PASCO COUNTY, FLORIDA
INTEROFFICE MEMORANDUM

TO:	Honorable Chairman and Members of the Board of County Commissioners	DATE: 10/18/05	FILE: GM06-07
THRU:	Bipin Parikh, P.E. Assistant County Administrator (Development Services)	SUBJECT:	MPUD Master Planned Unit Development Amendment; Rezoning Petition No. 5241 (Trinity Communities); Adam Smith Enterprises, Inc.; Terms and Conditions for Zoning Standards BCC Meeting Date: 10/25/05, 1:30 p.m., DC Recommendation: Approval with Conditions
FROM:	Samuel P. Steffey II Growth Management Administrator	REFERENCES:	Land Development Code, Section 522.6, Modifications; CAC Planning Dists. 3 and 4; Comm. Dist. 2

It is recommended that the data herein presented be given formal consideration by the Board of County Commissioners (BCC).

Commission District:	The Honorable Ann Hildebrand
Project Name:	Trinity Communities
Developer's Name:	Adam Smith Enterprises, Inc.
Location:	Southwest Pasco County, approximately one mile south and one mile west of the intersection of S.R. 54 and Gunn Highway, Sections 28, 29, 30, 31, 32, and 33; Township 26 South; Range 17 East; and Sections 25, 26, 27, 35, and 36; Township 26 South; Range 16 East.
Zoning District:	MPUD Master Planned Unit Development
Acreage:	331.13 Acres, m.o.l.
No. of Dwelling Units:	9,676 Units Approved for Development of Regional Impact; 8,322 Units in Pasco County
Type of Dwelling Units:	Single-Family and Multifamily
Other Land Uses	1,133,000 Square Feet of Commercial; 1,414,500 Square Feet of Commerce Park; 60,000 Square Feet of Neighborhood Center Office; 43,320 Square Fee of Office; 186,000 Square Feet of Medical Office; 240 Bed Hospital; 840 Unit Life Care Center; Elementary School; Golf Course; Cemetery

DESCRIPTION AND CONDITIONS:

1. On January 26, 1988, the BCC approved the Trinity Communities MPUD Master Planned Unit Development, Petition No. 3759. The Development of Regional Impact (DRI)/Development Order were approved by Resolution No. 90-56 on December 19, 1989.

2. On November 17, 1992, the BCC approved Resolution No. 93-59 and GM93-043, a combined DRI and MPUD Master Planned Unit Development amendment, deemed to be nonsubstantial amendments that relocated various land uses; rephased land uses primarily for the hospital site; decreased the amount of office, commercial, and light industrial land uses; and extended phase build-out dates by less than seven years. In addition, on November 17, 1992, the BCC approved ZCC93-38, a nonsubstantial MPUD Master Planned Unit Development amendment, which established the land use schedule of the DRI as the schedule for the MPUD Master Planned Unit Development.

3. On May 24, 1994, the BCC approved ZCC94-197, a nonsubstantial MPUD Master Planned Unit Development amendment, which allowed a change in the performance standards for the zero-lot-line product.

4. On February 28, 1995, the BCC approved Resolution No. 93-22RZ to revise MPUD Master Planned Unit Development Condition No. 8.b, regarding a conceptual plan submittal and specified the approved residential density within Pasco County, and Condition No. 13, which set

BCC
OCT 25 2005
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pavement width and right-of-way standards for private and public streets within zero-lot-line parcels. In addition, the Master Development Plan (Map H) for the DRI was established as the Master Development Plan for the MPUD Master Planned Unit Development.

5. On May 25, 1995, the BCC approved GM95-371, a nonsubstantial MPUD Master Planned Unit Development amendment, which provided for the inclusion of a 6,194-square-foot conference/showroom facility adjacent to the existing golf course and clubhouse and the corresponding reduction of six single-family units in The Villages at Fox Hollow.

6. On August 22, 1995, the BCC approved GM95-575, a nonsubstantial MPUD Master Planned Unit Development amendment, which reduced the street-corner, side-yard setbacks for single-family residential development on privately owned streets.

