert name of community] is intended to be "housing for older persons" pursuant to the Fair Housing Act, 42 U.S.C. § 3607. No person under the age of twenty-two (22) [Note: age restrictions greater than twenty-two (22) are also permissible; age restrictions of less than twenty-two [22] are not permissible] shall be allowed to permanently occupy any residential unit in [insert the name of the community]. Occupancy by the said individual(s) in any residential unit(s) for more than ninety (90) days (replace with time period less than ninety [90] days, as applicable) shall constitute "permanent" occupancy.

2. The foregoing restrictions are for the benefit of the County and the District School Board of Pasco County (School Board) who shall have the right to enforce violations of the foregoing restrictions by assessment of school impact fees, mobility fees, TIFs, or transportation mitigation by any means legally available to the [insert name of the community property homeowners' association], or by any other legal remedy, including injunctive relief. The County and the School Board shall be entitled to recover any attorney's fees expended to enforce violations for the foregoing restrictions or to collect school impact fees, mobility fees, TIFs, or transportation mitigation waived or reduced in violation of the foregoing restrictions.

3. The foregoing restrictions shall not be removed or amended without the consent and written agreement of both the County and the School Board.

4. This restrictive covenant shall run with the land and be binding and enforceable against the grantee, his heirs, assigns, and successor in interest.

CHAPTER 1300. CONCURRENCY, MOBILITY AND IMPACT FEES

SECTION 1302. MOBILITY AND IMPACT 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 Chapter 2011-139, Laws of Florida (House Bill (HB) 7207), 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 areawide 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) and Traditional Neighborhood Development (TND).

   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, timing and phasing, and, where applicable, transportation concurrency and Development of Regional Impact (DRI) review. 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 State Legislature, in Chapter 2011-139, Laws of Florida (HB 7207), identified the following tools and techniques to complement the application of transportation concurrency:

   a. Adoption of long-term strategies to facilitate development patterns that support multimodal solutions;

   b. Adoption of an areawide 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 Chapter 2, Article VI, Division 3 of the Code of Ordinances, Multi-Modal Tax Increment, ensures that revenue sources other than mobility fees are utilized to provide these targeted discounts/reductions.

7. Policy TRA 1.7.2 of the Comprehensive Plan 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.

8. TOD and TND are compact, mixed use, bicycle/pedestrian friendly, and energy efficient forms of development encouraged by this section, the mobility fee, and the Comprehensive Plan.

9. Office, industrial, and lodging land uses are locally desired development that result in, or support, high paying job creation and are encouraged by this section, the mobility fee, and the Comprehensive Plan.

10. The County's South and West Market Areas, which make up the Urban Concentration Area designated pursuant to Policies FLU 8.1.1 and 8.1.2 of the Comprehensive Plan, 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.

11. The Long-Range Transportation Plan (LRTP) shall be considered the multimodal mobility plan required by Policy TRA 1.7.2 of the Comprehensive Plan, and the Mobility Fee Study and mobility fee are based on the LRTP.

12. The Mobility Fee Study, mobility fee, and this section comply with the requirements of Policy TRA 1.7.2 of the Comprehensive Plan and are consistent with the State Legislature's encouraged direction in Chapter 2011-139, Laws of Florida (HB 7207).

13. This section earmarks Villages of Pasadena Hills (VOPH) mobility fees and tax increment revenues consistent with the VOPH Financial Plan.

14. 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.

15. 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.

16. 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.

17. The County shall be divided into separate Mobility Fee Assessment Districts and Collection/Benefit Districts.

18. 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 Chapter 2011-139, Laws of Florida (HB 7207).

19. 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.

20. Mobility fees paid pursuant to this section will be earmarked to separate mobility fee funds for use within the Collection/Benefit Districts in which the mobility fees are collected, except as provided herein.

21. 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 funds and 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 and transportation concurrency exemptions based on the mobility fee. 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.

22. The Mobility Fee Study, Administration Fee Study, mobility fee and administration fee shall be subject to review and update pursuant to Section 1302.2.D herein.

23. To the extent that the replacement of TIFs with mobility fees and administration fees results in an impact fee increase for any development, or otherwise adversely affects any development, this section ensures that such development shall be entitled to opt out of the mobility fee program and remain subject to the payment of TIFs. In addition to the Opt-Out Procedure, development may mitigate any adverse impact resulting from the adoption of mobility fees through other avenues, including adjustments to land and rent prices, adjustments to entitlements, and sale or transfer of TIF credits and mobility fee credits.

24. To the extent that the replacement of TIFs with mobility fees and administration fees results in an impact fee reduction for any development, the BCC does not desire to apply such reduction to buildings with Building Permits issued prior to March 1, 2011, because such buildings were issued Building Permits prior to the BCC deciding to adopt reduced mobility fees and suspend other impact fees, and applying the reduction to such buildings would skew the BCC's analysis of the effect of the mobility fee reduction and suspension on construction activity.

25. 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.

26. 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.

C. <u>Adoption of Mobility Fee and Administration Fee Studies</u>

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. (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, Pasco County Capital Project Planning Coordinator (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 July 20, 2014, and no later than every three (3) years thereafter, the County shall conduct a full reevaluation 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.

However, in the event that a full reevaluation is not complete within the required three (3) year period, the last adopted mobility fee and administration fee shall remain in effect until the reevaluation is complete.

If a mobility fee subsidy deficiency exists at the time mobility fees are reevaluated, a nonmobility 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 Fund containing such deficiency within a reasonable time period, not to exceed five (5) years from the date of the reevaluation. Nothing herein shall prevent the County from updating the mobility fee or administration fee earlier than every three (3) years if the County determines that significant changes in the Mobility Fee Study or Administration Fee Study assumptions have occurred and that such changes are likely to have a significant effect on the amount of the mobility fees or administration fees. In addition, nothing herein shall prevent the County from making deficiency transfers to the mobility fee funds 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 Exhibit C. 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.

Generally, if any contiguous building, development, or planned development is located in more than one 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 ordinance adopting the amendment to such boundaries, or another ordinance adopted on the same day as the boundary amendment

ordinance, shall also amend the Assessment District boundary map (Exhibit C).

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. The mobility fee and administration fee shall apply to complete applications for a Building Permit, and Building Permits issued (or Development Permits where no Building Permit is required) on or after March 1, 2011, unless such Building Permit or Development Permit is part of an Opt-Out Development. Any person that submitted a complete application for a Building Permit, or that was issued a Building Permit, on or after March 1, 2011, and that was assessed, or paid, the TIF may elect to pay the applicable mobility fee and administration fee; however, such election shall be made in writing to the Building Construction Services Department no later than ninety (90) days after the issuance of the CO (or final site inspection where no CO is required). If such election is made after the TIF has been paid, a refund shall be due for the difference between (a) the TIF and (b) the mobility fee, plus the administration fee. Such refund shall be applied for and paid in accordance with the refund procedures in this Code, Section 1302.1.H. If the TIF was paid using transportation impact credits, the refund shall be issued to the credit account from which the credits originated, upon the County receiving proof acceptable to the Office of the Clerk and Comptroller that (1) the owner of such credits has provided a refund to the person that paid the TIF with TIF credits, and (2) the transit mobility fee and administration fee have been paid.

b. Buildings with Building Permits issued prior to March 1, 2011, were assessed the applicable TIF pursuant to the Transportation Impact Fee Ordinance and shall pay the assessed TIF prior to the issuance of the CO for such building, even if the Building Permit for such building expires, or is revoked. Opt-Out Developments shall be assessed and pay the applicable TIF in the Transportation Impact Fee Schedule.

Building Permits and Opt-Out Developments required or electing to pay the TIF shall not be assessed an administration fee, and shall otherwise be subject to the Transportation Impact Fee Ordinance.

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.G.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, attached as Figure 1302.2-A. 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 Section 1302.2.F.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 Three Hundred Ninety-Six and 00/100 Dollars ($396.00) 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 Ninety-Eight and 00/100 Dollars ($198.00) for each Building Permit (or Development Permit if no Building Permit is required) issued for a land use classified as lodging, recreation, institutions, 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 Ninety-Eight and 00/100 Dollars ($198.00) 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 Ninety-Nine and 00/100 Dollars ($99.00) for each Building Permit (or Development Permit if no Building Permit is required) issued for a land use classified as lodging, recreation, institutions, 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 a form acceptable to the County Attorney's Office ensuring that the property subject to the mobility fee will remain age restricted. In the event deed restrictions acceptable to the County Attorney's Office 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 acceptable to the County Attorney's Office 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.

f. 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.

g. 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 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.

(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.

h. For multiuse buildings or parcels and shopping centers, if one use occupies thirty-five (35) percent or more of the total, gross square feet of the building, parcel, or shopping center or one 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 rate of the most predominate general use of the remainder of the building, parcel, or shopping center based on the size of the entire building, parcel, or shopping center. This rule does not apply to out-parcels or uses classified as residential in the Mobility Fee Schedule, 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 or parcel 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.

i. A development shall not be entitled to the TOD rates in the Mobility Fee Schedule unless one 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 Policy FLU 10.3.6 of the Comprehensive Plan; or

(2) The development is a TOD that (a) is located in a Transit Center Overlay established pursuant to Policy FLU 10.3.1 of the Comprehensive Plan, (b) complies with the TOD Design Principles in Policy FLU 10.3.6(f) of the Comprehensive Plan, and (c) complies, or agrees to comply, with the future TOD Design Ordinance required pursuant to Policy 10.2.1 of the Comprehensive Plan.

j. Within the VOPH, the amount of the mobility fee may be modified, and surcharges may be assessed to pay for VOPH transportation capital improvements, as more fully set forth in the Villages of Pasadena Hills Financial Plan. These modifications and surcharges to the mobility fee shall be established in the ordinance creating the J. “Ben” Harrill Villages of Pasadena Hills Stewardship District.

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, and all three demand variables, including trip length, trip rate, and percent new trips, must be reviewed as part of the Independent Mobility Fee Study. 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 Subsection 78-39(a) of this section.

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 against the portion of the mobility fee mitigated by such construction, right-of-way conveyance or payment. However, 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. Construction, right-of-way conveyances, and cash payments for site access 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; however, the person shall not receive the credits until the year the transportation capital improvements are scheduled for construction in the CIP, unless the County Administrator or designee or BCC agrees in a development approval to provide credits at an earlier date. A person shall also be entitled to credits if the transportation capital improvement is (a) included in the LRTP or Comprehensive Plan, and (b) a mobility fee credit is required pursuant to another land

development regulation, such as the County's transportation corridor management or transportation concurrency regulations, or is specifically approved by the BCC in a development approval.

(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 115 percent of the assessed value of the conveyed right-of-way as determined by the County Property Appraiser, unless the person and the County Administrator or designee or BCC agrees in a development approval to another credit amount. 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 makes the written determination required by Section 1302.2.H.2.(a) for the transportation capital improvement for which the credits were issued. If the credits were established for a planned development, the sale or transfer of such credits shall not be permitted outside of the planned development until (a) Buildings Permits for all of the entitlements in the planned development have been issued, as set forth in the planned development's development approvals, or (b) upon completion of eighty (80) percent or more of a DRI planned development's entire proportionate share/pipeline project obligations (measured in terms of linear feet), if

such obligations were eighty (80) percent or more complete prior to the effective date of this amended and restated section. Notwithstanding the foregoing, DRI planned developments that are able to sell or transfer credits based solely on the completion of eighty (80) percent or more of their entire proportionate share/pipeline project obligations shall not be entitled to sell or transfer credits to other DRI planned developments that are able to sell or transfer credits based solely on the completion of eighty (80) percent or more of their entire proportionate share/pipeline project obligations.

(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.

(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, unless such credits are owned by an Opt-Out Development. Converted transportation impact fee credits may not be utilized to pay the transit mobility fee or administration fee.

5. Payment/Collection

a. Except for Opt-Out Developments, 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.

c. Mobility fees collected by the County shall be held in mobility fee funds 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 funds, 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 Funds and Collection/Benefit Districts, Appropriation of Mobility Fee Funds and Refunds

1. Mobility Fee Funds and Collection/Benefit Districts

a. There are hereby established three (3) separate mobility fee funds, one for each Collection/Benefit District as shown in Exhibit D.

The mobility fee funds shall be considered special revenue funds. Within each mobility fee fund, separate account numbers shall be established for the roadway mobility fee, the transit mobility fee, the bicycle/pedestrian mobility fee, and the SIS mobility fee. In addition, a separate fund shall be established for VOPH mobility fees, with separate account numbers for the SIS mobility fee, roadway mobility fee, and bicycle/pedestrian mobility fee.

Mobility fees shall, upon receipt by the County, be deposited into the mobility fee fund for the Collection/Benefit District in which the mobility fee was collected, or the VOPH fund, and separated into the accounts and subaccounts set forth above.

For example, if a mobility fee for an "urban" multiple family dwelling unit is collected in Collection/Benefit District 1, Nine Hundred Sixteen and 00/100 Dollars ($916.00) shall be deposited in the SIS mobility fee account in the Mobility Fee Collection/Benefit District 1 Fund; Two Thousand Eight Hundred Seventy-Three and 00/100 Dollars ($2,873.00) shall be deposited in the roadway mobility fee account in the Mobility Fee Collection/Benefit District 1 Fund; Ten and 00/100 Dollars ($10.00) shall be deposited in the transit mobility fee account in the Mobility Fee Collection/Benefit District 1 Fund; and One Hundred Seventy-Two and 00/100 Dollars ($172.00) shall be deposited in the bicycle/pedestrian mobility fee account in the Mobility Fee Collection/Benefit District 1 Fund.

Similarly, if a mobility fee for a multiple family dwelling unit is collected in a nontraditional neighborhood development portion of the VOPH, One Thousand One Hundred Twenty-Nine and 00/100 Dollars ($1,129.00) shall be deposited in the SIS mobility fee account of the VOPH fund; Four Thousand Four Hundred Forty-Eight and 00/100 Dollars ($4,448.00) shall be deposited in the roadway mobility fee account of the VOPH fund; Two Hundred Fifty-Four and 00/100 Dollars ($254.00) shall be deposited in the bicycle/pedestrian mobility fee account of the VOPH fund; and Fourteen and 00/100 Dollars ($14.00) shall be deposited into

the transit mobility fee account in the Mobility Fee Collection/Benefit District 3 Fund.

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 Fund into the mobility fee funds 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, 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 fund. 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 fund 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 transit mobility fees or SIS mobility fees, such portion shall be deposited into the Mobility Fee Fund 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 the County's Municipal Service Fund and then allocated or transferred to other County funds based on the percentage that each fund or County department 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 Office of the Clerk and 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, LRTP, or Comprehensive Plan 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 a transportation capital improvement provides reasonable 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.

However, prior to encumbering any mobility fee funds in this manner, the County Administrator or designee shall make a written determination that (1) the transportation capital improvement will substantially benefit the development in the Collection/Benefit District from which the mobility fees have been collected; (2) the planned transportation capital improvement is of a nature such that it will add capacity to the transportation system beyond the Collection/Benefit District in which it is situated; and (3) the demand for the transportation capital improvement is reasonably attributable to development in the Collection/Benefit District from which the mobility fees have been collected.

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, 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 Financial Plan, the SIS mobility fee in the VOPH fund 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 fund 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 zero (0) percent. 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 and bicycle/pedestrian mobility fee. The changed references set forth above shall not apply to the Transportation Impact Fee Ordinance or any resolution adopting a Transportation Impact Fee Schedule.

b. The payment of a mobility fee is a necessary prerequisite to the transportation concurrency exemption for the urban service area set forth in this Code, Section 1301.3.F. Accordingly, Opt-Out Developments shall not be entitled to rely on such exemption.

c. 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, timing and phasing, and, where applicable, transportation concurrency and DRI review. 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.

d. 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. The adoption of mobility fees shall not affect Opt-Out Developments, and such developments shall continue to be subject to the Transportation Impact Fee Ordinance, Transportation Impact Fee Schedule, and the applicable development approvals for the Opt-Out Development.

b. 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 zero (0) percent. 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 and bicycle/pedestrian mobility fees.

If any development approval did not require the payment of a transportation concurrency proportionate share amount, because such amount was less than the estimated TIFs due, and such proportionate share amount is now greater than the estimated mobility fees due, the development approval shall, after the effective date of this amended and restated section, require the payment of the proportionate share amount to the extent such amount exceeds the estimated mobility fees due. These changes and changed references shall be by operation of law, and modifications or amendments to the development approvals shall not be required. The foregoing changes and changed references shall not apply to Opt-Out Developments or Building Permits issued prior to March 1, 2011.

I. Mobility Fee Opt-Out Procedure

1. As a general rule, the payment of a mobility fee and administration fee upon the issuance of a CO shall be considered an election for the building receiving the CO to pay mobility fees in lieu of TIFs. Such election shall not affect the remaining buildings or persons in a planned development, and such buildings and persons shall remain entitled to utilize the Opt-Out Procedures set forth in this subsection.

2. Until July 20, 2014, any building or person may elect to opt out of mobility fees and remain subject to the payment of TIFs as shown in Exhibit 1302.2-B; however, such election shall not apply to any building that has already received a CO when the election is made. Such election shall be made in writing to the County Administrator or designee and shall include the following information for the land area subject to the opt-out election: (a) the legal description, (b) the parcel identification numbers (or plat name and plat book and page if the land area is platted), and (c) an AutoCAD file or ESRI shape file in West Florida State Plane coordinates.

   If a building or development is part of a planned development with credits, the opt-out election may only be made by the master developer of the planned development. If a master developer of a planned development with credits elects to opt out of mobility fees and remain subject to the payment of TIFs, such election shall be binding on all buildings, development, and persons within the planned development, unless and until the master developer revokes such election. An election to opt out of mobility fees shall be evidenced through a recorded document acceptable to the County Attorney's Office that places subsequent landowners on notice of the election. In addition, if the election is made by a master developer of a planned development with credits, the master developer shall provide individual written notification of the election to all owners of vacant land in the planned development.

   Opt-Out Developments can revoke their opt-out election at any time, provided that they (a) notify the County Administrator or designee in writing; (b) specify the land area subject to the revocation, including the same land area identification information required for an election; and (c) record a new document acceptable to the County Attorney's Office that revokes the prior election. For planned developments with credits, only the master developer can revoke the opt-out election, and the master developer shall also provide individual notification of the revocation to all owners of vacant land in the planned development. Unless an opt-out election is revoked at an earlier date, all opt-out elections, and recorded documents evidencing such elections, shall expire on December 31, 2025; after such date all developments and planned developments in the County shall be subject to the payment of mobility fees.

3. Opt-Out Developments utilizing the procedures in this subsection shall be subject to the "Fiscal Year 2011" TIFs in the Transportation Impact Fee Schedule, and such TIFs shall not be subject to increases, decreases, reevaluations, or updates as long as the development remains an Opt-Out Development.

   Opt-Out Developments shall not be subject to administration fees and shall be governed by the Transportation Impact Fee Ordinance in lieu of this section. TIFs received by the County from Opt-Out Developments shall be collected, appropriated, and expended in accordance with the Transportation Impact Fee Ordinance and any applicable development approval for the Opt-Out Development.

4. The BCC has chosen to adopt and update mobility fees as a replacement to transportation impact fees and shall ensure that mobility fees are reviewed and updated to ensure compliance with statutory and common law requirements for impact fees. The BCC has no intention of reevaluating or updating TIFs or the Transportation Impact Fee Ordinance and has made the Opt-Out Procedure in this subsection available solely to provide an option to persons who believe they are adversely affected by the adoption of mobility fees. An election to opt out of mobility fees also provides tangible benefits to the Opt-Out Development, such as an assurance that the Opt-Out Development will not be subject to TIF or mobility fee increases. Accordingly, an election to be an Opt-Out Development shall be deemed a waiver of any right to challenge TIFs, or the Transportation Impact Fee Ordinance, based on statutory or common law requirements for impact fees. However, such election shall not affect the Opt-Out Development's rights to pursue any administrative remedies available in the Transportation Impact Fee Ordinance or this Code, including independent fee studies.

FIGURE 1302.2-A

Pasco County Land Use Code	ITE LUC	Land Use	Unit	Total Impact Cost	Fee before buy-down	$$ Allocated for buy-down	Net Mobility Fee	Full Fee(1)	Road Share (Incl Int)	Road Share (Excl Int)	Interstate Share	Transit Share	Bike/Ped Share	TxIF "Back-Fill" Amount	2011 Road Impact Fee	Proposed Fee as Percent of 2011 Road Impact Fee
		RESIDENTIAL:														
210	210	Single Family (Detached)	du													
210.1P	n/a	Less than 1,500 s.f. & Annual Hh Income less than 80% SHIP Definition(2)	du	$5,514	$4,046	$731	$3,315	$4,478	$3,163	$2,393	$770	$8	$144	$731	$5,886	56%
210.2P	n/a	0 to 1,500 s.f.	du	$6,915	$5,093	$920	$4,173	$5,635	$3,982	$3,017	$965	$10	$181	$920	$7,375	57%
210.3P	n/a	1,501 to 2,499 s.f.	du	$9,666	$7,122	$1,287	$5,835	$7,879	$5,568	$4,218	$1,350	$14	$253	$1,287	$10,302	57%
210.4P	n/a	2,500 s.f. and greater	du	$10,697	$7,726	$1,396	$6,329	$8,564	$6,039	$4,546	$1,493	$15	$275	$1,396	$11,413	55%
210.5P	n/a	"Low Income" SHIP defined Multi-Family(2)	du	$3,596	$2,614	$472	$2,141	$2,896	$2,042	$1,544	$498	$6	$93	$472	$4,312	50%
221	221	Multi-Family Apartments	du	$6,600	$4,846	$876	$3,971	$5,364	$3,789	$2,873	$916	$10	$172	$876	$7,564	52%
240	240	Mobile Home Park	du	$3,686	$2,694	$487	$2,207	$2,983	$2,105	$1,596	$509	$6	$96	$487	$4,604	48%
251	251	Age Restricted Single Family(3)	du	$3,260	$2,348	$424	$1,924	$2,604	$1,835	$1,382	$453	$5	$84	$424	$4,327	44%
252	252	Age Restricted Multi-Family(3)	du	$1,704	$1,201	$217	$984	$1,335	$938	$706	$232	$3	$43	$217	$3,362	29%
253	253	Congregate Care Facility (Attached)(3)	du	$955	$668	$121	$547	$743	$521	$391	$130	$2	$24	$121	$1,068	51%
231	231	Low-Rise Condominium/Townhouse (1 to 2 stories)	du	$6,622	$4,893	$884	$4,009	$5,412	$3,825	$2,901	$924	$10	$174	$884	$7,066	57%
232	232	High-Rise Condominium (3 or more stories)	du	$5,323	$3,922	$709	$3,213	$4,339	$3,065	$2,322	$743	$8	$140	$709	$5,681	57%
		LODGING:														
310	310	Hotel	room	$6,246	$4,612	$4,612	$0	$5,102	$0	$0	$0	$0	$0	$4,612	$3,147	0%
330	330	Resort Hotel	room	$4,706	$3,461	$3,461	$0	$3,830	$0	$0	$0	$0	$0	$3,461	$4,722	0%
320	320	Motel	room	$3,419	$2,497	$2,497	$0	$2,765	$0	$0	$0	$0	$0	$2,497	$1,679	0%
		RECREATION:														
416	416	RV Park	RV space	$1,857	$1,364	$634	$730	$1,510	$896	$529	$167	$2	$32	$634	$1,840	40%
420	420	Marina	berth	$3,211	$2,336	$1,085	$1,251	$2,588	$1,194	$901	$293	$3	$54	$1,085	$1,184	106%
430	430	Golf Course	hole	$38,777	$28,852	$13,401	$15,451	$31,891	$14,743	$11,209	$3,534	$37	$671	$13,401	$18,550	83%
431	431	Miniature Golf Course	hole	$2,867	$2,091	$971	$1,120	$2,316	$1,068	$808	$260	$3	$49	$971	$1,367	82%
444	444	Movie Theater	screen	$34,246	$23,984	$11,140	$12,844	$26,668	$12,255	$9,310	$2,945	$31	$558	$11,140	$12,755	101%
412	412	General Recreation	acre	$1,743	$1,207	$561	$646	$1,344	$616	$459	$157	$2	$28	$561	$1,095	59%
491	491	Racquet Club/Health Club/Spa/Dance Studio	1,000 sf	$11,285	$8,259	$3,836	$4,423	$9,144	$4,220	$3,202	$1,018	$11	$192	$3,836	$9,291	48%
437	437	Bowling Alley	1,000 sf	$25,667	$18,947	$8,801	$10,147	$20,959	$9,682	$7,367	$2,315	$24	$441	$8,801	$18,068	56%
495	495	Community Center/Gymnasium	1,000 sf	$23,023	$17,076	$7,932	$9,145	$18,881	$8,726	$6,632	$2,094	$22	$397	$7,932	$10,986	83%
		INSTITUTIONS:														
610	610	Hospital	1,000 sf	$15,316	$11,284	$2,257	$9,027	$12,485	$8,613	$6,528	$2,085	$22	$392	$2,257	$17,013	53%
620	620	Nursing Home	bed	$940	$665	$133	$532	$739	$507	$385	$122	$2	$23	$133	$1,102	48%
520	520	Elementary School	student	$772	$551	$110	$441	$611	$420	$316	$104	$2	$19	$110	$867	51%
522	522	Middle School	student	$1,090	$785	$157	$628	$870	$599	$453	$146	$2	$27	$157	$1,224	51%
530	530	High School	student	$1,151	$830	$166	$664	$920	$633	$478	$155	$2	$29	$166	$1,292	51%
540	540	University/Junior College (7,500 or fewer students) (Private)	student	$2,170	$1,604	$321	$1,283	$1,774	$1,223	$927	$296	$4	$56	$321	$1,467	87%
550	550	University/Junior College (more than 7,500 students) (Private)	student	$1,627	$1,199	$240	$959	$1,326	$914	$692	$222	$3	$42	$240	$2,909	33%
560	560	Church	1,000 sf	$5,307	$3,778	$756	$3,022	$4,194	$2,883	$2,177	$706	$8	$131	$756	$6,231	48%
565	565	Day Care	student	$735	$339	$68	$271	$397	$258	$165	$93	$1	$12	$68	$852	32%
566	566	Cemetery	acre	$5,417	$4,035	$807	$3,228	$4,459	$3,080	$2,342	$738	$8	$140	$807	$6,103	53%
		OFFICE:														
710	710	General Office 50,000 sf or less(4)	1,000 sf	$12,320	$9,015	$9,015	$0	$9,981	$0	$0	$0	$0	$0	$9,015	$4,778	0%
710.1P	710	General Office 50,001-100,000 sf(4)	1,000 sf	$10,501	$7,719	$7,719	$0	$8,542	$0	$0	$0	$0	$0	$7,719	$3,703	0%
710.2P	710	General Office 100,001-200,000 sf(4)	1,000 sf	$8,950	$6,572	$6,572	$0	$7,274	$0	$0	$0	$0	$0	$6,572	$3,153	0%

FIGURE 1302.2-A

Urban Mobility Fee Schedule (Fee District A) (continued)

Pasco County Land Use Code	ITE LUC	Land Use	Unit	Total Impact Cost	Fee before buy-down	$$ Allocated for buy-down	Net Mobility Fee	Full Fee(1)	Road Share (Incl Int)	Road Share (Excl Int)	Interstate Share	Transit Share	Bike/Ped Share	TxIF "Back-Fill" Amount	2011 Road Impact Fee	Proposed Fee as Percent of 2011 Road Impact Fee
		OFFICE (continued):														
710.3P	710	General Office 200,001-400,000 sf(4)	1,000 sf	$7,636	$5,601	$5,601	$0	$6,199	$0	$0	$0	$0	$0	$5,601	$2,684	0%
710.4P	710	General Office greater than 400,000 sf(5)	1,000 sf	$6,951	$5,094	$5,094	$0	$5,639	$0	$0	$0	$0	$0	$5,094	$2,285	0%
720	720	Medical Office	1,000 sf	$29,520	$21,835	$21,835	$0	$24,148	$0	$0	$0	$0	$0	$21,835	$8,847	0%
750	750	Office Park	1,000 sf	$8,990	$6,601	$6,601	$0	$7,306	$0	$0	$0	$0	$0	$6,601	$4,601	0%
714	714	Corporate Headquarters Building	1,000 sf	$6,282	$4,600	$4,600	$0	$5,092	$0	$0	$0	$0	$0	$4,600	$3,275	0%
760	760	Research and Development Center	1,000 sf	$6,384	$4,675	$4,675	$0	$5,176	$0	$0	$0	$0	$0	$4,675	$2,071	0%
770.P	n/a	Veterinarian Clinic	1,000 sf	$7,523	$5,196	$5,196	$0	$5,785	$0	$0	$0	$0	$0	$5,196	$2,247	0%
		RETAIL:														
814	814	Specialty Retail	1,000 sf	$21,527	$15,438	$5,001	$10,437	$17,125	$9,959	$7,565	$2,394	$25	$453	$5,001	$11,184	93%
820	820	Retail 50,000 sfgla or less(4)	1,000 sfgla	$13,492	$9,243	$2,994	$6,249	$10,301	$5,963	$4,539	$1,424	$15	$271	$2,994	$11,099	56%
820.1P	820	Retail 50,001-200,000 sfgla(4)	1,000 sfgla	$12,065	$8,344	$2,703	$5,641	$9,289	$5,382	$4,078	$1,304	$14	$245	$2,703	$8,877	64%
820.2P	820	Retail 200,001-400,000 sfgla(4)	1,000 sfgla	$11,440	$7,988	$2,588	$5,400	$8,885	$5,152	$3,908	$1,244	$13	$235	$2,588	$8,490	64%
820.3P	820	Retail 400,001-600,000 sfgla(4)	1,000 sfgla	$10,806	$7,526	$2,438	$5,088	$8,373	$4,855	$3,674	$1,181	$12	$221	$2,438	$8,228	62%
820.4P	820	Retail 600,001-800,000 sfgla(4)	1,000 sfgla	$11,156	$7,827	$2,536	$5,291	$8,701	$5,048	$3,819	$1,229	$13	$230	$2,536	$7,892	67%
820.5P	820	Retail greater than 800,000 sfgla(5)	1,000 sfgla	$11,673	$8,260	$2,676	$5,584	$9,175	$5,327	$4,035	$1,292	$14	$243	$2,676	$7,628	73%
881	881	Pharmacy/Drug Store with and without Drive-Thru	1,000 sf	$9,489	$6,490	$2,103	$4,388	$7,234	$4,186	$3,171	$1,015	$11	$191	$2,103	$5,537	79%
862	862	Home Improvement Superstore	1,000 sf	$6,748	$4,630	$1,500	$3,130	$5,159	$2,986	$2,257	$729	$8	$136	$1,500	$8,157	38%
931	931	Quality Restaurant	1,000 sf	$33,129	$23,683	$7,672	$16,011	$26,279	$15,278	$11,613	$3,665	$38	$695	$7,672	$20,271	79%
932	932	High-Turnover Restaurant	1,000 sf	$40,747	$29,078	$9,420	$19,658	$32,271	$18,757	$14,263	$4,494	$47	$854	$9,420	$28,198	70%
934	934	Fast Food Restaurant w/Drive-Thru	1,000 sf	$88,242	$60,573	$19,623	$40,950	$67,489	$39,075	$29,708	$9,367	$97	$1,778	$19,623	$56,773	72%
944	944	Gasoline Station	fuel pos.	$11,011	$7,559	$2,449	$5,110	$8,422	$4,875	$3,710	$1,165	$13	$222	$2,449	$6,723	76%
941	941	Quick Lube	bays	$15,708	$11,356	$3,679	$7,677	$12,587	$7,325	$5,574	$1,751	$19	$333	$3,679	$9,710	79%
850	850	Supermarket	1,000 sf	$17,922	$12,377	$4,010	$8,368	$13,782	$7,985	$6,068	$1,917	$20	$363	$4,010	$8,190	102%
853	853	Convenience Store w/Gas Pumps	1,000 sf	$45,798	$30,080	$9,745	$20,336	$33,670	$19,405	$14,709	$4,696	$48	$883	$9,745	$24,577	83%
848	848	Tire Store	1,000 sf	$9,767	$6,994	$2,266	$4,729	$7,760	$4,512	$3,423	$1,089	$12	$205	$2,266	$6,140	77%
943	943	Auto Repair or Body Shop	1,000 sf	$13,399	$9,658	$3,129	$8,530	$10,709	$6,230	$4,736	$1,494	$16	$284	$3,129	$9,256	71%
841	841	New/Used Auto Sales	1,000 sf	$16,365	$11,958	$3,874	$8,084	$13,241	$7,714	$5,866	$1,848	$19	$351	$3,874	$13,382	60%
816	816	Hardware/Paint	1,000 sf	$7,994	$5,394	$1,748	$3,647	$6,021	$3,480	$2,636	$844	$9	$158	$1,748	$8,270	44%
947	947	Self-Service Car Wash	bays	$24,477	$16,866	$5,464	$11,402	$18,785	$10,880	$8,274	$2,606	$27	$495	$5,464	$10,354	110%
890	890	Furniture Store	1,000 sf	$2,515	$1,781	$577	$1,204	$1,978	$1,149	$862	$287	$3	$52	$577	$1,620	74%
912	912	Bank/Savings w/Drive-In	1,000 sf	$26,958	$18,830	$6,100	$12,730	$20,943	$12,147	$9,219	$2,928	$30	$553	$6,100	$37,045	34%
913.P	n/a	Convenience/Gasoline/Fast Food Store	1,000 sf	$119,026	$84,003	$27,213	$56,790	$93,332	$54,190	$41,228	$12,962	$134	$2,466	$27,213	$72,754	78%
		INDUSTRIAL:														
110	110	General Light Industrial	1,000 sf	$5,860	$4,313	$4,313	$0	$4,772	$0	$0	$0	$0	$0	$4,313	$3,151	0%
120	120	General Heavy Industrial	1,000 sf	$1,261	$905	$905	$0	$1,004	$0	$0	$0	$0	$0	$905	$678	0%
130	130	Industrial Park	1,000 sf	$5,852	$4,307	$4,307	$0	$4,765	$0	$0	$0	$0	$0	$4,307	$3,147	0%
140	140	Manufacturing	1,000 sf	$3,212	$2,351	$2,351	$0	$2,602	$0	$0	$0	$0	$0	$2,351	$1,727	0%
150	150	Warehouse	1,000 sf	$2,993	$2,177	$2,177	$0	$2,412	$0	$0	$0	$0	$0	$2,177	$2,243	0%
151	151	Mini-Warehouse	1,000 sf	$1,262	$875	$875	$0	$974	$0	$0	$0	$0	$0	$875	$673	0%
152	152	High-Cube Warehouse	1,000 sf	$1,557	$1,122	$1,122	$0	$1,244	$0	$0	$0	$0	$0	$1,122	$740	0%
160.P	n/a	Airport Hangar	1,000 sf	$2,993	$2,189	$2,189	$0	$2,423	$0	$0	$0	$0	$0	$2,189	$2,243	0%

Notes:
(1) Provided for informational purposes only. This value is the total value of transportation system consumed, less credits for revenues committed to transportation system expansion that are generated by the use itself. This value includes Interstate costs and carrying costs, but not toll road costs. It does consider the proportion of trip length, varying system costs, and transportation system performance goals that vary by fee district.

FIGURE 1302.2-A

Suburban Mobility Fee Schedule (Fee District B)

Pasco County Land Use Code	ITE LUC	Land Use	Unit	Total Impact Cost	Fee before buy-down	$$ Allocated for buy-down	Net Mobility Fee	Full Fee(1)	Road Share (Incl Int)	Road Share (Excl Int)	Interstate Share	Transit Share	Bike/Ped Share	TxIF "Back-Fill" Amount	2011 Road Impact Fee	Proposed Fee as Percent of 2011 Road Impact Fee
		RESIDENTIAL:														
210	210	Single Family (Detached)	du													
210.1P	n/a	Less than 1,500 s.f. & Annual Hh Income less than 80% SHIP Definition(2)	du	$6,409	$4,884	$0	$ 4,884	$ 5,293	$ 4,660	$ 3,711	$ 949	$ 12	$ 212	$0	$5,886	83%
210.2P	n/a	0 to 1,500 s.f.	du	$8,038	$6,141	$0	$ 6,141	$ 6,654	$ 5,859	$ 4,669	$ 1,190	$ 15	$ 267	$0	$7,375	83%
210.3P	n/a	1,501 to 2,499 s.f.	du	$11,235	$8,570	$0	$ 8,570	$ 9,287	$ 8,177	$ 6,513	$ 1,664	$ 21	$ 372	$0	$10,302	83%
210.4P	n/a	2,500 s.f. and greater	du	$12,434	$9,312	$0	$ 9,312	$ 10,106	$ 8,886	$ 7,045	$ 1,841	$ 22	$ 404	$0	$11,413	82%
210.5P	n/a	"Low Income" SHIP defined Multi-Family(2)	du	$4,183	$3,160	$0	$ 3,160	$ 3,427	$ 3,015	$ 2,400	$ 615	$ 8	$ 137	$0	$4,312	73%
221	221	Multi-Family Apartments	du	$7,678	$5,845	$0	$ 5,845	$ 6,335	$ 5,577	$ 4,448	$ 1,129	$ 14	$ 254	$0	$7,564	77%
240	240	Mobile Home Park	du	$4,292	$3,257	$0	$ 3,257	$ 3,531	$ 3,108	$ 2,480	$ 628	$ 8	$ 141	$0	$4,604	71%
251	251	Age Restricted Single Family(3)	du	$3,793	$2,851	$0	$ 2,851	$ 3,094	$ 2,720	$ 2,162	$ 558	$ 7	$ 124	$0	$4,327	66%
252	252	Age Restricted Multi-Family(3)	du	$1,987	$1,472	$0	$ 1,472	$ 1,599	$ 1,404	$ 1,118	$ 286	$ 4	$ 64	$0	$3,362	44%
253	253	Congregate Care Facility (Attached)(3)	du	$1,115	$821	$0	$ 821	$ 893	$ 783	$ 623	$ 160	$ 2	$ 36	$0	$1,068	77%
231	231	Low-Rise Condominium/Townhouse (1 to 2 stories)	du	$7,697	$5,890	$0	$ 5,890	$ 6,381	$ 5,620	$ 4,480	$ 1,140	$ 14	$ 256	$0	$7,066	83%
232	232	High-Rise Condominium (3 or more stories)	du	$6,187	$4,724	$0	$ 4,724	$ 5,119	$ 4,507	$ 3,591	$ 916	$ 12	$ 205	$0	$5,681	83%
		LODGING:														
310	310	Hotel	room	$8,059	$6,185	$5,588	$ 597	$ 6,700	$ 569	$ 454	$ 115	$ 2	$ 26	$5,588	$3,147	19%
330	330	Resort Hotel	room	$6,072	$4,649	$4,200	$ 449	$ 5,036	$ 428	$ 341	$ 87	$ 2	$ 19	$4,200	$4,722	10%
320	320	Motel	room	$4,420	$3,366	$3,041	$ 325	$ 3,648	$ 310	$ 248	$ 62	$ 1	$ 14	$3,041	$1,679	19%
		RECREATION:														
416	416	RV Park	RV space	$2,400	$1,837	$877	$ 960	$ 1,990	$ 915	$ 732	$ 183	$ 3	$ 42	$877	$1,840	52%
420	420	Marina	berth	$4,143	$3,140	$1,498	$ 1,641	$ 3,404	$ 1,566	$ 1,245	$ 321	$ 4	$ 71	$1,498	$1,184	139%
430	430	Golf Course	hole	$50,019	$38,553	$18,398	$ 20,155	$ 41,746	$ 19,232	$ 15,355	$ 3,877	$ 48	$ 875	$18,398	$18,550	109%
431	431	Miniature Golf Course	hole	$3,702	$2,821	$1,346	$ 1,475	$ 3,058	$ 1,407	$ 1,122	$ 285	$ 4	$ 64	$1,346	$1,367	108%
444	444	Movie Theater	screen	$44,630	$33,022	$15,759	$ 17,263	$ 35,872	$ 16,472	$ 13,209	$ 3,263	$ 41	$ 750	$15,759	$12,755	135%
412	412	General Recreation	acre	$2,251	$1,698	$810	$ 888	$ 1,842	$ 846	$ 673	$ 173	$ 3	$ 39	$810	$1,095	81%
491	491	Racquet Club/Health Club/Spa/Dance Studio	1,000 sf	$14,578	$11,124	$5,309	$ 5,816	$ 12,055	$ 5,549	$ 4,430	$ 1,119	$ 14	$ 253	$5,309	$9,291	63%
437	437	Bowling Alley	1,000 sf	$33,158	$25,420	$12,131	$ 13,289	$ 27,537	$ 12,680	$ 10,137	$ 2,543	$ 32	$ 577	$12,131	$18,068	74%
495	495	Community Center/Gymnasium	1,000 sf	$29,707	$22,865	$10,912	$ 11,953	$ 24,762	$ 11,405	$ 9,108	$ 2,297	$ 29	$ 519	$10,912	$10,986	109%
		INSTITUTIONS:														
610	610	Hospital	1,000 sf	$19,756	$15,116	$100	$ 15,015	$ 16,377	$ 14,327	$ 11,418	$ 2,909	$ 36	$ 652	$100	$17,013	88%
620	620	Nursing Home	bed	$1,226	$912	$6	$ 906	$ 991	$ 864	$ 692	$ 172	$ 3	$ 39	$6	$1,102	82%
520	520	Elementary School	student	$997	$746	$5	$ 741	$ 810	$ 707	$ 562	$ 145	$ 2	$ 32	$5	$867	85%
522	522	Middle School	student	$1,409	$1,061	$7	$ 1,054	$ 1,151	$ 1,005	$ 800	$ 205	$ 3	$ 46	$7	$1,224	86%
530	530	High School	student	$1,487	$1,120	$7	$ 1,113	$ 1,215	$ 1,062	$ 846	$ 216	$ 3	$ 48	$7	$1,292	86%
540	540	University/Junior College (7,500 or fewer students) (Private)	student	$2,799	$2,146	$14	$ 2,132	$ 2,325	$ 2,033	$ 1,621	$ 412	$ 6	$ 93	$14	$1,467	145%
550	550	University/Junior College (more than 7,500 students) (Private)	student	$2,099	$1,606	$11	$ 1,595	$ 1,740	$ 1,522	$ 1,213	$ 309	$ 4	$ 69	$11	$2,909	55%
560	560	Church	1,000 sf	$6,868	$5,187	$34	$ 5,152	$ 5,625	$ 4,915	$ 3,926	$ 989	$ 13	$ 224	$34	$6,231	83%
565	565	Day Care	student	$962	$536	$4	$ 533	$ 598	$ 508	$ 375	$ 133	$ 2	$ 23	$4	$852	63%
566	566	Cemetery	acre	$6,987	$5,392	$36	$ 5,356	$ 5,838	$ 5,110	$ 4,081	$ 1,029	$ 13	$ 233	$36	$6,103	88%
		OFFICE:														
710	710	General Office 50,000 sf or less(4)	1,000 sf	$15,915	$12,157	$10,984	$ 1,174	$ 13,174	$ 1,120	$ 894	$ 226	$ 3	$ 51	$10,984	$4,778	25%
710.1P	710	General Office 50,001-100,000 sf(4)	1,000 sf	$13,566	$10,355	$9,355	$ 1,000	$ 11,221	$ 954	$ 761	$ 193	$ 3	$ 43	$9,355	$3,703	27%
710.2P	710	General Office 100,001-200,000 sf(4)	1,000 sf	$11,563	$8,818	$7,966	$ 851	$ 9,556	$ 812	$ 648	$ 164	$ 2	$ 37	$7,966	$3,153	27%

FIGURE 1302.2-A

Suburban Mobility Fee Schedule (Fee District B) (continued)

