

PASCO COUNTY, FLORIDA
INTEROFFICE MEMORANDUM

TO: Cynthia M. Jolly, P.E., CFM
Development Director

DATE: 2/17/09 FILE: DR09-441

SUBJECT: Class I, Commercial Development
Review - Werner-Boyce Salt Springs
State Park Entrance Road
Preliminary/Construction Site Plan
and Stormwater Management Plan
and Report (Project No. IPR08-056)

FROM: Pamela S. Shaw
Development Review
Technician II

REFERENCES: Land Development Code,
Section 306, Development
Review Procedures;
Comm. Dist. 5

It is recommended that the data herein presented be given formal consideration by the Development Director.

Commission District:	The Honorable Jack Mariano
Project Name:	Werner-Boyce Salt Springs State Park Entrance Road
Developer's Name:	Florida Department of Environmental Protection (FDEP)
Location:	On the west side of U.S. 19, across from Ridge Crest Drive, approximately 1,600 feet north of Ridge Road, Sections 20 and 28, Township 25 South, Range 16 East.
Parcel ID Nos.:	20-25-16-0000-00200-0060, 28-25-16-0010-02400-0021, and 28-25-16-0010-02300-0032
Land Use Classification:	ROR (Retail/Office/Residential)
Zoning District:	C-2 General Commercial
Transportation Corridor:	U.S. 19
Existing Right-of-Way:	75 Feet from Centerline
Required Right-of-Way:	117.5 Feet from Centerline
Flood Zone:	"A-13"
Hurricane Evacuation Zone:	A
Acreage:	3.99 Acres (Site) and 191.59 Acres(Parcels) , m.o.l.
Number of Units:	N/A
Type of Unit:	Entrance Road
Size of Unit:	N/A
Water/Sewage:	City of Port Richey/Pasco
Transportation Impact Fee Zone:	1
Transportation Analysis Zone:	18
Present Land Use:	Wooded Park
Level of Service Analysis:	N/A for Roadway

DEVELOPER'S REQUEST:

The developer of Werner-Boyce Salt Springs State Park Entrance Road is requesting preliminary/construction site plan and Stormwater Management Plan and Report approval for an entrance road into a State park.

BACKGROUND:

1. The entrance area at U.S. 19 bears its original C-2 General Commercial zoning.
2. On October 23, 2001, the Board of County Commissioners approved rezoning approximately 430 acres from an R-4 High Density Residential District to an A-C Agricultural District (Rezoning Petition No. 5834).

3. The majority of the road project is within the City of Port Richey limits; the two termini are within Pasco County.
4. The entrance road is the first of three currently planned phases of the overall park that will provide hiking, camping, picnicking, and canoe trails for the public.

FINDINGS OF FACT:

1. The preliminary/construction site plan and Stormwater Management Plan and Report for the above-subject project were prepared for the FDEP by Genesis Group and consist of 22 sheets dated October 22, 2007; the sheets were last revised on January 14, 2009. The plans were originally received by the Development Review Division (DRD) on June 24, 2008, and final revisions were received on January 20, 2009.
2. Access to the property is from U.S. 19.

RECOMMENDATION:

The Development Director recommends approval of the preliminary/construction site plan and Stormwater Management Plan and Report with the following conditions:

General

1. The developer acknowledges that any provisions of Pasco County ordinances and any rezoning conditions of approval not specifically waived shall be in full force and effect, including all impact fee ordinances.
2. The owner/developer or project contractor shall obtain a hard-copy Site Development Permit from the DRD prior to commencing any construction. To obtain this permit, the following must be submitted to the DRD:
 - a. The completed notarized acknowledgment portion of the attached agenda memorandum.
 - b. The receipt for payment of Pasco County utility impact fees (if the project is served by County water and/or sewer).
 - c. Completion of any site-specific conditions listed as requiring completion prior to the issuance of the Site Development Permit.
 - d. A copy of the approved Southwest Florida Water Management District (SWFWMD) Permit and Plan must be submitted to the DRD. In the event the SWFWMD Permit and Plan require any changes to the County-approved plan, an amendment to the County-approved plan shall be submitted for review and approval prior to the issuance of the Site Development Permit.
 - e. National Pollutant Discharge Elimination System Permit/permit application.