7. On March 25, 1997, the BCC approved GM97-295, a nonsubstantial MPUD Master Planned Unit Development amendment, which consolidated single-family, zero-lot-line conditions into one condition; reduced the minimum lot size for zero-lot-line product types from 3,600 square feet to 3,000 square feet; reduced the rear-yard setbacks on zero-lot-line product types from 12 feet to ten feet; established a 15-foot-minimum side-yard setback on corner lots for zero-lot-line product types; and deferred relief from the following to be considered when the preliminary plan is reviewed: right-of way width standards, dedication, T-type turnarounds, and cul-de-sac radii.

8. On April 28, 1998, the BCC approved Petition No. 5241, rezoning 331.13 acres, m.o.l., within the Trinity MPUD from R-MH Mobile Home District to MPUD Master Planned Unit Development District.

The Growth Management Department is initiating an amendment to the Trinity MPUD Master Planned Unit Development Conditions of Approval to allow utilization of the C-2 General Commercial District development standards within a portion of the area designated as a commerce park on the master plan. The areas subject to this request are entirely contained within the boundary of the preliminary site plan/construction plans of Commercial Center Duck Slough (IIPR05-030) and Trinity Professional Park (IIPR05-067). Currently, the Trinity Communities MPUD Master Planned Unit Development Conditions of Approval, Petition No. 3759 (approved by the BCC on March 25, 1997), sets specific "Commerce Park" development standards including setbacks of I-1 Light Industrial Park District, whereas the utilization of C-2 General Commercial standards will allow the developer to develop industrial support uses. The Comprehensive Plan, Chapter 2, Table 2-3, states, "Retail land uses within any planned industrial distribution or office park shall be limited to 15 percent of the net project acreage." The proposed development subject to this action, which includes bank, restaurant, and office uses, will support the commerce park, industrial land-use acreage within Trinity Communities DRI/MPUD Master Planned Unit Development and its vicinity.

MPUD Master Planned Unit Development amendments must be reviewed in accordance with Section 522.6, Modifications, of the Pasco County Land Development Code to determine if the proposed changes are substantial. A substantial change is deemed to exist where:

1. "There is a proposed increase of greater than five (5) percent in the total number of dwelling units proposed for the MPUD Master Planned Unit Development."

   FINDING: The proposed setback changes do not change the number of dwelling units proposed for the MPUD Master Planned Unit Development.

2. "There is a proposed major redistribution of density within individual phases of the MPUD Master Planned Unit Development."

   FINDING: There is no proposed major redistribution of density within individual phases of the MPUD Master Planned Unit Development.

3. "There is a decrease of proposed preservation or conservation areas involving more than five (5) percent of the original area set forth in the MPUD Master Planned Unit Development Plan."

   FINDING: There is no decrease of proposed preservation or conservation areas involving more than five percent of the original area set forth in the MPUD Master Planned Unit Development Plan.

4. "There is an increase in the size of areas proposed for nonresidential uses of more than five (5) percent."

   FINDING: There is no increase in the size of areas proposed for nonresidential uses of more than five percent.

5. "There is a substantial increase in the adverse impact of the development due to modifications or failure to comply with conditions or stipulations authorized in the original approval."

FINDING: There is no substantial increase in the adverse impact of the development due to modifications or failure to comply with conditions or stipulations authorized in the original approval.

ALTERNATIVES AND ANALYSIS:

1. Approve staff's recommendation with conditions.

2. Approve staff's recommendation with additional modifications or conditions.

3. Deny the proposed changes.

4. Direct staff as to other action desired by the BCC.

RECOMMENDATION AND FUNDING:

The Growth Management Department staff recommends approval of Alternative No. 1 with the following conditions:

1. Development shall comply with Trinity Communities MPUD Rezoning Petition No. 3759 Conditions of Approval, as amended.

2. Development within Commercial Center Duck Slough (IIPR05-030) and Trinity Professional Park (IIPR05-067) shall conform to the development standards of the C-2 General Commercial District.