Pasco County Land Use Code	ITE LUC	Land Use	Unit	Total Impact Cost	Fee before buy-down	$$ Allocated for buy-down	Net Mobility Fee	Full Fee(1)	Road Share (Incl Int)	Road Share (Excl Int)	Interstate Share	Transit Share	Bike/Ped Share	TxIF "Back-Fill" Amount	2011 Road Impact Fee	Proposed Fee as Percent of 2011 Road Impact Fee
		OFFICE (continued):														
710.3P	710	General Office 200,001-400,000 sf(4)	1,000 sf	$9,865	$7,514	$6,789	$ 725	$ 8,144	$ 692	$ 553	$ 139	$ 2	$ 31	$6,789	$2,684	27%
710.4P	710	General Office greater than 400,000 sf(5)	1,000 sf	$8,980	$6,835	$6,176	$ 660	$ 7,409	$ 629	$ 502	$ 127	$ 2	$ 29	$6,176	$2,285	29%
720	720	Medical Office	1,000 sf	$38,114	$29,243	$26,420	$ 2,823	$ 31,676	$ 2,693	$ 2,152	$ 541	$ 7	$ 123	$26,420	$8,847	32%
750	750	Office Park	1,000 sf	$11,614	$8,857	$8,002	$ 855	$ 9,598	$ 815	$ 651	$ 164	$ 3	$ 37	$8,002	$4,801	18%
714	714	Corporate Headquarters Building	1,000 sf	$8,115	$6,172	$5,576	$ 596	$ 6,690	$ 568	$ 453	$ 115	$ 2	$ 26	$5,576	$3,275	18%
760	760	Research and Development Center	1,000 sf	$8,248	$6,274	$5,668	$ 606	$ 6,800	$ 578	$ 461	$ 117	$ 2	$ 26	$5,668	$2,071	29%
770.P	n/a	Veterinarian Clinic	1,000 sf	$9,842	$7,200	$6,505	$ 695	$ 7,829	$ 663	$ 532	$ 131	$ 2	$ 30	$6,505	$2,247	31%
		RETAIL:														
814	814	Specialty Retail	1,000 sf	$32,207	$24,370	$11,630	$ 12,740	$ 26,426	$ 12,157	$ 9,727	$ 2,430	$ 30	$ 553	$11,630	$11,184	114%
820	820	Retail 50,000 sfgla or less(4)	1,000 sfgla	$20,327	$14,962	$7,140	$ 7,822	$ 16,259	$ 7,463	$ 5,994	$ 1,469	$ 19	$ 340	$7,140	$11,099	70%
820.1P	820	Retail 50,001-200,000 sfgla(4)	1,000 sfgla	$18,187	$13,488	$6,436	$ 7,051	$ 14,649	$ 6,728	$ 5,391	$ 1,337	$ 17	$ 306	$6,436	$8,877	79%
820.2P	820	Retail 200,001-400,000 sfgla(4)	1,000 sfgla	$17,179	$12,804	$6,110	$ 6,694	$ 13,901	$ 6,387	$ 5,114	$ 1,273	$ 16	$ 291	$6,110	$8,490	79%
820.3P	820	Retail 400,001-600,000 sfgla(4)	1,000 sfgla	$16,227	$12,086	$5,768	$ 6,319	$ 13,122	$ 6,030	$ 4,824	$ 1,206	$ 15	$ 274	$5,768	$8,228	77%
820.4P	820	Retail 600,001-800,000 sfgla(4)	1,000 sfgla	$16,755	$12,537	$5,983	$ 6,554	$ 13,607	$ 6,253	$ 5,001	$ 1,252	$ 16	$ 285	$5,983	$7,892	83%
820.5P	820	Retail greater than 800,000 sfgla(5)	1,000 sfgla	$17,464	$13,123	$6,262	$ 6,860	$ 14,238	$ 6,545	$ 5,232	$ 1,313	$ 17	$ 298	$6,262	$7,628	90%
881	881	Pharmacy/Drug Store with and without Drive-Thru	1,000 sf	$14,295	$10,533	$5,026	$ 5,506	$ 11,445	$ 5,254	$ 4,211	$ 1,043	$ 13	$ 239	$5,026	$5,537	99%
862	862	Home Improvement Superstore	1,000 sf	$10,172	$7,516	$3,587	$ 3,929	$ 8,166	$ 3,748	$ 3,001	$ 747	$ 10	$ 171	$3,587	$8,157	48%
931	931	Quality Restaurant	1,000 sf	$49,564	$37,465	$17,879	$ 19,586	$ 40,630	$ 18,688	$ 14,963	$ 3,725	$ 47	$ 851	$17,879	$20,271	97%
932	932	High-Turnover Restaurant	1,000 sf	$60,960	$46,012	$21,958	$ 24,054	$ 49,905	$ 22,952	$ 18,381	$ 4,571	$ 57	$ 1,045	$21,958	$28,198	85%
934	934	Fast Food Restaurant w/Drive-Thru	1,000 sf	$121,968	$89,353	$42,641	$ 46,712	$ 97,141	$ 44,573	$ 35,798	$ 8,775	$ 110	$ 2,029	$42,641	$56,773	82%
944	944	Gasoline Station	fuel pos.	$15,219	$11,149	$5,320	$ 5,828	$ 12,120	$ 5,561	$ 4,469	$ 1,092	$ 14	$ 253	$5,320	$6,723	87%
941	941	Quick Lube	bays	$23,434	$17,801	$8,495	$ 9,306	$ 19,298	$ 8,880	$ 7,106	$ 1,774	$ 22	$ 404	$8,495	$9,710	96%
850	850	Supermarket	1,000 sf	$27,001	$19,969	$9,529	$ 10,439	$ 21,693	$ 9,961	$ 7,991	$ 1,970	$ 25	$ 453	$9,529	$8,190	127%
853	853	Convenience Store w/Gas Pumps	1,000 sf	$64,286	$45,953	$21,930	$ 24,024	$ 50,058	$ 22,924	$ 18,471	$ 4,453	$ 57	$ 1,043	$21,930	$24,577	98%
848	848	Tire Store	1,000 sf	$14,570	$11,019	$5,258	$ 5,760	$ 11,949	$ 5,496	$ 4,393	$ 1,103	$ 14	$ 250	$5,258	$6,140	94%
943	943	Auto Repair or Body Shop	1,000 sf	$19,989	$15,177	$7,243	$ 7,934	$ 16,453	$ 7,570	$ 6,056	$ 1,514	$ 19	$ 345	$7,243	$9,256	86%
841	841	New/Used Auto Sales	1,000 sf	$24,391	$18,658	$8,904	$ 9,754	$ 20,215	$ 9,307	$ 7,441	$ 1,866	$ 23	$ 424	$8,904	$13,382	73%
816	816	Hardware/Paint	1,000 sf	$12,044	$8,803	$4,201	$ 4,602	$ 9,572	$ 4,391	$ 3,521	$ 870	$ 11	$ 200	$4,201	$8,270	56%
947	947	Self-Service Car Wash	bays	$36,878	$27,247	$13,003	$ 14,244	$ 29,601	$ 13,591	$ 10,909	$ 2,682	$ 34	$ 619	$13,003	$10,354	138%
890	890	Furniture Store	1,000 sf	$3,739	$2,821	$1,346	$ 1,475	$ 3,060	$ 1,407	$ 1,118	$ 289	$ 4	$ 64	$1,346	$1,620	91%
912	912	Bank/Savings w/Drive-In	1,000 sf	$37,138	$27,514	$13,130	$ 14,384	$ 29,886	$ 13,725	$ 10,996	$ 2,729	$ 34	$ 625	$13,130	$37,045	39%
913.P	n/a	Convenience/Gasoline/Fast Food Store	1,000 sf	$163,969	$122,285	$58,357	$ 63,929	$ 132,755	$ 61,002	$ 48,928	$ 12,074	$ 151	$ 2,776	$58,357	$72,754	88%
		INDUSTRIAL:														
110	110	General Light Industrial	1,000 sf	$6,747	$5,146	$4,146	$ 1,000	$ 5,577	$ 954	$ 762	$ 192	$ 3	$ 43	$4,146	$3,151	32%
120	120	General Heavy Industrial	1,000 sf	$1,452	$1,088	$876	$ 211	$ 1,180	$ 201	$ 160	$ 41	$ 1	$ 9	$876	$678	31%
130	130	Industrial Park	1,000 sf	$6,738	$5,138	$4,140	$ 998	$ 5,569	$ 952	$ 761	$ 191	$ 3	$ 43	$4,140	$3,147	32%
140	140	Manufacturing	1,000 sf	$3,698	$2,809	$2,263	$ 546	$ 3,045	$ 520	$ 414	$ 106	$ 2	$ 24	$2,263	$1,727	32%
150	150	Warehouse	1,000 sf	$3,446	$2,620	$2,111	$ 509	$ 2,840	$ 485	$ 387	$ 98	$ 2	$ 22	$2,111	$2,243	23%
151	151	Mini-Warehouse	1,000 sf	$1,458	$1,077	$868	$ 209	$ 1,170	$ 199	$ 159	$ 40	$ 1	$ 9	$868	$673	31%
152	152	High-Cube Warehouse	1,000 sf	$1,791	$1,359	$1,095	$ 264	$ 1,474	$ 252	$ 201	$ 51	$ 1	$ 11	$1,095	$740	36%
160.P	n/a	Airport Hangar	1,000 sf	$3,446	$2,616	$2,108	$ 508	$ 2,836	$ 484	$ 386	$ 98	$ 2	$ 22	$2,108	$2,243	23%

Notes:
(1) Provided for informational purposes only. This value is the total value of transportation system consumed, less credits for revenues committed to transportation system expansion that are generated by the use itself. This value includes Interstate costs and carrying costs, but not toll road costs. It does consider the proportion of trip length, varying system costs, and transportation system performance goals that vary by fee district.

FIGURE 1302.2-A

Rural Mobility Fee Schedule (Fee District C)

Pasco County Land Use Code	ITE LUC	Land Use	Unit	Total Impact Cost	Fee before buy-down	$$ Allocated for buy-down	Net Mobility Fee	Full Fee(1)	Road Share (Incl Int)	Road Share (Excl Int)	Interstate Share	Transit Share	Bike/Ped Share	TxIF "Back-Fill" Amount	2011 Road Impact Fee	Proposed Fee as Percent of 2011 Road Impact Fee
		RESIDENTIAL:														
210	210	Single Family (Detached)														
210.1P	n/a	Less than 1,500 s.f. & Annual Hh Income less than 80% SHIP Definition(2)	du	$7,760	$5,999	$406	$5,593	$6,622	$5,336	$4,348	$988	$14	$243	$406	$5,886	95%
210.2P	n/a	0 to 1,500 s.f.	du	$9,732	$7,536	$510	$7,026	$8,317	$6,704	$5,466	$1,238	$17	$305	$510	$7,375	95%
210.3P	n/a	1,501 to 2,499 s.f.	du	$13,603	$10,511	$712	$9,800	$11,603	$9,350	$7,619	$1,731	$24	$426	$712	$10,302	95%
210.4P	n/a	2,500 s.f. and greater	du	$15,054	$11,502	$779	$10,723	$12,710	$10,231	$8,316	$1,915	$26	$466	$779	$11,413	94%
210.5P	n/a	"Low Income" SHIP defined Multi-Family(2)	du	$5,066	$3,893	$264	$3,629	$4,299	$3,462	$2,822	$640	$9	$158	$264	$4,312	84%
221	221	Multi-Family Apartments	du	$9,299	$7,180	$486	$6,694	$7,927	$6,387	$5,212	$1,175	$16	$291	$486	$7,564	88%
240	240	Mobile Home Park	du	$5,202	$4,002	$271	$3,731	$4,419	$3,560	$2,906	$654	$9	$162	$271	$4,604	81%
251	251	Age Restricted Single Family(3)	du	$4,594	$3,518	$238	$3,280	$3,887	$3,130	$2,549	$581	$8	$142	$238	$4,327	76%
252	252	Age Restricted Multi-Family(3)	du	$2,458	$1,877	$127	$1,750	$2,074	$1,669	$1,369	$300	$5	$76	$127	$3,362	52%
253	253	Congregate Care Facility (Attached)(3)	du	$1,380	$1,049	$71	$978	$1,160	$933	$765	$168	$3	$42	$71	$1,068	92%
231	231	Low-Rise Condominium/Townhouse (1 to 2 stories)	du	$9,319	$7,225	$489	$6,736	$7,973	$6,427	$5,241	$1,186	$16	$293	$489	$7,066	95%
232	232	High-Rise Condominium (3 or more stories)	du	$7,491	$5,800	$393	$5,407	$6,401	$5,159	$4,206	$953	$13	$235	$393	$5,681	95%
		LODGING:														
310	310	Hotel	room	$9,408	$7,298	$6,106	$1,192	$8,053	$1,137	$927	$210	$3	$52	$6,106	$3,147	38%
330	330	Resort Hotel	room	$7,088	$5,488	$4,592	$896	$6,057	$854	$696	$158	$3	$39	$4,592	$4,722	19%
320	320	Motel	room	$5,167	$3,983	$3,333	$650	$4,398	$620	$507	$113	$2	$28	$3,333	$1,679	39%
		RECREATION:														
416	416	RV Park	RV Space	$2,804	$2,172	$1,047	$1,124	$2,397	$1,072	$876	$196	$3	$49	$1,047	$1,840	61%
420	420	Marina	berth	$4,836	$3,709	$1,789	$1,920	$4,097	$1,832	$1,491	$341	$5	$83	$1,789	$1,184	162%
430	430	Golf Course	hole	$58,387	$45,472	$21,929	$23,542	$50,158	$22,464	$18,338	$4,126	$56	$1,022	$21,929	$18,550	127%
431	431	Miniature Golf Course	hole	$4,323	$3,337	$1,609	$1,728	$3,684	$1,648	$1,344	$304	$5	$75	$1,609	$1,367	126%
444	444	Movie Theater	screen	$54,368	$41,439	$19,984	$21,454	$45,803	$20,471	$16,955	$3,516	$51	$932	$19,984	$12,755	168%
412	412	General Recreation	acre	$2,631	$2,023	$975	$1,047	$2,234	$999	$815	$184	$3	$45	$975	$1,095	96%
491	491	Racquet Club/Health Club/Spa/Dance Studio	1,000 sf	$17,036	$13,155	$6,344	$6,811	$14,522	$6,499	$5,307	$1,192	$16	$296	$6,344	$9,291	73%
437	437	Bowling Alley	1,000 sf	$38,750	$30,028	$14,482	$15,547	$33,139	$14,835	$12,125	$2,710	$37	$675	$14,482	$18,068	86%
495	495	Community Center/Gymnasium	1,000 sf	$34,677	$26,957	$13,000	$13,956	$29,740	$13,317	$10,871	$2,446	$33	$606	$13,000	$10,986	127%
		INSTITUTIONS:														
610	610	Hospital	1,000 sf	$23,062	$17,832	$0	$17,832	$19,683	$17,016	$13,868	$3,148	$42	$774	$0	$17,013	105%
620	620	Nursing Home	bed	$1,472	$1,123	$0	$1,123	$1,241	$1,071	$883	$188	$3	$49	$0	$1,102	102%
520	520	Elementary School	student	$1,166	$885	$0	$885	$978	$844	$688	$157	$2	$38	$0	$867	102%
522	522	Middle School	student	$1,647	$1,257	$0	$1,257	$1,389	$1,199	$978	$221	$3	$55	$0	$1,224	103%
530	530	High School	student	$1,739	$1,328	$0	$1,328	$1,467	$1,267	$1,033	$234	$3	$58	$0	$1,292	103%
540	540	University/Junior College (7,500 or fewer students) (Private)	student	$3,267	$2,531	$0	$2,531	$2,794	$2,415	$1,970	$446	$6	$110	$0	$1,467	173%
550	550	University/Junior College (more than 7,500 students) (Private)	student	$2,450	$1,894	$0	$1,894	$2,091	$1,808	$1,473	$334	$4	$82	$0	$2,909	65%
560	560	Church	1,000 sf	$8,141	$6,267	$0	$6,267	$6,921	$5,980	$4,905	$1,075	$15	$272	$0	$6,231	101%
565	565	Day Care	student	$1,172	$717	$0	$717	$811	$685	$539	$145	$2	$31	$0	$852	84%
566	566	Cemetery	acre	$8,156	$6,355	$0	$6,355	$7,009	$6,064	$4,951	$1,113	$15	$276	$0	$6,103	104%

FIGURE 1302.2-A

Rural Mobility Fee Schedule (Fee District C) (continued)

Pasco County Land Use Code	ITE LUC	Land Use	Unit	Total Impact Cost	Fee before buy-down	$$ Allocated for buy-down	Net Mobility Fee	Full Fee(1)	Road Share (Incl Int)	Road Share (Excl Int)	Interstate Share	Transit Share	Bike/Ped Share	TxIF "Back-Fill" Amount	2011 Road Impact Fee	Proposed Fee as Percent of 2011 Road Impact Fee
		OFFICE (continued):														
710.3P	710	General Office 200,001-400,000 sf(4)	1,000 sf	$11,528	$8,892	$7,440	$1,452	$9,817	$1,385	$1,131	$254	$4	$63	$7,440	$2,684	54%
710.4P	710	General Office greater than 400,000 sf(5)	1,000 sf	$10,494	$8,090	$6,769	$1,321	$8,933	$1,260	$1,029	$231	$4	$57	$6,769	$2,285	58%
720	720	Medical Office	1,000 sf	$44,521	$34,523	$28,886	$5,637	$38,097	$5,378	$4,394	$984	$14	$245	$28,886	$8,847	64%
750	750	Office Park	1,000 sf	$13,572	$10,477	$8,766	$1,711	$11,566	$1,632	$1,332	$300	$5	$74	$8,766	$4,801	36%
714	714	Corporate Headquarters Building	1,000 sf	$9,484	$7,307	$6,114	$1,193	$8,068	$1,138	$929	$209	$3	$52	$6,114	$3,275	36%
760	760	Research and Development Center	1,000 sf	$9,638	$7,427	$6,214	$1,213	$8,200	$1,157	$944	$213	$3	$53	$6,214	$2,071	59%
770.P	n/a	Veterinarian Clinic	1,000 sf	$12,049	$9,121	$7,632	$1,489	$10,088	$1,420	$1,178	$242	$4	$65	$7,632	$2,247	66%
		RETAIL:														
814	814	Specialty Retail	1,000 sf	$38,663	$29,822	$14,382	$15,440	$32,925	$14,732	$12,113	$2,619	$37	$671	$14,382	$11,184	138%
820	820	Retail 50,000 sfgla or less(4)	1,000 sfgla	$25,044	$19,040	$9,182	$9,858	$21,050	$9,406	$7,808	$1,598	$24	$428	$9,182	$11,099	89%
820.1P	820	Retail 50,001-200,000 sfgla(4)	1,000 sfgla	$22,286	$17,023	$8,210	$8,813	$18,812	$8,409	$6,960	$1,449	$21	$383	$8,210	$8,877	99%
820.2P	820	Retail 200,001-400,000 sfgla(4)	1,000 sfgla	$20,759	$15,852	$7,645	$8,207	$17,518	$7,831	$6,456	$1,375	$20	$356	$7,645	$8,490	97%
820.3P	820	Retail 400,001-600,000 sfgla(4)	1,000 sfgla	$19,609	$14,969	$7,219	$7,750	$16,543	$7,394	$6,091	$1,303	$19	$337	$7,219	$8,228	94%
820.4P	820	Retail 600,001-800,000 sfgla(4)	1,000 sfgla	$20,176	$15,443	$7,448	$7,995	$17,062	$7,629	$6,277	$1,352	$19	$347	$7,448	$7,892	101%
820.5P	820	Retail greater than 800,000 sfgla(5)	1,000 sfgla	$20,965	$16,086	$7,758	$8,328	$17,768	$7,946	$6,530	$1,416	$20	$362	$7,758	$7,628	109%
881	881	Pharmacy/Drug Store with and without Drive-Thru	1,000 sf	$17,527	$13,322	$6,425	$6,897	$14,729	$6,580	$5,448	$1,132	$17	$300	$6,425	$5,537	125%
862	862	Home Improvement Superstore	1,000 sf	$12,465	$9,497	$4,580	$4,917	$10,497	$4,691	$3,880	$811	$12	$214	$4,580	$8,157	60%
931	931	Quality Restaurant	1,000 sf	$59,500	$45,844	$22,109	$23,735	$50,620	$22,648	$18,632	$4,016	$56	$1,031	$22,109	$20,271	117%
932	932	High-Turnover Restaurant	1,000 sf	$73,408	$56,546	$27,270	$29,276	$62,438	$27,936	$23,004	$4,932	$69	$1,271	$27,270	$28,198	104%
934	934	Fast Food Restaurant w/Drive-Thru	1,000 sf	$131,037	$98,463	$47,485	$50,978	$108,980	$48,644	$40,434	$8,210	$120	$2,214	$47,485	$56,773	90%
944	944	Gasoline Station	fuel pos.	$16,351	$12,280	$5,922	$6,358	$13,593	$6,067	$5,045	$1,022	$15	$276	$5,922	$6,723	95%
941	941	Quick Lube	bays	$27,957	$21,592	$10,413	$11,179	$23,836	$10,667	$8,757	$1,910	$27	$485	$10,413	$9,710	115%
850	850	Supermarket	1,000 sf	$33,105	$25,267	$12,185	$13,082	$27,924	$12,483	$10,344	$2,139	$31	$568	$12,185	$8,190	160%
853	853	Convenience Store w/Gas Pumps	1,000 sf	$69,328	$50,994	$24,593	$26,401	$56,559	$25,191	$21,028	$4,163	$63	$1,147	$24,593	$24,577	107%
848	848	Tire Store	1,000 sf	$17,383	$13,380	$6,453	$6,928	$14,776	$6,610	$5,422	$1,188	$17	$301	$6,453	$6,140	113%
943	943	Auto Repair or Body Shop	1,000 sf	$23,848	$18,381	$8,865	$9,517	$20,295	$9,081	$7,451	$1,630	$23	$413	$8,865	$9,256	103%
841	841	New/Used Auto Sales	1,000 sf	$28,688	$22,181	$10,697	$11,484	$24,483	$10,958	$8,956	$2,002	$27	$499	$10,697	$13,382	86%
816	816	Hardware/Paint	1,000 sf	$14,839	$11,227	$5,414	$5,812	$12,418	$5,546	$4,600	$946	$14	$252	$5,414	$8,270	70%
947	947	Self-Service Car Wash	bays	$45,214	$34,428	$16,603	$17,824	$38,057	$17,008	$14,097	$2,911	$42	$774	$16,603	$10,354	172%
890	890	Furniture Store	1,000 sf	$4,393	$3,364	$1,622	$1,742	$3,717	$1,661	$1,351	$310	$5	$76	$1,622	$1,620	108%
912	912	Bank/Savings w/Drive-In	1,000 sf	$39,684	$30,097	$14,515	$15,582	$33,282	$14,868	$12,316	$2,552	$37	$677	$14,515	$37,045	42%
913.P	n/a	Convenience/Gasoline/Fast Food Store	1,000 sf	$175,210	$133,525	$64,395	$69,131	$147,589	$65,966	$54,673	$11,293	$163	$3,002	$64,395	$72,754	95%
		INDUSTRIAL:														
110	110	General Light Industrial	1,000 sf	$8,109	$6,271	$4,271	$2,000	$6,922	$1,908	$1,559	$349	$5	$87	$4,271	$3,151	63%
120	120	General Heavy Industrial	1,000 sf	$1,745	$1,339	$912	$427	$1,479	$406	$331	$75	$2	$19	$912	$678	63%
130	130	Industrial Park	1,000 sf	$8,097	$6,262	$4,265	$1,997	$6,912	$1,905	$1,556	$349	$5	$87	$4,265	$3,147	63%
140	140	Manufacturing	1,000 sf	$4,444	$3,431	$2,337	$1,094	$3,787	$1,043	$852	$191	$3	$48	$2,337	$1,727	63%
150	150	Warehouse	1,000 sf	$4,142	$3,174	$2,162	$1,012	$3,506	$965	$787	$178	$3	$44	$2,162	$2,243	45%
151	151	Mini-Warehouse	1,000 sf	$1,794	$1,344	$916	$429	$1,488	$408	$334	$74	$2	$19	$916	$673	64%
152	152	High-Cube Warehouse	1,000 sf	$2,150	$1,637	$1,115	$522	$1,810	$497	$404	$93	$2	$23	$1,115	$740	71%
160.P	n/a	Airport Hangar	1,000 sf	$4,142	$3,196	$2,177	$1,019	$3,529	$972	$794	$178	$3	$44	$2,177	$2,243	45%

Notes:

(1) Provided for informational purposes only. This value is the total value of transportation system consumed, less credits for revenues committed to transportation system expansion that are generated by the use itself. This value includes Interstate costs and carrying costs, but not toll road costs. It does consider the proportion of trip length, varying system costs, and transportation system performance goals that vary by fee district.

FIGURE 1302.2-A

Urban Mobility Fee Schedule for Traditional Neighborhood Development (Fee District A)

Pasco County Land Use Code	ITE LUC	Land Use	Unit	Total Impact Cost	Fee before buy-down	$$ Allocated for buy-down	Net Mobility Fee	Full Fee(1)	Road Share (Incl Int)	Road Share (Excl Int)	Interstate Share	Transit Share	Bike/Ped Share	TxIF "Back-Fill" Amount	2011 Road Impact Fee	Proposed Fee as Percent of 2011 Road Impact Fee
		RESIDENTIAL:														
210	210	Single Family (Detached)	du													
210.1P	n/a	Less than 1,500 s.f. & Annual Hh Income less than 80% SHIP Definition(2)	du	$4,888	$3,578	$2,749	$828	$3,961	$790	$598	$192	$2	$36	$2,749	$5,886	14%
210.2P	n/a	0 to 1,500 s.f.	du	$6,129	$4,506	$3,463	$1,043	$4,987	$995	$753	$242	$3	$45	$3,463	$7,375	14%
210.3P	n/a	1,501 to 2,499 s.f.	du	$8,568	$6,301	$4,842	$1,459	$6,972	$1,392	$1,054	$338	$4	$63	$4,842	$10,302	14%
210.4P	n/a	2,500 s.f. and greater	du	$9,482	$6,817	$5,239	$1,578	$7,560	$1,505	$1,131	$374	$4	$69	$5,239	$11,413	14%
210.5P	n/a	"Low Income" SHIP defined Multi-Family(2)	du	$3,187	$2,310	$1,775	$535	$2,560	$510	$385	$125	$2	$23	$1,775	$4,312	12%
221	221	Multi-Family Apartments	du	$5,851	$4,289	$3,296	$993	$4,748	$947	$718	$229	$3	$43	$3,296	$7,564	13%
240	240	Mobile Home Park	du	$3,267	$2,384	$1,832	$552	$2,640	$526	$398	$128	$2	$24	$1,832	$4,604	12%
251	251	Age Restricted Single Family(3)	du	$2,890	$2,073	$1,593	$480	$2,299	$457	$344	$113	$2	$21	$1,593	$4,327	11%
252	252	Age Restricted Multi-Family(3)	du	$1,510	$1,060	$815	$245	$1,178	$233	$175	$58	$1	$11	$815	$3,362	7%
253	253	Congregate Care Facility (Attached)(3)	du	$847	$589	$452	$136	$655	$129	$97	$32	$1	$6	$452	$1,068	13%
231	231	Low-Rise Condominium/Townhouse (1 to 2 stories)	du	$5,870	$4,331	$3,328	$1,003	$4,791	$956	$724	$232	$3	$44	$3,328	$7,066	14%
232	232	High-Rise Condominium (3 or more stories)	du	$4,718	$3,470	$2,667	$803	$3,840	$766	$580	$186	$2	$35	$2,667	$5,681	14%
		LODGING:														
310	310	Hotel	room	$5,537	$4,083	$4,083	$0	$4,517	$0	$0	$0	$0	$0	$4,083	$3,147	0%
330	330	Resort Hotel	room	$4,171	$3,063	$3,063	$0	$3,390	$0	$0	$0	$0	$0	$3,063	$4,722	0%
320	320	Motel	room	$3,031	$2,211	$2,211	$0	$2,448	$0	$0	$0	$0	$0	$2,211	$1,679	0%
		RECREATION:														
416	416	RV Park	RV space	$1,646	$1,208	$1,025	$183	$1,337	$174	$132	$42	$1	$8	$1,025	$1,840	10%
420	420	Marina	berth	$2,847	$2,064	$1,750	$313	$2,287	$298	$225	$73	$1	$14	$1,750	$1,184	26%
430	430	Golf Course	hole	$34,372	$25,563	$21,682	$3,881	$28,257	$3,702	$2,814	$888	$10	$169	$21,682	$18,550	21%
431	431	Miniature Golf Course	hole	$2,541	$1,850	$1,569	$281	$2,049	$268	$203	$65	$1	$12	$1,569	$1,367	21%
444	444	Movie Theater	screen	$30,356	$21,245	$18,020	$3,225	$23,624	$3,077	$2,337	$740	$8	$140	$18,020	$12,755	25%
412	412	General Recreation	acre	$1,545	$1,061	$900	$161	$1,182	$153	$114	$39	$1	$7	$900	$1,095	15%
491	491	Racquet Club/Health Club/Spa/Dance Studio	1,000 sf	$10,003	$7,312	$6,202	$1,110	$8,096	$1,059	$803	$256	$3	$48	$6,202	$9,291	12%
437	437	Bowling Alley	1,000 sf	$22,751	$16,792	$14,243	$2,549	$18,575	$2,432	$1,851	$581	$6	$111	$14,243	$18,068	14%
495	495	Community Center/Gymnasium	1,000 sf	$20,408	$15,127	$12,831	$2,296	$16,726	$2,190	$1,664	$526	$6	$100	$12,831	$10,986	21%
		INSTITUTIONS:														
610	610	Hospital	1,000 sf	$13,576	$9,985	$7,728	$2,257	$11,049	$2,153	$1,631	$522	$6	$98	$7,728	$17,013	13%
620	620	Nursing Home	bed	$834	$589	$456	$133	$655	$126	$96	$30	$1	$6	$456	$1,102	12%
520	520	Elementary School	student	$684	$486	$376	$110	$540	$104	$78	$26	$1	$5	$376	$867	13%
522	522	Middle School	student	$966	$694	$537	$157	$770	$149	$112	$37	$1	$7	$537	$1,224	13%
530	530	High School	student	$1,020	$733	$568	$166	$813	$158	$119	$39	$1	$7	$568	$1,292	13%
540	540	University/Junior College (7,500 or fewer students) (Private)	student	$1,923	$1,420	$1,099	$321	$1,570	$306	$232	$74	$1	$14	$1,099	$1,467	22%
550	550	University/Junior College (more than 7,500 students) (Private)	student	$1,443	$1,060	$821	$240	$1,174	$229	$173	$56	$1	$10	$821	$2,909	8%
560	560	Church	1,000 sf	$4,704	$3,337	$2,583	$754	$3,706	$719	$542	$177	$2	$33	$2,583	$6,231	12%
565	565	Day Care	student	$652	$281	$217	$64	$332	$60	$36	$24	$1	$3	$217	$852	8%
566	566	Cemetery	acre	$4,802	$3,575	$2,767	$808	$3,951	$771	$586	$185	$2	$35	$2,767	$6,103	13%
		OFFICE:														
710	710	General Office 50,000 sf or less(4)	1,000 sf	$10,920	$7,981	$7,981	$0	$8,836	$0	$0	$0	$0	$0	$7,981	$4,778	0%
710.1P	710	General Office 50,001-100,000 sf(4)	1,000 sf	$9,308	$6,837	$6,837	$0	$7,567	$0	$0	$0	$0	$0	$6,837	$3,703	0%
710.2P	710	General Office 100,001-200,000 sf(4)	1,000 sf	$7,934	$5,821	$5,821	$0	$6,443	$0	$0	$0	$0	$0	$5,821	$3,153	0%

FIGURE 1302.2-A

Urban Mobility Fee Schedule for Traditional Neighborhood Development (Fee District A) (continued)

Pasco County Land Use Code	ITE LUC	Land Use	Unit	Total Impact Cost	Fee before buy-down	$$ Allocated for buy-down	Net Mobility Fee	Full Fee(1)	Road Share (Incl Int)	Road Share (Excl Int)	Interstate Share	Transit Share	Bike/Ped Share	TxIF "Back-Fill" Amount	2011 Road Impact Fee	Proposed Fee as Percent of 2011 Road Impact Fee
		OFFICE (continued):														
710.3P	710	General Office 200,001-400,000 sf(4)	1,000 sf	$6,768	$4,959	$4,959	$0	$5,490	$0	$0	$0	$0	$0	$4,959	$2,684	0%
710.4P	710	General Office greater than 400,000 sf(5)	1,000 sf	$6,161	$4,511	$4,511	$0	$4,994	$0	$0	$0	$0	$0	$4,511	$2,285	0%
720	720	Medical Office	1,000 sf	$26,166	$19,349	$19,349	$0	$21,400	$0	$0	$0	$0	$0	$19,349	$8,847	0%
750	750	Office Park	1,000 sf	$7,969	$5,847	$5,847	$0	$6,471	$0	$0	$0	$0	$0	$5,847	$4,801	0%
714	714	Corporate Headquarters Building	1,000 sf	$5,568	$4,072	$4,072	$0	$4,509	$0	$0	$0	$0	$0	$4,072	$3,275	0%
760	760	Research and Development Center	1,000 sf	$5,659	$4,139	$4,139	$0	$4,583	$0	$0	$0	$0	$0	$4,139	$2,071	0%
770.P	n/a	Veterinarian Clinic	1,000 sf	$6,669	$4,600	$4,600	$0	$5,123	$0	$0	$0	$0	$0	$4,600	$2,247	0%
		RETAIL:														
814	814	Specialty Retail	1,000 sf	$19,082	$13,675	$11,064	$2,611	$15,170	$2,491	$1,892	$599	$7	$113	$11,064	$11,184	23%
820	820	Retail 50,000 sfgla or less(4)	1,000 sfgla	$11,959	$8,193	$6,629	$1,564	$9,131	$1,492	$1,136	$356	$4	$68	$6,629	$11,099	14%
820.1P	820	Retail 50,001-200,000 sfgla(4)	1,000 sfgla	$10,694	$7,387	$5,976	$1,410	$8,225	$1,345	$1,019	$326	$4	$61	$5,976	$8,877	16%
820.2P	820	Retail 200,001-400,000 sfgla(4)	1,000 sfgla	$10,141	$7,072	$5,721	$1,350	$7,866	$1,287	$976	$311	$4	$59	$5,721	$8,490	16%
820.3P	820	Retail 400,001-600,000 sfgla(4)	1,000 sfgla	$9,579	$6,657	$5,386	$1,271	$7,408	$1,213	$917	$296	$3	$55	$5,386	$8,228	15%
820.4P	820	Retail 600,001-800,000 sfgla(4)	1,000 sfgla	$9,888	$6,924	$5,602	$1,322	$7,699	$1,261	$953	$308	$4	$57	$5,602	$7,892	17%
820.5P	820	Retail greater than 800,000 sfgla(5)	1,000 sfgla	$10,347	$7,307	$5,912	$1,395	$8,118	$1,330	$1,007	$323	$4	$61	$5,912	$7,628	18%
881	881	Pharmacy/Drug Store with and without Drive-Thru	1,000 sf	$8,411	$5,744	$4,647	$1,097	$6,403	$1,046	$792	$254	$3	$48	$4,647	$5,537	20%
862	862	Home Improvement Superstore	1,000 sf	$5,981	$4,095	$3,313	$782	$4,564	$746	$563	$183	$2	$34	$3,313	$8,157	10%
931	931	Quality Restaurant	1,000 sf	$29,366	$20,981	$16,975	$4,006	$23,283	$3,822	$2,904	$918	$10	$174	$16,975	$20,271	20%
932	932	High-Turnover Restaurant	1,000 sf	$36,118	$25,763	$20,844	$4,919	$28,594	$4,693	$3,568	$1,125	$12	$214	$20,844	$28,198	17%
934	934	Fast Food Restaurant w/Drive-Thru	1,000 sf	$78,217	$53,672	$43,424	$10,248	$59,802	$9,778	$7,433	$2,345	$25	$445	$43,424	$56,773	18%
944	944	Gasoline Station	fuel pos.	$9,760	$6,700	$5,421	$1,279	$7,465	$1,219	$928	$291	$4	$56	$5,421	$6,723	19%
941	941	Quick Lube	bays	$13,924	$10,063	$8,141	$1,921	$11,154	$1,833	$1,395	$438	$5	$83	$8,141	$9,710	20%
850	850	Supermarket	1,000 sf	$15,886	$10,967	$8,873	$2,094	$12,212	$1,998	$1,518	$480	$5	$91	$8,873	$8,190	26%
853	853	Convenience Store w/Gas Pumps	1,000 sf	$40,595	$26,661	$21,571	$5,091	$29,843	$4,858	$3,682	$1,176	$12	$221	$21,571	$24,577	21%
848	848	Tire Store	1,000 sf	$8,657	$6,190	$5,008	$1,182	$6,869	$1,128	$855	$273	$3	$51	$5,008	$6,140	19%
943	943	Auto Repair or Body Shop	1,000 sf	$11,877	$8,556	$6,922	$1,634	$9,486	$1,559	$1,185	$374	$4	$71	$6,922	$9,256	18%
841	841	New/Used Auto Sales	1,000 sf	$14,506	$10,595	$8,572	$2,023	$11,732	$1,930	$1,467	$463	$5	$88	$8,572	$13,382	15%
816	816	Hardware/Paint	1,000 sf	$7,086	$4,772	$3,861	$911	$5,328	$868	$657	$211	$3	$40	$3,861	$8,270	11%
947	947	Self-Service Car Wash	bays	$21,697	$14,947	$12,093	$2,854	$16,648	$2,723	$2,070	$653	$7	$124	$12,093	$10,354	28%
890	890	Furniture Store	1,000 sf	$2,229	$1,569	$1,270	$300	$1,744	$286	$214	$72	$1	$13	$1,270	$1,620	19%
912	912	Bank/Savings w/Drive-In	1,000 sf	$23,896	$16,673	$13,490	$3,183	$18,546	$3,037	$2,304	$733	$8	$138	$13,490	$37,045	9%
913.P	n/a	Convenience/Gasoline/Fast Food Store	1,000 sf	$105,504	$74,458	$60,242	$14,217	$82,728	$13,566	$10,321	$3,245	$34	$617	$60,242	$72,754	20%
		INDUSTRIAL:														
110	110	General Light Industrial	1,000 sf	$5,194	$3,820	$3,820	$0	$4,227	$0	$0	$0	$0	$0	$3,820	$3,151	0%
120	120	General Heavy Industrial	1,000 sf	$1,118	$799	$799	$0	$887	$0	$0	$0	$0	$0	$799	$678	0%
130	130	Industrial Park	1,000 sf	$5,187	$3,814	$3,814	$0	$4,221	$0	$0	$0	$0	$0	$3,814	$3,147	0%
140	140	Manufacturing	1,000 sf	$2,847	$2,080	$2,080	$0	$2,303	$0	$0	$0	$0	$0	$2,080	$1,727	0%
150	150	Warehouse	1,000 sf	$2,653	$1,926	$1,926	$0	$2,133	$0	$0	$0	$0	$0	$1,926	$2,243	0%
151	151	Mini-Warehouse	1,000 sf	$1,119	$771	$771	$0	$858	$0	$0	$0	$0	$0	$771	$673	0%
152	152	High-Cube Warehouse	1,000 sf	$1,380	$990	$990	$0	$1,098	$0	$0	$0	$0	$0	$990	$740	0%
160.P	n/a	Airport Hangar	1,000 sf	$2,653	$1,937	$1,937	$0	$2,145	$0	$0	$0	$0	$0	$1,937	$2,243	0%

Notes:
(1) Provided for informational purposes only. This value is the total value of transportation system consumed, less credits for revenues committed to transportation system expansion that are generated by the use itself. This value includes Interstate costs and carrying costs, but not toll road costs. It does consider the proportion of trip length, varying system costs, and transportation system performance goals that vary by fee district.