No construction shall commence until the permit has been properly posted on the site.

3. The owner/developer or successors in interest are advised of the following restrictions:
 - a. No owner of the property within the development may construct or maintain any building, residence, or structure, or undertake or perform any activity in the wetlands, buffer areas, and upland conservation areas described in the approved plan or record plat unless prior approval is received from the SWFWMD pursuant to environmental resource permitting.
 - b. No owner of the property within the development may construct or maintain any building, residence, or structure, or undertake or perform any activity within the 100-year floodplain described in the approved plan and/or record plat of the subdivision unless prior approval is received from the SWFWMD pursuant to environmental resource permitting.
 - c. No owner of the property may undertake any roadway improvements within this development unless prior written authorization or notification of exemption is received from the SWFWMD pursuant to environmental resource permitting.

4. In the event ordinances/resolutions are adopted by the Board of County Commissioners including, but not limited to, solid waste, public safety, or wildlife, the developer shall be required to comply with such ordinances/resolutions.
5. All construction work, including roads, drainage, and utilities, shall be constructed in accordance with Pasco County design standards and tested in compliance with the Engineering Services Department's *Testing Specifications for Construction of Roads, Storm Drainage, and Utilities*.
6. The owner/developer shall acknowledge that should Pasco County collect funds under a guarantee document, the developer shall authorize the County, or its designee, access to the property in question to complete the required work.
7. The owner/developer shall acknowledge that should Pasco County be required to institute legal proceedings in order to collect any funds under a guarantee document, the developer shall be responsible for attorney's fees and court costs incurred by the County in such action.
8. The developer acknowledges that an appeal may be filed against the decision of the DRD within 30 days of the date of this approval. Any development that takes place within the 30-day appeal deadline shall not establish vested rights with respect to construction of the project.

Construction Plan

9. Prior to final site/construction plan approval of any project taking access from a State roadway, the owner/developer shall furnish to the DRD a Letter of Intent indicating approval and/or an approved Driveway Permit from the Florida Department of Transportation (FDOT). Prior to the issuance of the first record plat or where a record plat is not required, prior to the first Certificate of Occupancy (CO), the owner/developer shall provide a letter from the FDOT stating that the improvements within the State right-of-way have been inspected and completed to its satisfaction.
10. No fill shall be placed within the 100-year floodplain designation unless compensating volume to mitigate the fill is provided on-site or off-site within the same basin and reviewed and approved by Pasco County.
11. Where excavation in excess of 30,000 cubic yards is proposed to be removed from the site by using publicly dedicated rights-of-way, roadways, or easements, a Class I Mining Permit and Conditional Use Permit shall be required in accordance with Resolution No. 93-304 as amended. Prior to construction plan approval, the developer shall submit calculations indicating the amount of excess fill that will result from development of the site. Prior to construction plan approval, the developer shall submit, along with a statement as to where and how the excess material will be disposed of, calculations indicating the amount of excess fill that will result from development of the property.
12. The owner/developer acknowledges that a Building Permit shall be obtained for all structures that have a footer, regardless of size, through the Central Permitting Division; i.e., including, but not inclusive of, buildings, accessories, and retaining walls.
13. All construction within Pasco County right-of-way will require a Right-of-Way Use Permit. The review and issuance of the Right-of-Way Use Permit shall be conducted in accordance with the Land Development Code (LDC), Section 311, Right-of-Way Use Permit, and must be obtained prior to commencement of construction. The developer shall ensure that any improvements installed in rights-of-way are constructed to County standards.