3. Prior to approval of the preliminary site plan for the Trinity Professional Park (IIPR05-067) by the Development Review Committee or within 90 days (January 23, 2006) of this approval by the BCC, whichever is sooner; the owner/developer shall dedicate to Pasco County 100 feet of right-of-way for Duck Slough Boulevard as it currently exists from S.R. 54 to Trinity Boulevard. The developer shall ensure the maintenance of all off-site drainage facilities associated with Duck Slough Boulevard in perpetuity either by the developer, a homeowners'/merchants' association, or an entity other than Pasco County. All conveyances required pursuant to this approval shall be in a form acceptable to the Real Estate Division, free and clear of all liens, excluded from the boundaries of all special districts, and exempt from all covenants and deed restrictions.

No funding is required for this action.

ATTACHMENTS:

1. MPUD Master Planned Unit Development Plan
2. MPUD Master Planned Unit Development, Condition No. 18F
3. Land Development Code, Chapter 526, C-2 General Commercial District
4. Land Development Code, Chapter 528, I-1 Light Industrial Park District
5. Location Map
6. Commercial Center Duck Slough Site Plan
7. Trinity Professional Park Site Plan
8. Trinity Communities DRI/MPUD Master Planned Unit Development and Vicinity
9. Existing Industrial Commerce Centers and Proposed Areas for Employment Centers

SPS/CDS/gm/trin11/04

DEVELOPMENT REVIEW COMMITTEE ACTION:

Approved

BOARD OF COUNTY COMMISSIONERS ACTION:

BCC

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APPROVED AGENDA ITEM FOR

DATE _____

BY _____

SEE OTHER RZ's

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TRINITY COMMUNITIES MASTER PLANNED UNIT DEVELOPMENT
CONDITIONS OF APPROVAL
REZONING PETITION NO. 3759 (REVISED MARCH 25, 1997)

Master Development Plans

1. *The original Master Planned Unit Development (MPUD) Conditions of Approval and Master Development Plan, Rezoning Petition No. 3759, as approved by the Board of County Commissioners on January 26, 1988 (and subsequently amended on November 17, 1992, by ZCC93-38; on May 24, 1994, by ZCC94-197; on February 28, 1995, by Resolution No. 93-22R2; and May 25, 1995, by GM95-371) is being updated and revised to include the most recent application and information submitted February 3, 1997, as well as all previous amendments. The revised Conditions of Approval dated March 25, 1997, shall supersede the original Conditions of Approval dated January 26, 1988.*

2. The ordinance and regulations current at the time of preliminary or site plan submittal shall be in effect, unless the matters regulated thereby are specifically covered in the MPUD approval, and/or unless otherwise specifically stipulated herein, and/or in the development of regional impact (DRI) development order (DO), or specifically modified at the request of the developer following the review (and advertising, if required) by the Development Review Committee (DRC) and approval by the Board.

3. *The Master Development Plan (Map H) for the DRI shall serve as the Master Development Plan for the MPUD. (Board approved February 28, 1995.)*

Open Space/Buffering

4. In accordance with the DRI Development Order, the developer shall donate to the County 40 acres suitable for a park site at a location to be agreed upon by the County, and the developer shall pay $50.00 per unit (unless modified by ordinance) to the County for park service fee; these fees shall be paid prior to each record platting or where no record plat is required, then prior to final site plan (building permit) approval. In lieu of this requirement, the developer may enter into an agreement with Pasco County providing for an alternative plan to satisfy this condition.

SUBJECT TO NEW ORD. (PAYMENT OF MONEY)

5. Prior to approval of the Master Drainage Plan, an ownership and maintenance program for preservation/conservation areas, recreation areas, recreational vehicle storage areas, drainage areas, detention and retention ponds, common areas, and landscape buffer areas must receive DRC approval. The program will also acknowledge how and when the ownership and maintenance responsibilities will be conveyed.