FIGURE 1302.2-A

Suburban Mobility Fee Schedule for Traditional Neighborhood Development (Fee District B)

Pasco County Land Use Code	ITE LUC	Land Use	Unit	Total Impact Cost	Fee before buy-down	$$ Allocated for buy-down	Net Mobility Fee	Full Fee(1)	Road Share (Incl Int)	Road Share (Excl Int)	Interstate Share	Transit Share	Bike/Ped Share	TxIF "Back-Fill" Amount	2011 Road Impact Fee	Proposed Fee as Percent of 2011 Road Impact Fee
		RESIDENTIAL:														
210	210	Single Family (Detached)	du													
210.1P	n/a	Less than 1,500 s.f. & Annual Hh Income less than 80% SHIP Definition(2)	du	$5,681	$4,322	$3,100	$ 1,221	$ 4,684	$ 1,165	$ 928	$ 237	$ 3	$ 53	$3,100	$5,886	21%
210.2P	n/a	0 to 1,500 s.f.	du	$7,125	$5,436	$3,900	$ 1,536	$ 5,891	$ 1,465	$ 1,167	$ 298	$ 4	$ 67	$3,900	$7,375	21%
210.3P	n/a	1,501 to 2,499 s.f.	du	$9,959	$7,584	$5,441	$ 2,143	$ 8,220	$ 2,044	$ 1,628	$ 416	$ 6	$ 93	$5,441	$10,302	21%
210.4P	n/a	2,500 s.f. and greater	du	$11,022	$8,221	$5,898	$ 2,323	$ 8,925	$ 2,216	$ 1,755	$ 461	$ 6	$ 101	$5,898	$11,413	20%
210.5P	n/a	"Low Income" SHIP defined Multi-Family(2)	du	$3,707	$2,795	$2,005	$ 790	$ 3,031	$ 754	$ 600	$ 154	$ 2	$ 34	$2,005	$4,312	18%
221	221	Multi-Family Apartments	du	$6,806	$5,175	$3,712	$ 1,463	$ 5,610	$ 1,395	$ 1,112	$ 283	$ 4	$ 64	$3,712	$7,564	19%
240	240	Mobile Home Park	du	$3,804	$2,883	$2,068	$ 815	$ 3,126	$ 778	$ 621	$ 157	$ 2	$ 35	$2,068	$4,604	18%
251	251	Age Restricted Single Family(3)	du	$3,362	$2,520	$1,808	$ 712	$ 2,735	$ 679	$ 539	$ 140	$ 2	$ 31	$1,808	$4,327	16%
252	252	Age Restricted Multi-Family(3)	du	$1,761	$1,301	$934	$ 368	$ 1,414	$ 351	$ 279	$ 72	$ 1	$ 16	$934	$3,362	11%
253	253	Congregate Care Facility (Attached)(3)	du	$989	$726	$521	$ 205	$ 789	$ 195	$ 155	$ 40	$ 1	$ 9	$521	$1,068	19%
231	231	Low-Rise Condominium/Townhouse (1 to 2 stories)	du	$6,823	$5,215	$3,741	$ 1,474	$ 5,650	$ 1,406	$ 1,120	$ 286	$ 4	$ 64	$3,741	$7,066	21%
232	232	High-Rise Condominium (3 or more stories)	du	$5,485	$4,181	$3,000	$ 1,182	$ 4,531	$ 1,128	$ 898	$ 230	$ 3	$ 51	$3,000	$5,681	21%
		LODGING:														
310	310	Hotel	room	$7,144	$5,478	$5,329	$ 149	$ 5,934	$ 142	$ 113	$ 29	$ 1	$ 6	$5,329	$3,147	5%
330	330	Resort Hotel	room	$5,382	$4,116	$4,004	$ 112	$ 4,460	$ 106	$ 84	$ 22	$ 1	$ 5	$4,004	$4,722	2%
320	320	Motel	room	$3,918	$2,981	$2,900	$ 81	$ 3,232	$ 76	$ 61	$ 15	$ 1	$ 4	$2,900	$1,679	5%
		RECREATION:														
416	416	RV Park	RV space	$2,127	$1,628	$1,388	$ 240	$ 1,764	$ 229	$ 183	$ 46	$ 1	$ 10	$1,388	$1,840	13%
420	420	Marina	berth	$3,672	$2,776	$2,366	$ 410	$ 3,010	$ 391	$ 310	$ 81	$ 1	$ 18	$2,366	$1,184	35%
430	430	Golf Course	hole	$44,336	$34,161	$29,120	$ 5,041	$ 36,992	$ 4,810	$ 3,840	$ 970	$ 12	$ 219	$29,120	$18,550	27%
431	431	Miniature Golf Course	hole	$3,281	$2,498	$2,129	$ 369	$ 2,707	$ 352	$ 280	$ 72	$ 1	$ 16	$2,129	$1,367	27%
444	444	Movie Theater	screen	$39,560	$29,260	$24,942	$ 4,318	$ 31,786	$ 4,119	$ 3,302	$ 817	$ 11	$ 188	$24,942	$12,755	34%
412	412	General Recreation	acre	$1,996	$1,502	$1,280	$ 222	$ 1,629	$ 211	$ 167	$ 44	$ 1	$ 10	$1,280	$1,095	20%
491	491	Racquet Club/Health Club/Spa/Dance Studio	1,000 sf	$12,922	$9,853	$8,400	$ 1,454	$ 10,679	$ 1,387	$ 1,107	$ 280	$ 4	$ 63	$8,400	$9,291	16%
437	437	Bowling Alley	1,000 sf	$29,392	$22,529	$19,205	$ 3,324	$ 24,406	$ 3,172	$ 2,536	$ 636	$ 8	$ 144	$19,205	$18,068	18%
495	495	Community Center/Gymnasium	1,000 sf	$26,332	$20,260	$17,271	$ 2,990	$ 21,942	$ 2,852	$ 2,277	$ 575	$ 8	$ 130	$17,271	$10,986	27%
		INSTITUTIONS:														
610	610	Hospital	1,000 sf	$17,512	$13,381	$9,628	$ 3,753	$ 14,499	$ 3,581	$ 2,853	$ 728	$ 9	$ 163	$9,628	$17,013	22%
620	620	Nursing Home	bed	$1,087	$808	$581	$ 227	$ 877	$ 216	$ 172	$ 44	$ 1	$ 10	$581	$1,102	21%
520	520	Elementary School	student	$884	$659	$474	$ 185	$ 716	$ 176	$ 140	$ 36	$ 1	$ 8	$474	$867	21%
522	522	Middle School	student	$1,249	$938	$675	$ 263	$ 1,018	$ 251	$ 200	$ 51	$ 1	$ 11	$675	$1,224	21%
530	530	High School	student	$1,318	$991	$713	$ 278	$ 1,075	$ 265	$ 211	$ 54	$ 1	$ 12	$713	$1,292	22%
540	540	University/Junior College (7,500 or fewer students) (Private)	student	$2,481	$1,901	$1,368	$ 533	$ 2,059	$ 508	$ 405	$ 103	$ 2	$ 23	$1,368	$1,467	36%
550	550	University/Junior College (more than 7,500 students) (Private)	student	$1,861	$1,421	$1,023	$ 399	$ 1,540	$ 381	$ 303	$ 78	$ 1	$ 17	$1,023	$2,909	14%
560	560	Church	1,000 sf	$6,088	$4,593	$3,304	$ 1,288	$ 4,982	$ 1,228	$ 981	$ 247	$ 4	$ 56	$3,304	$6,231	21%
565	565	Day Care	student	$852	$456	$328	$ 128	$ 510	$ 121	$ 88	$ 33	$ 1	$ 6	$328	$852	15%
566	566	Cemetery	acre	$6,194	$4,778	$3,438	$ 1,340	$ 5,174	$ 1,278	$ 1,021	$ 257	$ 4	$ 58	$3,438	$6,103	22%
		OFFICE:														
710	710	General Office 50,000 sf or less(4)	1,000 sf	$14,107	$10,770	$10,477	$ 293	$ 11,671	$ 279	$ 223	$ 56	$ 1	$ 13	$10,477	$4,778	6%
710.1P	710	General Office 50,001-100,000 sf(4)	1,000 sf	$12,025	$9,172	$8,922	$ 250	$ 9,940	$ 238	$ 190	$ 48	$ 1	$ 11	$8,922	$3,703	7%
710.2P	710	General Office 100,001-200,000 sf(4)	1,000 sf	$10,249	$7,810	$7,597	$ 213	$ 8,464	$ 203	$ 162	$ 41	$ 1	$ 9	$7,597	$3,153	7%

FIGURE 1302.2-A

Suburban Mobility Fee Schedule for Traditional Neighborhood Development (Fee District B) (continued)

Pasco County Land Use Code	ITE LUC	Land Use	Unit	Total Impact Cost	Fee before buy-down	$$ Allocated for buy-down	Net Mobility Fee	Full Fee(1)	Road Share (Incl Int)	Road Share (Excl Int)	Interstate Share	Transit Share	Bike/Ped Share	TxIF "Back-Fill" Amount	2011 Road Impact Fee	Proposed Fee as Percent of 2011 Road Impact Fee
		OFFICE (continued):														
710.3P	710	General Office 200,001-400,000 sf(4)	1,000 sf	$8,744	$6,654	$6,473	$ 181	$ 7,213	$ 172	$ 137	$ 35	$ 1	$ 8	$6,473	$2,684	7%
710.4P	710	General Office greater than 400,000 sf(5)	1,000 sf	$7,960	$6,053	$5,888	$ 165	$ 6,561	$ 157	$ 125	$ 32	$ 1	$ 7	$5,888	$2,285	7%
720	720	Medical Office	1,000 sf	$33,784	$25,915	$25,208	$ 706	$ 28,072	$ 673	$ 538	$ 135	$ 2	$ 31	$25,208	$8,847	8%
750	750	Office Park	1,000 sf	$10,294	$7,844	$7,630	$ 214	$ 8,502	$ 204	$ 163	$ 41	$ 1	$ 9	$7,630	$4,801	4%
714	714	Corporate Headquarters Building	1,000 sf	$7,193	$5,465	$5,316	$ 149	$ 5,924	$ 142	$ 113	$ 29	$ 1	$ 6	$5,316	$3,275	5%
760	760	Research and Development Center	1,000 sf	$7,311	$5,555	$5,403	$ 151	$ 6,021	$ 143	$ 114	$ 29	$ 1	$ 7	$5,403	$2,071	7%
770.P	n/a	Veterinarian Clinic	1,000 sf	$8,724	$6,376	$6,202	$ 174	$ 6,933	$ 165	$ 132	$ 33	$ 1	$ 8	$6,202	$2,247	8%
		RETAIL:														
814	814	Specialty Retail	1,000 sf	$28,548	$21,594	$18,408	$ 3,186	$ 23,417	$ 3,040	$ 2,432	$ 608	$ 8	$ 138	$18,408	$11,184	28%
820	820	Retail 50,000 sfgla or less(4)	1,000 sfgla	$18,018	$13,262	$11,305	$ 1,957	$ 14,412	$ 1,867	$ 1,499	$ 368	$ 5	$ 85	$11,305	$11,099	18%
820.1P	820	Retail 50,001-200,000 sfgla(4)	1,000 sfgla	$16,121	$11,948	$10,185	$ 1,763	$ 12,978	$ 1,681	$ 1,347	$ 334	$ 5	$ 77	$10,185	$8,877	20%
820.2P	820	Retail 200,001-400,000 sfgla(4)	1,000 sfgla	$15,227	$11,342	$9,669	$ 1,674	$ 12,315	$ 1,597	$ 1,278	$ 319	$ 4	$ 73	$9,669	$8,490	20%
820.3P	820	Retail 400,001-600,000 sfgla(4)	1,000 sfgla	$14,383	$10,703	$9,124	$ 1,579	$ 11,621	$ 1,506	$ 1,205	$ 301	$ 4	$ 69	$9,124	$8,228	19%
820.4P	820	Retail 600,001-800,000 sfgla(4)	1,000 sfgla	$14,852	$11,102	$9,464	$ 1,638	$ 12,051	$ 1,563	$ 1,250	$ 313	$ 4	$ 71	$9,464	$7,892	21%
820.5P	820	Retail greater than 800,000 sfgla(5)	1,000 sfgla	$15,480	$11,622	$9,907	$ 1,715	$ 12,610	$ 1,636	$ 1,307	$ 329	$ 5	$ 74	$9,907	$7,628	22%
881	881	Pharmacy/Drug Store with and without Drive-Thru	1,000 sf	$12,671	$9,329	$7,952	$ 1,377	$ 10,138	$ 1,313	$ 1,052	$ 261	$ 4	$ 60	$7,952	$5,537	25%
862	862	Home Improvement Superstore	1,000 sf	$9,016	$6,656	$5,673	$ 982	$ 7,231	$ 936	$ 749	$ 187	$ 3	$ 43	$5,673	$8,157	12%
931	931	Quality Restaurant	1,000 sf	$43,934	$33,205	$28,305	$ 4,900	$ 36,010	$ 4,675	$ 3,743	$ 932	$ 12	$ 213	$28,305	$20,271	24%
932	932	High-Turnover Restaurant	1,000 sf	$54,035	$40,781	$34,764	$ 6,018	$ 44,232	$ 5,742	$ 4,598	$ 1,144	$ 15	$ 261	$34,764	$28,198	21%
934	934	Fast Food Restaurant w/Drive-Thru	1,000 sf	$108,113	$79,183	$67,499	$ 11,684	$ 86,087	$ 11,149	$ 8,954	$ 2,195	$ 28	$ 507	$67,499	$56,773	21%
944	944	Gasoline Station	fuel pos.	$13,490	$9,882	$8,424	$ 1,458	$ 10,743	$ 1,391	$ 1,118	$ 273	$ 4	$ 63	$8,424	$6,723	22%
941	941	Quick Lube	bays	$20,772	$15,777	$13,449	$ 2,328	$ 17,103	$ 2,221	$ 1,777	$ 444	$ 6	$ 101	$13,449	$9,710	24%
850	850	Supermarket	1,000 sf	$23,934	$17,696	$15,084	$ 2,611	$ 19,224	$ 2,491	$ 1,998	$ 493	$ 7	$ 113	$15,084	$8,190	32%
853	853	Convenience Store w/Gas Pumps	1,000 sf	$56,983	$40,731	$34,721	$ 6,010	$ 44,369	$ 5,734	$ 4,620	$ 1,114	$ 15	$ 261	$34,721	$24,577	24%
848	848	Tire Store	1,000 sf	$12,915	$9,760	$8,320	$ 1,440	$ 10,585	$ 1,373	$ 1,097	$ 276	$ 4	$ 63	$8,320	$6,140	23%
943	943	Auto Repair or Body Shop	1,000 sf	$17,719	$13,450	$11,465	$ 1,985	$ 14,581	$ 1,894	$ 1,515	$ 379	$ 5	$ 86	$11,465	$9,256	21%
841	841	New/Used Auto Sales	1,000 sf	$21,620	$16,535	$14,096	$ 2,440	$ 17,916	$ 2,328	$ 1,861	$ 467	$ 6	$ 106	$14,096	$13,382	18%
816	816	Hardware/Paint	1,000 sf	$10,676	$7,796	$6,646	$ 1,150	$ 8,478	$ 1,097	$ 880	$ 217	$ 3	$ 50	$6,646	$8,270	14%
947	947	Self-Service Car Wash	bays	$32,688	$24,149	$20,586	$ 3,563	$ 26,236	$ 3,399	$ 2,728	$ 671	$ 9	$ 155	$20,586	$10,354	34%
890	890	Furniture Store	1,000 sf	$3,314	$2,494	$2,126	$ 368	$ 2,705	$ 351	$ 279	$ 72	$ 1	$ 16	$2,126	$1,620	23%
912	912	Bank/Savings w/Drive-In	1,000 sf	$32,919	$24,372	$20,776	$ 3,596	$ 26,474	$ 3,431	$ 2,749	$ 682	$ 9	$ 156	$20,776	$37,045	10%
913.P	n/a	Convenience/Gasoline/Fast Food Store	1,000 sf	$145,342	$108,392	$92,398	$ 15,994	$ 117,672	$ 15,261	$ 12,240	$ 3,021	$ 38	$ 695	$92,398	$72,754	22%
		INDUSTRIAL:														
110	110	General Light Industrial	1,000 sf	$5,981	$4,558	$4,308	$ 250	$ 4,940	$ 238	$ 190	$ 48	$ 1	$ 11	$4,308	$3,151	8%
120	120	General Heavy Industrial	1,000 sf	$1,287	$961	$908	$ 53	$ 1,043	$ 50	$ 39	$ 11	$ 1	$ 2	$908	$678	8%
130	130	Industrial Park	1,000 sf	$5,972	$4,552	$4,302	$ 250	$ 4,933	$ 238	$ 190	$ 48	$ 1	$ 11	$4,302	$3,147	8%
140	140	Manufacturing	1,000 sf	$3,278	$2,487	$2,350	$ 137	$ 2,696	$ 130	$ 103	$ 27	$ 1	$ 6	$2,350	$1,727	8%
150	150	Warehouse	1,000 sf	$3,055	$2,320	$2,192	$ 127	$ 2,515	$ 120	$ 96	$ 24	$ 1	$ 6	$2,192	$2,243	6%
151	151	Mini-Warehouse	1,000 sf	$1,292	$952	$900	$ 52	$ 1,035	$ 49	$ 39	$ 10	$ 1	$ 2	$900	$673	8%
152	152	High-Cube Warehouse	1,000 sf	$1,588	$1,203	$1,136	$ 66	$ 1,304	$ 62	$ 49	$ 13	$ 1	$ 3	$1,136	$740	9%
160.P	n/a	Airport Hangar	1,000 sf	$3,055	$2,316	$2,189	$ 127	$ 2,511	$ 120	$ 96	$ 24	$ 1	$ 6	$2,189	$2,243	6%

Notes:
(1) Provided for informational purposes only. This value is the total value of transportation system consumed, less credits for revenues committed to transportation system expansion that are generated by the use itself. This value includes Interstate costs and carrying costs, but not toll road costs. It does consider the proportion of trip length, varying system costs, and transportation system performance goals that vary by fee district.

FIGURE 1302.2-A

Rural Mobility Fee Schedule for Traditional Neighborhood Development (Fee District C)

Pasco County Land Use Code	ITE LUC	Land Use	Unit	Total Impact Cost	Fee before buy-down	$$ Allocated for buy-down	Net Mobility Fee	Full Fee(1)	Road Share (Incl Int)	Road Share (Excl Int)	Interstate Share	Transit Share	Bike/Ped Share	TxIF "Back-Fill" Amount	2011 Road Impact Fee	Proposed Fee as Percent of 2011 Road Impact Fee
		RESIDENTIAL:														
210	210	Single Family (Detached)														
210.1P	n/a	Less than 1,500 s.f. & Annual Hh Income less than 80% SHIP Definition(2)	du	$6,879	$5,311	$3,913	$1,398	$5,864	$1,333	$1,086	$247	$4	$61	$3,913	$5,886	24%
210.2P	n/a	0 to 1,500 s.f.	du	$8,626	$6,674	$4,917	$1,757	$7,366	$1,676	$1,366	$310	$5	$76	$4,917	$7,375	24%
210.3P	n/a	1,501 to 2,499 s.f.	du	$12,057	$9,306	$6,857	$2,450	$10,274	$2,338	$1,905	$433	$6	$106	$6,857	$10,302	24%
210.4P	n/a	2,500 s.f. and greater	du	$13,344	$10,169	$7,492	$2,677	$11,240	$2,554	$2,075	$479	$7	$116	$7,492	$11,413	23%
210.5P	n/a	"Low Income" SHIP defined Multi-Family(2)	du	$4,490	$3,446	$2,539	$907	$3,806	$865	$705	$160	$3	$39	$2,539	$4,312	21%
221	221	Multi-Family Apartments	du	$8,243	$6,360	$4,686	$1,674	$7,022	$1,597	$1,303	$294	$4	$73	$4,686	$7,564	22%
240	240	Mobile Home Park	du	$4,611	$3,544	$2,611	$933	$3,914	$889	$725	$164	$3	$41	$2,611	$4,604	20%
251	251	Age Restricted Single Family(3)	du	$4,072	$3,113	$2,293	$819	$3,439	$781	$636	$145	$2	$36	$2,293	$4,327	19%
252	252	Age Restricted Multi-Family(3)	du	$2,179	$1,661	$1,224	$437	$1,836	$416	$341	$75	$2	$19	$1,224	$3,362	13%
253	253	Congregate Care Facility (Attached)(3)	du	$1,223	$928	$684	$244	$1,026	$232	$190	$42	$1	$11	$684	$1,068	23%
231	231	Low-Rise Condominium/Townhouse (1 to 2 stories)	du	$8,261	$6,400	$4,715	$1,685	$7,063	$1,608	$1,311	$297	$4	$73	$4,715	$7,066	24%
232	232	High-Rise Condominium (3 or more stories)	du	$6,640	$5,136	$3,784	$1,352	$5,669	$1,289	$1,051	$238	$4	$59	$3,784	$5,681	24%
		LODGING:														
310	310	Hotel	room	$8,339	$6,465	$6,167	$298	$7,134	$284	$232	$52	$1	$13	$6,167	$3,147	9%
330	330	Resort Hotel	room	$6,283	$4,861	$4,637	$224	$5,365	$213	$174	$39	$1	$10	$4,637	$4,722	5%
320	320	Motel	room	$4,580	$3,529	$3,366	$163	$3,896	$155	$126	$29	$1	$7	$3,366	$1,679	10%
		RECREATION:														
416	416	RV Park	RV Space	$2,486	$1,925	$1,644	$281	$2,124	$268	$219	$49	$1	$12	$1,644	$1,840	15%
420	420	Marina	berth	$4,286	$3,281	$2,802	$479	$3,625	$456	$371	$85	$2	$21	$2,802	$1,184	40%
430	430	Golf Course	hole	$51,754	$40,299	$34,414	$5,885	$44,453	$5,615	$4,583	$1,032	$14	$256	$34,414	$18,550	32%
431	431	Miniature Golf Course	hole	$3,832	$2,956	$2,524	$432	$3,263	$411	$335	$76	$2	$19	$2,524	$1,367	32%
444	444	Movie Theater	screen	$48,192	$36,722	$31,359	$5,362	$40,590	$5,116	$4,237	$879	$13	$233	$31,359	$12,755	42%
412	412	General Recreation	acre	$2,332	$1,791	$1,529	$262	$1,978	$250	$204	$46	$1	$11	$1,529	$1,095	24%
491	491	Racquet Club/Health Club/Spa/Dance Studio	1,000 sf	$15,101	$11,654	$9,952	$1,702	$12,866	$1,624	$1,326	$298	$4	$74	$9,952	$9,291	18%
437	437	Bowling Alley	1,000 sf	$34,348	$26,615	$22,728	$3,887	$29,372	$3,708	$3,030	$678	$10	$169	$22,728	$18,068	22%
495	495	Community Center/Gymnasium	1,000 sf	$30,737	$23,888	$20,400	$3,488	$26,355	$3,328	$2,717	$611	$9	$151	$20,400	$10,986	32%
		INSTITUTIONS:														
610	610	Hospital	1,000 sf	$20,442	$15,789	$11,331	$4,458	$17,430	$4,254	$3,466	$788	$10	$194	$11,331	$17,013	26%
620	620	Nursing Home	bed	$1,305	$995	$714	$281	$1,099	$268	$221	$47	$1	$12	$714	$1,102	25%
520	520	Elementary School	student	$1,033	$782	$561	$221	$865	$211	$172	$39	$1	$10	$561	$867	25%
522	522	Middle School	student	$1,460	$1,112	$798	$314	$1,229	$300	$244	$55	$1	$14	$798	$1,224	26%
530	530	High School	student	$1,541	$1,175	$843	$332	$1,299	$317	$258	$58	$1	$14	$843	$1,292	26%
540	540	University/Junior College (7,500 or fewer students) (Private)	student	$2,896	$2,242	$1,609	$633	$2,474	$604	$492	$112	$1	$27	$1,609	$1,467	43%
550	550	University/Junior College (more than 7,500 students) (Private)	student	$2,172	$1,677	$1,204	$474	$1,852	$452	$368	$84	$1	$21	$1,204	$2,909	16%
560	560	Church	1,000 sf	$7,216	$5,552	$3,984	$1,568	$6,131	$1,496	$1,227	$269	$4	$68	$3,984	$6,231	25%
565	565	Day Care	student	$1,038	$616	$442	$174	$700	$166	$130	$36	$0	$8	$442	$852	20%
566	566	Cemetery	acre	$7,230	$5,632	$4,042	$1,590	$6,212	$1,517	$1,239	$279	$4	$69	$4,042	$6,103	26%
		OFFICE:														
710	710	General Office 50,000 sf or less(4)	1,000 sf	$16,486	$12,737	$12,150	$587	$14,060	$560	$457	$103	$2	$25	$12,150	$4,778	12%
710.1P	710	General Office 50,001-100,000 sf(4)	1,000 sf	$14,053	$10,850	$10,350	$500	$11,978	$476	$389	$87	$2	$22	$10,350	$3,703	14%
710.2P	710	General Office 100,001-200,000 sf(4)	1,000 sf	$11,978	$9,241	$8,815	$426	$10,202	$405	$330	$75	$2	$19	$8,815	$3,153	14%

FIGURE 1302.2-A

Rural Mobility Fee Schedule for Traditional Neighborhood Development (Fee District C) (continued)

Pasco County Land Use Code	ITE LUC	Land Use	Unit	Total Impact Cost	Fee before buy-down	$$ Allocated for buy-down	Net Mobility Fee	Full Fee(1)	Road Share (Incl Int)	Road Share (Excl Int)	Interstate Share	Transit Share	Bike/Ped Share	TxIF "Back-Fill" Amount	2011 Road Impact Fee	Proposed Fee as Percent of 2011 Road Impact Fee
		OFFICE (continued):														
710.3P	710	General Office 200,001-400,000 sf(4)	1,000 sf	$10,218	$7,877	$7,514	$363	$8,697	$346	$282	$64	$1	$16	$7,514	$2,684	14%
710.4P	710	General Office greater than 400,000 sf(5)	1,000 sf	$9,302	$7,166	$6,836	$330	$7,913	$315	$257	$58	$1	$14	$6,836	$2,285	14%
720	720	Medical Office	1,000 sf	$39,464	$30,596	$29,186	$1,410	$33,764	$1,345	$1,099	$246	$4	$61	$29,186	$8,847	16%
750	750	Office Park	1,000 sf	$12,030	$9,282	$8,854	$428	$10,247	$407	$332	$75	$2	$19	$8,854	$4,801	9%
714	714	Corporate Headquarters Building	1,000 sf	$8,406	$6,472	$6,173	$298	$7,146	$284	$232	$52	$1	$13	$6,173	$3,275	9%
760	760	Research and Development Center	1,000 sf	$8,543	$6,578	$6,275	$303	$7,264	$289	$236	$53	$1	$13	$6,275	$2,071	15%
770.P	n/a	Veterinarian Clinic	1,000 sf	$10,680	$8,080	$7,707	$372	$8,937	$355	$295	$60	$1	$16	$7,707	$2,247	17%
		RETAIL:														
814	814	Specialty Retail	1,000 sf	$34,271	$26,428	$22,569	$3,859	$29,179	$3,681	$3,026	$655	$10	$168	$22,569	$11,184	35%
820	820	Retail 50,000 sfgla or less(4)	1,000 sfgla	$22,199	$16,877	$14,413	$2,465	$18,659	$2,352	$1,952	$400	$6	$107	$14,413	$11,099	22%
820.1P	820	Retail 50,001-200,000 sfgla(4)	1,000 sfgla	$19,754	$15,083	$12,880	$2,203	$16,668	$2,101	$1,738	$363	$6	$96	$12,880	$8,877	25%
820.2P	820	Retail 200,001-400,000 sfgla(4)	1,000 sfgla	$18,401	$14,045	$11,994	$2,051	$15,522	$1,957	$1,613	$344	$5	$89	$11,994	$8,490	24%
820.3P	820	Retail 400,001-600,000 sfgla(4)	1,000 sfgla	$17,381	$13,259	$11,323	$1,936	$14,654	$1,847	$1,521	$326	$5	$84	$11,323	$8,228	24%
820.4P	820	Retail 600,001-800,000 sfgla(4)	1,000 sfgla	$17,884	$13,679	$11,682	$1,998	$15,115	$1,906	$1,568	$338	$5	$87	$11,682	$7,892	25%
820.5P	820	Retail greater than 800,000 sfgla(5)	1,000 sfgla	$18,583	$14,249	$12,168	$2,081	$15,740	$1,986	$1,632	$354	$5	$90	$12,168	$7,628	27%
881	881	Pharmacy/Drug Store with and without Drive-Thru	1,000 sf	$15,536	$11,802	$10,079	$1,723	$13,049	$1,643	$1,360	$283	$5	$75	$10,079	$5,537	31%
862	862	Home Improvement Superstore	1,000 sf	$11,049	$8,412	$7,183	$1,228	$9,298	$1,172	$970	$202	$3	$53	$7,183	$8,157	15%
931	931	Quality Restaurant	1,000 sf	$52,740	$40,632	$34,699	$5,933	$44,866	$5,661	$4,657	$1,004	$14	$258	$34,699	$20,271	29%
932	932	High-Turnover Restaurant	1,000 sf	$65,069	$50,119	$42,800	$7,319	$55,341	$6,983	$5,750	$1,233	$18	$318	$42,800	$28,198	26%
934	934	Fast Food Restaurant w/Drive-Thru	1,000 sf	$116,151	$87,263	$74,520	$12,743	$96,586	$12,160	$10,107	$2,053	$30	$553	$74,520	$56,773	22%
944	944	Gasoline Station	fuel pos.	$14,493	$10,885	$9,295	$1,589	$12,048	$1,516	$1,261	$255	$4	$69	$9,295	$6,723	24%
941	941	Quick Lube	bays	$24,781	$19,137	$16,342	$2,794	$21,126	$2,666	$2,189	$477	$7	$121	$16,342	$9,710	29%
850	850	Supermarket	1,000 sf	$29,345	$22,397	$19,126	$3,271	$24,752	$3,121	$2,586	$535	$8	$142	$19,126	$8,190	40%
853	853	Convenience Store w/Gas Pumps	1,000 sf	$61,452	$45,199	$38,599	$6,600	$50,131	$6,297	$5,256	$1,041	$16	$287	$38,599	$24,577	27%
848	848	Tire Store	1,000 sf	$15,408	$11,854	$10,123	$1,731	$13,091	$1,651	$1,354	$297	$5	$75	$10,123	$6,140	28%
943	943	Auto Repair or Body Shop	1,000 sf	$21,139	$16,287	$13,909	$2,378	$17,984	$2,269	$1,862	$407	$6	$103	$13,909	$9,256	26%
841	841	New/Used Auto Sales	1,000 sf	$25,429	$19,657	$16,787	$2,870	$21,698	$2,738	$2,238	$500	$7	$125	$16,787	$13,382	21%
816	816	Hardware/Paint	1,000 sf	$13,154	$9,945	$8,493	$1,452	$11,001	$1,385	$1,149	$236	$4	$63	$8,493	$8,270	18%
947	947	Self-Service Car Wash	bays	$40,078	$30,515	$26,059	$4,456	$33,732	$4,251	$3,523	$728	$11	$194	$26,059	$10,354	43%
890	890	Furniture Store	1,000 sf	$3,894	$2,976	$2,541	$435	$3,288	$414	$336	$78	$2	$19	$2,541	$1,620	27%
912	912	Bank/Savings w/Drive-In	1,000 sf	$35,176	$26,665	$22,771	$3,894	$29,489	$3,715	$3,077	$638	$10	$169	$22,771	$37,045	11%
913.P	n/a	Convenience/Gasoline/Fast Food Store	1,000 sf	$155,307	$118,355	$101,072	$17,283	$130,821	$16,491	$13,668	$2,823	$41	$751	$101,072	$72,754	24%
		INDUSTRIAL:														
110	110	General Light Industrial	1,000 sf	$7,188	$5,557	$5,057	$500	$6,134	$476	$388	$88	$2	$22	$5,057	$3,151	16%
120	120	General Heavy Industrial	1,000 sf	$1,547	$1,185	$1,079	$107	$1,309	$101	$82	$19	$1	$5	$1,079	$678	16%
130	130	Industrial Park	1,000 sf	$7,177	$5,549	$5,050	$499	$6,125	$475	$388	$87	$2	$22	$5,050	$3,147	16%
140	140	Manufacturing	1,000 sf	$3,939	$3,039	$2,766	$273	$3,356	$260	$212	$48	$1	$12	$2,766	$1,727	16%
150	150	Warehouse	1,000 sf	$3,671	$2,809	$2,557	$253	$3,104	$241	$196	$45	$1	$11	$2,557	$2,243	11%
151	151	Mini-Warehouse	1,000 sf	$1,590	$1,188	$1,081	$107	$1,315	$101	$82	$19	$1	$5	$1,081	$673	16%
152	152	High-Cube Warehouse	1,000 sf	$1,906	$1,447	$1,317	$130	$1,600	$123	$100	$23	$1	$6	$1,317	$740	18%
160.P	n/a	Airport Hangar	1,000 sf	$3,671	$2,832	$2,577	$255	$3,126	$243	$198	$45	$1	$11	$2,577	$2,243	11%

Notes:

(1) Provided for informational purposes only. This value is the total value of transportation system consumed, less credits for revenues committed to transportation system expansion that are generated by the use itself. This value includes Interstate costs and carrying costs, but not toll road costs. It does consider the proportion of trip length, varying system costs, and transportation system performance goals that vary by fee district.

FIGURE 1302.2-A

Urban Mobility Fee Schedule for Transit-Oriented Development (Fee District A)

Pasco County Land Use Code	ITE LUC	Land Use	Unit	Total Impact Cost	Fee before buy-down	$$ Allocated for buy-down	Net Mobility Fee	Full Fee(1)	Road Share (Incl Int)	Road Share (Excl Int)	Interstate Share	Transit Share	Bike/Ped Share	TxIF "Back-Fill" Amount	2011 Road Impact Fee	Proposed Fee as Percent of 2011 Road Impact Fee
		RESIDENTIAL:														
210	210	Single Family (Detached)	du													
210.1P	n/a	Less than 1,500 s.f. & Annual Hh Income less than 80% SHIP Definition(2)	du	$4,386	$3,203	$3,203	$0	$3,546	$0	$0	$0	$0	$0	$3,203	$5,886	0%
210.2P	n/a	0 to 1,500 s.f.	du	$5,500	$4,036	$4,036	$0	$4,467	$0	$0	$0	$0	$0	$4,036	$7,376	0%
210.3P	n/a	1,501 to 2,499 s.f.	du	$7,688	$5,643	$5,643	$0	$6,246	$0	$0	$0	$0	$0	$5,643	$10,302	0%
210.4P	n/a	2,500 s.f. and greater	du	$8,508	$6,089	$6,089	$0	$6,756	$0	$0	$0	$0	$0	$6,089	$11,413	0%
210.5P	n/a	"Low Income" SHIP defined Multi-Family(2)	du	$2,860	$2,067	$2,067	$0	$2,291	$0	$0	$0	$0	$0	$2,067	$4,312	0%
221	221	Multi-Family Apartments	du	$5,250	$3,843	$3,843	$0	$4,254	$0	$0	$0	$0	$0	$3,843	$7,564	0%
240	240	Mobile Home Park	du	$2,932	$2,136	$2,136	$0	$2,366	$0	$0	$0	$0	$0	$2,136	$4,604	0%
251	251	Age Restricted Single Family(3)	du	$2,593	$1,852	$1,852	$0	$2,056	$0	$0	$0	$0	$0	$1,852	$4,327	0%
252	252	Age Restricted Multi-Family(3)	du	$1,355	$947	$947	$0	$1,053	$0	$0	$0	$0	$0	$947	$3,362	0%
253	253	Congregate Care Facility (Attached)(3)	du	$760	$526	$526	$0	$585	$0	$0	$0	$0	$0	$526	$1,068	0%
231	231	Low-Rise Condominium/Townhouse (1 to 2 stories)	du	$5,267	$3,880	$3,880	$0	$4,293	$0	$0	$0	$0	$0	$3,880	$7,066	0%
232	232	High-Rise Condominium (3 or more stories)	du	$4,234	$3,108	$3,108	$0	$3,440	$0	$0	$0	$0	$0	$3,108	$5,681	0%
		LODGING:														
310	310	Hotel	room	$4,968	$3,659	$3,659	$0	$4,049	$0	$0	$0	$0	$0	$3,659	$3,147	0%
330	330	Resort Hotel	room	$3,743	$2,744	$2,744	$0	$3,037	$0	$0	$0	$0	$0	$2,744	$4,722	0%
320	320	Motel	room	$2,720	$1,982	$1,982	$0	$2,195	$0	$0	$0	$0	$0	$1,982	$1,679	0%
		RECREATION:														
416	416	RV Park	RV space	$1,477	$1,083	$1,083	$0	$1,199	$0	$0	$0	$0	$0	$1,083	$1,840	0%
420	420	Marina	berth	$2,554	$1,845	$1,845	$0	$2,046	$0	$0	$0	$0	$0	$1,845	$1,184	0%
430	430	Golf Course	hole	$30,843	$22,928	$22,928	$0	$25,345	$0	$0	$0	$0	$0	$22,928	$18,550	0%
431	431	Miniature Golf Course	hole	$2,280	$1,656	$1,656	$0	$1,835	$0	$0	$0	$0	$0	$1,656	$1,367	0%
444	444	Movie Theater	screen	$27,239	$19,051	$19,051	$0	$21,186	$0	$0	$0	$0	$0	$19,051	$12,755	0%
412	412	General Recreation	acre	$1,386	$944	$944	$0	$1,052	$0	$0	$0	$0	$0	$944	$1,095	0%
491	491	Racquet Club/Health Club/Spa/Dance Studio	1,000 sf	$8,976	$6,553	$6,553	$0	$7,256	$0	$0	$0	$0	$0	$6,553	$9,291	0%
437	437	Bowling Alley	1,000 sf	$20,416	$15,065	$15,065	$0	$16,665	$0	$0	$0	$0	$0	$15,065	$18,068	0%
495	495	Community Center/Gymnasium	1,000 sf	$18,312	$13,566	$13,566	$0	$15,001	$0	$0	$0	$0	$0	$13,566	$10,986	0%
		INSTITUTIONS:														
610	610	Hospital	1,000 sf	$12,182	$8,944	$8,944	$0	$9,899	$0	$0	$0	$0	$0	$8,944	$17,013	0%
620	620	Nursing Home	bed	$748	$528	$528	$0	$587	$0	$0	$0	$0	$0	$528	$1,102	0%
520	520	Elementary School	student	$614	$435	$435	$0	$483	$0	$0	$0	$0	$0	$435	$867	0%
522	522	Middle School	student	$867	$621	$621	$0	$689	$0	$0	$0	$0	$0	$621	$1,224	0%
530	530	High School	student	$915	$656	$656	$0	$728	$0	$0	$0	$0	$0	$656	$1,292	0%
540	540	University/Junior College (7,500 or fewer students) (Private)	student	$1,726	$1,272	$1,272	$0	$1,407	$0	$0	$0	$0	$0	$1,272	$1,467	0%
550	550	University/Junior College (more than 7,500 students) (Private)	student	$1,294	$950	$950	$0	$1,051	$0	$0	$0	$0	$0	$950	$2,909	0%
560	560	Church	1,000 sf	$4,221	$2,984	$2,984	$0	$3,315	$0	$0	$0	$0	$0	$2,984	$6,231	0%
565	565	Day Care	student	$585	$234	$234	$0	$280	$0	$0	$0	$0	$0	$234	$852	0%
566	566	Cemetery	acre	$4,309	$3,207	$3,207	$0	$3,545	$0	$0	$0	$0	$0	$3,207	$6,103	0%
		OFFICE:														
710	710	General Office 50,000 sf or less(4)	1,000 sf	$9,799	$7,152	$7,152	$0	$7,920	$0	$0	$0	$0	$0	$7,152	$4,778	0%
710.1P	710	General Office 50,001-100,000 sf(4)	1,000 sf	$8,353	$6,130	$6,130	$0	$6,785	$0	$0	$0	$0	$0	$6,130	$3,703	0%
710.2P	710	General Office 100,001-200,000 sf(4)	1,000 sf	$7,119	$5,219	$5,219	$0	$5,777	$0	$0	$0	$0	$0	$5,219	$3,153	0%

FIGURE 1302.2-A

Urban Mobility Fee Schedule for Transit-Oriented Development (Fee District A) (continued)

Pasco County Land Use Code	ITE LUC	Land Use	Unit	Total Impact Cost	Fee before buy-down	$$ Allocated for buy-down	Net Mobility Fee	Full Fee(1)	Road Share (Incl Int)	Road Share (Excl Int)	Interstate Share	Transit Share	Bike/Ped Share	TxIF "Back-Fill" Amount	2011 Road Impact Fee	Proposed Fee as Percent of 2011 Road Impact Fee
		OFFICE (continued):														
710.3P	710	General Office 200,001-400,000 sf(4)	1,000 sf	$6,074	$4,446	$4,446	$0	$4,922	$0	$0	$0	$0	$0	$4,446	$2,684	0%
710.4P	710	General Office greater than 400,000 sf(5)	1,000 sf	$5,529	$4,043	$4,043	$0	$4,476	$0	$0	$0	$0	$0	$4,043	$2,285	0%
720	720	Medical Office	1,000 sf	$23,480	$17,358	$17,358	$0	$19,199	$0	$0	$0	$0	$0	$17,358	$8,847	0%
750	750	Office Park	1,000 sf	$7,151	$5,242	$5,242	$0	$5,802	$0	$0	$0	$0	$0	$5,242	$4,801	0%
714	714	Corporate Headquarters Building	1,000 sf	$4,997	$3,650	$3,650	$0	$4,041	$0	$0	$0	$0	$0	$3,650	$3,275	0%
760	760	Research and Development Center	1,000 sf	$5,078	$3,710	$3,710	$0	$4,108	$0	$0	$0	$0	$0	$3,710	$2,071	0%
770.P	n/a	Veterinarian Clinic	1,000 sf	$5,984	$4,124	$4,124	$0	$4,593	$0	$0	$0	$0	$0	$4,124	$2,247	0%
		RETAIL:														
814	814	Specialty Retail	1,000 sf	$17,123	$12,262	$12,262	$0	$13,604	$0	$0	$0	$0	$0	$12,262	$11,184	0%
820	820	Retail 50,000 sfgla or less(4)	1,000 sfgla	$10,731	$7,352	$7,352	$0	$8,193	$0	$0	$0	$0	$0	$7,352	$11,099	0%
820.1P	820	Retail 50,001-200,000 sfgla(4)	1,000 sfgla	$9,596	$6,620	$6,620	$0	$7,372	$0	$0	$0	$0	$0	$6,620	$8,877	0%
820.2P	820	Retail 200,001-400,000 sfgla(4)	1,000 sfgla	$9,100	$6,337	$6,337	$0	$7,050	$0	$0	$0	$0	$0	$6,337	$8,490	0%
820.3P	820	Retail 400,001-600,000 sfgla(4)	1,000 sfgla	$8,595	$5,961	$5,961	$0	$6,635	$0	$0	$0	$0	$0	$5,961	$8,228	0%
820.4P	820	Retail 600,001-800,000 sfgla(4)	1,000 sfgla	$8,873	$6,200	$6,200	$0	$6,896	$0	$0	$0	$0	$0	$6,200	$7,892	0%
820.5P	820	Retail greater than 800,000 sfgla(5)	1,000 sfgla	$9,285	$6,545	$6,545	$0	$7,272	$0	$0	$0	$0	$0	$6,545	$7,628	0%
881	881	Pharmacy/Drug Store with and without Drive-Thru	1,000 sf	$7,547	$5,146	$5,146	$0	$5,737	$0	$0	$0	$0	$0	$5,146	$5,537	0%
862	862	Home Improvement Superstore	1,000 sf	$5,367	$3,666	$3,666	$0	$4,087	$0	$0	$0	$0	$0	$3,666	$8,157	0%
931	931	Quality Restaurant	1,000 sf	$26,351	$18,816	$18,816	$0	$20,882	$0	$0	$0	$0	$0	$18,816	$20,271	0%
932	932	High-Turnover Restaurant	1,000 sf	$32,410	$23,108	$23,108	$0	$25,648	$0	$0	$0	$0	$0	$23,108	$28,198	0%
934	934	Fast Food Restaurant w/Drive-Thru	1,000 sf	$70,187	$48,143	$48,143	$0	$53,645	$0	$0	$0	$0	$0	$48,143	$56,773	0%
944	944	Gasoline Station	fuel pos.	$8,758	$6,012	$6,012	$0	$6,699	$0	$0	$0	$0	$0	$6,012	$6,723	0%
941	941	Quick Lube	bays	$12,495	$9,027	$9,027	$0	$10,006	$0	$0	$0	$0	$0	$9,027	$9,710	0%
850	850	Supermarket	1,000 sf	$14,255	$9,837	$9,837	$0	$10,954	$0	$0	$0	$0	$0	$9,837	$8,190	0%
853	853	Convenience Store w/Gas Pumps	1,000 sf	$36,427	$23,922	$23,922	$0	$26,778	$0	$0	$0	$0	$0	$23,922	$24,577	0%
848	848	Tire Store	1,000 sf	$7,768	$5,546	$5,546	$0	$6,155	$0	$0	$0	$0	$0	$5,546	$6,140	0%
943	943	Auto Repair or Body Shop	1,000 sf	$10,658	$7,672	$7,672	$0	$8,507	$0	$0	$0	$0	$0	$7,672	$9,256	0%
841	841	New/Used Auto Sales	1,000 sf	$13,017	$9,503	$9,503	$0	$10,524	$0	$0	$0	$0	$0	$9,503	$13,382	0%
816	816	Hardware/Paint	1,000 sf	$6,359	$4,274	$4,274	$0	$4,772	$0	$0	$0	$0	$0	$4,274	$8,270	0%
947	947	Self-Service Car Wash	bays	$19,469	$13,410	$13,410	$0	$14,936	$0	$0	$0	$0	$0	$13,410	$10,354	0%
890	890	Furniture Store	1,000 sf	$2,000	$1,400	$1,400	$0	$1,557	$0	$0	$0	$0	$0	$1,400	$1,620	0%
912	912	Bank/Savings w/Drive-In	1,000 sf	$21,443	$14,945	$14,945	$0	$16,626	$0	$0	$0	$0	$0	$14,945	$37,045	0%
913.P	n/a	Convenience/Gasoline/Fast Food Store	1,000 sf	$94,673	$66,812	$66,812	$0	$74,233	$0	$0	$0	$0	$0	$66,812	$72,754	0%
		INDUSTRIAL:														
110	110	General Light Industrial	1,000 sf	$4,661	$3,425	$3,425	$0	$3,790	$0	$0	$0	$0	$0	$3,425	$3,151	0%
120	120	General Heavy Industrial	1,000 sf	$1,003	$714	$714	$0	$793	$0	$0	$0	$0	$0	$714	$678	0%
130	130	Industrial Park	1,000 sf	$4,654	$3,420	$3,420	$0	$3,784	$0	$0	$0	$0	$0	$3,420	$3,147	0%
140	140	Manufacturing	1,000 sf	$2,555	$1,864	$1,864	$0	$2,064	$0	$0	$0	$0	$0	$1,864	$1,727	0%
150	150	Warehouse	1,000 sf	$2,381	$1,724	$1,724	$0	$1,910	$0	$0	$0	$0	$0	$1,724	$2,243	0%
151	151	Mini-Warehouse	1,000 sf	$1,004	$688	$688	$0	$766	$0	$0	$0	$0	$0	$688	$673	0%
152	152	High-Cube Warehouse	1,000 sf	$1,238	$884	$884	$0	$981	$0	$0	$0	$0	$0	$884	$740	0%
160.P	n/a	Airport Hangar	1,000 sf	$2,381	$1,735	$1,735	$0	$1,922	$0	$0	$0	$0	$0	$1,735	$2,243	0%

Notes:
(1) Provided for informational purposes only. This value is the total value of transportation system consumed, less credits for revenues committed to transportation system expansion that are generated by the use itself. This value includes Interstate costs and carrying costs, but not toll road costs. It does consider the proportion of trip length, varying system costs, and transportation system performance goals that vary by fee district.

FIGURE 1302.2-B

PASCO COUNTY TRANSPORTATION IMPACT FEE SCHEDULE (OPTION 3 - INDEXED AT 6.6%, FOR RESIDENTIAL AND INSTITUTIONAL, FISHKIND & ASSOCIATES ECONOMIC ANALYSIS USED FOR NON-RESIDENTIAL) - FY 2011 REVISED 09/21/10

Gasoline Tax:				Unit Construction Cost:	$4,681,980		
$$ per gallon to capital:	$0.256	State Equiv:	$0.157	Capacity per lane:	9,357	Interstate/Toll Facility Reduction Factor:	-20%
Facility life (years):	25	County Gas Equiv:	$0.099	Fuel Efficiency:	17.55		
Interest rate:	5.0%			Effective days per year:	365		

ITE LUC	Land Use	Unit	Recommended Trip Rate	Trip Rate Source	Recommended Trip Length	Assessable Trip Length	Trip Length Source	% New Trips	% New Trips Source	Total Impact Cost	Annual Gas Tax	Gas Tax Credit	Net Impact Fee	Current Fee (96% and Phased	Option 1[1] FY 2007 Full Fee	Adopted Fee From	FY 2008 100%	FY 2009 100%	FY 2010 100%	FY 2011 100%	FY 2012 100%
	RESIDENTIAL:																				
210	Single Family (Detached)	du																			
	Less than 1,500 s.f. & Annual Hh Income less than 80% SHIP Definition [2]	du	4.33	(NPTS,AHS, Census)	7.25	7.75	FL Studies	100%	n/a	$6,283	$89	$1,254	$5,029	$4,230	$7,411	Tindale Oliver & Associates, Inc.	$5,444	$5,886	$5,886	$5,886	$5,886
	0 to 1,500 s.f.	du	5.43	(NPTS,AHS, Census)	7.25	7.75	FL Studies	100%	n/a	$7,879	$112	$1,579	$6,300	$4,230	$9,294	Tindale Oliver & Associates, Inc.	$6,820	$7,375	$7,375	$7,375	$7,375
	1,501 to 2,499 s.f.	du	7.59	(NPTS,AHS, Census)	7.25	7.75	FL Studies	100%	n/a	$11,014	$157	$2,213	$8,801	$4,230	$13,002	Tindale Oliver & Associates, Inc.	$9,528	$10,302	$10,302	$10,302	$10,302
	2,500 s.f. and greater	du	8.40	(NPTS,AHS, Census)	7.25	7.75	FL Studies	100%	n/a	$12,189	$173	$2,438	$9,751	$4,230	$14,379	Tindale Oliver & Associates, Inc.	$10,556	$11,413	$11,413	$11,413	$11,413
N/A	"Low Income" SHIP Defined Multi-Family [2]	du	3.59	Blend of ITE 7th & FL Studies.	6.42	6.92	FL Studies	100%	n/a	$4,613	$66	$930	$3,683	See 221	$5,437	Tindale Oliver & Associates, Inc.	$3,987	$4,312	$4,312	$4,312	$4,312
221	Multi-Family/Apartments	du	6.30	Blend of ITE 7th & FL Studies.	6.42	6.92	FL Studies	100%	n/a	$8,095	$116	$1,635	$6,460	$3,888	$9,533	Tindale Oliver & Associates, Inc.	$6,995	$7,564	$7,564	$7,564	$7,564
240	Mobile Home Park	du	4.67	Blend of ITE 7th & FL Studies.	5.29	5.79	FL Studies	100%	n/a	$4,945	$72	$1,015	$3,930	$1,916	$5,800	Tindale Oliver & Associates, Inc.	$4,256	$4,604	$4,604	$4,604	$4,604
251	Age Restricted Single Family [3]	du	3.71	Blend of ITE 7th & FL Studies.	6.23	6.73	FL Studies	100%	FL Studies	$4,626	$66	$930	$3,696	$756	$5,442	Tindale Oliver & Associates, Inc.	$4,001	$4,327	$4,327	$4,327	$4,327
252	Age Restricted Multi-Family [3]	du	3.31	Blend of ITE 7th & FL Studies.	5.44	5.94	FL Studies[3]	100%	FL Studies	$3,604	$52	$733	$2,871	See 221	$4,229	Tindale Oliver & Associates, Inc.	$3,109	$3,362	$3,362	$3,362	$3,362
253	Congregate Care Facility (Attached) [3]	du	2.25	Blend of ITE 7th & FL Studies.	3.57	4.07	FL Studies	72%	FL Studies	$1,151	$17	$240	$911	$436	$1,342	Tindale Oliver & Associates, Inc.	$987	$1,068	$1,068	$1,068	$1,068
231	Low-Rise Condominium/Townhouse (1 to 2 stories)	du	5.20	ITE 7th Edition	7.25	7.75	Same as LUC 210	100%	n/a	$7,546	$107	$1,508	$6,038	$2,932	$8,899	Tindale Oliver & Associates, Inc.	$6,536	$7,066	$7,066	$7,066	$7,066
232	High-Rise Condominium (3 or more stories)	du	4.18	ITE 7th Edition	7.25	7.75	Same as LUC 210	100%	n/a	$6,066	$86	$1,212	$4,854	$2,466	$7,156	Tindale Oliver & Associates, Inc.	$5,254	$5,681	$5,681	$5,681	$5,681
	LODGING:																				
310	Hotel	room	8.30	Blend of ITE 7th & FL Studies.	5.46	5.96	Same as LUC 710	66%	FL Studies	$6,014	$87	$1,226	$4,788	$3,219	$7,067	Fishkind & Associates	$2,952	$3,147	$3,147	$3,147	$3,147
330	Resort Hotel	room	5.10	ITE 7th Edition	7.02	7.52	FL Studies	83%	FL Studies	$5,969	$85	$1,198	$4,771	$4,831	$7,045	Fishkind & Associates	$4,430	$4,722	$4,722	$4,722	$4,722
320	Motel	room	5.63	ITE 7th Edition	4.95	5.45	FL Studies	77%	FL Studies	$4,273	$63	$888	$3,385	$1,718	$5,004	Fishkind & Associates	$1,575	$1,679	$1,679	$1,679	$1,679
416	RV Park	RV Space	3.70	ITE 7th Edition	5.96	6.46	Collier County	100%	n/a	$4,414	$64	$902	$3,512	$1,882	$5,193	Fishkind & Associates	$1,726	$1,840	$1,840	$1,840	$1,840
	RECREATION:																				
420	Marina	berth	2.96	ITE 7th Edition	7.25	7.75	Pinellas County	90%	Pinellas County	$3,866	$55	$775	$3,091	$1,211	$4,562	Fishkind & Associates	$1,110	$1,184	$1,184	$1,184	$1,184
430	Golf Course	Hole	35.74	ITE 7th Edition	7.25	7.75	Pinellas County	90%	Pinellas County	$46,675	$664	$9,353	$37,322	$18,977	$55,083	Fishkind & Associates	$17,402	$18,550	$18,550	$18,550	$18,550
431	Miniature Golf Course	Hole	3.30	ITE 7th Edition	5.81	6.31	FL Schedules	90%	FL Schedules	$3,454	$50	$703	$2,751	See 412	$4,062	Fishkind & Associates	$1,283	$1,367	$1,367	$1,367	$1,367
444	Movie Theaters	screen	106.63	Blend of ITE 7th & FL Studies.	2.31	2.81	FL Studies	88%	FL Studies	$43,285	$700	$9,871	$33,414	$13,049	$49,559	Fishkind & Associates	$11,966	$12,755	$12,755	$12,755	$12,755
412	General Recreation	acres	2.28	ITE 7th Edition	6.72	7.22	Pinellas County	90%	Pinellas County	$2,760	$39	$556	$2,204	$1,120	$3,253	Fishkind & Associates	$1,027	$1,095	$1,095	$1,095	$1,095
491	Racquet Club/Health Club/Spa/Dance Studio	1,000 sf	14.03	ITE 7th Edition	5.46	5.96	Same as LUC 710	94%	FL Studies	$14,412	$209	$2,949	$11,463	$9,505	$16,931	Fishkind & Associates	$8,716	$9,291	$9,291	$9,291	$9,291
437	Bowling Alley	1,000 sf	33.33	ITE 7th Edition	5.46	5.96	Same as LUC 710	94%	See LUC 491	$34,238	$497	$7,006	$27,232	$18,484	$40,221	Fishkind & Associates	$16,949	$18,068	$18,068	$18,068	$18,068
495	Community Center/Gymnasium	1,000 sf	22.88	ITE 7th Edition	6.72	7.22	FL Schedules	90%	Same as LUC 412	$27,696	$396	$5,578	$22,118	$11,239	$32,649	Fishkind & Associates	$10,306	$10,986	$10,986	$10,986	$10,986

Source: Tindale-Oliver and Associates, Inc. Traffic Impact Fee Study dated August 25, 2006 and Fishkind and Associates report dated February 23, 2007. 1 6/8/2011 Revised September 21, 2010

FIGURE 1302.2-B

PASCO COUNTY TRANSPORTATION IMPACT FEE SCHEDULE (OPTION 3 - INDEXED AT 6.6%, FOR RESIDENTIAL AND INSTITUTIONAL, FISHKIND & ASSOCIATES ECONOMIC ANALYSIS USED FOR NON-RESIDENTIAL) - FY 2011 REVISED 09/21/10

Gasoline Tax:			Unit Construction Cost:	$4,681,980	
$$ per gallon to capital:	$0.256	State Equiv:	$0.157 Capacity per lane:	9,357	Interstate/Toll Facility Reduction Factor: -20%
Facility life (years):	25	County Gas Equiv:	$0.099 Fuel Efficiency:	17.55	
Interest rate:	5.0%		Effective days per year:	365	

ITE LUC	Land Use	Unit	Recommended Trip Rate	Trip Rate Source	Recommended Trip Length	Assessable Trip Length	Trip Length Source	% New Trips	% New Trips Source	Total Impact Cost	Annual Gas Tax	Gas Tax Credit	Net Impact Fee	Current Fee (96% and Phased	Option 1 [1] FY 2007 Full Fee	Adopted Fee From	FY 2008 100%	FY 2009 100%	FY 2010 100%	FY 2011 100%	FY 2012 100%
	INSTITUTIONS:																				
610	Hospital	1,000 sf	17.57	ITE 7th Edition	6.72	7.22	Pinellas County	77%	Pinellas County	$18,196	$260	$3,665	$14,531	$7,052	$21,450	Tindale Oliver & Associates, Inc.	$15,732	$17,013	$17,013	$17,013	$17,013
620	Nursing Home	bed	2.48	Blend of ITE 7th & FL Studies.	2.73	3.23	FL Studies	89%	FL Studies	$1,206	$19	$268	$938	$496	$1,390	Tindale Oliver & Associates, Inc.	$1,018	$1,102	$1,102	$1,102	$1,102
520	Elementary School	student	1.29	ITE 7th Edition	4.52	5.02	Pinellas County	80%	Pinellas County	$934	$14	$194	$740	$296	$1,093	Tindale Oliver & Associates, Inc.	$801	$867	$867	$867	$867
522	Middle School	student	1.62	ITE 7th Edition	4.52	5.02	Pinellas County	90%	Pinellas County	$1,319	$19	$275	$1,044	$473	$1,543	Tindale Oliver & Associates, Inc.	$1,131	$1,224	$1,224	$1,224	$1,224
530	High School	student	1.71	ITE 7th Edition	4.52	5.02	Pinellas County	90%	Pinellas County	$1,392	$21	$290	$1,102	$584	$1,629	Tindale Oliver & Associates, Inc.	$1,194	$1,292	$1,292	$1,292	$1,292
540	Junior/Community College	student	1.20	ITE 7th Edition	7.25	7.75	Pinellas County	90%	Pinellas County	$1,567	$22	$314	$1,253	$818	$1,849	Tindale Oliver & Associates, Inc.	$1,357	$1,467	$1,467	$1,467	$1,467
550	University	student	2.38	ITE 7th Edition	7.25	7.75	Pinellas County	90%	Pinellas County	$3,108	$44	$623	$2,485	$1,264	$3,668	Tindale Oliver & Associates, Inc.	$2,690	$2,909	$2,909	$2,909	$2,909
560	Church	1,000 sf	9.11	ITE 7th Edition	4.10	4.60	FL Schedules	90%	FL Schedules	$6,728	$100	$1,415	$5,313	$2,685	$7,856	Tindale Oliver & Associates, Inc.	$5,757	$6,231	$6,231	$6,231	$6,231
565	Day Care	student	3.03	Local Studies (Pasco)	2.10	2.60	FL Studies	74%	FL Studies	$942	$16	$219	$723	$538	$1,075	Tindale Oliver & Associates, Inc.	$786	$852	$852	$852	$852
566	Cemetery	acres	4.73	ITE 7th Edition	7.25	7.75	Lake County	95%	Lake County	$6,520	$93	$1,307	$5,213	$2,651	$7,694	Tindale Oliver & Associates, Inc.	$5,644	$6,103	$6,103	$6,103	$6,103
	OFFICE:																				
710	General Office 50,000 sf or less [4]	1,000 sf	15.65	ITE 7th equation	5.46	5.96	FL Studies	92%	FL Studies	$15,786	$229	$3,230	$12,556	$7,449	$18,544	Fishkind & Associates	$4,482	$4,778	$4,778	$4,778	$4,778
710	General Office 50,001-100,000 sf [5]	1,000 sf	14.25	ITE 7th equation	5.46	5.96	FL Studies	92%	FL Studies	$14,373	$209	$2,941	$11,432	$5,773	$16,886	Fishkind & Associates	$3,474	$3,703	$3,703	$3,703	$3,703
710	General Office 100,001-200,000 sf [5]	1,000 sf	12.15	ITE 7th equation	5.46	5.96	FL Studies	92%	FL Studies	$12,255	$178	$2,508	$9,747	$4,915	$14,396	Fishkind & Associates	$2,957	$3,153	$3,153	$3,153	$3,153
710	General Office 200,001-400,000 sf [5]	1,000 sf	10.36	ITE 7th equation	5.46	5.96	FL Studies	92%	FL Studies	$10,450	$152	$2,138	$8,312	$4,185	$12,276	Fishkind & Associates	$2,518	$2,684	$2,684	$2,684	$2,684
710	General Office greater than 400,000 sf [5]	1,000 sf	8.83	ITE 7th equation	5.46	5.96	FL Studies	92%	FL Studies	$8,907	$129	$1,822	$7,085	$3,563	$10,463	Fishkind & Associates	$2,144	$2,285	$2,285	$2,285	$2,285
720	Medical Office	1,000 sf	35.95	Blend of ITE 7th & FL Studies.	5.78	6.28	FL Studies	89%	FL Studies	$37,014	$535	$7,539	$29,475	$13,793	$43,527	Fishkind & Associates	$8,299	$8,847	$8,847	$8,847	$8,847
750	Office Park	1,000 sf	11.70	ITE 7th Edition	5.46	5.96	Same as LUC 710	92%	Same as LUC 710	$11,763	$171	$2,407	$9,356	See 710	$13,819	Fishkind & Associates	$4,504	$4,801	$4,801	$4,801	$4,801
714	Corporate Headquarters Building	1,000 sf	7.98	ITE 7th Edition	5.46	5.96	Same as LUC 710	92%	Same as LUC 710	$8,023	$116	$1,642	$6,381	See 710	$9,425	Fishkind & Associates	$3,072	$3,275	$3,275	$3,275	$3,275
760	Research and Development Center	1,000 sf	8.11	ITE 7th Edition	5.46	5.96	Same as LUC 710	92%	Same as LUC 710	$8,154	$118	$1,668	$6,486	See 710	$9,579	Fishkind & Associates	$1,943	$2,071	$2,071	$2,071	$2,071
N/A	Veterinarian Clinic	1,000 sf	32.80	Pinellas County	2.00	2.50	FL Studies	70%	Pinellas County	$9,191	$153	$2,154	$7,037	$3,503	$10,449	Fishkind & Associates	$2,108	$2,247	$2,247	$2,247	$2,247
	RETAIL:																				
814	Specialty Retail	1,000 sf	49.99	Blend of ITE 7th & FL Studies.	3.57	4.07	FL Studies	85%	FL Studies	$30,504	$463	$6,519	$23,985	$9,842	$35,481	Fishkind & Associates	$10,492	$11,184	$11,184	$11,184	$11,184
820	Shopping Center under 50,000 GSF [4]	1,000 sf	86.56	ITE 7th equation	1.84	2.34	FL Curve	46%	FL Curve	$14,664	$248	$3,496	$11,168	$9,767	$16,595	Fishkind & Associates	$10,412	$11,099	$11,099	$11,099	$11,099
820	Shopping Center 50,001-200,000 GSF [5]	1,000 sf	62.81	ITE 7th equation	2.02	2.52	FL Curve	56%	FL Curve	$14,221	$236	$3,326	$10,895	$7,812	$16,176	Fishkind & Associates	$8,328	$8,877	$8,877	$8,877	$8,877
820	Shopping Center 200,001-400,000 GSF [5]	1,000 sf	46.23	ITE 7th equation	2.32	2.82	FL Curve	63%	FL Curve	$13,524	$219	$3,082	$10,442	$7,471	$15,487	Fishkind & Associates	$7,964	$8,490	$8,490	$8,490	$8,490
820	Shopping Center 400,001-600,000 GSF [5]	1,000 sf	38.66	ITE 7th equation	2.67	3.17	FL Curve	68%	FL Curve	$14,049	$222	$3,127	$10,922	$7,241	$16,182	Fishkind & Associates	$7,719	$8,228	$8,228	$8,228	$8,228

Source: Tindale-Oliver and Associates, Inc. Traffic Impact Fee Study dated August 25, 2006 and Fishkind and Associates report dated February 23, 2007. 2 6/8/2011 Revised September 21, 2010

FIGURE 1302.2-B

PASCO COUNTY TRANSPORTATION IMPACT FEE SCHEDULE (OPTION 3 - INDEXED AT 6.6%, FOR RESIDENTIAL AND INSTITUTIONAL, FISHKIND & ASSOCIATES ECONOMIC ANALYSIS USED FOR NON-RESIDENTIAL) - FY 2011 REVISED 09/21/10

Gasoline Tax:				Unit Construction Cost:	$4,681,980		
$$ per gallon to capital:	$0.256	State Equiv:	$0.157	Capacity per lane:	9,357	Interstate/Toll Facility Reduction Factor:	-20%
Facility life (years):	25	County Gas Equiv:	$0.099	Fuel Efficiency:	17.55		
Interest rate:	5.0%			Effective days per year:	365		

ITE LUC	Land Use	Unit	Recommended Trip Rate	Trip Rate Source	Recommended Trip Length	Assessable Trip Length	Trip Length Source	% New Trips	% New Trips Source	Total Impact Cost	Annual Gas Tax	Gas Tax Credit	Net Impact Fee	Current Fee (95% and Phased	Option 1 [1] FY 2007 Full Fee	Adopted Fee From	FY 2008 100%	FY 2009 100%	FY 2010 100%	FY 2011 100%	FY 2012 100%
820	Shopping Center 600,001-800,000 GSF [5]	1,000 sf	34.37	ITE 7th equation	3.01	3.51	FL Curve	71%	FL Curve	$14,701	$228	$3,214	$11,487	$6,945	$17,009	Fishkind & Associates	$7,403	$7,892	$7,892	$7,892	$7,892
820	Shopping Center greater than 800,000 GSF [5]	1,000 sf	30.33	ITE 7th equation	3.54	4.04	FL Curve	74%	FL Curve	$15,902	$241	$3,402	$12,500	$6,713	$18,493	Fishkind & Associates	$7,156	$7,628	$7,628	$7,628	$7,628
881	Pharmacy/Drug Store w/ Drive-Thru	1,000 sf	95.21	Blend of ITE 7th & FL Studies.	2.21	2.71	FL Studies	33%	FL Studies	$13,687	$223	$3,146	$10,541	$4,873	$15,639	Fishkind & Associates	$5,195	$5,537	$5,537	$5,537	$5,537
862	Home Improvement Superstore	1,000 sf	29.80	ITE 7th Edition	3.01	3.51	LUC 820	83%	FL Studies	$14,901	$231	$3,257	$11,644	$7,178	$17,240	Fishkind & Associates	$7,652	$8,157	$8,157	$8,157	$8,157
931	Quality Restaurant	1,000 sf	91.10	Blend of ITE 7th & FL Studies.	3.26	3.76	FL Studies	77%	FL Studies	$45,770	$702	$9,896	$35,874	$17,839	$53,093	Fishkind & Associates	$19,016	$20,271	$20,271	$20,271	$20,271
932	High-Turnover Restaurant	1,000 sf	126.50	Blend of ITE 7th & FL Studies.	3.60	4.10	FL Studies (Pasco)	71%	FL Studies	$64,715	$980	$13,816	$50,899	$24,814	$75,292	Fishkind & Associates	$26,452	$28,198	$28,198	$28,198	$28,198
934	Fast Food Rest w/ Drive-Thru	1,000 sf	522.62	Blend of ITE 7th & FL Studies.	2.99	3.49	FL Studies (Pasco)	60%	FL Studies (Pasco)	$186,092	$2,889	$40,718	$145,374	$49,961	$215,250	Fishkind & Associates	$53,258	$56,773	$56,773	$56,773	$56,773
944	Gasoline Station	fuel pos	168.56	ITE 7th Edition	2.00	2.50	FL Studies	23%	FL Studies	$15,519	$258	$3,637	$11,882	$5,916	$17,644	Fishkind & Associates	$6,306	$6,723	$6,723	$6,723	$6,723
941	Quick Lube	bays	40.00	ITE 7th Edition	3.78	4.28	FL Studies (LUC 943)	72%	FL Studies (LUC 943)	$21,789	$328	$4,625	$17,164	$8,545	$25,385	Fishkind & Associates	$9,109	$9,710	$9,710	$9,710	$9,710
850	Supermarket	1,000 sf	103.38	Blend of ITE 7th & FL Studies.	2.21	2.71	FL Studies	56%	FL Studies	$25,608	$418	$5,886	$19,722	$7,207	$29,259	Fishkind & Associates	$7,683	$8,190	$8,190	$8,190	$8,190
853	Convenience Store with Gas Pumps	1,000 sf	803.24	Blend of ITE 7th & FL Studies.	1.60	2.10	FL Studies	29%	FL Studies	$73,310	$1,280	$18,037	$55,273	$21,628	$82,255	Fishkind & Associates	$23,055	$24,577	$24,577	$24,577	$24,577
848	Tire Store	1,.000 sf	24.87	ITE 7th Edition	3.78	4.28	FL Studies (LUC 943)	72%	FL Studies (LUC 943)	$13,585	$205	$2,883	$10,702	$5,403	$15,827	Fishkind & Associates	$5,760	$6,140	$6,140	$6,140	$6,140
943	Auto Repair or Body Shop	1,000 sf	30.09	Blend of ITE 7th & FL Studies.	3.78	4.28	FL Studies	72%	FL Studies	$16,391	$247	$3,479	$12,912	$8,145	$19,096	Fishkind & Associates	$8,683	$9,256	$9,256	$9,256	$9,256
841	New/Used Auto Sales	1,000 sf	32.93	Blend of ITE 7th & FL Studies.	4.94	5.44	FL Studies	79%	FL Studies	$25,722	$377	$5,310	$20,412	$11,776	$30,157	Fishkind & Associates	$12,553	$13,382	$13,382	$13,382	$13,382
816	Hardware/Paint	1,000 sf	51.29	ITE 7th Edition	2.47	2.97	FL Curve	74%	FL Curve	$18,764	$300	$4,229	$14,535	$7,278	$21,546	Fishkind & Associates	$7,758	$8,270	$8,270	$8,270	$8,270
947	Self-Service Car Wash	bays	108.00	ITE 7th Edition	2.10	2.60	FL Studies	76%	FL Studies	$34,499	$568	$8,007	$26,492	$9,112	$39,321	Fishkind & Associates	$9,713	$10,354	$10,354	$10,354	$10,354
890	Furniture Store	1,000 sf	5.06	ITE 7th Edition	6.41	6.91	FL Studies	54%	FL Studies	$3,519	$50	$711	$2,808	$1,426	$4,145	Fishkind & Associates	$1,520	$1,620	$1,620	$1,620	$1,620
912	Bank/Savings Drive-in	1,000 sf	281.55	Blend of ITE 7th & FL Studies.	2.63	3.13	FL Studies	46%	FL Studies	$68,175	$1,079	$15,209	$52,966	$32,600	$78,484	Fishkind & Associates	$34,752	$37,045	$37,045	$37,045	$37,045
N/A	Conv'ce/Gasoline/Fast Food Store	1,000 sf	984.59	FL Studies	2.60	3.10	FL Studies	32%	FL Studies	$164,470	$2,608	$36,760	$127,710	$64,024	$189,255	Fishkind & Associates	$68,250	$72,754	$72,754	$72,754	$72,754
	INDUSTRY:																				
110	General Light Industrial	1,000 sf	6.97	ITE 7th Edition	5.36	5.86	Pinellas County	92%	Pinellas County	$6,879	$100	$1,410	$5,469	$2,773	$8,078	Fishkind & Associates	$2,956	$3,151	$3,151	$3,151	$3,151
120	General Heavy Industrial	1,000 sf	1.50	ITE 7th Edition	5.36	5.86	Pinellas County	92%	Pinellas County	$1,480	$22	$303	$1,177	$597	$1,739	Fishkind & Associates	$636	$678	$678	$678	$678
130	Industrial Park	1,000 sf	6.96	ITE 7th Edition	5.36	5.86	Pinellas County	92%	Pinellas County	$6,869	$100	$1,408	$5,461	$2,769	$8,067	Fishkind & Associates	$2,952	$3,147	$3,147	$3,147	$3,147
140	Manufacturing	1,000 sf	3.82	ITE 7th Edition	5.36	5.86	Pinellas County	92%	Pinellas County	$3,770	$55	$773	$2,997	$1,520	$4,427	Fishkind & Associates	$1,620	$1,727	$1,727	$1,727	$1,727
150	Warehouse	1,000 sf	4.96	ITE 7th Edition	5.36	5.86	Pinellas County	92%	Pinellas County	$4,895	$71	$1,003	$3,892	$1,974	$5,749	Fishkind & Associates	$2,104	$2,243	$2,243	$2,243	$2,243
151	Mini-Warehouse	1,000 sf	2.50	ITE 7th Edition	3.26	3.76	Pinellas County	92%	Pinellas County	$1,501	$23	$324	$1,177	$592	$1,741	Fishkind & Associates	$631	$673	$673	$673	$673
152	High Cube Warehouse	1,000 sf	1.20	ITE 7th Edition	7.25	7.75	Lake County	92%	Lake County	$1,602	$23	$321	$1,281	$651	$1,890	Fishkind & Associates	$694	$740	$740	$740	$740
N/A	Airport Hangar	1,000 sf	4.96	ITE 7th Edition (LUC 150)	5.36	5.86	Lake County	92%	Lake County	$4,895	$71	$1,003	$3,892	$1,974	$5,749	Fishkind & Associates	$2,104	$2,243	$2,243	$2,243	$2,243

Source: Tindale-Oliver and Associates, Inc. Traffic Impact Fee Study dated August 25, 2006 and Fishkind and Associates report dated February 23, 2007. 3 6/8/2011 Revised September 21, 2010

FIGURE 1302.2-B

PASCO COUNTY TRANSPORTATION IMPACT FEE SCHEDULE (OPTION 3 - INDEXED AT 6.6%, FOR RESIDENTIAL AND INSTITUTIONAL, FISHKIND & ASSOCIATES ECONOMIC ANALYSIS USED FOR NON-RESIDENTIAL) - FY 2011 REVISED 09/21/10

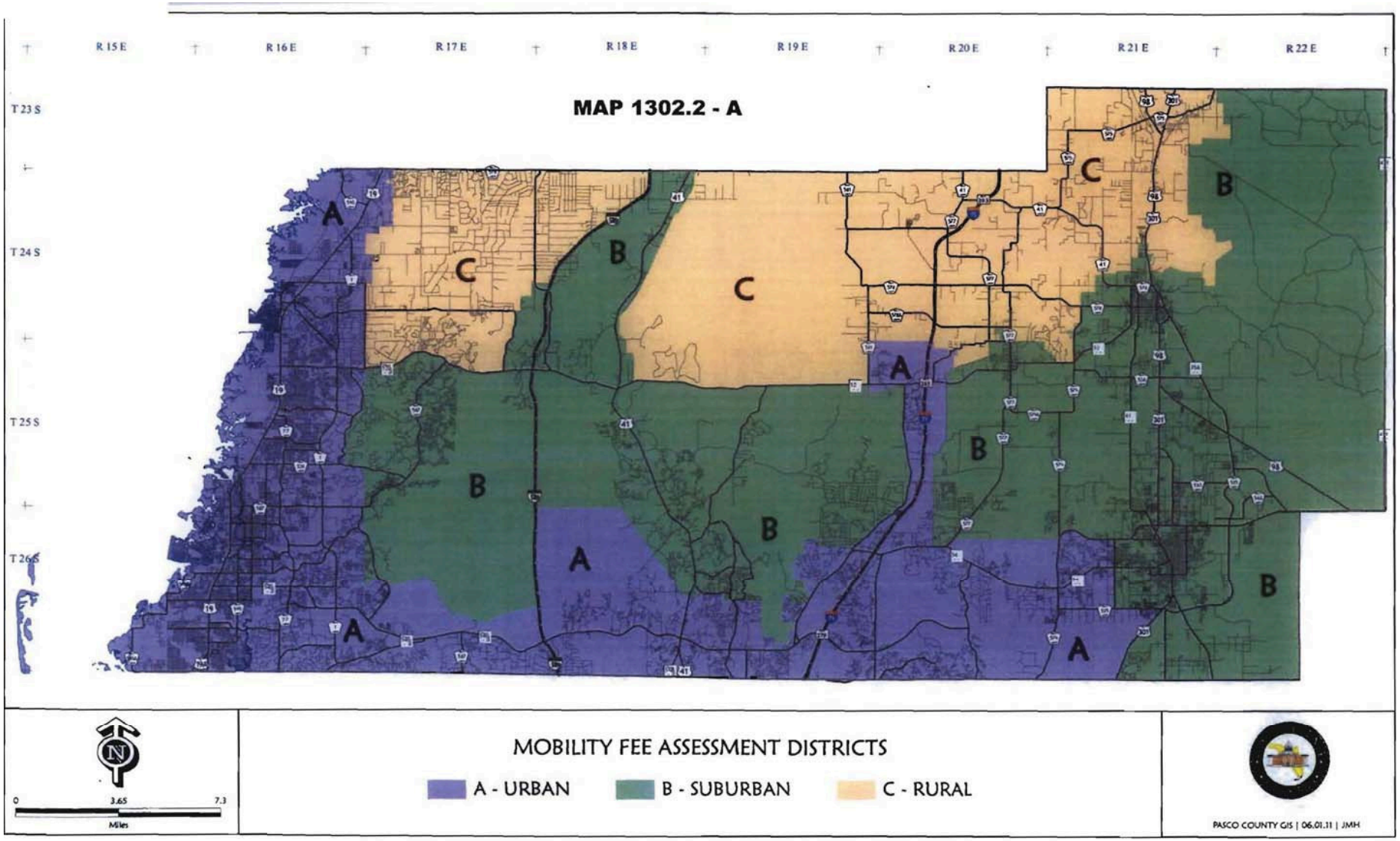
Gasoline Tax:				Unit Construction Cost:	$4,681,980		
$$ per gallon to capital:	$0.256	State Equiv:	$0.157	Capacity per lane:	9,357	Interstate/Toll Facility Reduction Factor:	-20%
Facility life (years):	25	County Gas Equiv:	$0.099	Fuel Efficiency:	17.55		
Interest rate:	5.0%			Effective days per year:	365		

ITE LUC	Land Use	Unit	Recommended Trip Rate	Trip Rate Source	Recommended Trip Length	Assessable Trip Length	Trip Length Source	% New Trips	% New Trips Source	Total Impact Cost	Annual Gas Tax	Gas Tax Credit	Net Impact Fee	Current Fee (96% and Phased	Option 1[1] FY 2007 Full Fee	Adopted Fee From	FY 2008 100%	FY 2009 100%	FY 2010 100%	FY 2011 100%	FY 2012 100%

(1) Option 1 Fee is shown for informational purposes only. This is the full fee which could be legally assessed in FY2007 based on the Transportation Impact Fee Study dated August 25, 2006. This fee includes interstate, interchange and carrying costs.
(2) Specific calculations for the "low income" category can be seen in Appendix D of the Transportation Impact Fee Update Study.
(3) The statistical relationship between the trip generation rate for the age restricted single family, age restricted multi-family, and congregate care facility was used to interpolate the trip length.
(4) The trip generation rate recommended for the office and retail less than 50,000 sf categories used the end-point of the range due to the nature of the ITE equation to be conservative for smaller developments.
(5) The trip generation rate recommended for all other office and retail tiered categories used the mid-point of each range due to the consistency of the ITE equation.

Source: Tindale-Oliver and Associates, Inc. Traffic Impact Fee Study dated August 25, 2006 and Fishkind and Associates report dated February 23, 2007. 4 6/8/2011 Revised September 21, 2010

MAP 1302.2-A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MAP 1302.2 - A
A
B
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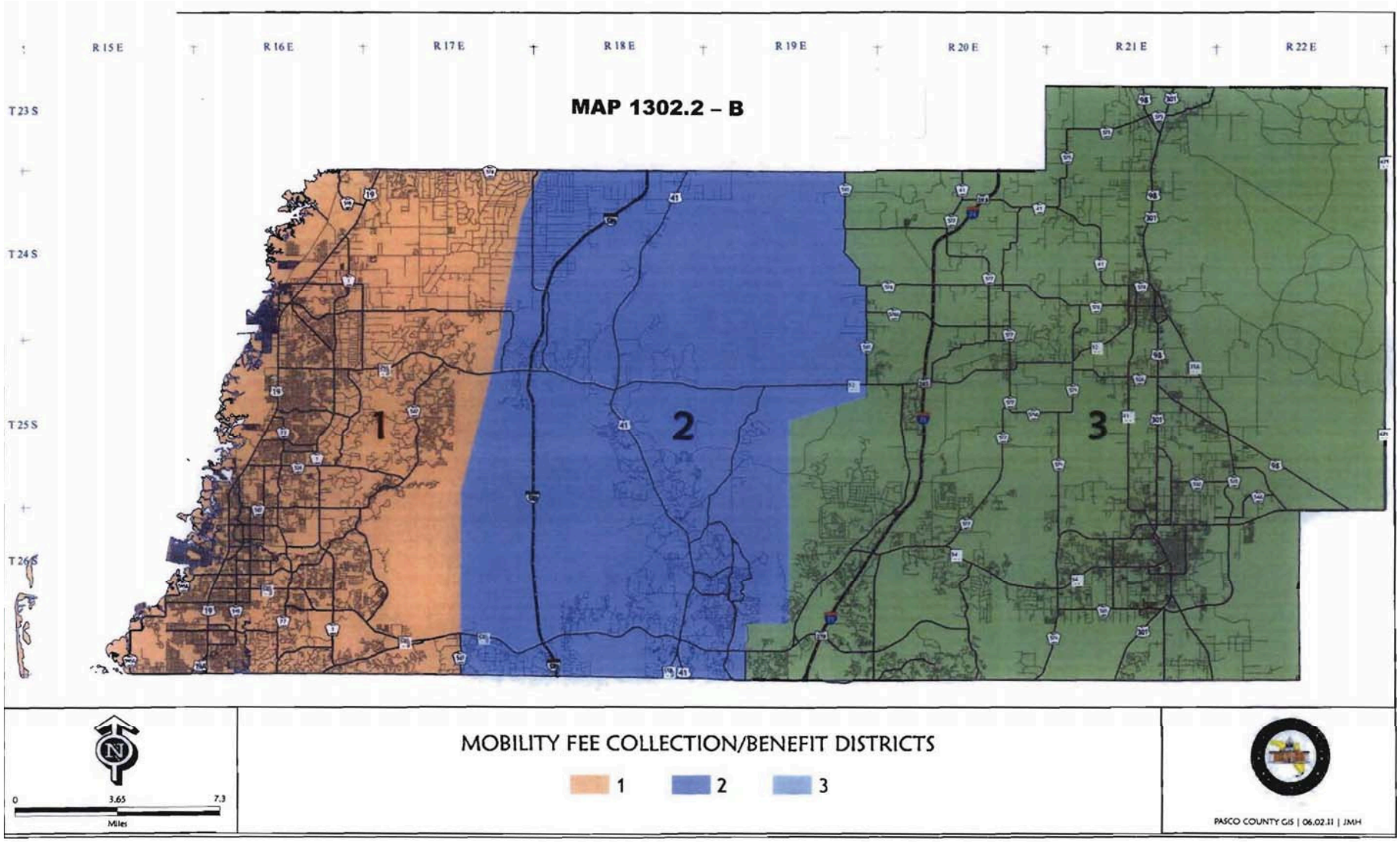
Miles
MOBILITY FEE ASSESSMENT DISTRICTS
A - URBAN
B - SUBURBAN
C - RURAL
PASCO COUNTY GIS | 06.01.11 | JMH

MAP 1302.2-B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MAP 1302.2 – B
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Miles
MOBILITY FEE COLLECTION/BENEFIT DISTRICTS
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PASCO COUNTY GIS | 06.02.11 | JMH

CHAPTER 1300. CONCURRENCY AND IMPACT FEES

SECTION 1302. IMPACT FEES

1302.3. School Impact Fees

A. Intent and Purpose

1. To provide school facilities 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 necessitated by such new residential construction.

4. To ensure that new residential construction is reasonably benefitted by the provision of the public school facilities 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 improvements 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 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 Tischler & Associates, Inc., entitled School Impact Fees, dated January 24, 2001, and as supplemented by the Update Report dated February 4, 2005.

2. At least once every three (3) years from the adoption of school impact fees on February 27, 2001, Pasco County and the District School Board of Pasco County (School Board) may conduct a full evaluation of all components of the school impact fee. However, in the event that an evaluation is not completed within the three (3) year period, the last-adopted or adjusted, pursuant to this section, school impact fee shall remain in effect.

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. In addition, for the purposes of review for this section, the Impact Fee Advisory Committee shall be joined by two (2) members of the School Board for a total of twelve (12) members. These said two (2) members shall be in addition to any School Board members already serving on the Impact Fee Advisory Committee. The school impact fee evaluation may include the following:

   a. Recommendations on amendments to this section, if appropriate;

   b. Proposed changes to the County Comprehensive Plan and/or an applicable Capital Improvement Plan, including the identification of school facility projects anticipated to be funded wholly or partially with school impact fees;

   c. Proposed changes to the school impact fee schedule;

   d. Proposed changes to the level of service standards;

   e. Proposed changes in the school impact fee calculation methodology;

   f. Other data, analysis, or recommendations as the County Administrator or designee and/or the Superintendent may deem appropriate, or as may be requested by the BCC and/or the School Board.

4. The BCC shall take such actions as it deems appropriate which may include, but are 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 study as provided herein shall not affect the effectiveness or the administration of this section.

6. In addition to the foregoing, the amount of the school impact fee shall be adjusted annually on May 1 by using the appropriate indices contained within the Engineering News Record. May 1, 2005, shall be the base year for any adjustments made pursuant to this paragraph.

7. Any changes to the amount of the school impact fee pursuant to this paragraph 6 above shall be recommended by the School Board and shall be established by resolution of the BCC and upon adoption notice shall be provided for ninety (90) days prior to the effective date of the adjusted 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. The school impact fee amount is as follows and is subject to any adjustments made pursuant to this section:

Single-Family Detached	
School Site	$ 350.00
School Facilities	4,478.00
Total	**$4,828.00 Per Dwelling Unit**
Single-Family Attached	
School Site	126.00
School Facilities	1,614.00
Total	**$1,740.00 Per Dwelling Unit**
Mobile Home	
School Site	203.00
School Facilities	1,614.00
Total	**$2,843.00 Per Dwelling Unit**
Multiple Family	
School Site	133.00
School Facilities	1,722.00
Total	**$1,855.00 Per Dwelling Unit**

2. The school impact fee shall be determined at the time a completed application for a Building Permit for new residential construction is submitted.

3. Exemptions: An exemption must be claimed by the applicant or it shall be waived. Payment of the school impact fee shall not apply to 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 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 on February 27, 2001. 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.

4. Alternative form of payment. Nothing herein precludes the School Board from entering into agreements with affordable housing providers to subsidize the school impact fee assessed from funds other than school impact fees. The School Board desires and volunteers to fully reimburse subsidize the Habitat for Humanity program within the County for school impact fees paid by the program. Nothing herein precludes the cities, the County, or the School Board from subsidizing, from non-ad valorem revenues, the school impact fee on behalf of any applicant.

5. Any new residential construction which is determined to be waived from the payment of school impact fees but which, as a result of a change in circumstances, produces a dwelling unit 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. <u>Calculation</u>

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.

2. The BCC in conjunction with the School Board and the cities may consider and study alternative collection methods and adopt such methods through an intergovernmental agreement and ordinances as required. Modifications to imposition exemptions, credits, payment collection fees, and refunds shall be made accordingly.

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 monthly to the school. 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 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 and school sites 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 school sites;

b. School building costs;

c. Relocatable classroom costs;

d. Building contents costs;

e. Costs of nonbuilding improvements;

f. Costs of vehicles;

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 improvements 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 improvements 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 projects funded in whole or in part with the school impact fee funds;

b. The location of the projects;

c. The capacity in number of students served by the projects;

d. The square footage of each project;

e. The use of other funding sources; and

f. The ratio of existing need to the need created by new residential construction subsequent to the enactment of this section.

4. Annually, the County may hire an auditor to review the report and the expenditure of the school impact fees. The said auditor shall be paid by the School Board.

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. Park Impact Fee Study and Modifications

1. The Board of County Commissioners (BCC) has adopted and incorporates by reference the parks and recreation impact fee study by Wade-Trim, Inc., entitled Pasco County Parks and Recreation Master Plan, dated April 2001, and as supplemented pursuant to this section.

2. This section and the parks and recreation 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 parks and recreation 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 parks and recreation 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 parks and recreation impact fee.

4. The initial and each subsequent 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 parks and recreation system projects anticipated to be funded wholly or partially with parks and recreation impact fees;

c. Proposed changes to the parks and recreation impact fee schedule;

d. Proposed changes to the level of service standards;

e. Proposed changes in the parks and recreation 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.

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. 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. For the purposes of the parks and recreation impact fee, the County shall be divided into three districts (West, Central, and East), as indicated on Exhibit 1302.4-A. The parks and recreation impact fee amount is as follows and is subject to any adjustments to the said fee made pursuant to this section:

Single-Family Detached House	
Park Land	$174.48 Per Dwelling Unit
Parks and Recreation Facilities	717.34 Per Dwelling Unit
Total	**$891.82 Per Dwelling Unit**
All Other Residential Construction (including multifamily/mobile homes)	
Park Land	$122.67 Per Dwelling Unit
Parks and Recreation Facilities	504.33 Per Dwelling Unit
Total:	**$627.00 Per Dwelling Unit**

2. The parks and recreation impact fee shall be determined at the time a completed application for a Building Permit for new residential construction is submitted.

   Notwithstanding anything to the contrary in this section, the facilities portion of the parks and recreation 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, 2012; and

   b. Building Permits issued on or after March 1, 2011, through December 31, 2012, 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.

3. Exemptions. An exemption must be claimed by the applicant or it shall be waived. Payment of the 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.

However, where a replacement will create a greater parks and recreation demand generator; e.g., a mobile home replaced by a single-family detached house, a parks and recreation impact fee equivalent to the difference shall be due for the resulting dwelling unit pursuant to the parks and recreation impact fee schedule in place at the time of the change in circumstances.

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.

4. Alternative form of payment. Nothing herein precludes the County from entering into agreements with affordable housing providers to subsidize the parks and recreation impact fee assessed by this section.

5. Any new residential construction which is determined to be waived 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 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 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 chapter, that credit shall be subtracted from the otherwise applicable 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 County shall establish a parks and recreation impact fee fund for parks and recreation impact fees. Such fund shall clearly be identified as monies collected as parks and recreation impact fees. 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 fee fund shall be segregated into separate accounts for each of the three (3) parks and recreation impact fee districts and shall further segregate the funds for parkland acquisition and parks and recreation facility development.

3. The parks and recreation impact fees paid will be earmarked to a separate fund for each parks and recreation impact fee district and expended only in each parks and recreation impact fee district to acquire parkland and develop capital parks and recreation facilities needed to accommodate growth resulting from new residential construction in such district, except that funds for saltwater boat access parkland or boat access parks and recreation facilities may be expended from the parks and recreation impact fees collected in any of the parks and recreation fee districts.

4. Parks and recreation impact fees shall be appropriated for 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 parks and recreation facilities.

5. Within each parks and recreation impact fee district, all interest or investment income earned shall be available for appropriation or expenditure for parkland or parks and recreation facilities regardless of the source of the interest or investment income.

6. The BCC shall use parks and recreation impact fee fund monies for the following:

   a. Design, permitting, and construction plan costs for the parks and recreation system;

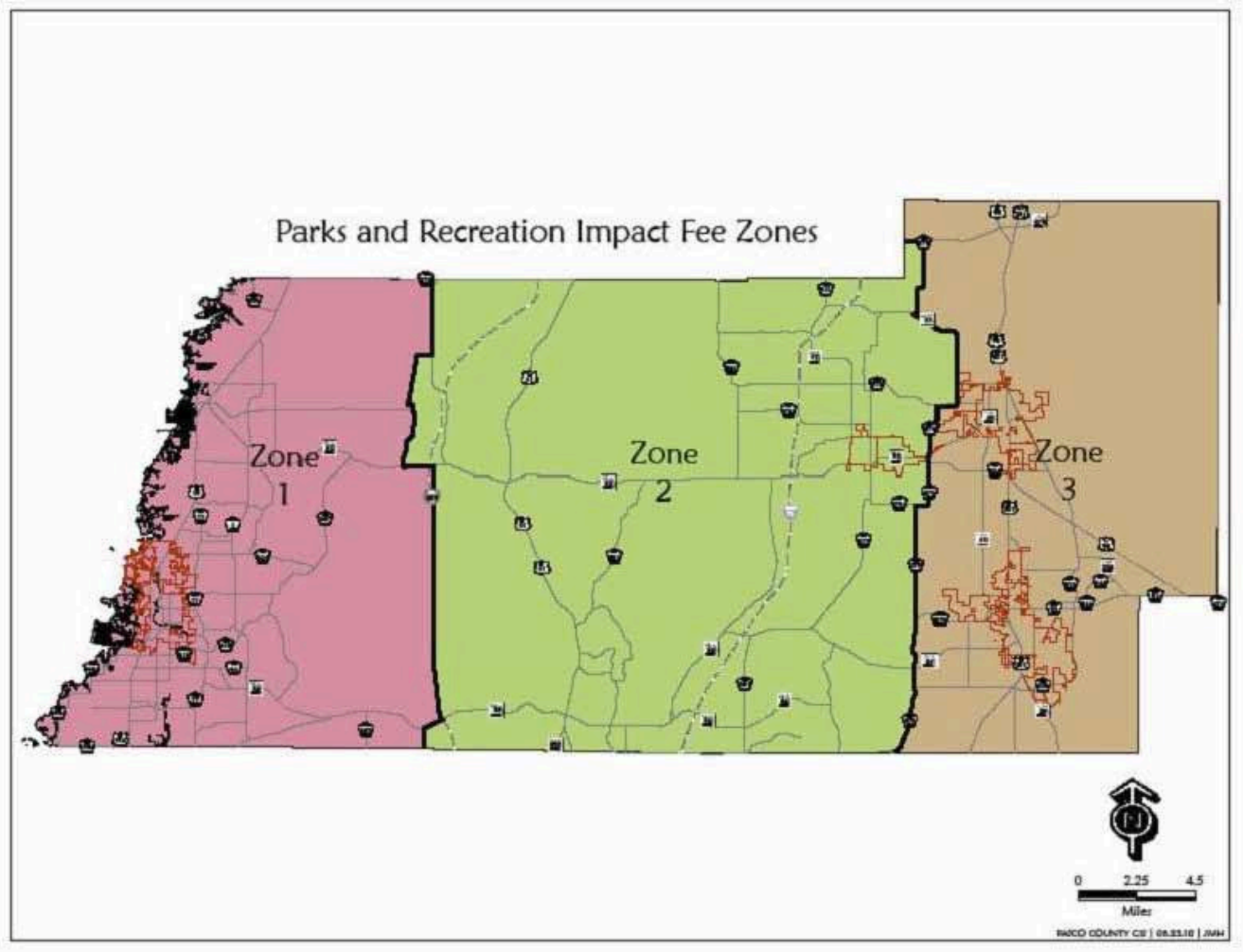
   b. Parkland acquisition costs;

   c. Construction costs of parks and recreation facilities;

   d. 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 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 improvements to the parks and recreation system subsequent to the effective date of this section.