Transportation/Circulation

6. The Transportation Element of the Trinity Communities Master Plan was designed in accordance with the traffic methodology statement that was a part of the DRI process for Trinity Communities. The transportation methodology and major road network was established prior to the announcement of either the North Suncoast Expressway or the Bicounty Thruway as having definite plans for road construction. However, in the event that these roads or the future road network create the need for substantial modification to the Trinity Communities plan, the Trinity Communities Master Plan shall be amended to reflect these changes.

7. The developer shall comply with the specific requirements relative to transportation issues as they are directed by the DRI DO. Specific rights-of-way and transportation improvements will be adopted and implemented by the developer through the DRI DO process. The developer shall submit a plan indicating the construction phasing and right-of-way requirements/donations of the adjoining internal major roads. Approval of this phasing and right-of-way plan must be obtained from the DRC prior to the preliminary/site plan approval of the first increment. Said plan can be amended either at the request of the developer by the DRC, or the County, or if the future road network for this area changes. The County shall have the right to require specific dates of right-of-way dedication and/or completion for the construction of any portion of these roads required to provide safe access to the increment which is the subject of the submittal at the time of each preliminary/site plan approval.

3/7/97

a. The roads shall be designed and constructed according to the functional classification of the road, unless specifically modified by the DRC. Sufficient right-of-way shall be dedicated to the public so that the typical roadway meets Florida Department of Transportation design and construction standards. Reductions in right-of-way may occur, if approved by the County, where the road stormwater is provided for (e.g., may include urban roadway designs with a stormwater sewer system and/or stormwater easements into adjoining increments [bubble] retention areas). At intersections along these roads where more right-of-way is needed to accommodate the roadway, additional right-of-way shall be provided. Where multilaned facilities are required, these roads may be initially constructed with two offset lanes (if offset) with provisions for multilaning. The developer shall pay for the construction costs of additional lanes when this road is calculated to fall below LOS "C" (daily), LOS "D" (peak hour).

PP/SP 8. *Utilization of private roads, reduced road right-of-way widths, and alternative roadway design standards may be considered as an alternative and approved by the DRC at the time of each preliminary/site plan approval. (Board approved March 25, 1997.)*

PP/SP 9. There shall be no residential driveway cuts along the major roads within and/or adjoining the project; such restrictions shall be shown on the record plat. Landscape buffering shall be provided along collector or higher roads. A unifying landscape buffer plan, if approved by the DRC, would obviate the need to strictly comply with the requirements of Section 603, Landscaping and Buffering, Pasco County Land Development Code. Specific access points to parcels of land shall be approved at the time of preliminary/site plan approval by the DRC. No principal structures shall be closer than 35 feet from the right-of-way where vehicular access rights have been given.

CP 10. The developer shall be responsible for the provision of streetlights along all roads. The streetlights shall be shown on the construction drawings and meet National Street Light Standards.

PP' 11. The developer shall construct sidewalks along all collector or higher roads; however, this requirement would be superseded by a DRC approved pedestrian plan. This condition does not obviate the requirements of Section 610, Subdivision Design Standards, Pasco County Land Development Code, for sidewalks along local streets.

Utilities: Drainage, Water Service, Wastewater Disposal

12. Prior to the first preliminary/site plan approval, the developer shall submit to the County Engineer for approval by the DRC a Master Drainage Plan for the entire project. Said Master Drainage Plan shall consist of a Master Drainage Report and Master Drainage Plan drawings and all items specified with "Master Drainage Plan Preparation Guidelines for Proposed Developments in Pasco County." In addition, the ownership and maintenance responsibilities for the drainage system(s) shall be indicated in this plan. The existing wetlands shall be referenced on the plan.

CP 13. The developer shall submit drainage plans to include drainage maps for all predevelopment and postdevelopment drainage watersheds, runoff computations for each watershed, detention/retention computations and quantities, drainage structure, pipe, swale, ditch, and other appurtenant location, size, cross section, type, and sizing computations for each phase of an increment, which shall be in conformance with the above-referenced Master Drainage Plan, prior to submission of the construction plans for that phase. The subsequent construction drawings for all or a portion of that increment (parcel) shall indicate how and when the drainage system for that portion will coordinate with that of the entire increment's (parcel's) drainage system and the Master Drainage Plan. No design of an individual increment (parcel) or portion of an increment (parcel) shall be dependent upon the ultimate construction of future increments (parcel[s]), unless an interim design for drainage through a future increment(s) (parcel[s]) is approved by the DRC.