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, 2012; and

   b. Building Permits issued on or after March 1, 2011, through December 31, 2012, 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. An exemption must be claimed by the applicant or it shall be waived. Payment of the library 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 (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.

6. Alternative Form of Payment. Nothing herein precludes the County from entering into agreements with affordable housing providers to subsidize the library impact fee assessed by this section.

7. 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. <u>Calculation</u>

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. 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. <u>Imposition</u>

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, 2012; and

   b. Building Permits issued on or after March 1, 2011, through December 31, 2012, 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. An 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 to 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.

7. Alternative form of payment. Nothing herein precludes the County from entering into agreements with affordable housing providers to

subsidize the fire combat and rescue service impact fee assessed by this section.

8. 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 for fire combat or rescue service land shall be the assessed value of the donated fire combat or rescue service land determined by 115 percent of the assessed value at the time of donation, as determined by the County Property Appraiser. 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. Unless a longer period is specifically authorized by the BCC, transferable credits must be used within eight (8) years of the date created. The creation date is the date the credits were approved by the County Administrator or designee. Fire combat and rescue service impact fee credits not used within eight (8) years of the date of creation will be void. 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. <u>Payment/Collection</u>

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. 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.

CHAPTER 1300. CAPITAL FACILITIES, FEES, AND INCENTIVES RELATED TO FEES

SECTION 1302. IMPACT FEES

1302.7. Hurricane Preparedness Mitigation Fees

A. Intent, Purpose, and Study

1. The purpose of this section is to address the impacts created by new development on hurricane shelter availability and evacuation capability within the County. This section implements hurricane preparedness mitigation techniques and fees for all new Equivalent Residential Units (ERUs) located within the Hurricane Vulnerability Zone (HVZ) and all proposed mobile homes, including trailers, recreational vehicles, and park models, whether or not located in a subdivision, Countywide. An ERU means a single dwelling unit, mobile home; manufactured home, space, or lot in a trailer, mobile home or recreational vehicle park or subdivision and individual guest rooms in a hotel or motel. The HVZ is composed of those areas of the County assigned an evacuation level of A through C in the event of a Category 3 hurricane event.

2. The formulas for calculating impacts and the Hurricane Preparedness Mitigation Fee (Hurricane Mitigation Fee) are based on the Tampa Bay Region Evacuation Study Update, 2000, of the Tampa Bay Regional Planning Council, which is incorporated herein by reference.

3. The Hurricane Mitigation Fee is composed of two parts:

   a. a shelter mitigation fee; and

   b. an evacuation mitigation fee.

4. All values used in calculating the Hurricane Mitigation Fee are based upon values applicable at the time of adoption of the fee and are subject to change over time. The Office of Emergency Management will periodically review the values used in the Hurricane Mitigation Fees formulas and propose modifications to the Board of County Commissioners (BCC) as necessary. The BCC may, from time to time, by resolution, update the boundaries of the HVZ.

B. Imposition

1. Hurricane Mitigation Fees shall be imposed on all proposed ERUs located within the HVZ and all proposed mobile homes, as defined in this section not otherwise exempted.

Hurricane Mitigation Fee	Per Equivalent Residential Unit
Shelter Fee	$238.05
Evacuation Fee	2.73
Total	**$240.78**

2. Exemptions. An exemption must be claimed by the applicant prior to the payment of the Hurricane Mitigation Fee or performance of other mitigation, or it shall be waived. The Hurricane Mitigation 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. New residential construction for which a completed application for a Building Permit was submitted to the County Administrator or designee prior to September 21, 2004.

   b. Other uses. No Hurricane Mitigation Fee shall be imposed on a structure that cannot result in an increase in the demand for hurricane shelters or evacuation route capacity.

   c. Alterations or expansions. No Hurricane Mitigation Fee shall be imposed for alterations or expansions of an ERU that existed on September 21, 2004, or to an ERU where a Hurricane Mitigation Fee has been paid, where no additional ERUs are created. However, where an alteration or expansion will create an additional ERU; e.g., a single-family detached house altered to create two more multiple family dwelling units, the Hurricane Mitigation Fee equivalent to the difference between the Hurricane Mitigation Fee amount for the existing use and the new use shall be due for each additional ERU pursuant to the Hurricane Mitigation Fee schedule in place at the time of the change in circumstances.

   d. Replacement of an ERU. No Hurricane Mitigation Fee shall be imposed for the replacement of an ERU, in whole or in part, as long as the owner can demonstrate that the same use existed on September 21, 2004, or that the use paid a Hurricane Mitigation Fee. However, where a replacement will create additional ERUs, the Hurricane Mitigation Fee equivalent to the difference shall be due for the resulting additional ERUs or new ERUs pursuant to the Hurricane Mitigation Fee schedule in place at the time of the change in circumstances.

C. <u>Calculation</u>

1. The applicable Hurricane Mitigation Fee per ERU shall be based upon the above table and calculated at the time a complete application for a Building Permit is submitted.

Notwithstanding anything to the contrary in this section, the hurricane preparedness (shelter mitigation fee and evacuation mitigation fee) 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, 2012; and

b. Building Permits issued on or after March 1, 2011, through December 31, 2012, 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.

2. In the alternative, the applicant may propose an alternative mitigation for either or both the shelter fee and/or evacuation fee components of the Hurricane Mitigation Fee and receive a credit towards the Hurricane Mitigation Fee. Alternative mitigation is subject to the requirements of this section.

D. Payment/Collection

1. Hurricane Mitigation Fees shall be paid prior to the issuance of a Certificate of Occupancy (CO). Where a CO is not issued, payment shall be made before final inspection.

E. Alternative Mitigation Techniques, Implementation, and Credits

1. Generally

a. The County Administrator or designee is authorized to and is responsible for determining the shelter and evacuation impacts of a new ERU or mobile home subject to this section. In the event of a dispute, the determination is a final decision appealable to the BCC pursuant to this Code.

b. The County Administrator or designee will make the final decision with respect to the acceptability of the type and degree of alternative mitigation offered to address the proposed development. This determination will be based upon consideration of the type and intensity of development, its location, and the incremental effect on the hurricane preparedness program, created by the proposed development. The alternative mitigation proposed must have a reasonable relationship to the incremental impact of the proposed development. Appropriate calculation of the impacts in accordance with this section will constitute sufficient evidence of the reasonable relationship.

c. The County Administrator or designee's approval of proposed alternative mitigation is required prior to the issuance of a Building Permit (or Tie-down Permit) that precipitates the requirement to mitigate under this section.

d. The County Administrator or designee is authorized to deny alternative mitigation if the proposal is determined to be inappropriate for the location involved (e.g., vertical evacuation in a coastal high hazard area) or constitutes the creation of an unacceptable shelter facility (e.g., on site shelter without all appropriate shutters).

e. Any alternative mitigation approved by the County Administrator or designee, along with the amount of the credit, as determined by the County Administrator or designee, shall be provided for in the written development Conditions of Approval or in an agreement with the County.

2. Shelter impacts and alternative mitigation techniques.

The following alternative shelter mitigation options may be approved for Hurricane Mitigation Fee credit:

a. Donation of land. The donation of land may be considered if the land is donated to the County for another purpose, such as construction of a recreation building, and an agreement can be reached for the building to also serve as a primary public hurricane shelter with a capacity at least large enough to serve the proposed development's shelter demand. The land donated must be located outside the HVZ. The shelter must be constructed to comply with the public shelter design criteria adopted pursuant to Section 553.73, Florida Statutes, as may be amended. The amount of the credit for land donation shall be approved by the County Administrator or designee and shall not exceed 115 percent of the appraised value as determined by the property appraiser at the time of the donation.

b. Provision of an on site shelter. An on site shelter may be considered if the on site shelter is outside the HVZ per the latest Sea, Lake, and Overland Surge from Hurricanes Model, and constructed in accordance with the public shelter design criteria, adopted pursuant to Section 553.73, Florida Statutes, as may be amended. Construction plans must be submitted for the on site shelter with the development plans for the ERUs being mitigated. Developments located within the HVZ may choose to construct a structure outside the HVZ for use as a public shelter using the public shelter design criteria. Proof of ownership and construction to the criteria must be provided to the County.

c. Provision of training funds. Provision of training funds may be considered if training funds are needed. The American Red Cross is responsible for managing shelters in the County. The District School Board of Pasco County provides shelter managers for shelters in schools and training is provided annually. The County Administrator or designee shall, from time to time, determine whether training funds are needed and accordingly whether the provision of training funds is an acceptable alternative mitigation option.

d. Shelter agreements. Shelter agreements with private facilities located outside the HVZ may be considered. An agreement must be in place prior to the issuance of the Building Permit. This obligation to a private shelter through a private agreement must be met in perpetuity. In order for the shelter agreement to be accepted, as alternative mitigation and credit are made available, the following criteria must be met:

(1) The private shelter structure must be located outside the HVZ.

(2) The structure must be constructed to comply with the public shelter design criteria adopted pursuant to Section 553.73, Florida Statutes, as may be amended.

(3) There must be a written agreement between the developer or Homeowners' Association (HOA) and the private facility for use of the facility as a shelter.

(a) Any one (1) agreement must be for a minimum period of five (5) years.

(b) The agreement must specify who will staff and operate the shelter.

(c) The agreement must specify who will provide necessary food, water, and other supplies to the shelter.

(4) The developer or HOA must develop, prior to the issuance of the Building Permit and maintain thereafter, an evacuation plan detailing implementation of the shelter operation and evacuation of the development, to include a transportation plan outlining routes and/or transportation assistance available. The plan must meet the criteria for the site specific evacuation plan pursuant to this Code, Section 1103, and the plan must be approved annually by the County Office of Emergency Management.

3. Evacuation impacts. Alternative mitigation techniques.

The following alternative evacuation mitigation options may be approved for Hurricane Mitigation Fee credit:

a. Elevation of roads. Elevation of a portion of an evacuation route may be considered.

b. Roadway capacity improvements. Increasing the capacity of an evacuation route may be considered.

4. Other alternative mitigation techniques:

a. The County will consider other mitigation techniques, subject to the County Administrator or designee's approval, suggested by the developer. The value of these other techniques must be equal to the Hurricane Mitigation Fees that would be required of the development. An example of "other techniques" is a safe room concept. This concept provides a room in a building, which could be any type of building, private residence, apartment building, etc., constructed to withstand a hurricane. Because only a portion of the building, instead of the entire building, is constructed to withstand hurricanes, the cost of constructing adequate shelter may be reduced.

F. Hurricane Mitigation Fee Fund/Appropriation of Funds

1. The County shall establish a Hurricane Mitigation Fee Fund for Hurricane Mitigation Fees. Such fund shall clearly be identified as monies collected as Hurricane Mitigation Fees. All Hurricane Mitigation Fees collected by the County shall be deposited into the Hurricane Mitigation Fee Fund and shall be segregated for shelters and Intelligent Transportation Signs (ITS). The BCC shall establish and implement necessary accounting controls to ensure that all Hurricane Mitigation Fees are properly deposited, accounted for, and appropriated in accordance with this section and any other applicable legal requirements.

2. A specific account for shelter mitigation and for evacuation mitigation ITS shall be established. All interest or investment income earned shall be available for appropriation or expenditure for shelter or ITS, regardless of the source of the interest or investment income.

3. The BCC shall use Hurricane Mitigation Fee Fund monies for the following:

a. Shelter capacity and safety improvements, including all necessary capacity analysis, design, land acquisition, and construction costs;

b. Hurricane education, public information programs, and shelter training;

c. Procuring communications equipment that would upgrade the existing warning and notification capability of the County's emergency management officials; and

d. All costs associated with the ITS.

CHAPTER 1300. CAPITAL FACILITIES, FEES, AND INCENTIVES RELATED TO FEES

SECTION 1302. IMPACT FEES

1302.8. Water and Wastewater Service Impact Fees

A. Intent and Purpose

1. To continue uniform water and wastewater service impact fees in the County and to establish procedures for the imposition, calculations, collection, administration, and expenditure of water and/or wastewater service impact fees imposed on new service connections.

2. To facilitate the implementation of the Goals, Objectives, and Policies of the Comprehensive Plan, Policy WAT 2.2.3 and Policy SEW 3.6.4 of the Public Facilities Element relating to utilizing funding directly from new service connections to offset appropriate costs of serving new service connections with public facilities.

3. To ensure that new service connections are reasonably benefited by the provision of the public water and wastewater service facilities provided with the proceeds of water and wastewater service impact fees.

4. To ensure that all applicable legal standards and criteria are properly incorporated in these procedures.

B. Water and Wastewater Impact Fee Study and Modifications

1. The Board of County Commissioners (BCC) has adopted and incorporates by reference the study by Tetra Tech HAI entitled Water/Wastewater Service Impact Fee Study, dated August 2006 and as supplemented pursuant to this section.

2. This section and the Water and Wastewater Service Impact Fee Study may be reviewed by the BCC periodically in accordance with Florida Statutes. The purpose of this review is to demonstrate that the water and wastewater service impact fees do not exceed reasonably anticipated costs associated with growth-necessitated capital improvements. In the event the review demonstrates that anticipated costs have changed, the Study 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 amended, or other advisory committee(s) in the review of the water and wastewater service impact fees. 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 Comprehensive Plan and/or an applicable Capital Improvement Plan, including the identification of water and wastewater service facilities projects anticipated to be funded wholly or partially with water and wastewater service impact fees;

c. Proposed changes to the water and wastewater service impact fees schedule;

d. Proposed changes to level of service standards;

e. Proposed changes in the water and wastewater service impact fees calculation methodology; and

f. Other data, analysis, or recommendations as the County Administrator 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. Water and wastewater service impact fees shall be imposed on all new service connections occurring within the County not otherwise exempted in this section or waived by general or special law. It is hereby recognized that water and wastewater service impact fees have been in effect in the County since 1979.

2. All new service connections occurring within the County shall pay the following water and/or wastewater service impact fees according to the following water and wastewater service impact fee schedule:

	ERU	**Water Impact Fee**	**Wastewater Impact Fee**
Single-family	1.00	$1,561.00	$2,730.00
Single-family (w/reclaimed water)	1.00	1,171.00	2,730.00
Multiple Family	0.49	769.00	1,345.00

	ERU	Water Impact Fee	Wastewater Impact Fee
Multiple Family (w/reclaimed water)	0.49	577.00	1,345.00
Mobile homes	0.60	929.00	1,625.00
Mobile homes (w/reclaimed water)	0.60	697.00	1,625.00
Recreational vehicles	0.33	520.00	910.00
Recreational vehicles (w/reclaimed water)	0.33	390.00	910.00

3. Notwithstanding the foregoing schedule, the meter equivalents of a nonresidential use shall be the basis for purposes of calculation of the water and wastewater service impact fees for residential uses that utilize a one (1) inch or greater meter size.

4. Nonresidential uses shall pay the single-family (1.00 ERU) fee listed above multiplied by the following meter equivalents:

Meter Size	ERU Equivalents
$^5/_8$", $^3/_4$"	1.00
1"	2.50
1.5"	5.00
2"	8.00
3"	15.00
4"	25.00
6"	50.00
8"	80.00

5. If any use does not meet a single defined use or meter equivalent as set forth herein, then the County Administrator or designee shall assign the most analogous use classification or meter size based on the standards of the water and wastewater service impact fee study or the meter sizing standards of the American Water Works Association, which is incorporated herein.

6. Exemptions. An exemption must be claimed by the applicant or it shall be waived. Payment of the water and/or wastewater service impact fees shall not apply to the following situations if the applicant clearly demonstrates with competent substantial evidence to the County Administrator one (1) of the following:

a. New service connection for which a completed application for a service connection has been submitted or where a meter has been installed and a customer account was opened within ninety (90) days after April 27, 1999.

b. Other Uses. No water and/or wastewater service impact fee shall be imposed on a use, structure, or other building construction activity that cannot result in an increase in the demand for water and wastewater service facilities.

c. Service connections in existence prior to ninety (90) days after April 27, 1999, provided that the demand for service and/or meter size or number is not increased.

7. Any new service connection which is determined to be exempt from the payment of water and wastewater service impact fees but, which as a result of a change in circumstances, produces a residential use or nonresidential use or service demand not exempt pursuant to this section, shall pay the water and/or wastewater service impact fees imposed by this Code according to the impact fee schedule in effect at such time as the change in circumstances occurs.

D. Calculation

1. The applicable water and wastewater service impact fee shall be based upon the above tables and criteria as may be amended and in effect at the time of receipt of a complete service connection application, less any credits or service commitment fees that may have been paid pursuant to Chapter 110 of the County Code of Ordinances.

2. An applicant may request, at any time, a nonbinding estimate of water and wastewater service impact fees due for a particular development. However, such estimate is subject to change when a complete application for a service connection is made.

3. Water and wastewater service impact fees shall be calculated based on the water and wastewater service impact fee schedule, pursuant to this section in effect at the time of submittal of a complete service connection application, except where provided for in this section.

E. Payment/Collection

1. The water and/or wastewater service impact fees shall be paid at the time of receipt by the County of a completed service connection application where no credit or partial credit applies.

2. Alternative Form of Payment. Nothing herein precludes the County from studying or adopting an alternative method of payment of the

water and wastewater service impact fees; e.g., payment over time through a Capacity Assessment Unit Program.

F. Credits

1. Credits may be allowed by prior Utilities Service Agreement to construct a nonsite-related utility improvement listed in the Capital Improvement Plan identified in the Schedules 2 and 2-3A of the Water and Wastewater Service Impact Fee Study, which is in addition to the required site-related improvements, as determined by the County Administrator or designee, and receive credits on a dollar basis against any water and/or wastewater impact fees due. Application for credits shall be made prior to the commencement of construction. No credits will be granted for construction except under the terms of a BCC-approved agreement.

2. Credits may be allowed for service commitment fees paid pursuant to Article II or Article IV, Chapter 110, County Code of Ordinances. To receive a credit for commitment fees paid by another party, the applicant must present a valid assignment (original and notarized) from the person who paid the commitment fees.

G. Water and Wastewater Service Impact Fee Funds/Appropriation of Funds

1. The County shall establish two (2) funds: a water service impact fee fund and a wastewater service impact fee fund. Such funds shall be clearly identified as monies collected as water and wastewater service impact fees. All water and wastewater service impact fees collected by the County shall be deposited into the respective water and wastewater service impact funds. The BCC shall establish and implement necessary accounting controls to ensure that all water and wastewater service impact fees are properly deposited, accounted for, and appropriated in accordance with this section and any other applicable legal requirements.

2. Water service impact fee monies shall only be expended for water service facilities, and wastewater service impact fee monies shall only be expended for wastewater service facilities. All interest or investment income earned shall be available for appropriation or expenditure for water and wastewater service facilities.

3. The monies from the water and wastewater service impact fee funds shall be used by the County solely to provide water and wastewater service facilities which are necessitated by new services connections, 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 County shall use water and wastewater service monies from the impact fee funds for the following components of those projects listed in the Capital Improvement Plan

identified in the Schedules 2 and 2-3A of the Water and Wastewater Service Impact Fee Study:

a. Design, permitting, and building construction plan costs for the water and wastewater service facilities;

b. Water and wastewater service facilities acquisition costs;

c. Building construction costs, including all furnishings and equipment, of water and wastewater service facilities;

d. Repayment of monies borrowed from any budgetary fund of the County subsequent to April 27, 1999, where such borrowed monies were used to fund growth necessitated capital improvements to water and wastewater service 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 water and wastewater service facilities subsequent to April 27, 1999.

APPENDIX A

DEFINITIONS

Terms not specifically defined below, in the Comprehensive Plan, in policies issued by Pasco County to implement land development regulations, or specifically defined in a referenced standard, words, phrases, or used in this Code, shall be ascribed a meaning which they have in common usage and which gives this Code its most reasonable application.

Access. The most direct method of travel from a public or private right-of-way to a private parcel of land.

Accessory structure.

1. General: A subordinate structure clearly incidental and related to the principal structure, building, or use of land, and located on the same lot as that of the principal structure, building, or use, including but not limited to, swimming pools, pool decks, utility sheds, detached garages, and screened rooms.

2. Appurtenant structure (as pertains to Flood Damage Prevention): A detached structure, which is located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory structures should constitute a minimal initial investment, may not be used for human habitation, and be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds.

Accessory use. A use on the same lot or within the same building and of a nature customarily or reasonably incidental and subordinate to the principal use.

Addition (to an existing building).. Any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by independent perimeter load-bearing walls, is new construction.

Adjacent. To have property lines, or portions thereof, in common or facing each other across a right-of-way, street, or water body of less than 100 feet in width.

Adverse effect upon a natural community. Direct contamination, destruction, or that which contributes to the contamination or destruction of a natural community, or portion thereof, to the degree that its environmental benefits are eliminated, reduced, impaired, or where there is a resultant threat to its present or future function.

Agricultural district. An agricultural district is any parcel or parcels of land or water zoned A-C Agricultural, AC-1 Agricultural, A-R Agricultural-Residential, AR-1 Agricultural-Residential, AR-5 Agricultural-Residential, or AR5-MH Agricultural-Mobile Home.

Agricultural support uses. Establishments primarily engaged in supplying soil preparation services, crop services, horticultural services, sales and service of agricultural machinery, veterinary and other animal services and farm labor and management services.

Agriculture. The cultivation of crops and livestock including crop land, pasture land, orchards, vineyards, nurseries, ornamental horticulture, groves, feedlots, specialty farms and silviculture.

Airport approach surface. That portion of the runway that is usable for takeoffs and landings due to obstructions lying outside the clear zone.

Airport hazard area. Any area of land or water upon which an airport hazard might be established if not prevented pursuant to Chapter 333, F.S.

Airport transition surface. That portion of the runway that is not usable by aircraft for operations due to obstructions outside the clear zone.

Airport clear zone. A designated area of land which is subject to peak aircraft noise and on which there is the highest potential of danger from airport operations.

Airport facility. Any area of land or water improved, maintained, or operated by a governmental agency for the landing and takeoff of aircraft, or privately owned paved runways of 4,000 or more feet in length, and any appurtenant area which is used for airport buildings, other airport facilities or on-site rights-of-way airport obstruction. Any structure, object of natural growth, existing condition or use of land which obstructs the airspace required for the flight of aircraft in landing or taking off at an airport or which otherwise increase the risk of danger to aircraft operations.

Airport obstruction. Any structure, object of natural grown, existing condition, or use of land which obstructs the airspace required for the flight of aircraft in landing and taking of at an airport or which otherwise increases the risk of danger to aircraft operations.

Alcoholic beverages. As defined by Florida Statutes.

Alcoholic beverage business establishment. Subject to the exemptions set forth in Article 500 of this Code, any commercial premises, including, but not limited to, a golf course clubhouse, grocery store, drugstore, nightclub, hotel, motel, lounge, cafe, bottle club, bar, restaurant, grill, or filling station:

1. Where, in the ordinary course of business, the proprietor of the premises or his employees sell, or otherwise provide in exchange for consideration, an alcoholic beverage for consumption on or off said premises; or

2. Where, in the ordinary course of business, the proprietor of the premises or his employees sell, or otherwise provide in exchange for consideration, a drinking container, water, beverage, or other product or article either for the purpose of utilizing the same in conjunction with consumption of an alcoholic beverage on said premises, or with the knowledge, actual or implied, that the same, will be or is intended to be utilized in conjunction with consumption of an alcoholic beverage on said premises; or

3. Where, in the ordinary course of business, the proprietor of the premises or his employees charge an admission fee of any sort for the purpose, in whole or in part, of allowing persons to consume an alcoholic beverage on said premises.

Provided, however, that this definition shall not apply to nonprofit establishments, including fraternal lodges, social and recreational clubs subject to this Code, Article 500, charitable organizations, and civic clubs.

Alley. A right-of-way providing a primary or secondary means of vehicular access to property.

Alterations. Any construction, modification or renovation to an existing structure other than repair or addition.

American National Standards Institute (ANSI). ANSI is a private, nonprofit organization that administers and coordinates the standardization and conformity assessment system. For the purposes of this Code, ANSI references relate to the American National Standard for Tree Care Operations, Trees, Shrubs and Other Woody Plant Maintenance, Standard Practices (ANSI A300-2001, as amended), which is incorporated herein by reference.

Amusement facilities. A commercial facility providing recreational activities. including but not limited to, commercial or public swimming pools; public tennis clubs; public gymnasiums; amusement arcades; discotheques; bowling alleys; shuffleboard courts; baseball batting ranges; miniature golf courses; golf driving ranges; billiard or pool halls; dance schools, halls or classes; skating rinks; and indoor movie theaters.

Amusement park. A permanent commercial establishment which has as its principal business the entertainment of its patrons by a combination of activities such as rides, games, shows, exhibitions, food and drink. Single purpose or single event facilities such as movie theaters or sports arenas shall not be considered amusement parks.

Animal hospital. A building used for the treatment, housing, or boarding of domestic animals by a veterinarian.

Animal Unit. As defined in Chapter 62-670, Florida Administrative Code (F.A.C.), a unit of measurement for an animal feeding operation calculated by adding the following numbers: the number of slaughter and feeder cattle multiplied by 1.0, plus the number of mature dairy cattle multiplied by 1.4, plus the number of swine weighing over fifty-five (55) pounds multiplied by 0.4, plus the number of sheep multiplied by 0.1, plus the number of horses multiplied by 2.0.

Animal waste. Offal, animal excrement other than human waste, poultry, hog, cow, or horse manure, or other discarded excrement material whether solid, liquid, or gaseous.

Annual beds. Any landscape where the majority of plants are replaced on a regular basis.

Antenna. A device used to send and/or receive electromagnetic waves which is usually constructed of metallic or fiberglass/metal materials and may also include rods, tubing, or wire. This definition shall only include the device or structure that actually is involved in the sending or receiving of such signals and shall exclude any primary antenna support structure. A whip (omnidirectional antenna or "omni"), panel (directional antenna or "dish"), disc (parabolic antenna), or similar device used for transmission and/or reception of radio frequency signals.

Antenna array. An antenna array is one or more whips, panels, discs, or similar devices used for the transmission or reception of radio frequency signals, which may include omnidirectional antennas (whips), directional antennas (panels), and parabolic antennas (discs).

Aquifer. A water-bearing layer of rock or soil that will yield water in a usable quantity to a well or spring.

Aquifer recharge area. Portions of the earth's surface where rainwater rapidly percolates through the soil to the aquifer. The actual recharge is the depth of water that enters an aquifer per unit area of the aquifer.

Area, building. The area included within surrounding exterior walls (or exterior walls and fire walls) exclusive of vent shafts and courts. Areas of the building not provided with surrounding walls shall be included in the building if such areas are included within the horizontal projection of the roof or floor above.

Area, lot. The total square footage within the lot lines.

Area of special flood hazard. The land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year.

Area of shallow flooding. A designated AO or AH Zone on the community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Arterial, arterial road, or arterial roadway. Those roadways classified as arterial roadways on the future traffic circulation map series or pursuant to the functional classification or reclassification procedures and criteria established pursuant to the Comprehensive Plan.

Artificial waterway. A dredge canal created by man in upland or wetland areas.

Art work. Any drawings, symbols, paintings, or sculpture which do not identify a product or business and which are not displayed in conjunction with a commercial, for profit or nonprofit enterprise. Drawings, pictures, symbols, paintings, and sculpture which are noncommercial speech protected by the United States Constitution Amendment 1 and/or Florida Constitution Article 1, Section 4 shall fall within this definition and be considered artwork.

Automatic irrigation controller. A timer capable of operating valve stations to set days and length of time of a water application.

Automotive service station. An automotive service station is an establishment whose principal business is the retail dispensing of automotive fuel and oil and where grease, batteries, tires, and automobile accessories may be supplied and dispensed at retail, principally for automobiles and not for trucks (or in connection with a private operation where the general public is excluded from the use of the facilities), and where in addition the following services may be rendered and sales made, and no other:

1. Sales and servicing of spark plugs, batteries, and distributors and distributor parts.

2. Tire servicing and repair but not recapping or regrooving.

3. Replacement of water hose, fan belts, brake fluid, light bulbs, fuses, floor mats, wiper blades, grease retainers, wheel bearings, shock absorbers, mirrors, and the like.

4. Provision of water, antifreeze, and the like.

5. Washing and polishing and sale of automotive washing and polishing materials.

6. Providing and repairing fuel pumps and lines.

7. Minor servicing and repairs of carburetors.

8. Emergency wiring repairs.

9. Adjusting and emergency repair of brakes.

10. Greasing and lubrication.

11. Sales of cold drinks, candies, tobacco, and similar convenience goods for service station customers, but only as accessory and incidental to the principal business operation.

12. Provision of road maps and other information material to customers, provision of rest room facilities.

Uses permissible at an automotive service station do not include body work, straightening of frames or body parts, steam cleaning, painting, welding, storage of automobiles not in operating condition, operation of a commercial parking lot or commercial garage as an accessory use, or other work involving undue noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in such stations. An automotive service station is not a repair garage or a body shop.

Average daily flow. The average quantity of water consumed and wastewater generated in gallons per day per equivalent residential dwelling unit.

Basement. (1) General: That portion of a building having its floor subgrade (below ground level) on all sides. A story partly underground but having at least one-half of its height above the average level of the adjoining ground. A basement shall be counted as a story for the purpose of height measurement if the vertical distance between the ceiling and the average level of the adjoining ground is more than five feet or if used for business or dwelling purposes, other than a game or recreation room. (2) As pertains to Flood Damage Prevention: That portion of a building having its floor subgrade (below ground level) on all sides.

Base flood. The flood having a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood").

Beach. The zone of unconsolidated material that extends landward from the mean low water line to the place where there is marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves. "Beach" is alternatively termed "shore."

Beacon light. Any light source, whether fixed or activated, which is designed to attract attention to a specific location, place, or thing.

Bed and breakfast. A dwelling unit occupied by its owner or the owner's agent which is made available for lodging of the public. A dwelling unit shall not be considered a bed and breakfast if its owner or the owner's agent does not live on the premises during a majority of the time guests are occupying the unit.

Bench Sign. A bench whose primary purpose is collateral with providing transportation service to the public upon which a sign is indelibly drawn, painted, or printed.

Best management practices (BMPs). Method or combination of methods determined after problem assessment, examination of alternative practices, and appropriate public participation, to be the most effective and practicable means of reducing or preventing nonpoint source pollution to levels compatible with water quality goals. These measures could include both structural (e.g., sediment/debris basins, wetland impoundment of agricultural runoff, etc.), and nonstructural (e.g., street vacuuming, deferred grazing systems, etc.) approaches to abatement of nonpoint source pollution, and would vary on a regional and local basis with the nature of the problems, climate, physical characteristics, land use, soil types and conditions, and other factors.

Best possible technology. Best possible technology means the most advanced technology which provides the maximum protection possible for the public health, safety, and welfare. In ascertaining the best possible technology, economic disadvantages shall only be considered relevant when analyzed in relation to other applicants conducting waste disposal, land spreading, or mining activities under the requirements of this Code.

Bicycle and pedestrian ways. Any road, path, or way which is open to bicycle travel and travel afoot but which excludes motor vehicles. Bicycle lanes constructed as part of a roadway shall not be considered bicycle ways.

Billboard. A type of off-site sign that is required to be registered with the County pursuant to the criteria of this Code.

Biological treatment. A water quality treatment system that utilizes a design water pool in association with water-tolerant vegetation to remove pollutants through settling, absorption by soils, and nutrient uptake by the vegetation.

Breakaway wall. A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

Buffer. A strip of land separating adjacent land uses.

Building. General: Any structure having a roof and used or built for the enclosure or shelter of persons, animals, vehicles, goods, merchandise, equipment, materials, or property of any kind.

Building frontage. The linear length of a building facing a street right-of-way, exclusive of alleys; or the linear length of the street right-of-way which faces the building, whichever is smaller.

Building, front line of. The line of that face of the building nearest the front line of the lot. This face includes sun parlors and covered porches whether enclosed or unenclosed but does not include steps.

Building, height of.

1. The vertical distance measured from the average ground level at the sides of the building to the highest point of the coping in the case of flat roofs or to the point halfway up the roof in the case of pitched roofs or to the deck line of a mansard roof.

2. The vertical distance measured from the level of the curb or the established street grade opposite the center of the front wall of the building to the highest point halfway up the roof in the case of pitched roofs or to the deck line of a mansard roof for building set fifteen (15) feet or more from the front lot line, the height may be measured from the finished ground surface at the center of the front wall of the building. Where the height is designated in terms of stories, it shall mean the designated number of stories including the first story. Where a building is required to elevate its first habitable floor to or above the base flood elevations, building height shall be measured from the established base flood elevation level to the highest point of the coping in the case of flat roofs or to the point halfway up the roof in the case of pitched roofs or to the deck line in the case of a mansard roof.

3. Chimneys, spires, towers, tanks, and similar projections shall not be included in calculating height.

Building line. An imaginary line located on the lot at a fixed distance from the street right-of-way line and interpreted as being the nearest point that a building may be constructed to the street right-of-way.

Building Permit. An official document or certificate issued by the authority having jurisdiction authorizing the construction of any building. The term shall also include Tie-Down Permits for those structures or buildings that do not require a Building Permit, such as a mobile home, in order to be occupied.

Bulk electric transmission corridors. "Bulk electric transmission corridors" means rights-of-way and associated easements used for the placement of an interconnected group of electric lines and associated equipment for the movement or transfer of electricity in bulk between points of delivery, where the bulk transmission voltage is 230 kv or above.

Bus stop. A designated stop on an official bus route as designated and approved by the department for buses to stop for the purpose of loading and unloading passengers.

Business services. An establishment offering primarily services to the business community and to individuals. Such services include, but are not limited to, advertising agencies, blueprinting and photocopying services, interior cleaning services, computer and data processing services, detective agencies and security services, insurance agencies, management consulting and public relations services, news syndicates, personnel services, photofinishing laboratories, photography, art and graphics services, financial services (other than banks), and real estate.

Caliper. Trunk caliper as measured six (6) inches above the ground on trees up to and including four (4) inches in diameter.

Canal use rights. Those rights allowing usufructuary rights to the water for recreational and navigational purposes and to wharf out or moor vessels in a manner consistent with this Code, Section 1001.3.

Carport. An open space for the storage of one or more vehicles in the same manner as a private garage, which may be covered by a roof supported by columns or posts except that one or more walls may be the walls of the main building to which the carport is an accessory building or extension.

Certificate of Occupancy. A statement, based on an inspection, signed by the building official, setting forth either that a building or structure complies with the Florida Building Code or that a building, structure, or parcel of land may lawfully be employed for specified use or both.

Clean fill. Soil, sand, or other naturally occurring unconsolidated organic or inorganic solid matter.

Clear sight triangle. The triangular area adjacent to the intersection of any street within which no obstruction may be placed that blocks the sight lines for vehicular traffic.

Closed basin. A watershed in which the runoff does not have a surface outfall up to and including, the 100-year, ten (10) day flood level or an open basin with a severe discharge restriction.

Clustering, cluster development. A type of residential development approved in the 1980s in the R-4 High Density Residential zoning district.

Coastal area. Those portions of the County which lie within hurricane evacuation level A as defined by the County peacetime emergency plan. This area shall include water and submerged lands of oceanic water bodies or estuarine water bodies, shorelines adjacent to such water bodies, coastal barriers, living marine resources, main wetland, water-dependent or water-related facilities on oceanic or estuarine waters, public access facilities to oceanic beaches or estuarine shorelines, and all lands adjacent to such occurrences where development activities would impact the integrity of the above; and all other occurrences within the County jurisdiction of oceanic or estuarine waters.

Coastal high hazard area. An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast or any other area subject to high velocity wave action from storms or seismic sources. The area is designated on the FIRM as Zone V1-V30 or VE or V.

Coastal protection structures. Any hardening structure, such as seawalls, bulkheads, revetments, rubble mound structures, groins, breakwaters, and aggregates of materials other than natural beach sand used for beach or shore protection and other structures which are intended to prevent erosion or protect other structures from wave and hydrodynamic forces including beach and dune restoration.

Coastal water bodies. Surface waters and wetlands within the coastal area.

Coastal zone. Those portions of the County which lie within the hurricane vulnerability area (evacuation levels A, B, and C).

Collector, collector road, or collector roadway. Those roadways classified as collector roadways on the future traffic circulation map series pursuant to the functional classification or reclassification procedures and criteria established pursuant to the Comprehensive Plan or required major collector roadways required pursuant to this Code, Section 901.1.

Commercial. Engaging in a business, enterprise, activity, or other undertaking for profit.

Commercial District. A commercial district is any parcel or parcels of land or water zoned C-1 Neighborhood Commercial, C-2 General Commercial, C-3 Commercial/Light Manufacturing, or any areas designated and used for commercial purposes within a PUD Planned Unit Development/MPUD Master Planned Unit Development District as defined in this Code.

Commercial equipment. Equipment utilized for commercial purposes, or designed by the manufacturer to be used primarily for commercial purposes, or altered or converted for the purpose of being so used. Commercial equipment includes, but is not limited to, ladders, pressure washers, cement mixers, generators, mowers, and other lawn

equipment used for commercial purposes, utility trailers, chemicals and spray equipment, pvc piping, window/door racks, and scaffolding.

Commercial fertilizer applicator. Any person who applies fertilizer on turf and/or landscape plants in Pasco County in exchange for money, goods, services, or other valuable consideration.

Commercially related equipment. Equipment including utility trailers, cement mixers, generators, and other types of trailers, when the same are utilized in a commercial endeavor.

Commercial grower. A grower producing plants (including trees) for resale at retail or wholesale value and registered with the State Department of Agriculture and Consumer Services, Division of Plant Industry.

Commercial use. An activity carried out for pecuniary gain, excluding the rental or lease of any permanent residential dwelling unit or its equivalent such as nursing homes, group homes, boarding house, etc. The term shall include hotels, recreational vehicle parks, retail, wholesale, and office uses, but specifically exclude those uses described elsewhere in this appendix as agricultural, industrial, or residential.

Commercial vehicle. Any vehicle, whether motorized or not, equipped or utilized for commercial purposes or designed by the manufacturer to be used primarily for commercial purposes, or altered or converted for the purpose of being so used, but not including domestic vehicles as defined by this Code, law enforcement vehicles, or vehicles owned by a governmental entity. Commercial vehicles include, but are not limited to: taxicabs, phone/cable company vans, airport transportation vans, box trucks, even if used solely for private transportation, and tow trucks. "Wrapped" domestic vehicles, or domestic vehicles displaying commercial lettering are not commercial vehicles if both owned and used solely for private transportation by the owner or occupant of the residential lot on which they are stored, and provided the vehicle is not otherwise equipped for commercial purposes.

Committed network. Includes the existing network plus transportation system improvements under construction or scheduled to begin construction in the current fiscal year of the adopted work programs of the County, the Florida Department of Transportation (FDOT), or other agencies with authority and responsibility for providing transportation system capacity, or other improvements that are guaranteed by a security instrument acceptable to the County that ensures construction will begin in the current fiscal year of such work programs.

Common ownership dock. A dock which may extend over side use lines of adjacent landowners upland of a canal or shoreline that have entered into an agreement of joint access and ownership of said dock.

Community residential home.

1. Community residential home: A dwelling unit licensed to serve clients of the Department of Health and Rehabilitative Services, which provides a living environment for seven (7) to fourteen (14) unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.

2. Homes of six (6) or fewer residents which otherwise meet the definition of a community residential home shall be deemed a single-family unit and a noncommercial, residential use for the purpose of local laws and ordinances. Homes of six (6) or fewer residents which otherwise meet the definition of a community residential home shall be allowed in single-family or multifamily zoning without approval by the local government, provided that such homes shall not be located within a radius of 1,000 feet of another existing such home with six (6) or fewer residents. Such homes with six (6) or fewer residents shall not be required to comply with the notification provisions of this section; provided, however, that the sponsoring agency or the department notifies the local government at the time of home occupancy that the home is licensed by the department.

Community residential home, large. A dwelling unit licensed to serve clients of the Florida Department of Children and Families, which provides a living environment for seven (7) to fourteen (14) unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.

Community residential home, small. A dwelling unit licensed to serve clients of the Florida Department of Children and Families, which provides a living environment for six (6) or fewer unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.

Community water system. As defined in Chapter 62-521, F.A.C., a community water system is a public water system that serves at least fifteen (15) service connections used by year-round residents or regularly serves at least twenty-five (25) year-round residents. For purposes of this section, this definition includes any regional water supply system that provides water at wholesale to the County for distribution to retail customers.

Compatibility. A condition in which the uses of land or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

Comprehensive Plan. The County Comprehensive Plan inclusive of all its elements, goals, objective, policies, maps and official amendments which have been adopted by the Board of County Commissioners (BCC) pursuant to Chapter 163.3184, Florida Statutes.

Controlled access, controlled access road or controlled access roadway. Those roadways classified as freeways or controlled access on the future traffic circulation map series or designated as a controlled access roadway pursuant to Section 901.3.

Concentrated animal feeding operation. As defined in Chapter 62-670, F.A.C., a feeding operation where more animals are confined than are specified in the categories listed below:

1. 1,000 slaughter and feeder cattle.

2. 700 mature dairy cattle (whether milked or dry cows).

3. 2,500 swine weighing over fifty-five (55) pounds each.

4. 500 horses.

5. 10,000 sheep or lambs.

6. 55,000 turkeys.

7. 100,000 laying hens or broilers (if the facility has continuous overflow watering).

8. 30,000 laying hens or broilers (if the facility has a liquid manure handling system).

9. 5,000 ducks.

10. 1,000 animal units.

Concurrency. The provision of public facilities necessary to accommodate the impacts of new development such that all adopted levels of service are maintained during and following the development of all projects.

Conditionally exempt small quantity generator. A conditionally exempt small quantity generator, as defined by the Resource Conservation and Recovery Act of 1976, Title 40 Code of Federal Regulations, Section 261, is one which in a calendar month generates no more than 100 kilograms (220 pounds or approximately twenty-five (25) gallons) of hazardous waste or less than one (1) kilogram of an acute hazardous waste. Additionally, the generator must never accumulate more than 1,000 kilograms (2,200 pounds or approximately 250 gallons) of hazardous waste at any time.

Conditional use. A public or private use which is not permitted as a matter of right in a zoning district but which is permitted only where approved by the Board of County Commissioners and where such use complies with the conditional use standards set forth in this Code.

Cone of influence. A depression in the potentiometric surface (drawdowns) around a pumping well caused by the withdrawal of water.

Confining unit. As defined in Chapter 40D-3, F.A.C., a body of relatively impermeable material stratigraphically adjacent to one or more aquifers in which hydraulic conductivity may range from nearly zero (0) to some value distinctly lower than that of the aquifer.

Conflict zoning. A lot or parcel having a zoning classification which is not consistent with its future land use designation.

Conservation. The management and use of natural resources to prevent exploitation, misuse, and neglect.

Conservation area. Lands which, due to the presence of nonrenewable natural resources or significant biological productivity, diversity, and scarcity, require special limitations upon development. Some examples include, but are not limited to: natural shoreline, freshwater marshes, alluvial wetlands, shallow grass ponds, freshwater swamps (bay and cypress), Class III waters, and sandpine scrub habitat. Generally, these areas are environmentally sensitive land that must not undergo development.

Construction. The building of or modification of any structure or the clearing, filling, or excavation of any land. It shall also mean any alterations in the size or use of any existing structure or the appearance of any land. When appropriate to the context, "construction" refers to the act of construction, or the result of construction.

Construction and demolition debris. Nonhazardous material generally considered not to be water soluble, including, but not limited to: steel, concrete, glass, brick, asphalt material, pipe, gypsum wallboard, and lumber from construction or demolition projects including, rocks, soils, tree remains, trees, and vegetation from land clearing for a construction project. Contamination of construction and demolition debris with any amount of other types of solid waste, including material which is not from the actual construction or demolition of a structure, will case it to be classified as other than construction and demolition debris.

Construction and demolition debris disposal facility. A properly permitted facility receiving construction and demolition debris for disposal.

Control device. The element of a discharge structure which allows the gradual release of water under controlled conditions. This is sometimes referred to as the bleed-down mechanism or "bleeder." Examples include orifices, notches, weirs, and effluent filtration systems.

Control elevation. The lowest elevation at which water can be released through the control device. This is sometimes referred to as the invert elevation.

Controlled access, controlled access road, or controlled access roadway shall mean those roadways classified as freeways or controlled access on the future traffic circulation map series or designated as a controlled access roadway pursuant to these regulations.

Convenience goods. Commercial establishments that generally serve day-to-day commercial needs of a residential neighborhood, including but not limited to, convenience stores (excluding gasoline sales), tobacco shops, newsstands, bakeries, candy, nut and confectionery stores, delicatessens, dairy products, and eating establishments.

Convenience store. Commercial establishments that serve day-to-day commercial needs of a residential neighborhood, with or without gasoline sales.

Cost of construction (as used in flood prevention). The actual value, determined by using prevailing normal market values, of all labor, materials, service, equipment, overhead, and profit that will be used to improve the structure or is required to fully repair the structure to its before-damaged condition. The County Administrator or designee shall review the said costs to ensure that the estimates are reasonably accurate and that the cost estimate reasonably reflects the actual costs to fully repair any damage and/or make the proposed improvements to the structure.

County Engineer. The appointed head of the County Engineering Services Department or his designee.

Court. An unoccupied open space, other than a yard, on the same lot with a building, which is bound on two (2) or more sides by the walls of such buildings.

Court, inner. A court enclosed on all sides by exterior walls of a building or by exterior walls and lot lines on which walls are allowable.

Court, outer. A court enclosed on not more than three (3) sides by exterior walls and lot lines on which walls are allowable, with one side or end open to a street, driveway, alley, or yard.

Coverage, lot. That portion or percentage of the plot or lot area covered by the building area.

Critical facility. A facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire and emergency response installations, and installations that produce, use, or store hazardous materials or hazardous waste.

Critical habitat. Viable areas of habitation for endangered and threatened species as confirmed by appropriate jurisdictional agency documentation or by reports which may be submitted by an applicant requesting a development order on a site containing an area of such habitation by endangered or threatened species. The extent of these areas shall have a definitive boundary which may vary in extent based upon the individual species; e.g., bald eagle's nest or pond harboring a protected turtle.

Critical road. A road designated in the County's Comprehensive Plan as a hurricane evacuation route and that is identified in the County's Non-De Minimis Roadway List as having existing plus approved development volumes that exceed the service volume of the road, or other major county roads that are similarly identified as having existing plus approved development volumes that exceed the service volume of the road by more than ten (10) percent. Concurrency Management refers to these roads as "110 Percent Roadways" and "Hurricane Evacuation Roadways."

Dam. A barrier to the flow of liquids constructed of earth or other materials.

Day-care facility.

1. General. A residence or building in which children or adults are received for full-time or part-time care or training and shall include the terms "pre-kindergartens," "nursery schools, "preschool," and "adult care."

2. For purposes of sexually oriented business, "day-care facility" means any facility, whether operated for profit or not-for-profit, that provides supervision and care for minors as its primary function.

Density credit. The additional number of dwelling units assigned to a parcel after the application of all density incentives.

Detention. The delay of storm runoff prior to discharge into receiving waters.

Detention volume. The volume of open surface storage behind the discharge structure measured between the overflow elevation and control elevation.

Developable acreage. That portion of the total site are which can be developed for uses inclusive of street and utility rights-of-way, parks, community facilities, etc., but does not include any acreage classified as wetlands, Conservation Lands, or water bodies.

Developer. As defined in Florida Statute 380.031, as amended.

Development:

1. The carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels. "Development" includes but is not limited to the following activities or uses:

    a. A reconstruction, alteration of the size, or material change in the external appearance of a structure on land.

    b. A change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on land or a material increase in the number of businesses, manufacturing establishments, offices, or dwelling units in a structure or on land; utilization of a previously-undeveloped parcel for any purpose other than passive recreational use that does not alter the physical appearance of the land; a change in use from a passive use (such as storage) to a more intense use (such as a commercial or industrial use) or a use that is specifically regulated by this Code (such as a dealership).

    c. Alteration of a shore or bank of a seacoast, river, stream, lake, pond, or canal, including any "coastal construction" as defined in Florida Statute 161.021.

    d. Commencement of drilling, except to obtain soil samples, mining, or excavation on a parcel of land.

    e. Demolition of a structure.

    f. Clearing of land as an adjunct of construction.

    g. Deposit of refuse, solid or liquid waste, or fill on a parcel of land.

    h. Construction of a building.

    i. Materially changing the elevation or contour of land, whether through the addition of fill, the onsite movement of earth, grading, tree removal, or otherwise.

2. As pertains to Flood Damage Prevention: Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials or equipment.

3. The following operations are not “development” as defined in this Code:

   a. Work by a highway or road agency or railroad company for the maintenance or improvement of a road or railroad track, if the work is carried out on land within the boundaries of the right-of-way.

   b. Work by any utility and other persons engaged in the distribution or transmission of gas, electricity, or water, for the purpose of inspecting, repairing, renewing, or constructing on established rights-of-way any sewers, mains, pipes, cables, utility tunnels, power lines, towers, poles, tracks, or the like. This provision conveys no property interest and does not eliminate any applicable notice requirements to affected land owners, nor does it waive the requirements for a Right-of-Way Use Permit where otherwise required by this Code.

   c. Work for the maintenance, renewal, improvement, or alteration of any structure, if the work affects only the interior or the color of the structure or the decoration of the exterior of the structure.

   d. The use of any structure or land devoted to dwelling uses for any purpose customarily incidental to enjoyment of the dwelling.

   e. The use of or construction on, any land for the purpose of growing plants, crops, trees, and other agricultural or forestry products; raising livestock; or for other agricultural purposes.

   f. A change in use of land or structure from a use within a class specified in an ordinance or rule to another use in the same class, except where the new use is specifically regulated by this Code (such as dealerships).

   g. A change in the ownership or form of ownership of any parcel or structure.

   h. The creation or termination of rights of access, riparian rights, easements, covenants concerning development of land, or other rights in land.

   i. Fill or tree removal exempt from the permitting requirements of this Code.

Development, as designated in an ordinance, rule, or Development Permit, includes all other development customarily associated with it unless otherwise specified. When appropriate to the context, development refers to the act of developing or to the result of development. Reference to any specific operation is not intended to mean that the operation or activity, when part of other operations or activities, is not development. Reference to particular operations is not intended to limit the generality of the definition.

Development Order. Any order granting, denying, or granting with conditions an application for a plan amendment, rezoning, or subdivision approval, Building Permit, certification, special exception, variance, or any other official action of County government having the effect of permitting the development of land.

Development Permit. Any Building Permit, Zoning Permit, subdivision approval, rezoning, certification, special exception, variance, or any other official action of local government having the effect of permitting the development of land.

Development site. The total area of the lot, tract, or parcel which is the subject of an application for a Development Permit.

Diameter at breast height (dbh). The diameter, in inches, of a tree measured at fifty-four (54) inches above the natural grade. The diameter of multiple-trunked tree(s) shall be added together for this measurement.

Directly connected impervious areas. Unless otherwise specifically stated in the basis, directly connected impervious areas as considered in the calculation of volumes for treatment systems are those impervious areas hydraulically connected to the treatment system directly, or by pipes or ditches.

Discharge. Includes, but is not limited to, any release, spilling, leaking, seeping, pouring, emitting, emptying, or dumping of any substance or material.

Discharge Structure. A structural device, usually of concrete, metal, etc., through which water is discharged from a project to the receiving water.

Disposal. Disposal means the discharging, depositing, spreading, injection, dumping, spilling, leaking, land application, or placing of any liquid, solid, or semisolid waste material into or upon any land or water, or so that any constituent thereof may enter other lands, be emitted into the air, discharged into any waters (including groundwaters), or otherwise enter the environment.

District or zoning district. All areas of land or water whose boundaries are identified on the official zoning map within which all properties and/or land uses are regulated by the County Zoning Ordinance as enacted November 19, 1975, and as subsequently amended, along with specific regulations of the individual districts.

Disturbed lands. The surface area of the land that is mined and all other land area in which the natural land surface has been disturbed as a result of, or incidental to, mining activities.

Ditch irrigation. Method of crop irrigation whereby water is applied in small furrows made by cultivation implements.

Dock. A fixed or floating structure, including, but not limited to, moorings, piers, wharves, standalone pilings and boat lifting equipment, over or alongside water, which may be used for, but not limited to, the purpose of berthing buoyant vessels, fishing, or swimming.

Domestic septage. Domestic septage means all solid wastes containing human feces or residuals of such, which have not been stabilized or disinfected. Not included are food service sludges and industrial wastes.

Domestic vehicle. Any vehicle, other than commercial vehicles and recreational vehicles as defined by this Code, licensed by any state of the United States or Mexico or Province or Territory of Canada, as a private vehicle for operation on streets. Provided the vehicle is not equipped or utilized for commercial purposes, domestic vehicles include private passenger vans and automobiles which are designed primarily for the transport of no more than nine (9) passengers including the driver, and private pickup trucks designed for the transport of no more than five (5) passengers including the driver.

Drainage basin. The area defined by topographic boundaries which contributes stormwater to a drainage system, estuarine waters, or oceanic waters, including all areas artificially added to the basin.

Drainage basin of special concern. Drainage basins or subbasins with either inadequate conveyance capacity or excessive ponding.

Drainage facility. A system of manmade structures designed to collect, convey, hold, divert, or discharge stormwater, and includes stormwater sewers, canals, detention structures, and retention structures.

Dredge and fill. Dredging is the excavation, by any means, in the waters of the State or United States. Filling is the deposition, by any means, of materials in waters of the State or United States. The landward extent of waters of the State and United States dredge and fill jurisdictional purposes shall be determined as provided in Section 17-4.022, Florida Administrative Code, and Section 404 of the Clean Water Act, respectively. Dredge and fill jurisdiction shall be prescribed in Sections 17-4.028 and 17-12.030, Florida Administrative Code, and Section 373.414, Florida Statutes, for waters of the State; and in Section 404 of the Federal Clean Water Act for waters of the United States, as amended.

DRI application. An application for development approval of a Development of Regional Impact submitted pursuant to Chapter 380, Florida Statutes, as amended.

Drip irrigation. Method of irrigation whereby water is applied slowly and under low pressure to the surface of the soil or into the soil through such applicators as emitters, porous tubing, or perforated pipe.

Drought-tolerant plants. Established plants that survive on natural rainfall with occasional irrigation during dry periods.

Dumpster. Portable containers (typically open on top), compactors, roll-offs, and recycling containers used on a temporary basis for the collection and storage of construction waste from ongoing permitted construction projects, house cleans, or temporary uses in residentially zoned districts, but shall not include any portable, nonabsorbent, enclosed container with a close-fitting cover, or doors, which is capable of being serviced by mechanical equipment and which is used on a permanent basis to store large volumes of refuse and which serves as the primary method of garbage collection and disposal for a residence, and which is eight (8) cubic yards or less.

Dwelling unit. Dwelling unit is a single unit providing complete independent living facilities for one (1) or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Dwelling. One (1) or more rooms providing complete living facilities for one (1) family, including kitchen facilities or equipment for cooking or provisions for same, and including a room or multiple rooms for living, sleeping, bathing, and eating. Also known as a "dwelling unit." The term dwelling does not include recreational vehicles or park trailers.

Dwelling type:

1. Dwelling, single family.

    a. Single-family detached residence. A site built dwelling unit designed for a single family or household. Site-built homes can be of modular construction.

    b. Mobile home. Any dwelling unit constructed to standards promulgated by the United States Department of Housing and Urban Development (HUD) which is a minimum of twelve (12) feet wide and forty (40) feet in length and having the HUD insignia.

2. Dwelling, Duplex. A building containing two (2) dwelling units.

3. Dwelling, Multiple-family. A building containing two (2) or more dwelling units.

4. Dwelling, Townhouses. Two (2) or more dwelling units which are attached side by side through the use of common party walls.

Easement. A retained or acquired right to use that land for a specific purpose, but which does not convey fee-simple title to that real property.

Effluent. Nonpotable water discharged as waste from domestic or industrial sources.

Electric substation. An assemblage of equipment for purposes other than generation or utilization, through which electric energy in bulk is passed for the purposes of switching or modifying its characteristics to meet the needs of the general public.

Elevated building. A nonbasement building which has its lowest floor elevated above ground level by means of fill, solid foundation perimeter walls, shear walls, posts, piers, pilings, columns, or breakaway walls.

Elevation. The measurement of height above sea level. Also above mean sea level (AMSL).

Emitter. A device that applies irrigation water. This term is primarily used to refer to the low flow rate devices used in micro-irrigation systems.

Encroachment. The advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures, or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

Encumber. An irrevocable commitment through an agreement or purchase order or a contract.

Encumbered. Monies committed by contract or purchase order in a manner that obligates the County, the school board, or the cities to expend the encumbered amount upon delivery of goods, the rendering of services or the conveyance of real property by a vendor, supplier, contractor, or owner.

Environmentally sensitive. Lands which, because some qualifying environmental characteristic are regulated by either the State Department of Natural Resources, the State Department of Environmental Regulation, the Southwest Florida Water Management District, or any other governmental agency empowered by law for such regulation.

Equivalent residential unit or ERU or unit (for purposes of hurricane hazard mitigation). A single dwelling unit; mobile home; manufactured home; space or lot in a trailer, mobile home, or recreational vehicle park; individual guest room in a hotel or motel or rooming house; or a tourist cabin.

Equivalent residential connection. A unit of measurement representing the average amount of water consumed and/or the amount of wastewater produced by a single-family dwelling unit.

Evacuation routes. Routes designated by the County civil defense authorities or the regional evacuation plan for the movement of persons to safety in the event of a hurricane.

Existing construction (as pertains to Flood Damage Prevention). Any structure for which the "start of construction" commenced before the effective date (November 18, 1981) of the floodplain management regulations adopted by Pasco County.

Existing manufactured home park or subdivision (as pertains to Flood Damage Prevention). A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date, November 18, 1981, of the floodplain management regulations adopted by Pasco County

Existing network. Includes major roads that exist in the field and are open to use by the public.

External trip. Any trip which either has its origins from or its destination to the development site and which impacts the major road network system.

Facade. The face(s) of a building that is(are) visible to the public.

Facility. All buildings, equipment, structures, and other stationary items that are located on a single site or on contiguous or adjacent sites and that are owned or operated by the same person (or by any person which controls, is controlled by, or under common control with, such person).

Family. May consist of a single person or of two or more persons, whether or not related by blood, marriage, or adoption. May also include domestic servants and gratuitous guests.

Family, **child care home**. A residence licensed by the applicable state and local agencies in which child care is regularly provided for children from at least two unrelated families.

Farm. The land, buildings, and support facilities used in the production of farm or aquaculture products.

Farm operation. All activities by the owner, lessee, agent, independent contractor, or supplier which occur on a farm in connection with the production of farm products.

Farm product. Any plant or animal useful to humans, including but not limited to, any product derived there from.

Fast-food restaurant with drive-thru. A land use including fast-food restaurant with drive-through windows. This type of restaurant is characterized by a large carryout clientele; long hours of service (some are open for breakfast, all are open for lunch and

dinner, some are open late at night or 24 hours); and high turnover rate for eat-in customers.

Fertilize, fertilizing, or fertilization. The act of applying fertilizer to turf, specialized turf, or landscape plant.

Fertilizer. Any substance or mixture of substances, except pesticide/fertilizer mixtures such as “weed and feed” products, that contain one or more recognized plant nutrients and promotes plant growth, or controls soil acidity or alkalinity, or provides other soil enrichment, or provides other corrective measures to the soil.

Fill. Off-site, imported material deposited in or on real property by artificial means. "Fill" does not include material composed entirely of clean organic mulch.

Final cover. Clean fill used to cover the top of a solid waste disposal site when fill operations cease.

Final inspection. The last inspection performed by the County, or a city where applicable, for structures or site improvements to assure that all improvements were completed in accordance with the applicable conditions of a permit for development.

Final local Development Order. The final approval issued by the County prior to the permit which allows commencement of construction of physical activity on the land and/or an order or permit which allows commencement of construction or physical activity on the land so long as the project has commenced and is continuing in good faith.

Fire combat land or rescue service land. The fire combat or rescue service land owned or operated by the County required for the development or expansion of fire combat and rescue service facilities and equipment identified in the Fire Combat and Rescue Service Impact Fee Study.

Fire combat and rescue service facilities and equipment. Those facilities and equipment owned or operated by the County which a need is created for by new building construction. The fire combat and rescue service facilities and equipment include, but are not limited to:

1. Fire/rescue stations;

2. Fire combat stations;

3. Rescue stations;

4. Operations center;

5. Training center;

6. Supply center;

7. Communications/dispatch center;

8. All other capital equipment, including but not limited to, vehicles, fire combat equipment, rescue equipment and communications.

Fire combat and rescue service impact fee. An impact fee which is imposed on new building construction in connection with and as a condition of the issuance of a certificate of occupancy or final inspection and which is calculated to defray all or a portion of the costs of the fire combat and rescue service facilities and equipment required to accommodate the impact to the fire combat and rescue service system of that new building construction, and which fee is applied to fire combat and rescue service facilities and equipment which reasonably benefit the new building construction.

Fire combat and rescue service system. The fire combat or rescue service land and fire combat or rescue service facilities and equipment owned or operated by the County which are used to provide fire combat and emergency medical services.

Fire flow. The rate of water flow from a hydrant (expressed in gallons per minute) needed to extinguish fires.

Fire protection water system. A water distribution system with fire hydrants for the purpose of supplying water for fire protection use, including both publicly and privately owned utility systems.

Fitness center. Recreational facilities that may include, but are not limited to, swimming pools, whirlpools, saunas, exercise classes, racquetball, handball and tennis courts, and weightlifting and cardiovascular equipment. Locker rooms and/or snack bar may also be available.

Fixed boundary. A line separating two (2) or more land use categories which is geographically fixed as represented on the official Future Land Use Map and not subject to administrative modification.

Flag. A sign made of material secured on one (1) side from a flagpole such that the sign material hangs when not set in motion by the movement of the air.

Flagpole. A freestanding, ground mounted structure or a structure mounted to a building or to the roof of a building and used for the sole purpose of displaying a flag.

Floodplain; 25-year; 100-year. Land elevations which would become inundated by a storm which occurs with a frequency of once every 25 years and 100 years, respectively.

Flood or flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters; or

2. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Hazard Boundary Map (FHBM). An official map of a community, issued by the Federal Emergency Management Agency (FEMA), where the boundaries of the areas of special flood hazard have been identified as Zone A.

Flood Insurance Rate Map (FIRM). An official map of a community on which the FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood Insurance Study (FIS). The official hydraulic and hydrologic report provided by FEMA. The report contains flood profiles, as well as the FIRM, FHBM (where applicable), and the water surface elevation of the base flood.

Floodplain. Any land area susceptible to flooding (see definition of flood or flooding).

Floodplain management. The operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain including, but not limited to, emergency preparedness plans, flood-control works, floodplain-management regulations, and open space plans.

Floodplain-management regulations. This section and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power which control development in flood-prone areas. This term describes Federal, State, or local regulations in any combination thereof, which provide standards for preventing and reducing flood loss and damage.

Floodway. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

Floodway fringe. That area of the floodplain on either side of the regulatory floodway where encroachment may be permitted without additional hydraulic and/or hydrologic analysis.

Floor. The top surface of an enclosed area in a building (including basement); i.e., top of slab in concrete slab construction or top of wood flooring in wood-frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Floor area. The sum of the gross horizontal areas of all floors of a structure, including interior balconies and mezzanines, measured from the exterior face of exterior walls or from the centerline of a wall separating two (2) structures. Shall include the area of roofed porches having more than one (1) wall and of accessory structures on the same lot. Stairwells and elevator shafts shall be excluded.

Floor area ratio (FAR). A formula for determining permitted building area as a multiple of the area of the lot. For example, a floor area ratio of one (1) applied to a 20,000-square-foot lot would permit a single-story building of 20,000 square feet (20K/20K=1) or a building of any number of floors whose cumulative square footage does not exceed 20,000 square feet.

Floridan aquifer. The specific geologic formation of water bearing layers of rock, also known as the upper Floridan aquifer which is the principal source of water supply in most of north and central Florida, including Pasco County, and the source of many springs.

Food service sludge. Food service sludge means oils, greases, and grease trap pumpings generated in the food service industry.

Foster care facility. A facility which houses foster residents and provides a family living environment for the residents, including such supervision and care as may be necessary to meet the physical, emotional, and social needs of the residents and serving either children or adult foster residents.

Frontage. The length of the property line for a single parcel which runs parallel to and along each right-of-way (exclusive of alleys) it borders.

Frontage road. A collector road (public or private) which has, as its specific function, the diversion of traffic from a parallel facility serving the same area.

Front yard. See "yard, front."

Functional classification. The assignment of roads into a classification system by the FDOT or local government according to the character of the service they provide in relation to the total road network. Arterial, collector, and local streets are examples of functional class and may be further subdivided into principal, major, or minor levels, and into urban or rural categories.

Future traffic circulation map series. The map series established pursuant to Objective TRA 2.1 of the County Comprehensive Plan, as it may be amended from time to time consistent with Objective TRA 2.1 (presently Future Number of Lanes [Map 7-22], Future Roadway Functional Classification [Map 7-24], Corridor Preservation [Map 7-35], and Highway Vision Plan [Map 7-36]).

Garage, private. A fully enclosed structure for the storage of one (1) or more motor vehicles by the resident of the premises.

Garage, public. A fully enclosed structure where motor vehicles can be temporarily stored or parked by the public.

Gardening. See "home gardening" for definition.

General merchandise store. Commercial establishments that supply personal consumer goods to the community and/or region.

Geologic hazard. A condition found to exist in the soil strata or underlying bedrock that renders the area incapable of providing adequate and reliable support for the type of improvement to be constructed upon it or that would otherwise render an area unsafe for public access due to an elevated unordinary/adverse risk of collapse or significant unacceptable ground settlement (subsidence).

Geological hazardous area. That portion of a site which a geotechnical/geological engineering report has concluded is impacted by a known or found geologic hazard(s).

Geotechnical engineering. The application of engineering principles and interpretation so that geological factors affecting planning, design, construction, and maintenance of engineered public and private works and buildings are properly recognized and adequately designed.

Grade, establishing. The elevation of the centerline of the streets as officially established by the governing authorities.

Grade, finished. The completed surfaces of lawns, walks, and roads brought to grades as shown on official plans or designs relating thereto.

Gross acreage, CS-MPUD Conservation Subdivision-Master Planned Unit Development. The total number of acres on a site including, but not limited to, all internal streets, easements, rights-of-way, water and wetlands, environmental and conservation areas, open space, and stormwater facilities.

Gross floor area. The sum of the gross horizontal areas of the floors of a nonresidential use building, measured from the exterior faces of the exterior walls or from the centerline of walls separating two (2) buildings with a common wall, and including outside decks and/or patios used for commercial purposes including waiting areas but excluding covered parking areas. All accessory nonresidential use buildings, not otherwise exempted by this division, shall be included in the calculation of the gross floor area.

Gross residential acre. Includes land committed to the explicit use of residential buildings or contributory uses and structures such as streets, parks, or common accessible open space. However, sewer and water treatment plants, utility substations, solid waste facilities, or similar uses and structures may not be included in the calculation of gross residential acre.

Ground cover. Plants, other than turf grass, which reach a mature height of twenty-four (24) inches or less.

Groundwater. Water beneath the surface of the ground within a zone of saturation, whether or not flowing through known and definite channels.

Group home. A facility which provides a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care as may be necessary to meet the physical, emotional, and social needs of the residents. Adult congregate living facilities comparable in size to a dwelling unit are included in this definition. It shall not include rooming or boarding homes, clubs, fraternities, sororities, monasteries or convents, hotels, residential treatment facilities, nursing homes, or emergency shelters.

Grubbing. The removal of brush and vegetation where no tree ten (10) inches dbh or greater shall be removed from the site. Grubbing does not include any cut and/or fill.

Guaranteed analysis. The percentage of plant nutrients or measures of neutralizing capability claimed to be present in a fertilizer.

Heavy vehicle. Vehicle that has more than four (4) tires touching the pavement, including trucks, buses, and recreational vehicles (RVs). Trucks cover a wide range of vehicles, from lightly loaded vans and panel trucks to the most heavily loaded coal, timber, and gravel haulers. RVs also include a broad range, including campers, both self-propelled and towed; motor homes; and passenger cars or small trucks towing a variety of recreational equipment, such as boats, snowmobiles, and motorcycle trailers. Heavy vehicles adversely affect traffic because they occupy more roadway space and have poorer operating capabilities than passenger cars, particularly with regard to acceleration, deceleration, and the ability to maintain speed on upgrades. Accordingly, for trip generation purposes, if heavy vehicles are ten (10) percent or more of the trips generated by the proposed land use, the total estimated trips for heavy vehicles shall be multiplied by two (2) unless ITE heavy vehicle data or other County approved heavy vehicle trip generation data for the land use support a different multiplier; however, in no event shall the multiplier be less than one (1).

Hazardous waste. Wastes which have one (1) or more of the following properties: ignitable, corrosive, reactive, or toxic.

High hazard hurricane evacuation area. The areas identified in the most current regional hurricane evacuation study as requiring evacuation during a Category 1 hurricane event (evacuation level A).

High volume recharge. Addition of water to the upper Floridan aquifer which is equal to ten (10) inches per year per unit area of the aquifer.

Highest adjacent grade. The highest natural elevation of the ground surface, prior to the start of construction, next to the proposed walls of a building.

Historic basin storage. The depression storage available on the site in the predevelopment condition. The volume of storage is that which exists up to the required design storm.

Historic discharge. The peak rate and/or amount of runoff which leaves a parcel of land from an undisturbed/existing site or the legally allowable discharge at the time of permit application.

Historic resources or historic properties. Any prehistoric or historic district, site, building, object, or other real or personal property of historical, architectural, or archaeological value. These properties or resources may include, but are not limited to, monuments, memorials, Indian habitations, ceremonial sites, abandoned settlements, sunken or abandoned watercraft, engineering works, treasure troves, artifacts, or other objects or features with intrinsic historical or archaeological value, or any part thereof, relating to the history, government, and culture of the State and the County.

Historic structure (as pertains to Flood Damage Prevention**)**. Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the United States Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

   a. By an approved state program as determined by the Secretary of the Interior, or

   b. Directly by the Secretary of the Interior in states without approved programs.

Home gardening. The cultivation of herbs, fruits, flowers, or vegetables on a piece of ground adjoining the dwelling, excluding the keeping of livestock.

Home occupation. Any use customarily conducted entirely within a dwelling or in a building accessory thereto provided that the use does not occupy more than twenty-five (25) percent of the cumulative floor area and provided that only the inhabitants residing therein are engaged in the occupation, providing that the use is clearly incidental and secondary to the use of the dwelling for residential purposes, the exterior appearance of the structure of the premises is constructed and maintained as a residence, and no goods are publicly displayed on the premises other than signs as provided herein; including, but not limited to, the following occupations: The professional practice of medicine, dentistry, architecture, law, and engineering; artists, beauticians, barbers, and veterinarians. The following uses are not home occupations: stables, kennels, uses resulting in the storing or using of heavy equipment not ordinarily found in a residential area; uses that shall generate traffic in greater volumes than would normally be expected in a residential neighborhood, uses that result in on-street parking.

Hospital. A building or group of buildings having facilities for overnight care of human patients, providing primary and urgent care treatment for injuries and trauma, services to inpatients, and medical care to the sick and injured. The term "hospital" may include related facilities such as: laboratories, outpatient services, training facilities, central service facilities, and staff facilities; provided that any related facility is incidental and subordinate to the use and operation of the principle hospital. A hospital is an institutional use and does not refer to medical offices or clinics.

Hotel. A facility offering transient lodging accommodations normally on a daily rate to the general public and typically providing accessory uses such as: restaurant, meeting rooms, and recreational facilities. Entry to each room is gained through the interior of the building through a lobby.

Housing cooperatives. A form of housing ownership in which a cooperative association of leaseholders actually owns and manages all of the units.

Hurricane evacuation routes. The routes designated by the County Office of Emergency -Mmanagement that have been identified with standardized statewide directional signs by the FDOT or are identified in the regional hurricane evacuation study for the movement of persons to safety in the event of a hurricane. Pursuant to

Paragraph 9J-2.0255(4)(d), F.A.C., the DCA considers hurricane evacuation routes to be regionally significant roadways.

Hurricane evacuation clearance. The amount of time specified in the County hurricane evacuation plan implementation guide produced by the Tampa Bay Regional Planning Council for the safe evacuation of hurricane vulnerable areas.

Hurricane preparedness plan. A document which specifies the safe and orderly evacuation of residents and employees when an evacuation order is issued including: the closing of all buildings for the duration of the hurricane evacuation order, prior identification of evacuation routes out of the area, appropriate on-site preparations, and coordination with the office of disaster preparedness for building closings, security and safety measures.

Hurricane vulnerability area. An area delineated by the County hurricane evacuation plan implementation guide produced by the Tampa Bay regional planning council which will require evacuation in the event of a Category 3 storm event.

Hydric soil. Soil that retains moisture for a sufficient amount of time to periodically produce anaerobic conditions and is conducive for the growth of hydrophytic vegetation as specifically listed in the publication, *Hydric Soils of Florida*, Florida Bulletin No. 430-6-2, published by the United States Department of Agriculture, Soil Conservation Service (1986).

Idle speed zone. A designated area within which it has been established that manatees frequently visit or reside and within which all motorboat operations shall exercise a high degree of care for manatee presence, and shall not, unless authorized by a valid Federal or State permit, either intentionally or negligently annoy, molest, harass, disturb, collide with, injure, or harm manatees and shall proceed at the minimum speed that will maintain safe steerageway.

Illicit connections. Point source discharges to the County's municipal separate storm sewer system or to waters of the United States, which are not composed entirely of stormwater and are not authorized by a National Pollutant Discharge Elimination System (NPDES) Permit.

Illicit discharge. Any discharge to a municipal separate storm sewer system or to waters of the United States that is not composed entirely of stormwater with the exception of discharges which are exempt pursuant to this Code, Section 902.1.C.

Impact fees. Fees charged concurrent with new development and designated for infrastructure to serve the new development.

Impervious. Land surfaces which do not allow or minimally allow the penetration of water; examples are buildings, nonporous concrete and asphalt pavements, and some fine grained soils such as clays.

Impervious surface. Surface which has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water including surfaces, such as compacted sand, limerock, shale, or clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots, and other similar structures.

Incompatible land use. The use of a parcel of land in a manner which interrupts, conflicts, or otherwise interferes with the use of a neighboring parcel of land, such that the neighboring land is impaired for its original intended use.

Incorporation into the soil. Incorporation into the soil means either the injection of waste material beneath the surface of the soil or the mixture of waste material with the surface soil.

Increased cost of compliance (as pertains to Flood Damage Prevention). The cost to repair a substantially damaged building that exceeds the minimal repair cost to bring a substantially damaged building into compliance with this Code, Section 1104.

Incubator. An organization designed to accelerate the growth and success of entrepreneurial, start-up companies through various business-support services.

Industrial. The manufacturing, compounding, assembling, processing, packaging, or treatment of raw material or other products.

Industrial district. An industrial district is any parcel or parcels of land or water zoned I-1 Light Industrial Park, I-2 General Industrial Park, or any areas designated and used for industrial purposes within a PUD Planned Unit Development/MPUD Master Planned Unit Development District as defined by the County zoning ordinance enacted November 19, 1975, and as subsequently amended.

Industrial flex space. Flex-type or incubator tenant space that lends itself to a variety of uses. The proportion of office versus light industrial/warehouse space in each tenant 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. The space may include manufacturing, light industrial, or scientific research functions as well as accessory-type uses, such as office, wholesale stores, and warehousing.

Industrial park. An industrial park is three (3) or more parcels of land zoned I-1 Light Industrial Park, I-2 General Industrial Park, or designated for industrial purposes within an MPUD District as defined by the County zoning ordinance enacted November 19, 1975, as subsequently amended, and designed, structured, and located so as to result in an integrated industrial subdivision, development, or center. Areas containing a number of industrial facilities characterized by a mix of manufacturing, service, and warehouse facilities.

Industrial service establishment. Any premises where the principal use is the provision of maintenance, cleaning, supply, repair or similar services, such as linen suppliers, or building maintenance where customer visits to the establishment are not commonly necessary.

Industrial/technical or trade school. A school primarily devoted to giving instruction in vocational, technical, or industrial subjects. Offices and classroom facilities are permitted; however, laboratory or other specialized training facilities are required to be located and permitted in accordance with restrictions in zoning districts in which the underlying activities may be conducted.

Industrial use. An activity carried out for pecuniary gain which involves the extraction, processing, manufacture, compounding, fabrication, packaging, or assembly of raw materials into finished goods and the temporary storage of such goods until sale.

Infill development. The development of vacant parcels of land in an urbanized area, with complementary land uses; that is, uses of like kind and character.

Infrastructure. Those manmade structures which serve the common needs of the population, such as, but not limited to, sewage disposal systems, potable water systems, solid waste disposal systems, stormwater systems, utilities, causeways, bridges, streets, wells, piers, docks, breakwaters, bulkheads, seawalls, channels, and roadways.

Inordinate burden, inordinately burdened. An action of one (1) or more governmental entities that has directly restricted or limited the use of real property such that the property owner is permanently unable to attain the reasonable, investment-backed expectation for the existing use of the real property or a vested right to a specific use of the real property with respect to the real property as a whole, or that the property owner is left with existing or vested uses that are unreasonable such that the property owner bears permanently a disproportionate share of a burden imposed for the good of the public, which in fairness should be borne by the public at large. Inordinate burden or inordinately burdened does not include temporary impacts to real property; impacts to real property occasioned by governmental abatement, prohibition, prevention, or remediation of a public nuisance at common law or a noxious use of private property; or impacts to real property caused by an action of a governmental entity taken to grant relief to a property owner. However, a temporary impact on development, as defined in Section 380.04, Florida Statutes, that is in effect for longer than one (1) year may, depending upon the circumstances, constitute an “inordinate burden” as provided in this paragraph.

Intensity. The degree to which a parcel of land is developed based upon use, size, or trip (traffic) generation. See "floor area ratio."

Interceptor. That part of a sanitary sewer system which forms the junction of branch lines and trunk lines.

Interchange. The intersection of two (2) limited access highways in which a traveler is able to change from one highway to the other. An interchange may be "full" or "partial" depending upon whether the traveler is afforded the option to move freely from one highway to the other in either direction of only one (1) way.

Interim use. 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.

Internal trip. A trip that has both its origin and destination within the development site.

Irrigation. The controlled application of water to the soil for the purpose of sustaining agriculture, landscape plants, or vegetative ground cover.

Irrigation system. A permanent watering system designed to transport and distribute water to plants as a supplement to natural rainfall.

Irrigation zone. A control valve circuit containing emitters and/or sprinklers with consistent application rates.

Junk. Any worn, cast-off, or discarded article or material which is ready for destruction or which has been collected or stored for sale, resale, salvage, or conversion to some other use. Any such article or material which, unaltered, not needed to be disassembled or unfastened from, or unchanged and without further reconditioning can be used for its original purpose as readily as when new shall not be considered junk.

Junkyard. The use of more than 3,000 square feet of the area of any lot for the storage, keeping, or abandonment of junk, including scrap material from the dismantling, demolition, or abandonment of automobiles or other vehicles or machinery or parts thereof. A "junkyard" shall include an automobile graveyard or motor vehicle graveyard.

Kennel. Any building or land used for the boarding, breeding, housing, training, or care of more than nine (9) dogs, cats, or other domestic animals kept for purposes of show, hunting, sale, or personal use. This definition does not include riding stables.

Land application. Land application means a process whereby waste material is spread mechanically across or incorporated into the soil or a specific area referred to as the land application area.

Landfarming. A process for treating contaminated soil by spreading the contaminated soil in a thin layer over an impermeable liner or surface. Contaminant reduction is achieved through a combination of volatilization, biodegradation, and photo-degradation.

Landscape plant. Any tree, shrub, or groundcover, excluding turf.

Landscape plant zone. A grouping of plants with similar water and cultural (sunlight, soil, etc.) needs. Plant groupings based on water use are as follows: drought-tolerant plants, natural plants, and oasis plants.

Large-scale, commercial, retail building: A commercial building whose total gross building area, including outdoor display and sales areas, is equal to or exceeds 25,000 square feet. For determining building area, buildings located closer than 20 feet apart shall be considered one (1) building.

Large scale, commercial retail, development project: A commercial development project where the project is developed as a common plan of development and contains a large-scale, commercial-retail building.

Launderette. A business premises equipped with individual clothes washing machines for the use of retail customers, exclusive of laundry facilities provided as an accessory use in an apartment house or an apartment hotel.

Leaching. The removal of water-soluble compounds by the percolation of water.

Level of Service (LOS). The performance level of a public facility as determined by its use-capacity ratio.

Level of Service standard. The use-capacity ratio determined by the County to be the minimum acceptable standard of facility performance.

Library facilities. Those facilities owned or operated by the County which a need is created for by new residential construction. Library facilities include, but are not limited to:

1. Buildings and associated site development;

2. Print/audio/video/software materials;

3. Library equipment;

4. Computers/technology; and

5. Furniture.

Library impact fee. An impact fee imposed on new residential construction which is calculated to defray all or a portion of the costs of the library facilities required to accommodate the impact to the library system of that new residential construction, and which fee is applied to library facilities that reasonably benefit the new residential construction.

Library land. The land owned or operated by the County necessary for the development or expansion of libraries.

Library system. The library land and library facilities owned or operated by the County which are used to provide library services.

Lighting.

1. Diffused. That form of lighting wherein the light passes from the source through a translucent cover or shade.

2. Direct or flood. That form of lighting wherein the source is visible and the light is distributed directly from it to the object to be illuminated.

3. Indirect. That form of lighting wherein the light source is entirely hidden, the light being projected to a suitable reflector from which it is reflected to the object to be illuminated.

4. Full-cutoff, light fixture. A light fixture designed such that no light is projected at or above a ninety (90) degree plane running through the lowest point on the fixture where the light is emitted and less than ten (10) percent of the rated lumens are projected between ninety (90) degrees and eighty (80) degrees.

5. Outdoor, light fixtures. All outdoor, illuminating devices, reflective surfaces, lamps, and other devices, either permanently installed or portable, which are used for illumination or advertisement.

6. Semicutoff, light fixture. A fixture that projects no more than five (5) percent of the rated lumens above a ninety (90) degree plane running through the lowest point on the fixture where the light is emitted and less than twenty (20) percent of the rated lumens are projected between ninety (90) degrees and eighty (80) degrees.

Line, building. See “Building line.”

Line, building setback. A building line which determines the location of a building or structure with respect to any street lot line.

Listed species. Those species of flora and fauna as identified in the *Florida Administrative Code Rules 5B-40 and 68A-27* as endangered, threatened, or of special concern.

Littoral zone. The littoral zone is that part of a sea, lake, or river that is close to the shore. In coastal environments the littoral zone extends from the high water mark, which is rarely inundated, to shoreline areas that are permanently submerged.

Local Comprehensive Emergency Management Plan (CEMP). Those plans developed by the County according to the provisions of Rules 9G-6 and G-7, F.A.C., as authorized by Section 252.38, Florida Statutes.

Local development agreements. An agreement pursuant to this Code, Section 406.3.

Local road or local roadways. Those roads in the County not defined as collector roads, arterial roads, or controlled access roads.

Lot. Land occupied or to be occupied by a building and its accessory buildings or by a dwelling group and its accessory buildings, together with such open spaces as are required under the provisions of this Code, and having its principal frontage on a street or on such other means of access as may be determined in accordance with the provisions of the law to be adequate as a condition of the issuance of a Building Permit for a building on such land.

Lot, platted. Tract or parcel of subdivided lands having limited fixed boundaries, and an assigned number, letter, or other name through which it may be identified and having its principal frontage on a street or on such other means of access lawfully adequate to allow the issuance of a Building Permit.

Lot area. The area of a horizontal plane measured at grade and bounded by the front, side, and rear lot lines.

Lot, corner. A parcel of land at the junction of and abutting on two (2) or more intersecting streets.

Lot depth. The average horizontal distance between the front and rear lot lines.

Lot, double frontage. A lot with frontage on two generally parallel streets.

Lot, flag. A lot having access from the building site to a street by means of a private right-of-way strip.

Lot frontage. The horizontal distance measured along the front lot line between the side lot lines.

Lot, interior. A lot other than a corner lot.

Lot lines. Lines that mark the boundary of a lot.

Lot width. The width of a lot as measured horizontally along the front building line.

Lot, zoning. A lot or combination of lots shown on an application for a zoning compliance permit which together meet all applicable requirements for development.

Lot of record. Either a lot or contiguous lots which exist as a single ownership at the time of adoption of the Comprehensive Plan and which are part of a subdivision; the plat of which has been recorded in the Office of the Clerk of the Circuit Court of Pasco County; or any parcel of land not part of a subdivision that has been officially recorded by deed in the Office of the Clerk of the Circuit Court, provided such platted lot or parcel was of a size which met the minimum lot area requirement in the zoning district in which the lot or parcel was located at the time of recording or was recorded prior to the effective date of zoning in the area where the lot is located.

Low-moderate income household. Households whose annual income is less than or equal to eighty (80) percent of the median household income for the County as measured by the latest available decennial census.

Lowest adjacent grade. The lowest elevation, after the completion of construction, of the ground, sidewalk, patio, deck support, or basement entryway immediately next to the structure.

Lowest floor. The lowest floor of the lowest enclosed area, including basement. An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage, in an area other than a basement, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the nonelevation design standards of this Code.

Maintain. Maintain shall include general servicing and upkeep in a safe, operable, and attractive condition.

Major County roads.

1. Roadways classified as 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);

2. Roadways classified as collector, arterial, controlled access, or freeway roadways pursuant to the functional classification or reclassification procedures and criteria established pursuant to the Comprehensive Plan; or

3. Major collector roadways required pursuant to this Code, Section 901.1.

Major Intersections. All signalized intersections and/or unsignalized intersections with other Major County Roads.

Mangrove stand. An assemblage of mangrove trees which is mostly low trees noted for a copious development of interlacing adventitious roots above the ground and which contain one or more of the following species: black mangrove (Avicenna nitida), red mangrove (Rhizophora mangle), white mangrove (Languncularia racemosa), and buttonwood (Conocarpus erecta).

Manufactured home, a.k.a. mobile home. Those dwelling units a minimum of twelve (12) feet wide and forty (40) feet long, fabricated in an off-site manufacturing facility and built to the Manufactured Home Construction and Safety Standards of the United States Department of Housing and Urban Development which is evident by the display of a red certification label on the exterior of each transportable section. Manufactured homes are built in the controlled environment of a manufacturing plant and are transported in one (1) or more sections on a permanent chassis.

Manufactured home (as pertains to Flood Damage Prevention). A building, transportable in one (1) or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

Marina. An establishment with a waterfront location which may provide for the refueling of watercraft used for recreation or commercial purposes and providing repair services for such craft. A marina may also provide covered or uncovered storage. A marina may include on-shore, as accessory service uses, a food service establishment, laundry or sanitary facilities, sundries store, boat sales, and other customary accessory facilities.

Market value. The building value, excluding the land, as would be agreed to between a willing buyer and seller, as established by what the local real estate market will bear. Market value can be established by independent certified appraisal, replacement cost depreciated by age of building (actual cash value), or adjusted assessed values.

Mass transit. Passenger services such as the following surface transit modes: commuter rail, rail rapid transit, light rail transit, light guide way transit, express bus, bus rapid transit, and local fixed route bus.

Master-meter. A single meter or series of meters that supply multiple units for a single customer.

Master mining plan. A description of proposed mining activities over the life of the mine, so to allow overall review of the applicant's mining activities.

Master plan. A conceptual plan of a proposed development delineating general locations for uses such as streets; residential, single and multiple; commercial; industrial; and recreational.

Material alteration or change. A proposed alteration or change to a development approval shall be considered material when such change is cumulatively greater than five (5) percent or the size of residential lots on the periphery of the site or if adjacent to platted lots under individual ownership are reduced from the size approved by the BCC.

Mean annual flood. A naturally occurring inundation of land along the periphery of water bodies or courses at a frequency of once every 2½ years as defined by the United States Geological Survey.

Mean high water line. The intersection of the tidal plane of mean high water with the shore. Mean high water is the average height of high waters over a nineteen (19) year period.

Mean sea level. The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the flood plain. The term is synonymous with National Geodetic Vertical Datum (NGVD).

Medical office. Office space utilized for providing diagnoses and administering human medical and health related services on a routine basis, including outpatient clinics, but is unable to provide prolonged in-patient medical and surgical care. Medical office uses shall include medical doctors, dentists, psychiatrists, optometrists, osteopaths, chiropractors, naturopaths, nurse practitioners, health maintenance organizations, and similar professional and group practices which are regulated by the State of Florida. Also included are diagnostic centers providing radiology, medical screening, and related testing services, outpatient surgery and endoscopy centers, oncology centers, outpatient laboratory centers, physical therapy practices, and other related ambulatory care services.

Meter equivalents. Those equivalents based on methodologies recommended by the American Water Works Association (AWWA) as follows:

Meter Size*	ERU Equivalent
5/8", 3/4"	1.00
1"	2.50
1.5"	5.00
2"	8.00
3"	15.00
4"	25.00
6"	50.00
8"	80.00

*Based on displacement type meters, using standard maximum meter-flows capacity ratios per AWWA standards.

Micro-irrigation. An irrigation system with a maximum flow rate per emitter of thirty (30) gallons per hour or less. These systems are not approved for turf grass applications.

Mine. An area of land on which mining operations have been conducted, are being conducted, or are planned to be conducted, as the term is commonly used in the trade.

Mineral extraction. Mineral extraction shall include all activity which removes from the surface or beneath the surface of the land some material mineral resource, natural resource, or other element of economic value by means of mechanical excavation necessary to separate the desired material from an undesirable one; or to remove the strata or material which overlies or is above the desired material in its natural condition and position. Open pit mining includes, but is not limited to, the excavation necessary to the extraction of sand, gravel, topsoil, limestone, sandstone, clay, and oil.