CP 14. The developer shall provide letters of commitment and/or approval for water and/or sewer services from the appropriate serving utility prior to construction plan approval. A Master Utility Plan for the development in the County service area must be submitted to the DRC for review and approval prior to approval of

the first preliminary/site plan. This utility plan shall minimally show the following:

a. Trunk sewer lines and lift stations.
b. Main potable water lines and nonpotable water lines.
c. Any overhead electric lines.
d. Method of lighting all major roads.
e. Sewage treatment facility location.
f. Discuss the proposed method of treatment and the possibility of nonpotable water system for irrigation.

Land Use

PP/SP 15. *A preliminary plan and/or preliminary site plan must be approved for an entire parcel prior to any phased construction drawing approval within the parcel. In lieu of a preliminary plan and/or preliminary site plan, the developer may submit a Conceptual Plan consistent with Section 306.3(B) of the Pasco County Land Development Code for an entire parcel when deemed acceptable by the County Administrator, or his designee. (Board modified original approval on March 25, 1997). The maximum number of units for Trinity Communities MPUD (Pasco County) shall not exceed 8,322. (Board approved February 28, 1995.)* The number of units and density may increase or decrease within any specific residential increment (parcel) shown on the Master Development Plan provided:

a. The land use categories listed on Table 12-1 are pyramidal, so that a less intense and/or dense type of residential unit is allowable in the higher intensity/density residential land use increments (e.g., larger lot size). For example, single-family (4-6 d.u.'s/AC), single-family (2-4 d.u.'s/AC), multifamily (12 d.u.'s/AC), or multifamily (18 d.u.'s/AC) may be constructed in an 18 d.u.'s/AC multifamily increment. Residential use may be intensified (e.g., multifamily in a single-family parcel) within any increment (parcel) from that which is shown on the Master Development Plan with Zoning Administrator's approval.

b. *There is a corresponding increase or decrease, as appropriate, in some other increment (parcel) to indicate that the total unit threshold of 8,322 (Pasco County MPUD only) is not exceeded. (Board approved February 28, 1995.)*

c. The increase in dwelling units for that increment (parcel) does not exceed 20 percent.

16. Residential use may not be intensified from that as shown on the preliminary plan within any one increment, as provided above, following approval of the plat or final site plan for the first unit in that increment without approval by the Board at a public hearing (substantial change).

PP 17. With the submittal of each preliminary or site plan, the developer shall also submit the accumulative number of residential units by type and the gross leasable square footage of nonresidential structures (by type) which have received preliminary and final site plan approval from the County and those of which have been record platted and/or constructed. In addition, if any redistribution of units is proposed, pursuant to the guidelines above (15), the developer shall submit an amended Master Development Plan to the Zoning Administrator illustrating unit redistribution.

18. The following development standards shall apply to Trinity Communities:

a. <u>Single-Family (2 UPA - 4 UPA)</u>

The permitted use includes single-family structures and customary accessory uses. Minimum lot size shall be 6,500 square feet. Minimum frontage lot width shall be 65 feet at the front lot setback line (with a minimum 30-foot width at street frontage), and the minimum depth shall be 100 feet. The yard setbacks shall include a minimum of 20 feet on the front yard, 15 feet on the rear yard, and 6.5 feet on the side yard (a minimum of 15 feet between buildings). The maximum height for a building shall be 35 feet.

(1) *The street corner side yard setback on privately owned streets shall be as follows: (Board approved August 22, 1995.) (This setback also applies to Section 18.b identified below.)*

(a) Fifteen feet on lots 60 feet and greater in width.

(b) Ten feet on lots less than 60 feet in width. (Board approved March 25, 1997.)