Mining. All functions, work, facilities and activities in connection with development extraction, whether primary or secondary (e.g. debris mining or reworking tailings), or processing of mineral deposits on land when the excavation will breach the aquitard, and all uses reasonably incident thereto, such as the construction of roads or other means of access, pipelines, waste disposal and storage, and recirculating water systems. The term “processing” shall not include rock drying or the processing of rock in a chemical processing plant.

Mining unit. A specified area of land from which minerals are extracted in a specified period of time.

Minor land excavation. Any land excavation within the unincorporated areas of the County where the excavation is equal to or less than 30,000 cubic yards and the excavation does not breach the aquitard.

Mixed use development. Mixed use developments are a special class of MPUD in which two (2) or more different land uses are physically and functionally integrated on the same site and which demonstrate conformance with a coherent overall development plan.

Mobile home park. A mobile home development consisting of a parcel of land under single ownership which has been or is proposed to be planned and improved for the placement of mobile homes for nontransient use.

Mobile home, subdivision. A mobile home development consisting of a parcel of land not under single ownership which has been or is proposed to be divided into three (3) or more parcels improved for placement of mobile homes for nontransient use. A mobile home subdivision may include a mobile home condominium.

Mobility Fee Definitions

For the purposes of this Code, Section 1302.2, Mobility Fees, the following words shall be defined as follows:

1. "Accessory building or structure" shall mean a subordinate building, or portion of a building, the use of which is clearly incidental and related to that of the principal building or use of the land and which is located on the same parcel, or in the same building, as that of the principal building or use. A building or portion of a building that is constructed prior to the principal building or use or that has its own outdoor signage, shall not be considered an accessory building or structure, and shall be considered a free-standing independent building for purposes of Section 1302.2.

2. “Administration fee” shall mean the fee for the administration and implementation of mobility fees as set forth in Section 1302.2.G.2.(c).

3. “Administrative Procedures Manual” shall mean the Administrative Procedures Manual adopted by Resolution 07-226, and which may be amended in the future by resolution.

4. "Alteration” shall mean the alteration, expansion, addition to, or replacement of a use, building or dwelling unit, or the construction of an Accessory Building or Structure.

5. “Assessment districts” shall mean the urban, suburban, and rural districts utilized to calculate the mobility fee that a Building Permit or Development Permit is required to pay, as established in Section 1302.2.F.2.

6. “Bicycle/pedestrian facilities” shall mean transportation facilities that are primarily intended to be utilized by pedestrians and bicycles, including sidewalks, multi-use paths, and trails, as well as the necessary infrastructure to support the construction of such facilities, such as drainage areas, wetland/floodplain mitigation areas, boardwalks, landscaping, bike racks, shelters/kiosks, benches and signage. For purposes of this division, a bicycle/pedestrian crossing area or bicycle lane constructed contiguous to or within a vehicular travel lane shall be considered a roadway facility, and not a bicycle/pedestrian facility.

7. “Bicycle/pedestrian mobility fee” shall mean the portion of the mobility fee for bicycle/pedestrian facilities, which is in the “bike/ped share” column of the mobility fee schedule.

8. “Budgeted” or “budgeting” shall mean that funds are allocated or appropriated within the Capital Improvement Plan.

9. "Building" shall mean any structure having a roof and used or built for the enclosure or shelter of persons, animals, vehicles, goods, merchandise, equipment, materials, or property of any kind for a period of time in excess of four (4) weeks in any one (1) calendar year. This term shall include tents, trailers, mobile homes, or any vehicles serving in any way the function of a building. This term shall also include outdoor patio seating provided as part of a restaurant or bar, whether such seating is covered by a roof or not.

10. "Capital Improvement Plan (CIP)" shall mean a multiyear schedule of Transportation Capital Improvements, including priorities and cost estimates budgeted to fit the financial resources of the County. This plan is incorporated into the Comprehensive Plan as part of the Capital Improvements Element (CIE).

11. "Collector and arterial roadways" shall mean those roadways classified as 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.

12. "Collection/benefit districts" shall mean the mobility fee expenditure districts established in Section 1302.2.

13. "County" shall mean the unincorporated area of Pasco County, a political subdivision of the State of Florida.

14. "County Administrator" shall mean the Pasco County Administrator or designee.

15. “Development” shall mean the carrying out of any building activity or the making of any material change in the use or appearance of any structure or land that attracts or produces vehicular or person trip(s) over and above that produced by the existing use of the land.

16. “Development approval” shall mean a Development of Regional Impact (DRI) Development Order, development agreement, PUD Planned Unit Development approval, MPUD Master Planned Unit Development approval, preliminary plan approval, or concurrency Certificate of Capacity.

17. "Development Permit" shall mean an official document or certificate, other than a Building Permit, issued by the authority having jurisdiction, authorizing commencement of development. This term includes any Site Development Permit, Mining Permit, Land Filling Permit, or other final plan approval for development not involving construction of a building.

18. "Encumber" or “encumbered” shall mean an irrevocable commitment through an agreement or purchase order or a contract.

19. "External trip" shall mean any vehicular or person trip which either has its origins from or its destination to the development site and which impacts Transportation Capital Improvements.

20. “Gas tax revenues” shall mean the portion of the gas and fuel taxes expended by the County during a fiscal year for Transportation Capital Expenses, excluding the portion of such taxes for which a revenue credit was given to the development paying a mobility fee.

21. “Government buildings” shall mean public schools (including charter schools), and buildings or developments leased or owned by the Federal government, the state of Florida, a state or Federal government agency, Pasco County, or a participating municipality. For buildings or developments with multiple tenants or uses, only the portion of such buildings or developments owned or leased by a governmental entity shall be considered a government building.

22. “Independent Mobility Fee Study or Studies” shall mean a study or studies conducted pursuant to Section 1302.2.G.3 to calculate the mobility fee for a particular land use.

23. "Internal trip" shall mean a vehicular or person trip that has both its origin and destination within the development site without impacting Transportation Capital Improvements.

24. “ITE Manual” shall mean the most recent edition of the Institute of Transportation Engineers Trip Generation Report.

25. "Long-Range Transportation Plan (LRTP)" shall mean the Pasco County Metropolitan Planning Organization’s most recently adopted Long-Range Transportation Plan adopted pursuant to Section 339.175(7), Florida Statutes.

26. "Master developer” shall mean the primary person responsible for the planning and implementation of a Planned Development. If more than one (1) person claims to be the master developer of a Planned Development or the Master Developer for a Planned Development cannot be easily determined, the master developer shall be the person that has taken the most of the following actions with regard to the Planned Development:

    a. Filed any required annual or biennial reports for the Planned Development;

    b. Requested the most recent modification, change or amendment to the Planned Development;

c. Established an impact fee credit account with the County for any required mitigation performed for the Planned Development'

d. Paid the property taxes for the majority of the vacant land in the Planned Development;

e. Exercised majority voting control of any Community Development District, property owners association or other entity responsible for maintaining any common areas utilized by the entire Planned Development

If the master developer cannot be determined based on the actions set forth above, the master developer shall be the owner of the majority of the vacant land in the Planned Development, as determined by the Pasco County Property Appraiser's records.

27. "Mobility fee" or "mobility fees" shall mean the multi-modal impact fees adopted and required to be paid in accordance with Section 1302.2. The mobility fee is made up of three (3) parts: (1) the roadway mobility fee, (2) the transit mobility fee, and (3) the bicycle/pedestrian mobility fee. Any reference to the mobility fee or mobility fees in this Code which does not specifically reference one of the parts shall be considered a reference to the total of all three (3) parts.

28. "Mobility fee funds" shall mean the funds created pursuant to Section 1302.2.H.

29. "Mobility fee schedule" shall mean the fee schedule shown in Figure 1302.2-A.

30. "Mobility Fee Study" shall mean the study adopted pursuant to Section 1302.2.D which supports the imposition of mobility fees.

31. "Mobility fee subsidy" shall mean the amount of tax increment revenues to be transferred from the Pasco County Multi-Modal Transportation Fund into the mobility fee funds to ensure payment for the portion of the mobility fees that were subsidized or bought-down with other revenue sources during the prior fiscal year. The mobility fee subsidy is calculated for each collection/benefit district as the difference between the total amount of all mobility fees collected in the collection/benefit district during the prior fiscal year, not including any administration fees, and the amount of mobility fees that would have been collected in the collection/benefit district during the prior fiscal year, not including any administration fees, had there not been any subsidy or buy-down, plus the interest on such difference, less (1) the repayment of any bonds issued for transportation capital expenses in the collection/benefit district during the prior fiscal year, and (2) gas tax revenues and sales tax revenues expended in the collection/benefit district during the prior fiscal year.

32. “Mobility fee subsidy deficiency” or “deficiency” shall mean there are insufficient tax increment revenues in the Multi-Modal Transportation Fund during any fiscal year to make a mobility fee subsidy transfer to any of the obility fee funds.

33. “Multi-Modal Tax Increment Ordinance” shall mean the County ordinance, adopted concurrently with the ordinance adopting Section 1302.2 (as it may be amended from time to time), which creates the Multi-Modal Transportation Fund, and which provides for the funding of such fund from tax increment revenues.

34. “Multi-Modal Transportation Fund” shall mean the fund created pursuant to the Multi-Modal Tax Increment Ordinance and which is funded from the tax increment revenues.

35. “Opt-out procedure” shall mean the procedure set forth in Section 1302.2.J of this Code for a development to elect to be subject to transportation impact fees in lieu of mobility fees.

36. “Opt-out developments” shall mean developments or Planned Developments that have utilized the optoOut procedure.

37. "Out-parcel" shall mean a parcel that is separate from, but contiguous to, a primary commercial development. The parcel may or may not share common access and/or common parking areas with the primary commercial development. Mainly consisting of a single freestanding unit, an out-parcel often is considered secondary in nature to the primary commercial Development. Out-parcels typically involve high convenience land uses, such as banks, high turnover or fast-food restaurants, or gas stations. However, extensions of specific land uses already in existence within the primary commercial development would not be considered "out-parcels," e.g., a freestanding Sears automotive repair shop located at a shopping mall that contains a Sears retail store.

38. “Participating municipality” shall mean those Pasco County municipalities that have opted into the Pasco County mobility fee program by (1) adopting a mobility fee ordinance, (2) repealing any inconsistent municipal ordinances, and (3) entering into an interlocal agreement with the County governing collection and expenditure of mobility fees and tax increment revenues.

39. “Participating municipality mobility fees” shall mean those mobility fees collected within a participating municipality.

40. “Participating municipality tax increment revenues” shall mean the portion of the tax increment revenues that is generated from the real property in the participating municipality, excluding any community redevelopment areas, and calculated in accordance with the Multi-Modal Tax Increment Ordinance.

41. “Participating municipality Transportation Capital Improvements” shall mean Transportation Capital Improvements that benefit the participating municipality, as determined by the interlocal agreement between the County and the participating municipality.

42. "Planned Development" shall mean a development under unified control designed and planned to be developed in a single operation or by a series of prescheduled development phases according to an officially approved final master land use plan, including Developments of Regional Impact, PUD Planned Unit Developments, MPUD Master Planned Unit Developments, PD (Planned Development) land use classifications or other land use classifications with subarea policies, and other planned developments under a common preliminary site plan approval, plat or unified plan of development. If a Planned Development is part of a larger Planned Development, e.g. a preliminary site plan approval or plat within a larger Development of Regional Impact, the term Planned Development shall mean the larger Planned Development.

43. “Planned Development with credits” shall mean a Planned Development that owns, or that is entitled to, transportation impact fee credits or mobility fee credits based on a development approval.

44. “Regional transit facilities” shall mean light rail, commuter rail, express bus, or bus rapid transit capital facilities included in the most recently adopted Tampa Bay Area Regional Transportation Authority Master Plan or Long-Range Transportation Plan.

45. "Right-of-Way" shall mean land, property, or interest therein, that is necessary to accommodate all of the required elements for and to support the construction and/or improvement of Transportation Capital Improvements.

46. "Roadway facility” or “roadway facilities" shall mean collector and arterial roadway through-lanes, turn-lanes, bridges, curbs, gutters, medians, and/or shoulders; the construction of drainage facilities and/or mitigation areas for collector and arterial roadways; and the installation of signage, advanced traffic management systems, and/or traffic signalization for collector and arterial roadways. For purposes of this division, the term roadway facilities shall not include bicycle/pedestrian facilities and transit facilities. However, bicycle/pedestrian crossing areas and bicycle lanes constructed contiguous to or within a vehicular travel lane shall be considered a roadway facility and not a bicycle/pedestrian facility.

47. “Roadway mobility fee” shall mean the portion of the mobility fee assessed for impacts to roadway facilities, which is identified on the mobility fee schedule as “road share.”

48. “Sales tax revenues” shall mean the portion of the local government infrastructure surtax, Penny for Pasco, expended by the County during a fiscal year for transportation capital expenses, excluding the portion of such taxes for which a revenue credit was given to Development paying a mobility fee.

49. “Strategic Intermodal System (SIS) mobility fee” shall mean the portion of the roadway mobility fee assessed for impacts to interstate/freeway roadway facilities in Pasco County, excluding freeways with tolls, and which has been reserved for Transportation Capital Improvements that benefit the SIS. The SIS mobility fee is identified in the mobility fee schedule as the “interstate share”. The SIS mobility fee shall be considered a component of the roadway mobility fee, except where this division specifically references the SIS mobility fee.

50. “Site-access Improvements” shall mean Roadway Facility improvements at or near the Development site which are necessary to interface the development's external trips with collector and arterial roadways or which are necessary to interface the development's internal trips with collector and arterial roadways where a portion of such roadways is included within the development, i.e., project drives, turn-lanes, signalization, etc. It shall also include improvements designed to ensure safe and adequate ingress and egress to a development site. For purposes of this division, site-access improvements include, but are not limited to, improvements required by the County’s access management regulations and any right-of-way dedications necessary to construct the first four (4) lanes of collector and arterial roadways within the development site and design and construction of any portion of the first two (2) lanes of collector and arterial roadways within the development site, including all roadway facilities necessary for the design and construction of collector and arterial roadways. Site-access improvements also include bicycle/pedestrian facilities and transit facilities at or near the development site that are necessary to interface the development’s external trips or internal trips with bicycle/pedestrian facilities and transit facilities located outside the development site, including, but not limited to, sidewalks, multi-use paths, bike racks and transit shelters/kiosks located internal or adjacent to the development site; however, park and ride lots and regional transit facilities shall not be considered site-access improvements.

51. “Square feet” or “square footage” shall mean the area of a parcel upon which a land use required to pay a mobility fee is proposed for occupancy or storage, and which is used to calculate the square footage of the building, including the gross area measured in square feet from the exterior faces or exterior walls or other exterior boundaries of the building, excluding areas within the interior of the building which are utilized for parking. With respect to dwelling units, the square footage shall be calculated as the living area under heat/air conditioning.

52. "Strategic Intermodal System" or “SIS” shall mean those transportation facilities identified in the Strategic Intermodal System Plan adopted pursuant to Section 339.64, Florida Statutes, and located within Pasco County.

53. “Tax Increment Revenues” shall mean the tax increment revenues calculated, generated, and expended pursuant to the Multi-Modal Tax Increment Ordinance.

54. “Traditional Neighborhood Development” or “TND” shall mean development in accordance with this Code, Chapter 600. Traditional neighborhood development shall also include the Longleaf MPUD and any portion of a participating municipality that satisfies the traditional neighborhood development design principles in the Traditional Neighborhood Development Ordinance, as determined by the County and participating municipality in the interlocal agreement between the County and participating municipality.

55. “Transit facilities” shall mean transit capital infrastructure, including, but not limited to, buses, park and ride lots, bicycle racks, shelters/kiosks, and regional transit facilities, as well as the necessary infrastructure to support the construction of such facilities, such as drainage areas, wetland/floodplain mitigation areas, landscaping, benches, signage, and bicycle/pedestrian facilities constructed to provide direct access to a transit stop.

56. “Transit Oriented Development” or “TOD” shall mean development in areas identified in the Comprehensive Plan which are reserved for existing or planned regional transit facilities. These areas must be compact, have moderate to high density developments, be of mixed-use character, interconnected, bicycle and pedestrian friendly, and designed to support frequent transit service operating through regional transit facilities.

57. “Transit mobility fee” shall mean the portion of the mobility fee assessed for impacts to transit facilities, and which is identified in the mobility fee schedule as “transit share.”

58. “Transportation Capital Improvements” shall mean roadway facilities, transit facilities, and bicycle/pedestrian facilities.

59. “Transportation Capital Expenses” shall consist of the following expenditures for transportation capital improvements:

    a. The repayment of principal and interest or any redemption premium for loans, advances, bonds, bond anticipation notes, and any other form of indebtedness then outstanding.

    b. Administrative and overhead expenses necessary or incidental to the implementation of the transportation capital improvements.

    c. Expenses of planning, corridor and alternatives analysis, route studies and pond siting analysis reports, soil borings, tests, surveys, construction plans, and legal and other professional advice or financial analysis relating

to transportation capital improvements, including the reimbursement of the County for such expenses incurred before the transportation capital improvements were approved and adopted into the Capital Improvement Plan.

d. The acquisition of right-of-way for the transportation capital improvements, including the costs incurred in connection with the exercise of eminent domain.

e. The clearance and preparation of any transportation capital improvement site, including the demolition of structures on the site.

f. All expenses incidental to or connected with the issuance, sale, redemption, retirement, or purchase of bonds, bond anticipation notes, or other form of indebtedness, including funding of any reserve, redemption, or other fund or account provided for in the ordinance or resolution authorizing such bonds, notes, or other form of indebtedness.

g. Costs of design and construction, including maintenance of traffic during construction.

60. "Transportation operation and maintenance expenses" shall mean expenses associated with the operation and maintenance of transportation capital improvements, including cleaning, repairs, mowing, landscape maintenance, resurfacing that does not expand transportation capacity, and fuel and salary costs for the operation of transit systems.

61. "Transportation impact fee" or "transportation impact fees" shall mean the transportation impact fees in effect prior to the adoption of the Mobility Fee Ordinance, and which were adopted pursuant to the Transportation Impact Fee Ordinance.

62. "Transportation impact fee credits" shall mean credits against transportation impact fees issued by the County pursuant to the Transportation Impact Fee Ordinance.

63. "Transportation Impact Fee Ordinance" shall mean Ordinance No. 07-09, as it existed prior to the adoption of Ordinance No. 11-08, the Mobility Fee Ordinance.

64. "Transportation impact fee schedule" shall mean the most recent transportation impact fee schedule adopted pursuant to the Transportation Impact Fee Ordinance, and which is shown in Figure 1302.2-B.

65. “Villages of Pasadena Hills” or “VOPH” shall mean the J. “Ben” Harrill Villages of Pasadena Hills Stewardship District, a dependent special district. The boundaries of the J. “Ben” Harrill Villages of Pasadena Hills Stewardship District shall be established in the ordinance creating the district.

66. “Villages of Pasadena Hills Financial Plan” shall mean the Financial Plan for the Villages of Pasadena Hills adopted pursuant to Policy FLU 6.5.10 of the Comprehensive Plan, as amended.

67. “Villages of Pasadena Hills Mobility Fees” shall mean those roadway mobility fees and bicycle/pedestrian mobility fees collected within the Villages of Pasadena Hills.

68. “Villages of Pasadena Hills Tax Increment Revenues” shall mean the portion of the Tax Increment Revenues that is generated from the real property in the Villages of Pasadena Hills, and calculated in accordance with the Multi-Modal Tax Increment Ordinance.

69. “Villages of Pasadena Hills Transportation Capital Improvements” shall mean Transportation Capital Improvements that benefit the Villages of Pasadena Hills, as determined by the Villages of Pasadena Hills Financial Plan.

Modular homes. Those dwelling units that consist of multiple modules or sections which are manufactured in a remote facility and then delivered to their intended site for use where they are assembled on a permanent fixed foundation and constructed to the same Florida, local or regional building codes as site-built homes.

Monitor. To inspect, review, or supervise on a regular periodic basis.

Motel. A facility offering transient lodging accommodations normally on a daily basis and at a daily rate and typically providing parking adjacent to each sleeping room. Accessory uses such as restaurant, meeting rooms and recreational facilities may be provided. Motels are different from hotels in that each motel room has a separate entry directly from the outside of the building.

Mulch. Any material applied to the soil surface to retain soil moisture, control erosion, inhibit weeds, and/or regulate soil temperatures.

Multimodal transporation. Pertaining to several modes of transportation, including but not limited to, travel by single-occupant car, car or van pools, demand-response paratransit, and fixed route and fixed schedule mass transit.

Multiple-occupancy parcel. Any parcel of property, or parcels of contiguous property, existing as a unified or coordinated project, with a multitenant structure or structures (proposed or existing), or multiple structures (proposed or existing), on the property.

Multitenant structure. A building used, designed or constructed for occupation by more than one tenant, business, or entity, including multistory buildings with a residential component.

Municipal separate storm sewer system. A conveyance or system of conveyances, including, but not limited to, roads with drainage systems, streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains, owned or operated by a local government that discharges to waters of the United States or connects to other municipal separate storm sewer systems, that is designed solely for collecting or conveying stormwater, and that is not part of a publicly owned treatment works as defined by 40 CFR 122.2 or any amendment thereto.

Musical entertainment festival. Any overnight gathering of groups or individuals exceeding 500 people on private property for the purpose of listening to, watching, or participating in entertainment which consists primarily of musical renditions conducted in open space not within an enclosed building.

National ambient air quality standards. Restriction established by the Environmental Protection Agency pursuant to Section 109 of the Clean Air Act to limit the quantity or concentration of an air pollutant that may be allowed to exist in the ambient air for any specific period of time. Those air pollutants for which standards exist are: carbon monoxide, lead, nitrogen dioxide, ozone, sulfur dioxide, and total suspended particulate.

National Geodetic Vertical Datum (NGVD), as corrected in 1929, is a vertical control used as a reference for establishing varying elevations within the flood plain.

National Pollutant Discharge Elimination System (NPDES). The Federal program for issuing, modifying, revoking, reissuing, terminating, monitoring, and enforcing permits and imposing and enforcing pretreatment requirements under Sections 307, 402, 318, and 405 of the Clean Water Act.

Native plants. A plant species that was present in the state in 1513 when Europeans arrived or if the plant species arrived after 1513 by nonhuman means, such as air, animal, or sea drift.

Natural ground. The surface of the earth as it exists prior to the commencement of mining or land excavation, including the surface of any land previously mined by earlier operators, whether reclaimed or not.

Native vegetation. Established native plants that survive on natural rainfall without irrigation.

Navigable water body. A water body in which a small pleasure craft with an outboard motor can be piloted. This definition does not include manmade stormwater ponds not platted as lakes.

Near Critical Road, a.k.a. "90% Roadway." A Major County road that is identified in the County's de minimis road list as having existing but approved development volumes that exceed ninety (90) percent of the service volume of the road.

Neighborhood park. A park designed to serve the population of a single neighborhood and generally accessible by bicycle or by foot.

New construction (as pertains to Flood Damage Prevention). Any structure for which the "start of construction" commenced after the effective date (November 18, 1981) of the floodplain management regulations adopted by Pasco County. The term also includes any subsequent improvements to such structures.

Nonattainment. Any area not meeting ambient air quality standards and designated as a nonattainment area under Section 17-2.410, Florida Administrative Code, for any of the National Ambient Air Quality Standards listed pollutants.

Noncommencement. Notice to the County of intent not to commence development or the date of expiration of a Building Permit.

Nonconforming structure. A structure meeting the standards in this Code, Chapter 1200.

Nonconforming use. The use of land in a nonconforming manner as described in this Code, Chapter 1200.

Nonhabitable major structure. Includes, but is not limited to, swimming pools; parking garages; pipelines; piers; canals, lakes, ditches, drainage structures, and other water retention structures; water and sewage treatment plants; electrical power plants, transmission and distribution lines, transformer pads, vaults, and substations; roads, bridges, streets, and highways; and underground storage tanks.

Nonpoint source pollution. Any source of air or water pollution which is not attributable to a discernible, confined, or discrete conveyance.

Nonresidential district. A nonresidential district is any parcel or parcels of land or water zoned other than E-R Estate-Residential, ER-2 Estate-Residential, R-MH Mobile Home, R-1MH Single-Family/Mobile Home, R-2MH Rural Density Mobile Home, R-1 Rural Density Residential, R-2 Low Density Residential, R-3 Medium Density Residential, R-4 High Density Residential, MF-1 Multiple Family Medium Density, MF-2 Multiple Family High Density, MF-3 Multiple Family High Density or any areas designated and used within a PUD Planned Unit Development/MPUD Master Planned Unit Development District for residential purposes.

Nonresidential use. Any use of property other than a residential use as defined by this Code. Nonresidential uses include, but are not limited to, commercial, office, institutional, and industrial uses.

Normal water level. The design starting water elevation used when determining stage/storage design computations in a retention or detention area. A retention or detention system may have two (2) designated "normal water levels" associated with it if the system is designed for both water quality and water quantity.

North American Vertical Datum of 1988 (NAVD88). The North American Vertical Datum of 1988 is the vertical control datum of orthometric height established for vertical control surveying in the United States of America based upon the General Adjustment of the North American Datum of 1988.

Nuisance. A violation of the provisions of this Code which becomes detrimental to health or threatens danger to the safety of persons or property, or gives offense to, is injurious to, or endangers the public health and welfare, or prevents the reasonable and comfortable use and enjoyment of property by the public.

Oasis plants. Established plants that require frequent irrigation.

Obstruction includes, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, channelization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation or other material in, along, across, or projecting into any watercourse which may alter, impede, retard, or change the direction and/or velocity of the flow of water, or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

Odor. Odor means that property of a substance which materially offends the sense of smell.

Office park. Developments containing general office buildings for professional offices and medical offices and support services such as banks, savings and loan institutions, restaurants, and service stations arranged in a park or campus-like setting.

Off-line treatment system. A system only for water quality treatment that collects project runoff and has no direct discharge capability other than percolation and evaporation. A system utilizing detention with effluent filtration is not an off-line treatment system.

On-line treatment system. A dual purpose system that collects project runoff for both water quality and water quantity requirements. Water quality volumes are recovered through percolation and evaporation while water quantity volumes are recovered through a combination of percolation, evaporation, and surface discharge.

One hundred year storm or 100-year storm. A shore incident hurricane or any other storm with accompanying wind, wave, and storm surge intensity having a one (1) percent chance of being equaled or exceeded in any given year during any 100-year interval.

Open drainage basin. Open drainage basins are all watersheds not meeting the definition of closed drainage basin.

Open space. Land or water body which provides for physical movement. It is free of structures and equipment. Open space can be of any size, treed, or open grassland. Functions include the providing of flood protection, creating a sense of spatial separation for incompatible land uses, the provision of passive recreation or conservation uses, and historical site preservation.

Open space, CS-MPUD Conservation Subdivision-Master Planned Unit Development. The open space that is created as a part of a rural-residential development where fifty (50) percent or more of the land is designated as undivided, permanent, open space and the remaining developable land is subdivided into buildable lots. Permitted uses may include the following: active recreation areas, which do not exceed ten (10) percent of the required minimum open space or five (5) acres, whichever is less; equestrian facilities utilizing best management practices; bike paths and trails; equestrian trails; agricultural uses (including accessory uses); stormwater-management systems serving the CS-MPUD, provided 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 CS-MPUD residents; and any required landscape buffers.

Open space, PD Planned Development land use. Undeveloped land within an MPUD Master Planned Unit Development developed as a requirement of the PD (Planned Development) land use that consists of common area under common ownership designated, dedicated, reserved, or restricted in perpetuity from further development. Open space associated with the PD (Planned Development) land use may not include water bodies or Category I wetlands or wetland buffers. When residential is used as part of the mixed-use component, the open space shall be contiguous where practical. This definition shall not apply to commercial MPUD Master Planned Unit Developments that do not have a residential component.

Open space, rural land use classifications (includes land designated AG/R [Agricultural/Rural] and RES-1 [Residential-1 du/ga] with less than 300 acres). Consists of undeveloped land, wetlands, or water body which is free of structures and equipment, except that incidental to the land's open space uses. Open space can be of any size, treed, open, grassland, or water bodies. Functions include the providing of flood protection; creating a sense of spatial separation for incompatible land uses; the provision of passive recreation, active recreation, or conservations uses; historical site preservation; and areas for agricultural operations. Such open space may be part of an individual residential lot and is not required to be under common ownership. Open space easements and/or buffers will be required and count toward the open space

requirement. These easements shall restrict and reserve, in perpetuity, the open space from further development.

Open space, urban land use classifications (includes lands designated RES-3 [Residential-3 du/ga] and higher, TC [Town Center], nonresidential land use classifications, MU [mixed use] land use classification, and RES-1 [Residential-1 du/ga] land use classification; and where acreage is greater than 300 and is developed as a cluster residential subdivision MPUD Master Planned Unit Development). Undeveloped land or water body which is free of structures and equipment, except that incidental to the land's open space uses. Open space must be common area under common ownership that may include flood protection; creating a sense of spatial separation for incompatible land uses; the provision of passive recreation, active recreation, or conservation uses; historical-site preservation; archaeological sites; and areas for agricultural operations (also see "Open space, PD [Planned Development] land use" for projects utilizing the PD (Planned Development) provisions of the Comprehensive Plan and this Code).

Operating Permit. Written authorization to commence specified minor land excavation, land excavation, mining, land spreading, construction and demolition debris disposal, and yard trash processing activities for a specified period of time, and generally requiring information and analysis.

Operator. Operator means a person or business entity engaged or seeking to be engaged in a minor land excavation, mining, land excavation, construction and demolition debris disposal, land spreading, or yard trash processing operation.

Outdoor, light fixtures. All outdoor, illuminating devices, reflective surfaces, lamps, and other devices, either permanently installed or portable, which are used for illumination or advertisement.

Out-parcel. A parcel that is separate from, but contiguous to, a multioccupancy parcel or a large-scale commercial retail building. The out-parcel may or may not share common access and common parking areas with the multioccupancy parcel or a large-scale commercial retail building. However, for locating a multioccupancy or large-scale commercial retail building sign on an out-parcel, the out-parcel must be associated with the multioccupancy parcel or the large-scale commercial retail building as evidenced by shared common access.

Overburden. Overburden is the collective term for all earth materials overlying the area to be mined.

Overflow elevation. The design elevation of a discharge structure at or below which water is contained behind the structure, except for that which leaks or bleeds out, through a control device down to the control elevation.

Overspray. Water that is delivered beyond the landscape area; wetting pavements, walks, structures, or other nonlandscaped areas.

Package plant. A small, usually temporary, wastewater treatment facility.

Parcel. Any quantity of land capable of being described with such definiteness that its location and boundaries may be established and which is designated by its owner or developer as land to be used or developed as a unit.

Parent parcel. A parent parcel is:

1. Any unplatted parcel of land recorded by deed as of June 16, 1989; or

2. Any parcel recorded by plat prior to May 1, 1974; or

3. Any lot of unrecorded plat that existed as of June 16, 1989.

Parking lot. An open area or plot of land used exclusively for the temporary storage or parking of motor vehicles. Does not include an area used exclusively for the display of motor vehicles for sale as part of a vehicle dealership.

Parking space. A paved or unpaved area for the storage of a single motor vehicle.

Parks. Areas dedicated for recreational use which are characterized by natural and landscape features. They may provide user-oriented and resource-based recreation, depending on size, site characteristics, and use.

Park land. The land owned or operated by the County required for the development or expansion of district parks or boat access parks as identified in the Parks and Recreation Impact Fee Study.

Parks and recreation facilities. Those facilities owned or operated by the County on park land including, but not limited to: boat ramps, aquatic centers, baseball/softball fields, football fields, soccer fields, tennis courts, basketball courts, bike trails, nature/hiking trails, maintenance buildings, picnic pavilions, picnic shelters, playgrounds, recreation centers, skateboard parks, other active and passive recreational facilities on park land.

Parks and recreation impact fee. An impact fee which is imposed on new residential construction which is calculated to defray all or a portion of the costs of the parks and recreation facilities required to accommodate the impact to the parks and recreation system of that new residential construction, and which fee is applied to parks and recreation facilities which reasonably benefit the new residential construction.

Permanent control point. A secondary horizontal control monument consisting of a metal pin or pipe not less than three-fourths inch diameter and at least twenty-four (24) inches in length, or a concrete monument four (4) inches by four (4) inches at a minimum of twenty-four (24) inches long. The point of reference and the registration number of the surveyor filing the plat of record shall be marked thereon.

Permanent reference monument. A monument consisting of a metal rod of 1.5 inches minimum diameter, metal pipe at a minimum of twenty-four (24) inches long, encased in a solid block of concrete or set in natural bedrock at a minimum of eighteen (18) inches below the top of the monument or a concrete monument four (4) inches by four (4) inches a minimum of twenty-four (24) inches long, with the point of reference marked thereon. A metal cap marker, with the point of reference, the registration number of the surveyor certifying the plat of record, and the letters "PRM" marked thereon shall be placed in the top of the monument as required by Chapter 177, Florida Statutes, as amended.

Person. A corporation, company, association, society, firm, partnership, or joint stock company, as well as an individual, state, all political subdivisions of a state, or any agency or instrumentality thereof, whether singular or plural, as the context may require.

Personal services. An establishment that primarily provides services generally involving the care of a person or a person's apparel including, but not limited to, barber shops, beauty salons, seamstress shops, shoe repair shops, dry cleaning, and laundry pickup facilities.

Physical contact establishment. A site or premises, or portion thereof, upon which any person who is an owner, proprietor, employee, or independent contractor, in exchange for payment, manipulates the superficial tissues of the body of another person, with any portion of the torso, hand, foot, leg, arm, or elbow, whether or not aided by any device. The definition of physical contact establishment does not include the following:

1. Licensed health-care facilities;

2. Licensed physicians or nurses engaged in the practice of their profession;

3. Educational or professional athletic facilities, if massage is a normal and usual practice in such facility;

4. Establishments exempted under Section 480.034, Florida Statutes; or

5. Massage establishments licensed under Chapter 480, Florida Statutes.

Place of religious worship. Any building or structure used primarily and regularly for religious services or education of any denomination, and the title, lease, or rental agreement of such building or structure is owned or held by a not-for-profit organization devoted to religious services or education.

Planned Unit Development (PUD). An inactive zoning district.

Plat. As defined in Chapter 177, Florida Statutes, as amended.

Point source discharge. Release of degraded water through a discernible, confined, or discrete conveyance including, but not limited to, pipes, ditches, channels, tunnels, conduits, or wells. This term does not include return flows from irrigated agriculture.

Pollutant. Any dredged spoil; solid waste; incinerator residue; filter backwash; sewage; garbage; sewage sludge; munition; chemical wastes; biological materials; radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended (42 [U.S.C. 2011 et. seq.]); heat; wrecked or discharged equipment; rock; sand; and industrial, municipal, and agricultural waste discharged into water.

Pollution. The presence of contaminants in the air, water, or soil which is known to be harmful or potentially harmful to the health of living beings.

Porch or stoop. A covered or uncovered area with floor at a front, side, or rear door.

Portable storage unit. Any container designed, or is used, for the outdoor storage of personal property, including those which are typically rented to owners or occupants of property for their temporary use, and which is typically delivered and removed by vehicle. Containers that are less than 500 cubic feet are not portable storage units within the meaning of this definition. Shipping containers or semi-trailers, shipping containers, or semi-trailer boxes shall not be considered "portable storage containers" in locations and/or zoning districts that otherwise prohibit commercial vehicles or equipment.

Potbellied pig. Commonly referred to as the Vietnamese, Oriental, or Chinese potbellied pig (sus scrofa vittatus) or (sus scrofa domestica).

Potable water. Water which is satisfactory for drinking, culinary, and domestic purposes, and meets the requirements of the Florida Department of Environmental Protection.

Potentiometric surface. The elevation to which water will rise in a tightly cased well.

Premises. Any lot, parcel, or tract of land and any building constructed thereon.

Primary tributaries. Water bodies shown on the most recent United States Geological Survey quadrangle sheets as having perennial flow which eventually drain into any permanent open water body.

Principal building. A building in which is conducted the dominant use of the lot on which it is situated.

Principal use. The major dominant use of the lot on which it is located.

Private water system. A well, spring, cistern, or other similar source of water and appurtenances of piped water for human consumption and other domestic purposes used only by individual family living units including private homes, duplexes, or multifamily dwellings.

Processing. Processing means the transporting, washing, sizing, flotation, storage, drying, grinding, and shipping of mined material and all activities reasonably related thereto.

Professional Office District. A Professional Office District is any parcel or parcels of land or water zoned PO-1 Professional Office, PO-2 Professional Office, or any areas designated and used for professional office purposes within a PUD Planned Unit Development/MPUD Master Planned Unit Development District as defined by the County zoning ordinance enacted November 19, 1975, and as subsequently amended.

Professional offices or services. Office uses principally dedicated to the provision of professional services, including, but not limited to, accounting, medical, legal, dental, engineering, land surveying, clerical/bookkeeping, consultant, drafting, research, real estate, investment, tax and financial, title and abstract, stock brokerage, bonding, and other similar services not principally involving the wholesale or retail sale of personal property stored or displayed on the premises.

Programmed. A facility which has been officially scheduled for construction in the Capital Improvement Plan and budget.

Project. For purposes of the definition of “project” the term “single development" shall include any development, parcel of land, lot, and tract; and contiguous or nearby (within one-quarter mile) developments, parcels, lots or tracts that are (1) developed by the same or related development or landowner or (2) developed as part of the same zoning plan, preliminary development plan, preliminary site plan, plat, or other unified plan of development as determined by the County Administrator or designee. However, parcels of land, lots or tracts, legally subdivided, or that filed a complete application to legally subdivide, prior to June 4, 2004, or that are otherwise exempt from Section 901.2, and not presently owned by a related developer or landowner, shall not be aggregated as a “single development” for purposes of access management. For 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. If an applicant is in doubt as to whether a particular development, parcel of land, lot or tract will be aggregated with another development, parcel, lot or tract pursuant to this definition, the applicant may request a written determination from the County Administrator or designee. The term "project" shall be liberally construed in favor of the applicability of these access management regulations to all development along collector and arterial roadways within Pasco County.

Public/semipublic facilities. Those traditional essential facilities and municipal services which may or may not be provided by the government, including, but not limited to, fire protections; law enforcement; recreation service and facilities; utilities including electric and gas; water supplies including, but not limited to, reclaimed water and water from aquifer storage and recovery and desalination systems; garbage and trash collection and disposal; waste and sewage collection and disposal; drainage; transportation; education and healthcare services. Uses which are conducted entirely by the public sector shall be considered public; uses not entirely public shall be considered semipublic. Public/semipublic facilities are classified as either major or minor depending upon scale and intensity.

Public park. A park, playground, swimming pool, reservoir, golf course, or athletic field, within the County, which is under the control, operation, or management of the County, or any other governmental entity.

Public place. Public rights-of-way, any river, channel, lake, bay, body of water, public park, or any adjacent parcel under separate ownership.

Public right-of-way. Land reserved for use as a road, street, alley, crosswalk, pedestrian way, or other public purpose.

Public rights-of-way. A public right-of-way, public utility easement, highway, street, bridge, tunnel, pier, waterway, dock, wharf, court, lane, path, or alley or any other property for which a governmental entity is the authority that has jurisdiction and control and may lawfully grant access to such property pursuant to applicable law, and includes the surface, the air space over the surface, and the area below the surface to the extent the entity holds a property interest therein. "Public rights-of-way" shall not include private property. "Public rights-of-way" shall not include any real or personal property except as described above and shall not include buildings, fixtures, poles, conduits, facilities or other structures or improvements, regardless of whether they are situated in the public rights-of-way.

Public school. Public school shall consist of kindergarten classes, elementary and secondary school grades, university and community colleges, and special classes authorized by law to be operated under the control of the State system of public education.

Public service. Services provided by the County which may or may not be associated with capital infrastructure, such as, but not limited to, police, fire, health, education, library, and social service.

Public water system. A system for the provision to the public of piped water for human consumption if such system has at least fifteen (15) service connections or regularly serves at least twenty-five (25) individuals daily for at least sixty (60) days out of the year.

Pump stations. Generally, those components of a water and/or sanitary sewer system which place pipe contents (water or wastewater) under pressure in order to facilitate its travel.

Radial point. The center point within the dead-end or bend of a canal equally distant from the shoreline or upland within the dead-end or bend.

Rain sensor device. A calibrated device that is designed to measure rainfall and override the irrigation cycle of the irrigation system when a predetermined amount of rainfall has occurred. The suggested setting of the rain sensor device for shutoff, as per the University of Florida's Institute of Food and Agricultural Sciences (IFAS), is one-half to three-quarters inch.

Rational nexus test. The legal test established by the Florida Supreme Court, upon which all impact fee ordinances in the State are based. This complex test of constitutionality, which has been explained in greater detail by various court opinions, requires, in summary, that in order to be constitutional, an impact fee ordinance must provide that:

1. The amount of impact fees charged bears a reasonable relationship to the cost of providing public facilities necessitated by new development; and

2. The impact fees collected are earmarked and spent to construct public facilities reasonably benefiting the new development paying the fee.

Reasonable access. The minimum number of connections, direct or indirect, necessary to provide safe ingress and egress to the collector and arterial roadway system based on projected connection and roadway traffic volumes and the type and intensity of the land use.

Reasonable-beneficial use. The use of water in such quantity as is necessary for economic and efficient utilization, for a purpose and in a manner which is both reasonable and consistent with the public interest.

Receiving water. The surface water area into which an industrial, domestic, or stormwater pollution point source enters after appropriate water quality treatment.

Recharge area. Any area of porous, permeable geologic deposits, such as deposits of stratified sand and gravel, and sinkhole areas, through which water from any source drains into an aquifer, and including wetlands or water bodies, together with the watershed.

Reclaimed water. Water that has received at least secondary treatment and basic disinfection and is reused after flowing out of a domestic wastewater treatment facility, as defined in Rule 62-610, F.A.C., as amended.

Reclamation. Reclamation is the restructuring, reshaping, and restoration of mined or excavated lands to a form in which the lands are able to be put to a beneficial use as provided within this Code.

Recorded County-observed, flooding elevation. A flooding elevation surveyed by the County and adopted as a standard by the Board of County Commissioners by resolution.

Recreation. Leisure activities or pursuits, especially those that are conducted outdoors.

Recreational vehicle. Recreational vehicle means a noncommercial transportation structure or device, self-propelled or towed, that is used or designed to be used for recreational purposes. Vehicles are recreational vehicles when designed or constructed to be towed, or are towable by passenger cars, station wagons, or light pickup or panel trucks, or similar motor vehicles, and are used or intended to be used for recreational purposes. Recreational vehicles include, but are not limited to, the following vehicles: utility-type trailers; boat trailers; trailer coaches; camping trailers; motor homes; pickup (slide-in) campers; chassis mounts; converted vans; chopped vans; mini-motor homes; fifth-wheel trailers of recreational vehicle construction, design, and intent; utility trailers; carry-on trailers, with and without a structure mounted thereon; boats; jet skis, airboats; swamp buggies; unlicensed or unregistered dune buggies, racing cars, and racing stock cars; park trailers; and motorized vehicles converted from their original intended use, and presently designed and used for recreational purposes. The requirements of this section apply to such vehicles whether or not such vehicles are motorized, operable, licensed, or otherwise usable, or in use for a different purpose for which they were designed, i.e., a “nonrecreational” use.

1. A camping trailer is a portable vehicular unit mounted on wheels and constructed with collapsible partial sidewalls which fold or collapse for towing by another vehicle to provide temporary living quarters for recreational, camping, or travel use.

2. Pickup (slide-in) campers are recreational vehicles when designed to be mounted temporarily or permanently in the beds of light trucks or in trucks having either single or double rear wheels and with or without an assisting, extra tag axle, and wheels mounted either on the camper chassis or the truck chassis

behind the truck's rear wheels, and is used or intended to be used for recreational purposes. These campers can be readily demountable from truck beds. When removed from their respective truck beds, pickup (slide-in) campers are called unmounted campers.

3. Chassis mounts, motor homes, and mini-motor homes are vehicular units built upon a self-propelled motor vehicle chassis primarily designed to provide temporary living quarters for recreational, camping, or travel use. The chassis may have single or double rear wheels.

4. Converted and chopped vans are recreational vehicles when created by altering or changing an existing auto van for recreational purposes.

5. A carry-on trailer is a recreational vehicle when constructed in such a manner as to place thereon a boat, airboat, swamp buggy, dune buggy, racing cars, racing stock cars, aircraft, golf carts, or vehicles converted for recreational storage or transportation, and which is towable by a passenger car, station wagon, pickup truck, or other mobile recreational vehicle as defined herein.

6. A park trailer is a vehicle having a body width not exceeding fourteen (14) feet built upon a single chassis design to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances.

As pertains to Flood Damage Prevention: A vehicle that is:

1. Built on a single chassis;

2. 400 square feet or less when measured at the largest horizontal projection;

3. Designed to be self-propelled or permanently towable by a light-duty truck; and

4. Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

Regional shopping center. A commercial center providing shopping goods, general merchandise, apparel, furniture, and home furnishings in full depth and variety. Such center shall contain thirty (30) or more acres, and a minimum gross leasable area of 400,000 square feet.