The reduction in setbacks shall only apply to corner lots where there is no other individual lot with access to the street and the following lots as shown on the Foxwood Preliminary Plan approved by the DRC on February 10, 1997: Lot Nos. 178, 235, 244, 314, 315, 354, 615, 630, and 644. (Board approved March 25, 1997.)

(2) The setback reduction must be in compliance with the Pasco County Land Development Code, Section 530.7, Clear Sight Triangle Requirements. (Board approved August 22, 1995.) (This condition also applies to Section 18.b identified below.)

b. Single-Family (4 UPA - 6 UPA)

The permitted uses include single-family structures and customary accessory uses. Minimum lot size shall be 4,800 square feet. Individual minimum average lot width shall be 52 feet. Minimum frontage for lots on cul-de-sac streets will be 30 feet. The yard setbacks shall include a minimum of 20 feet on the front yard, 12 feet on the rear yard, and 6 feet on the side yard (a minimum of 12 feet between buildings). Upon final plat approval of an increment for single-family development, either 2-4 d.u.'s/AC or 4-6 d.u.'s/AC, the developer is "locked in" to the completion of that increment as approved unless a change is approved by the Board of County Commissioners at a public hearing.

c. *Single-Family (Zero Lot Line - 4 UPA - 8 UPA)*

The permitted use includes patio homes, villas, atrium homes, townhouses, and terrace homes, all of which are marketing terms to describe a zero-lot-line development. For purposes of these conditions, zero lot line is defined as a development in which one or more sides of each structure rest directly upon the property line. There are no minimum side-yard setback requirements. Front-yard setbacks shall be a minimum of 20 feet. The corner lot side-yard setback on privately owned streets shall be a minimum of 15 feet on one street side for lots 60 feet or greater in width and a minimum of ten feet for lots less than 60 feet in width. Rear-yard setbacks shall be a minimum of 10 feet. Minimum lot size shall be 3,000 square feet. Minimum frontage for lots on cul-de-sacs shall be 30 feet at the building-line setback. Zero lot lines shall be permitted on public or private streets. These standards apply provided: (Board approved March 25, 1997.)

(1) No lot may be created that is so narrow or otherwise so irregularly shaped that it would be impracticable to construct on it a building that:

(a) Could be used for purposes permissible in that increment.

(b) Could satisfy any applicable setback or building separation requirement for that increment.)

(2) Concurrently with the submittal of each Building Permit, the applicant shall identify the location and setbacks of any adjacent units (by sketch) to ensure compliance with the setback and yard regulations as amended and approved by the Board on March 25, 1997.

d. Multifamily (12 d.u.'s/AC)

The standards established in Section 518, MF-1, Multiple Family Medium Density District, Pasco County Land Development Code, shall apply.

e. Multifamily (18 d.u.'s/AC)

The standards established in Section 519, MF-2, Multiple Family High Density District, Pasco County Land Development Code, shall apply.

f. Commerce Park

The average lot size shall not be less than 20,000 square feet, with no lot less than 10,000 square feet. The building footprint shall not exceed 50 percent of the lot. Prior to approval of the first preliminary plan approval, a unifying landscape and signage plan for the entire commerce park must be reviewed and approved by the Zoning Administrator. Landscape buffering shall be installed and maintained around the periphery of the commerce park unless waived by the DRC. There shall be a minimum of 15 percent gross open space within the commerce park. Individual lots shall conform with the landscaping requirement of the C-3 (Commercial/Light Manufacturing) District. Service (loading) areas and any heavy truck parking shall be screened/buffered (hidden) from the public streets and adjoining residential areas. There shall be no outdoor storage unless it is screened by an appropriately designed buffer as approved by the DRC, and all permanent business activities shall take place solely within enclosed structures. The business activities shall not cause a nuisance or hazardous levels of vibration, water/air pollution, noise, odor, or electromagnetic radiation. Parking lots shall be planted with trees in such a manner as to break up the expanse of paving. The permitted uses will be consistent with the Trinity Communities DRI ADA first Sufficiency Response (Page 11). The developer shall record with the County covenants, conditions, and restrictions that will insure proper site planning, architectural coordination, no noxious emissions or noise, coordinated street lighting and signage, and landscaping for the commerce park development. All other development standards shall conform with the I-1 (Light Industrial) District.