Regulated substance. Any substance, including petroleum or derivatives thereof, or combination of substances which because of their quantity, concentration, physical, chemical, infectious, flammable, combustible, radioactive, or toxic characteristics, may cause or significantly contribute to a present or potential risk to human health, safety, welfare, to groundwater resources, or to the natural environment that are regulated by Federal, State or local law.

Regulatory floodway. See floodway.

Repeat violation. A violation of a provision of a code or ordinance by a person whom was previously found to have violated the same provision within five (5) years prior to the violation.

Repetitive loss. Flood-related damages sustained by a structure on two (2) separate occasions during a ten (10) year period ending on the date of the event for which the second claim is made, in which the cost of repairing the flood damage, on the average, equaled or exceeded twenty-five (25) percent of the market value of the building at the time of each such flood event.

Residential District. A residential district is any parcel or parcels of land or water zoned E-R Estate-Residential, ER-2 Estate-Residential, R-MH Mobile Home, R-1MH Single-Family/Mobile Home, R-2MH Rural Density Mobile Home, R-1 Rural Density Residential, R-2 Low Density Residential, R-3 Medium Density Residential, R-4 High Density Residential, MF-1 Multiple Family Medium Density, MF-2 Multiple Family High Density, MF-3 Multiple Family High Density or any areas designated and used within a PUD Planned Unit Development/MPUD Master Planned Unit Development District for residential purposes as defined by this Code, Chapter 500 and as subsequently amended.

Residential treatment and care facilities. Any non-governmentally owned and operated building, residence, private home, boarding home, or other place, whether operated for profit or not, which undertakes, through its ownership or management, to provide for a period exceeding twenty-four (24) hours, housing and food services, personal services, and physical or mental health care services for seven (7) or more persons who require such services and who are not related to the owner or operator by blood, marriage, or adoption. Where consistent with this definition, residential treatment and care facilities shall include, but not be limited to, group homes, adult congregate living facilities, homes for the physically, developmentally, emotionally, or mentally disabled, homes for abused children or spouses, runaway shelters, foster care facilities, residential centers for drug or alcohol treatment or rehabilitation, orphanages and juvenile detention centers.

Residential use. Any occupied structure or part thereof which is designed exclusively for human habitation on a continuous basis; i.e. having hot and cold running water and adequate facilities for heating, cooking, sleeping, and the sanitary elimination of wastes. Hotels, motels, and temporary lodging facilities are specifically excluded.

Resort condominiums. A dwelling group of units that may consist of multifamily or attached dwelling units where each unit is owned individually in fee simple or as a condominium and may be rented out for less than six (6) days at a time. This definition does not prohibit rental periods of a longer duration.

Retention. The prevention of direct discharge of storm runoff into receiving waters; included as examples are systems which discharge through percolation, exfiltration, and evaporation processes and which generally have residence times less than three (3) days.

Roof line. The top edge of the roof or parapet that forms the top line of the building silhouette when viewed from ground level.

Runoff. Water that is not absorbed by the soil and flows from the area.

Sand dunes. Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Sanitary landfill. Any solid waste land disposal area for which a permit, other than a general permit is required by Section 403.707, Florida Statutes, and which receives solid waste for disposal in or upon land. The term does not include a land-spreading site, an injection well, a surface impoundment, or a facility for the disposal of construction and demolition debris.

Sawmills or planing mills. Mills intended for the primary processing of timber or saw logs into lumber and shall exclude any secondary processing of the plumber thus produced.

School. General: Any use, building, or structure, which is held, used, or controlled exclusively for (1) public educational purposes by the District School Board of the County or other governmental entity; (2) a "charter school" as defined by the Florida K-20 Education Code as it may be amended with a valid charter; or (3) a private school, authorized by the Board of Education, which is defined as an individual, association, co-partnership, or corporation, or department, division, or section of such organizations, that designates itself as an educational center that includes kindergarten, elementary, or secondary schooling below college level and that provides instructional services that meet the intent of Sections 1003.01(13)(a-d) and 1003.21 of the Florida K-20 Education Code as it may be amended. A private school may be a parochial, religious, denominational, for-profit, or not-for-profit school.

School facilities. Those facilities of the school system including ancillary plants, auxiliary facilities, educational facilities, and educational plants (as defined by the State's "State Requirements for Education Facilities 1999", as amended) which a need is created for by new residential construction.

School impact fee. An impact fee which is imposed on new residential construction which is calculated to defray all or a portion of the costs of the school facilities and/or school sites required to accommodate the impact to the school system of that new residential construction, and which fee is applied to school facilities and/or school sites which reasonably benefit the new residential construction.

School system. The school facilities which are used to provide instruction within the public schools operated by law under control of the District School Board of Pasco County.

Screen. Fences, walls, berms, trees, shrubs, or a combination of these located within a buffer to serve as a visual barrier.

Seasonal high water line. The line formed by the intersection of the rising shore and the elevation of 150 percent of the local tidal range above mean high water.

Season high water level. The elevation to which the ground or surface water can be expected to rise due to a normal wet season.

Seawall. Manmade wall or embankment, except riprap, which is made to break the force of waves, and to protect the shore from erosion.

Septage. Domestic septage which has been properly stabilized.

Septic tank. A watertight receptacle constructed to promote separation of solid and liquid components of wastewater; to provide limited digestion of organic matter; to store solids; and to allow clarified liquid to discharge for further treatment and disposal in a soil absorption system.

Setback. Physical distance which serves to minimize the effects of development activity from a structure or natural resource, and for which it may be necessary to restrict activities for the area; or the physical distance between structure and the property line or edge of ingress/egress easement, as applicable.

Sewerage system. A network of drains and sewers used to collect liquid and solid wastes for subsequent treatment or disposal.

Sewerage system, central. Includes pipe, pumps, tanks, treatment plants, and all other appurtenances which serve three (3) or more lots, or which serve any multifamily, commercial, industrial, instructional, or other use where the total sewage flow exceeds 2,000 gallons per day.

Sewerage system, individual. A system of piping, tanks, or other facilities serving only one lot.

Sexually oriented business:

1. Any physical contact establishment;

2. Any premises where members of the public or any person for consideration are offered any live or recorded performance, or any visual images tangibly fixed in any medium, which performance, image, or recording has as its primary or dominant theme subject matter depicting, describing, or relating to specified sexual activities or specified anatomical areas; or

3. Any premises where the presentation or distribution of any performance, recording, or visual image requires the exclusion of minors from the premises pursuant to Chapter 847, Florida Statutes.; or

4. Any premise where a member of the public or any person for consideration, including a membership or entry fee, is permitted to view or engage in sexual acts.

Shellfish harvesting area. Coastal waters classified pursuant to Rule 5L-1, Florida Administrative Code based upon bacteriological and sanitary surveys which define levels of bacteriological pollution and document all possible sources of pollution, both actual and potential.

Shoreline. Interface of land and water in oceanic and estuarine conditions which follows the general configuration of the mean high water line (tidal water) and the ordinary high water mark (freshwater).

Shooting range or firing range. A specialized indoor or outdoor facility designed for firearms practice.

Side use lines. Lines extending into the water from the property lines of upland owners adjacent to the water. Side use lines begin at the waterfront property corner and generally extend out perpendicular to the canal centerline, except that side use lines extend to the radial point at dead-ends and bends of canals. Along with the waterward use line, side use lines mark the area, the "canal use zone", where upland property owners may exercise canal use rights in a manner consistent with this Code.

Sight triangle. See "clear sight triangle."

Sign. For the purposes of Signs, Section 406.1 of this Code, the following words shall be defined as follows.

1. "Sign." Any visual representation intended to advertise, identify, or communicate information to attract the attention of the public for any purpose and includes any symbols, letters, figures, illustrations, graphics, or other forms painted or otherwise affixed to any structure or device. Specifically excluded from this definition is any mural or painting or other artistic creation etched or painted on the wall of any structure, provided that the mural, painting, or artistic creation, contains only noncommercial speech or art work.

2. "Activated sign." Any sign which contains or uses for illumination any light, lighting device, or lights which change color, flash, or alternate; or change appearance of said sign or any part thereof automatically; any sign which contains moving parts as part of its normal operation, such as rotating signs, shall be considered an activated sign. Additionally, a sign that depicts or contains copy which moves or appears to be moving, or emits audible sound, vapor, smoke, odor particles, or gaseous matter, or electronic message center(s) or similar technology.

3. "Advertiser." Any person who is a lessee or owner of a sign, an agent of same, or anyone who has beneficial use of a sign.

4. "Advertising balloon." A sign constructed from nonporous material, which is inflated and is designed to rise and float in the atmosphere. Included in this definition are those advertising balloons that represent the form of a person, place, or thing. Aircraft that may meet this definition are not considered advertising balloons. Advertising balloons may be tethered or tied to the ground or may be designed to float freely in the atmosphere.

5. "Architectural feature." Any construction attending to, but not an integral part of a sign, such as, by way of example not limitation, landscape, building, or structural forms that enhance the site in general; it also includes, graphic stripes and other architectural painting techniques applied to a structure that serves a functional purpose, or when the stripes or other painting techniques are applied to a sign provided such treatment does not include lettering, logos, or pictures.

6. "Awning sign." A shelter supported entirely from the exterior wall of a building and composed of nonrigid materials, except for the supporting framework, upon which a sign is indelibly drawn, painted, or printed.

7. "Banner sign." Any sign intended to be hung either with or without frames, possessing characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind. "Banner" does not include ground signs or pole signs regardless of whether the ground signs or pole signs are on-site or off-site.

8. "Canopy sign." A roof-like cover, attached or unattached, extending from the exterior wall of a building and composed of supporting framework of rigid materials upon which a sign is indelibly drawn, painted, or printed.

9. "Changeable copy sign." Any framed sign, illuminated or not, which is principally devoted to and designed for changeable text and graphics. This definition shall not include activated signs.

10. "Colonnade sign." A sign suspended below the roof of a covered walkway, perpendicular to the facade of the structure, oriented to pedestrians, and identifying the premises adjacent to it.

11. "Construction sign." A temporary sign erected on a premises currently undergoing some type of building or construction activity.

12. "Copy." The letters, colors, text, or other graphics which comprise the message displayed upon the sign copy area.

13. "Copy area." The area on a sign containing the copy. The copy area of a sign shall be measured from the outside edges of the copy area frame should such a frame be used.

14. "Double-faced sign." A sign having two (2) display surfaces not necessarily displaying the same copy, which are parallel, back-to-back, and not more than forty-eight (48) inches apart.

15. "Entrance sign." A sign located at the entrance to a residential or nonresidential development.

16. "Exempt sign." A sign for which a permit is not required but which must conform to the requirements of this Code.

17. "Festoon." Fabric, paper, plastic, or foil draped and bound at intervals.

18. "Ground sign/monument sign." Any sign other than a pole sign which is placed upon or supported by structures or supports in or upon the ground and independent of support from any building which has the vertical structural supports concealed within an enclosed base. The width of such enclosed base shall be equal to at least two-thirds of the width of the sign structure measured at its widest point. The finish shall be consistent with materials used on the building that the sign serves. "Ground signs" shall include monument signs.

19. "Illegal sign." Any sign erected prior to the adoption of the zoning ordinance in 1975 and not conforming to this Code; any sign erected without a permit subsequent to the enactment of the zoning ordinance in 1975; and signs erected prior to or subsequent to the enactment of the zoning ordinance in 1975 in violation of the County, State, or Federal regulations shall be considered illegal signs.

20. "Illuminated sign." An illuminated sign is one which either:

    a. Provides artificial light through exposed bulbs, lamps, or luminous tubes on the sign surface;

    b. Emits light through transparent or translucent material from a source within the sign; or

c. Reflects light from a source intentionally directed upon it.

21. "Interior sign." A sign that is located in the interior of a structure or is located outside a structure but, because of the sign's placement, design, or orientation, is not readily visible to passersby.

22. "Marquee sign." Any sign which is attached to or hung from a permanent, roof-like structure (marquee) which is supported by a building wall and which projects out from the building line usually, but not necessarily, over a public right-of-way such as a sidewalk.

23. "Multioccupancy sign." A ground sign/monument sign on a multioccupancy parcel or an out-parcel that is part of a common plan of development.

24. "Multiprism sign." Signs made with a series of triangular vertical sections that turn and stop to show three pictures or messages in the sign surface area.

25. "Nonconforming sign." Any sign lawfully in existence within the County on December 10, 2002, which does not conform to the requirements of this Code. This definition shall not be construed to include an illegal sign.

26. "Off-site sign." A sign that is displayed for a building, structure, or use that is located on another premise. A registered billboard is an off-site sign.

27. "On-site sign" (a.k.a. on-premises sign). A sign displayed on a premises or in the case of a multioccupancy parcel, on a contiguous parcel. Any sign containing noncommercial speech is an on-site sign.

28. "Pennant." Any flag-like or streamer-like piece of cloth, plastic, foil or paper attached to any staff, cord, building, or other structure at only one (1) or two (2) edges, the remainder hanging loosely.

29. "Permanent sign." A permanent sign is one which is affixed to a building or the ground in accord with the requirements of this Code and any other applicable Federal, State, or local laws, and in such a manner as to be immobile without the use of extraordinary means such as disassembly.

30. "Pole sign." A sign, independent of support from any building, that is mounted on freestanding poles or other supports.

31. "Portable sign." Any sign other than a sandwich sign, double- or single-faced, which is not permanently erected on the site and which may readily be moved from place to place; except that this definition shall not apply to signs painted directly on vehicles or signs displayed through, but not on, windows.

32. "Projecting sign." Any sign which is attached to and which projects from the outside wall of any building or structure, excluding wall signs as defined herein.

33. "Real estate sign." A temporary sign erected on a premise for sale, lease, or exchange.

34. "Revolving sign" (a.k.a. rotating sign). Any sign so erected or constructed as to periodically or continuously change the direction toward which any plane containing the display surface area is oriented.

35. "Roof sign." Any sign erected, constructed, or maintained on the roof of any building, above the eaves or above mansards, parapets, or other similar architectural features of buildings or structures which are capable of supporting signs.

36. "Rotating sign." See "revolving sign."

37. "Sandwich board/sidewalk sign." A sign not secured or attached to the ground or surface upon which it is located, but supported by its own frame and most often forming the cross-sectional shape of the letter "A" when viewed from the side.

38. "Sign face." The part of a sign on which the copy or message is or could be placed.

39. "Sign structure." Any structure which is designed specifically for the purpose of supporting a sign, has supported, or is capable of supporting a sign and/or its copy area. This definition shall include any architectural features, decorative covers, braces, wires, supports, or components attached to or placed around the copy area. This definition shall not include a building or buffer wall to which a sign is attached.

40. "Sign structure area." The entire area of the sign including the copy area, the sign surface area and the sign structure. The structure area of the sign shall be measured from the outside edges of the sign structure.

41. "Sign surface area." The surface area of a sign is the entire area within the periphery of a regular geometric form, or combination of regular geometric forms, comprising all of the display area of the sign and including all of the elements of the matter displayed, but not including the sign structure bearing no copy. The surface area of the sign shall be measured from the outside edges of the sign or the sign frame, whichever is greater. The sign surface area shall include the aggregate sign area upon which copy could be placed and shall include the total of a single side of a sign surface upon which copy could be placed.

42. "Snipe sign." A sign made of any material when such sign is tacked, nailed, posted, glued, or otherwise attached to any pole, tree, or other natural feature,

fence, fence post, bench, stakes, other sign, or other similar objects located on public or private property.

43. "Temporary sign." A sign which is not designed, constructed, or intended to be permanent. This definition shall not include prohibited signs.

44. "Vehicle signs." Any commercial sign attached to or placed on a vehicle, including automobiles, trucks, boats, campers, and trailers, that is parked on or otherwise utilizing a public right-of-way, public property, or on private property so as to be intended to be viewed from a vehicular right-of-way. This definition is not to be construed to include those signs within the normal unaltered lines of the vehicle, when and during that period of time such vehicle is traversing the public highways during the normal course of business.

45. "Wall sign." A sign which is painted on, fastened to, or erected against the wall of a building with its face in a parallel plane to the plane of the building facade or wall and which does not project more than eighteen (18) inches from such building.

46. "Window sign." A window sign is one which is painted on, attached to, or visible through a window, excluding displays of merchandise.

Significant habitat of listed species. Areas which, due to its function and character, provide viable nesting, foraging, or other critical component of a listed species lifecycle.

Silviculture. Forestry agriculture, tree farming, or harvesting activities which are conducted for commercial use or conservation management.

Single boat docking facility. Structure for the uncovered storage of watercraft which serves a single residential building containing only one (1) dwelling unit on a single building lot.

Single-family detached house (as pertains to school impact fee**)**. A detached dwelling unit and which is not considered to be a mobile home as mobile home is defined by the State.

Single-family dwelling unit. A structure designed for occupancy by a single family or household. Single-family dwelling units may be attached to one another as in a row or townhouses or detached from one another as by side yards. All single-family units are characterized by a ground floor entrance, except where flood regulations specify otherwise, and the absence of another dwelling unit above.

Single occupancy parcel. Any parcel which is occupied by a single establishment.

Site. Land and all structures and articles appurtenant or attached thereto which are owned, leased, occupied, or controlled by a person.

Site area. The total area of a lot, tract, or parcel which is developed or intended for development for a specific integrated purpose and shall include all streets and other public rights-of-way and common open space.

SLOSH (sea, lake, and overland surges from hurricanes). The storm surge heights resulting from tropical storms and hurricanes.

Small quantity generator (SQG). A small quantity generator, as defined by the Resource Conservation and Recovery Act of 1976, 40 Code of Federal Regulations 260, is one which generates less than 1,000 kilograms (2,200 pounds or approximately 250 gallons) of hazardous waste in a calendar month.

Solid waste:

1. As pertains to waste spreading: Sludge from a waste treatment works; water supply treatment plant; air pollution control facility; or garbage, rubbish, refuse, or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations. Solid waste does not include scrap or new or used material separated at the point of generation and held for purposes of recycling.

2. As pertains to groundwater protection: Solid waste includes garbage, refuse, white goods, special waste, ashes, wastewater residuals, or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations. For purposes of this Code, solid waste does not include:

    a. Disposal by persons of solid waste resulting from their own activities on their own property, provided such waste is either from their residential property and is not a regulated substance or is rocks, soils, trees, tree remains, and other vegetative matter which normally result from land development operations.

    b. Storage of solid waste in containers by persons where such solid waste results from their own activities on their property, leased or rented property, or property subject to a homeowner's or maintenance association for which the person contributes association assessments, if the solid waste in such containers is collected at least once a week.

Solid waste facility. Structures or systems designed for the collection, processing, or disposal of solid wastes, including hazardous wastes, and includes transfer stations, processing plants, recycling plants, and disposal systems.

Special exception. An approval pursuant to this Code, Section 402.4.

Special flood hazard area (SFHA) (see area of special flood hazard). An area having special flood hazard and shown on an FHBM or FIRM as Zone A, AO, A1-A30, AE, A99, AH, V1-30, VE, or V.

Special protection areas. Zones delineated around vulnerable features, such as sinkholes, excavations, or caves, within which land uses are regulated to protect the quality of the groundwater resource

Specialty school. A school primarily devoted to giving instruction in musical, dancing, dramatic, artistic, linguistic, athletic, or other similar special subjects.

Specified anatomical area. Any of the following, alone or in combination:

1. Any less than completely or opaquely covered portion of:

    a. The human genitals or the pubic region;

    b. The cleavage of the nates of the human buttocks;

    c. That portion of the human female breast directly or laterally below a point immediately above the top of the areola; this definition shall include the entire lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel, provided the areola is not so exposed;

2. Human male genitals in a discernible turgid state, even if completely and opaquely covered;

3. Any covering, tape, pastie, latex spray or paint or other device which simulates or otherwise gives the appearance of the display or exposure of any of the specified anatomical areas listed in subsections (1) and (2) of this definition.

Specified sexual activity. Any of the following:

1. Human genitals in a state of sexual stimulation, arousal, or tumescence;

2. Acts of analingus, bestiality, buggery, cunnilingus, copraphagy, coprophilia, fellation, fetishism, flagellation, masochism, masturbation, necrophilia, pederasty, pedophilia, sadism, sadomasochism, sapphism, sexual intercourse, sodomy, urolagnia, or zooerasty;

3. Fondling or other erotic touching of human genitals, pubic region, buttock, anus or female breast; or

4. Excretory functions as part of or in connection with any of the activities set forth in subsections (1) through (3) of this definition.

Specimen tree. A tree which has been determined by the judgment of a professional forester, horticulturist, or other professional plantsman of high value because of its type, size, age, or other professional criteria, and has been officially made and promulgated as part of the official records of the County.

Spill. The unpermitted release or escape of a regulated substance directly or indirectly to the ground surface, soils, surface waters, or groundwater.

Square feet or square footage. The area under roof used for occupancy or storage that is used to calculate the square footage of the development, including the gross area measured in square feet from the exterior faces or exterior walls or other exterior boundaries of the building, excluding areas within the interior of the building which are utilized for parking. With respect to dwelling units, the square footage shall be calculated as the living area under heat/air conditioning.

Stabilization, sludge. Stabilization means the use of a treatment to render sludge or septage less odorous and putrescible, and to reduce the pathogenic content as described in Chapter 6 of EPA 625/1-79-011, "Process Design Manual for Sludge Treatment and Disposal."

Start of construction (for other than new construction or substantial improvements under the Coastal Barrier Resources Act P.L. 97-348), includes substantial improvement, and means the date the Building Permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main building. For substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Stormwater. Surface runoff and drainage of water resulting from rainfall.

Stormwater management system. All natural and artificial drainage facilities which convey, store, or control the flow of stormwater runoff from one (1) or more drainage basins.

Stormwater runoff. That portion of precipitation which is not passed into the soil by infiltration, evaporated into the atmosphere, or entrapped by small surface depressions and vegetation, and which flows over the land surface during, and for a short duration following any rainfall.

Story. A complete horizontal section of a building having one (1) continuous floor and ceiling, including a basement but not including a cellar and including an attic if habitable.

Story, half. A story with at least two (2) of its opposite sides situated in a sloping roof, the floor area of which does not exceed two-thirds of the floor area immediately below it.

Story, height of. The vertical distance from top to top of two (2) successive tiers of beams or finished floor surfaces; and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is no ceiling, to the top of the roof rafters.

Street. A way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, freeway, road, avenue, boulevard, lane, place, court, or easement for purposes of vehicular traffic or traffic circulation, or however designated, when any part thereof is used for purposes of vehicular traffic and traffic circulation. The term "street," as defined above, shall include streets created by physical improvement to or alteration of land and shall include streets which are, or may be reasonably construed as having been, created by any instrument reciting a conveyance, dedication, reservation, limitation, or other means of establishing a street. However, the term "street" shall not include easements, private driveways, or parking lots, the sole function of which is to provide off-street access and parking. The term "street" shall also not include limited-purpose easements designed to provide access for maintenance functions such as, but not limited to, the cleaning of drainage ditches.

Street frontage. The length of the property line for a single parcel which runs parallel to and along each public right-of-way (exclusive of alleys) it borders.

Street grade. The official established grade of the street upon which a lot fronts or in its absence the established grade of other streets upon which the lot abuts, at the midpoint of the frontage of the lot thereon. If there is no officially established grade, the existing grade of the street at such midpoint shall be taken as the street grade.

Street line. A dividing line between a lot, tract, or parcel of land and a contiguous street.

Street, marginal access. A frontage road parallel and adjacent to an arterial street which serves primarily to provide access to abutting property.

Structure:

1. That which is built or constructed.

2. As pertains to Flood Damage Prevention. A walled and roofed building, including a gas or liquid storage tank and manufactured homes that are principally above ground.

Subdivision. The division of a parent parcel into three (3) or more parcels, or any division of lands platted on or after May 1, 1974, or any division of lands previously divided in accordance with a local development order, for the purpose, whether immediate or future, of transfer of ownership or building development. Subdivision, when appropriate to the context, shall mean the process of subdivision or the land subdivided. When appropriate to the context, subdivision shall include the creation of a street, right-of-way, or public easement.

Substantial damage:

1. As pertains to Flood Damage Prevention: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

2. As pertains to Dock Construction: Damage of any origin sustained by a dock whereby the cost of restoring the dock to its pre-damaged condition would equal or exceed fifty (50) percent of the market value of the dock before the damage occurred.

Substantial improvement:

1. As pertains to Flood Damage Prevention: Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds, over a one (1) year period, a cumulative total of fifty (50) percent of the market value of the structure before the "start of construction" of the improvement.

   This term includes structures, which have incurred "substantial damage," regardless of the actual repair work performed.

   For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building.

   The term does not, however, include either:

   a. Any project for improvement of a building required to comply with existing health, sanitary, or safety code violations which have been identified prior to permit issuance by the County Administrator or designee, and which

are solely necessary to ensure safe living conditions; or are required by changes in any health or safety code since the time of original construction; or

b. Any alteration of a "historic structure" provided that the alteration would not preclude the structure's continued designation as a "historic structure."

2. As pertains to Dock Construction: The replacement of more than fifty (50) percent of the structure, or the lateral or lineal extension of any dock.

Substantially improved existing manufactured home parks or subdivisions is when the repair, reconstruction, rehabilitation or improvement of the streets, utilities, and pads equals or exceeds fifty (50) percent of the value of the streets, utilities, and pads before the repair, reconstruction, or improvement commenced.

Supermarket. A retail store and whose primary business is the retail sale of food products, apart from alcoholic beverages, where such business is located in a building, or portion thereof, greater than 20,000 square feet in size.

Supercenter. A physically large retail establishment in excess of 100,000 square feet in size, typically part of a chain. Examples include large home improvement centers such a Lowe's or Home Depot or Department Stores such as Wal-Mart, Costco, or Target.

Support commercial/office uses. Retail and professional office uses that are designed to support the primary businesses and residential that are located within an EC-MPUD. Commercial and retail uses that serve as regional scale uses, such as department stores, theaters, home improvement centers, and automobile sales, are expressly prohibited in an EC-MPUD; shall not be permitted as support office/commercial uses; and are subject to the restrictions in this Code.

Surface water:

1. General**:** A recognizable permanent body of water, including swamp or marsh areas, contained within a discernible boundary or bank created naturally or artificially. Water from natural springs shall be classified as surface water when it exits from the spring onto the earth's surface.

2. As pertains to water supply: Fresh water upon the surface of the earth, whether contained in bounds created naturally or artificially or diffused. Water from natural springs shall be classified as surface water when it exits from the spring onto the earth's surface.

Swimming pool, private. Any reasonably permanent pool or open tank, not located within a completely enclosed building, and containing or normally capable of containing water to a depth at any point greater than 1.5 feet. Farm ponds and/or lakes are not included, provided that swimming was not the primary purpose for their construction.

Ten (10) year storm. As defined in the Florida Department of Transportation Drainage Manual, Second Edition, for the Tampa Bay Area.

Theater. A building or part of a building devoted to the showing of moving pictures or theatrical productions on a paid admission basis.

Theater, outdoor drive-in. An open lot or part thereof, with its appurtenant facilities, devoted primarily to the showing of moving pictures or theatrical productions, on a paid admission basis, to patrons seated in automobiles or on outdoor seats.

To plat. In whatever tense used, to divide or subdivide lands into lots, blocks, parcels, tracts, sites, or other divisions, however designated, and the recording of the plat in the office of the Clerk of Circuit Court of the County in the manner authorized by Chapter 177, Florida Statutes, and the land development regulations of the County and other laws regulating the platting of land in the County.

Topping. The cutting back of tree branches to stubs or lateral branches that are not large enough to assume the terminal role. Other names for topping include heading, tipping, hat-racking, and rounding over.

Tourist home. A dwelling in which overnight accommodations are provided or offered for transient guests for compensation.

Transmissivity. The rate at which water of the prevailing kinematic viscosity is transmitted through a unit width of the aquifer under a unit hydraulic gradient.

Transfer station. A site where used or waste materials are collected and stored for relocation or sale on another site.

Transportation corridors. All land occupied or used or intended to be occupied or used as a street or roadway and shown on the County Comprehensive Plan, Transportation Element, Transportation Corridor Preservation Map and Table, as amended, which may include areas for medians, shoulders, frontage roads, drainage, buffers, landscaping, sidewalks, bike paths, utilities, and other roadway-related improvements.

Transportation facilities shall include transportation planning and design, right-of-way and land acquisition, land improvement, engineering, and construction of any project eligible for inclusion as a transportation or road project in the Comprehensive Plan. The term does not include routine and periodic maintenance, personnel, training, or other operating costs of transportation facilities or roads.

Travel time. The time required for groundwater to move from a specific point to the well.

Travel trailer park/recreational campground. A tract of land developed under single ownership for the purpose of short-term or temporary use by individually owned recreational vehicles.

Travel trailer/recreational vehicle subdivision. A tract of land divided into three (3) parcels or more, or individual lots or parcels which are developed for the purpose of sales or leasing in excess of one (1) year, allowing the placement of park trailers and recreational vehicles for long-term or seasonal occupancy.

Treatment. Treatment means the process of altering the character or physical or chemical condition of waste to prevent pollution of the water, air, or soil to safeguard the public health or to enable the waste to be recycled.

Tree. A perennial, woody plant.

Tree location inventory. A readable, scale drawing or accurate sketch that provides, at a minimum, the following information: the approximate location of trees, identifying species, size measured by dbh, and whether a tree is to remain or is proposed for removal.

Trip. A one (1) way movement of vehicular travel from an origin (one [1] trip end) to a destination (the other trip end). For the purpose of this Code, trip shall have the meaning that it has in commonly accepted traffic engineering practice and which is substantially the same as that definition in the previous sentence.

Trip generation. The attraction or production of trips caused by a given type of land development.

Truck. Any motor vehicle designed or used principally for the carriage of goods and includes a motor vehicle to which has been added a cabinet box, a platform, a rack, or other equipment for the purpose of carrying goods other than the personal effects of the passengers. This definition is adopted from Section 320.01(9), Florida Statutes. Any subsequent changes or amendments to the definition of truck found in Section 320.01, Florida Statutes, are hereby incorporated into this definition.

Truck-tractor. A motor vehicle which has four (4) or more wheels and is designed and equipped with a fifth wheel for the primary purpose of drawing a semi-trailer that is attached or coupled thereto by means of such fifth wheel and which has no provision for carrying loads independently. This definition is adopted from Section 320.01(11), Florida Statutes. Any subsequent amendments or changes to the definition of truck-tractor found in Section 320.01, Florida Statutes, are hereby incorporated.

Turf and/or turf grass. Continuous plant coverage consisting of grass species appropriately suited to the site where it is planted.

Turf, sod, or lawn. A piece of grass-covered soil held together by the roots of the grass.

Twenty-four (24) hour/twenty-five (25) year storm. A storm of twenty-four (24) hours duration which has a probability of occurring at least once in a twenty-five (25) year period.

Unconfined aquifer. An aquifer that has the water table as its upper boundary and a confining unit as a lower boundary. It is also an aquifer under atmospheric conditions at the water table.

Unity of title. A document recorded in the official records, with the Clerk of the Court, which combines the use of two (2) or more lots or parcels, or portions thereof, in conjunction with each other as if they consisted of one (1) overall parcel of land under the County land use regulations so that the development can be reviewed for compliance under, and be subject to, regulation as if the same were a single combined parcel, rather than separate lots or parts thereof.

Upland. Land at a higher elevation, in general, than the alluvial plain or stream terrace; land above the lowlands along streams; land absent of wetlands.

Use. The specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

Use development, mixed. Mixed-Use Developments are a special class of Planned Unit Development in which two (2) or more different land uses are physically and functionally integrated on the same site and which demonstrate conformance with a coherent overall development plan. Such districts provide the ultimate in flexibility and design.

Utility structure. Telephone poles, utility distribution and transmission poles, streetlights and traffic signal stanchions.

Utilities, major. Facilities such as electric generation plants, high-power transmission lines and substations, major gas-distribution lines, water-purification plants, water-treatment plants, and sewage-treatment and disposal plants that service multiple developments.

Utilities, minor. Facilities, such as pumping and switching stations.

Vacation rental. A dwelling unit which has been advertised as available more than three (3) times per year for periods of fewer than thirty (30) days at a time for use, occupancy, or possession by persons other than the owner, regardless of the form of ownership of the unit. Dwelling units commonly referred to as "timeshares," "vacation rentals," and "holiday rentals" which possess the above characteristics are included within this definition. Bed and breakfast establishments are excluded from the definition and shall not be required to comply with Section 1103. Also excluded from the definition are multiple-family dwellings, other than condominiums, the individual units of which are offered exclusively for rent. The exemption of multiple-family dwellings from the definition of "vacation rental" shall not be construed as authorizing multiple-family dwellings to be operated as hotels, motels, or other transient lodging establishments.

Vacation rental management company. Any person, firm, partnership, corporation, or other entity which manages or is otherwise responsible for the local operation and maintenance of a vacation rental. This definition shall include the owner of a vacation rental if the owner does not contract with another for the operation and maintenance of the rental.

Variance. .A request for relief from the strict requirements of this Code.

Vehicle Dealerships. A land use providing for automobile mechanical services, automobile body repair, parts, and sales. Used car sales, leasing options and truck sales and servicing may also be available.

Vehicular use area. All areas used for the circulation, parking, and/or display of any and all types of vehicles, boats, or heavy construction equipment, whether self-propelled or not, and all land upon which vehicles traverse, including parking lot driveways. This shall include, but is not limited to, areas used to accommodate drive-through service. Only driveways and parking spaces serving single and two (2) family uses shall be an exception to this definition.

Vulnerable feature. A natural or man-made feature of the land that has the potential to discharge directly to the Floridan aquifer. These features include excavations and solution features such as sinkholes, caves, and mine pits that expose the top of the Floridan aquifer.

Warehouse. Any premises where the principal use is the storage of merchandise, products or materials in bulk, for a fee or charge or for distribution to other establishments operated by the same business enterprise or establishment. A warehouse may include accessory wholesale sales, but shall not be deemed to include retail sales establishments, mini-warehouses, or bulk storage of flammable, explosive, toxic, or noxious materials as a principal use.

Waste material. Waste material means sludge, septage, or animal waste material, whether solid, liquid, semisolid, or contained gaseous material, resulting from domestic, industrial, commercial, mining, or agricultural operations.

Wastewater service facilities. Those facilities owned or operated by the County which a need is created for by new service connections. The wastewater service facilities include, but are not limited to:

1. Wastewater treatment facilities that generally consist of treatment, reclaimed water and effluent disposal, associated equipment, and the land on which the facilities are located.

2. Wastewater transmission facilities that consist of interceptor (trunk) gravity lines, pumping stations, and selected force mains serving as the backbone piping transferring wastewater from localized collection facilities to the treatment facilities.

Water and wastewater service facilities. Both wastewater service facilities and water service facilities. These facilities do not include the distribution/collection facilities such as the localized piping and equipment that serve as a conduit for water and wastewater services between the customer's point of connection and the County's transmission facilities.

Water and/or wastewater service impact fees. Impact fees which are imposed on new service connections and which are calculated to defray all or a portion of the costs of the water and/or wastewater service facilities required to accommodate the impact to the water and/or wastewater service systems of those new service connections, and which fee is applied to water and/or wastewater service facilities which reasonably benefit the new service connections.

Water body. For the purpose of determining permitted density, these shall be defined as those naturally occurring water covered lands shown and described in the official soil survey of the County as "perennial streams," or those waters listed in Appendix A of the Conservation Element section of the technical support document. The water covered areas listed above shall extend to the ordinary high water line. This definition shall not apply to coastal shoreline areas, because, in these areas only, those areas above the mean high water tide line are considered for density purposes. In those cases where a question arises regarding the accuracy of the soil survey or any other water boundary, the question shall be referred to Southwest Florida Water Management District for final resolution.

Watercourse. Hydrologic connections including, but not limited to, water bodies shown on the most recent United States Geological Survey quadrangle sheets as having perennial flow.

Water-dependent. Activities which can be carried out only on, in, or adjacent to water bodies because the use requires access to the water for: waterborne transportation including ports or marinas, recreation, electrical generating facilities, or water supply.

Water enhanced. Uses which are not water-dependent, but whose value is increased due to location along the water; unrelated to increased property values of waterfront property.

Water features. Features of a site that holds water temporarily or permanently. These may include both natural features (lakes, wetlands, rivers, creeks, etc.) and artificial features (retention and detention ponds, fountains, ditches, and canals).

Water pollution. The presence of any substance or condition in water that tends to degrade its quality so as to constitute a hazard or impair the usefulness of the water.

Water quality. The physical, chemical, and biological characteristics of water which interrelate with the propagation of fish, wildlife, and all aquatic life.

Water-related. Activities which are not directly dependent upon access to a water body, but which provide goods and services that are directly associated with water-dependent or waterway uses.

Water resource. Any and all water on or beneath the surface of the ground, including natural or artificial watercourses, lakes, ponds or diffused surface water, and water percolating, standing or flowing beneath the surface of the ground.

Waters of the United States. As defined by the United States Environmental Protection Agency (USEPA) in Title 40, Section 122 of the Code of Federal Regulations or any amendments thereto.

Water service facilities. Those facilities owned or operated by the County which a need is created for by new service connections. The water facilities include, but are not limited to:

1. Water treatment facilities that generally consist of source of supply, raw water transmission, treatment, storage, and high service pumping, associated equipment, and the land on which the facilities are located.

2. Water transmission facilities that consist of selected water mains serving as the backbone piping providing services to the localized distribution facilities.

Water shortage condition. Sufficient water is not available to meet present or anticipated needs of persons using the water resource or conditions are such as to require temporary reduction in total water usage within a particular area to protect the water resource from serious harm. A water shortage usually occurs due to drought.

Water supply. Any and all fresh water on or beneath the surface of the earth, including fresh water in natural or artificial watercourses, lakes or ponds and fresh water percolating, standing or flowing beneath the surface of the ground.

Water supply well. Water supply well means a potable water well which pumps water from an unconfined water table aquifer.

Water surface elevation. The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

Water system. Within the framework of this Code, water system shall mean public or municipal water facilities or a commonly or cooperatively owned central water facility.

Water system, central. Includes the water source, pumps, treatment plants, distribution pipes, and other appurtenances which serve three (3) or more lots or which serve any multifamily, commercial, industrial, institutional, or other use.

Water system, individual. A water source, distribution system, and other appurtenances supplying only one (1) lot.

Watershed. The land area which contributes to the flow of water into a receiving body of water.

Waterward use line. A line generally parallel to the shoreline located a distance of one-third of the total width of the canal as measured pursuant to Section 1001.5.B.1. Waterward use lines shall not extend beyond side use lines. Waterward use lines and side use lines shall be referred to collectively as "canal use lines" and together create the "canal use zone" for an upland owner.

Wellhead protection areas (WPA). Zones delineated around a supply well, group of supply wells, and/or wellfields within which land uses are regulated to protect the quality of the groundwater resource.

Wet detention system. A water quality treatment system that utilizes a design water pool in association with water-tolerant vegetation to remove pollutants through settling, absorption by soils and nutrient uptake by the vegetation. The bottom elevation of the pond must be at least one (1) foot below the control elevation.

Wetland survey. Approximate delineation of the extent of wetlands as approved by the appropriate jurisdictional government agency.

Wetlands. Those areas defined as Class I, II, or III wetlands in the Comprehensive Plan. Lands which are transitional between terrestrial (upland) and aquatic (open water) systems where the water table is usually at or near the surface, or where the land is covered by shallow water; lands which are predominately characterized by hydrophytic vegetation identified in Section 17-4.022, F.A.C.

Window. An opening to the outside other than a door which provides all or part of the required natural light, natural ventilation, or both to an interior space. The glazed portion of a door in an exterior wall may be construed to be a window in regard to the provision of natural light.

Wireless Facilities. For the purposes of this Code, Section 1002, wireless facilities are physical structures, equipment, and antennas associated with the provision of wireless communications. This definition of wireless facility does not include Personal Wireless Facilities, as defined in Section 1002.17.A. Placing a wireless facility on a structure/building built primarily for a purpose other than supporting antennas does not cause the structure/building to become a wireless facility. Wireless Facility related definitions are as follows:

1. "Antenna." A device used for the transmission and/or reception of wireless communications, which may include objects commonly known as a whip (omni-directional antenna, “omni”), panel, or disc (directional antennas).

2. "Antenna array." A collection of antenna devices used for a single purpose.

3. "Coapplicant." Any person and/or entity joining with an applicant for a permit for a PWSF, including the owners(s) of the PWSF, owner(s) of the subject property and any proposed tenants for the PWSF.

4. "Close-mount antenna." An antenna that is mounted flat against or within eighteen (18) inches or less of the surface of a tower.

5. "Collocation." The sharing of a tower or other structure by two (2) or more communications providers.

6. "Communications Provider." A person or entity authorized by the Federal Communications Commission to provide commercial wireless communications, such as broadcasting, mobile, paging, cellular, WiMax, and other such uses.

7. "Design." The appearance of WFs such as their materials, colors, and shape.

8. "Designed service." The configuration and manner of deployment of the service the communications provider has designed for an area as part of its network. The type and level of service to be provided is not part of “designed service” and is not part of the County’s review of the WF.

9. "Equipment building/equipment shelter/equipment facility." An enclosed structure or cabinet within which is housed the equipment for the WF.

10. "Federal Communications Commission (FCC)." An independent Federal agency charged with licensing and regulating wireless communications at the national level.

11. "Guyed tower." A type of mount tower that is anchored to the ground or to another surface and stabilized by diagonal cables.

12. "Lattice tower." A type of mount tower that consists of multiple legs and cross-bracing.

13. "Location." The area where a WF is located or proposed to be located.

14. "Mitigation" or "Mitigated." The reduction or elimination of adverse visual impacts of a WF by:

    a. Enclosing, obscuring, or blocking the view or character of the WF within a natural or manmade feature, object, or device (concealing);

    b. Creating the effect that the WF is part of or similar to its surroundings (camouflaging); or

    c. Designing the WF to appear to be something other than a WF (disguising); such that the WF is not readily identifiable as a WF or is not aesthetically incompatible with nearby uses. Mitigated WFs can be mitigated towers, with the antennas hidden or obscured, which include, but are not limited to, structures that are or look like a church steeple, a bell tower, a spire, a religious symbol, a clock tower, a light standard, a windmill, a wind turbine, a silo, a flagpole with or without a flag, or a tree; and mitigated antennas, which are located wholly within the structure so as not to be visible, located behind screening, or otherwise located in such a manner that the antenna and ancillary appurtenances are not readily identifiable as such.

15. "Monopole." One type of self-supporting tower consisting of a single shaft of wood, steel, or concrete and unmitigated external antennas at the top and/or along the outside of the shaft.

16. "Radius." The maximum distance from the center of a tower to a circumference line set by the farthest point of any attachment(s) or antenna array, not including peripheral anchors and guy wires.

17. "Search Ring." The geographic area in which and the height at which the communications provider's antennas are to be located to provide the communications provider's designed service.

18. "Site, WF." That portion of a subject property where a WF is to be placed, and which contains all associated towers, equipment, equipment buildings and shelters, security fencing, landscaping, access and utility easements, and any guy wires and anchors.

19. "Siting." The method and form of placement of WFs on a specific area of a subject property.

20. "Standards." Guidelines or measures provided in this section by which acceptability of a WF application is determined. WFs are measured by standards measuring visual impact or safety. Wireless planning generally regulates WFs on three (3) levels: location (where the WF site can go), siting (how the WF is placed within its setting), and design (what the WF looks like).

21. "Subject property." The parcel of land within which the site is located.

22. "Tower." A structure constructed for the primary purpose of supporting antennas and other WF components.

23. "Wireless communications." The transferring of data and information through the air using wireless facilities.

24. "Unlicensed wireless services." Commercial mobile services that operate on frequencies that require no FCC license.

Withdrawal. Any and all methods of taking water from a water supply.

Xeriscape or Florida friendly landscape (as provided for in Section 373.185, Florida Statutes). Quality landscapes that conserve water, protect the environment, are adaptable to local conditions, and are drought tolerant. The principles of Xeriscape include planning and design, appropriate choice of plants, soil analysis (which may include the use of solid waste compost), efficient irrigation, practical use of turf, appropriate use of mulches, and proper maintenance.

Yard. A required open space, unoccupied and unobstructed by any structure or portion of a structure from thirty (30) inches above the general ground level of the graded lot upward, provided, however, that fences and walls and accessory structures and buildings may be permitted in any side or rear yard subject to height limitations and setbacks as allowed by this Code.

Yard, front. The required open space extending across the entire width of the lot between the front building line and the street right-of-way line. Where double frontage lots exist, the required front yard shall be provided on both streets.

Yard, rear. The required open space extending from the rear of the main building to the rear lot line throughout the entire width of the lot.

Yard, side. The required open space extending from the side of any building to the side lot line, throughout the entire depth of the building.

Yard trash facility. A facility for the processing of vegetative matter resulting from landscaping, maintenance or land clearing operations including materials such as tree and shrub trimming, grass clippings, palm fronds, trees and tree stumps.

Zero lot line. A development in which one (1) or more sides of each structure rests directly upon the property line.

Zone. Those geographical areas as identified by the applicable map.