g. Office Park

The average lot size shall not be less than 20,000 square feet, with no lot less than 10,000 square feet. The building footprint shall not exceed 50 percent of the lot. Prior to approval of the first preliminary plan approval, a unifying landscape and signage plan for the entire office park must be reviewed and approved by the Zoning Administrator. Landscape buffering shall be installed and maintained around the periphery of the office park, unless waived by the DRC. There shall be a minimum of 15 percent gross open space within the office park. Individual lots shall conform with the landscaping requirements of the Trinity Communities design guides. Service (loading) areas and any truck parking shall be screened/buffered (hidden) from public streets and adjoining residential areas. There shall be no outdoor storage, and all business activities shall take place solely within enclosed structures. Parking lots shall be planted with trees in such a manner as to break up the expanse of paving. The permitted uses will be consistent with the concept submitted in the Trinity Communities DRI/ADA. All other development standards shall conform with the C-2 (General Commercial) District.

h. Commercial

The permitted uses established by Section 522.3, Master Planned Unit Development District, Pasco County Land Development Code, shall apply:

Local Neighborhood Commercial: Sale of shoppers' goods, banking facilities, business services, offices, and all uses in Convenience Commercial.

The parcel numbers are 36, 24, 13, and 50 as identified on the Trinity Communities Master Plan.

C-2

Community Commercial: Junior and discount department stores, amusement facilities, automotive sales and service, hotels/motels, and all uses in Local Neighborhood Commercial.

The parcel numbers are 15, 20, 23 (A, B, and C), and 35 (A and B) as identified on the Trinity Communities Master Plan.

Regional Commercial: Major department stores, sale of general merchandise, and all uses in Community Commercial, designed to serve both the residents of the MPUD and the region.

The parcel number is 9 as identified on the Trinity Communities Master Plan.

Setback, height, and buffering requirements for Neighborhood, Community, and Regional Commercial shall be equivalent to the requirements in the C-2 General Commercial District.

19. *A conference/showroom facility is part of the total acreage for the clubhouse and golf course identified as Tract A. (Board approved May 25, 1995.)*

20. The developer has identified two school sites on the Master Plan. The school sites will be reserved for donation to the Pasco County School District. Prior to the first preliminary/site plan approval, the developer shall provide the County with a copy of a separate agreement between the developer and the Pasco County School Board, which identifies the sites and terms for transfer satisfactory to the developer and the Pasco County School District.

21. The developer agrees to reserve a site not to exceed five (5) acres of land for a library. Upon demonstration of need by the County, the developer shall donate said site to the County within ninety (90) days from the time of the County request. The mutually agreed upon site shall be shown on the Master Development Plan prior to approval of the first preliminary site plan. This condition shall be applicable for a period of five (5) years (from the date of the rezoning); the County shall have the right to extend this condition for a second five (5) year period.

22. With the submittal of the first preliminary site plan for each phase, the developer may designate, on the Master Development Plan, a site or sites to be used for recreational vehicle storage for the exclusive use of the Trinity Communities residents. Such a site(s) shall have appropriate landscape buffering and must be approved by the Zoning Administrator for size(s) and location(s). The site(s) must obtain commercial site plan review and approval prior to development and be owned by a mandatory homeowners' association.

Procedures

23. In the event an ordinance or resolution is adopted by the Board establishing a Countywide fee for the purpose of funding areawide public safety improvements, the developer shall be required to pay said fee pursuant to that ordinance or resolution, if applicable.

24. Any decisions or matters which, under the conditions of the MPUD, required approval by the DRC or allow modification by the DRC may be appealed to the Board and, where appropriate, to the courts.

25. The owner/developer acknowledges that the proposed development is a DRI. There shall be no development until the DRI DO is adopted. The County and the developer agree that these conditions of the MPUD may be modified or added to by the County if required, to be consistent with the terms of the DRI DO in accordance with Section 380.06(19), Florida Statutes.