All construction within non-County-maintained right-of-way will require a Driveway Connection Permit. The owner/developer shall obtain a Driveway Connection Permit from the DRD's New Port Richey office.

14. The applicant has submitted an Access Management Application which requires the following improvement:

Construction of a right-turn from U.S. 19 to the project driveway subject to the FDOT approval.

The improvement is required to be completed prior to access by the public.

15. If a Pasco County Global Positioning System (GPS) network point is located within the boundary of the site or within 50 feet of the same, the point shall be re-established using GPS methods and "Blue Booked" prior to the issuance of any Building Permits or the recording of any

plat. Proof of the said Blue Booking shall be submitted to the County Surveyor prior to the issuance of the said permit or the recording of the said plat. If it is discovered that the said point has been destroyed by construction, then the owner/developer of the land will be responsible for payment to Pasco County in the amount of \$5,000.00 each.

16. Prior to platting, or where platting is not required prior to the issuance of the first CO, the developer shall submit all necessary State and Federal permits including, but not limited to, dredge and fill, surface water, water distribution, wastewater collection, and reclaimed water from the appropriate agencies. The permit shall include the copies of the actual permit itself and all drawings that are approved by the respective regulatory agency. Any annual reports required by such agencies shall be submitted to the biologist and the stormwater engineer.
17. 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 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. Any variation from the approved stormwater management or construction plans shall be submitted to the County Administrator, or his designee, for review.

Hard-Copy Site Development Permit

18. The owner/developer or project contractor shall notify the Engineering Services Department at least two working days prior to commencing any activity on the site.
19. Prior to any construction activity, the developer shall ensure that proper erosion and sediment control measures are in place. The developer shall control all fugitive dust originating from the project site and shall indicate on the construction drawings the manner in which fugitive dust is to be controlled. Further, all retention pond side slopes and associated swales shall be sodded to prevent soil erosion.
20. If, during construction activities, any evidence of historic resources including, but not limited to, aboriginal or historic pottery, prehistoric stone tools, bone or shell tools, historic trash pits, or historic building foundation, are discovered, work shall come to an immediate stop, and the Florida Department of Historic Resources (State Historic Preservation Officer) and Pasco County shall be notified within two working days of the resources found on the site.
21. If the site is identified on Map 3-1a, 3-1b, or 3-1c in the Comprehensive Plan as a location of known endangered and threatened species, the developer shall submit to the DRD, a copy of the approved Federal, State, or other regulatory permit, or if no permit has been issued, then the developer shall submit a copy of the application submitted to the Federal, State, or other regulatory agency prior to site development.
22. If, during construction activities, any evidence of the presence of State and Federally protected plant and/or animal species is discovered, work shall come to an immediate stop, and Pasco County shall be notified within two working days of the plant and/or animal species found on the site.

23. The applicant is hereby notified that the effective date of this development approval shall be the date of the final County action; however, no activity shall commence on site until such time as the acknowledgment portion of this document is completed (including notarization) and received by the DRD.

The Development Director's approval of this preliminary/construction site plan and Stormwater Management Plan and Report constitutes a finding by the Development Director that the preliminary/construction site plan and Stormwater Management Plan and Report, as conditioned, are consistent with those Goals, Objectives, and Policies of the Comprehensive Plan and those provisions of the LDC that are applicable to preliminary/construction site plan and Stormwater Management Plan and Report approvals. This action is based on the office review of the plans, supporting documentation, and certifications of the Engineer of Record.

APPLICANT'S ACKNOWLEDGMENT:

The applicant acknowledges that it has read, understood, and accepted the above-listed conditions of approval.

_____ Date

_____ FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE OF FLORIDA
COUNTY OF _____

_____ Title

The foregoing instrument was acknowledged before me this _____ (date), by _____ (name of corporation acknowledging) a _____ (State or place of incorporation) corporation, on behalf of the corporation. He/she is personally known to me or who has produced _____ (type of identification) as identification.

Seal:

_____ NOTARY

CMJ/PSS/ecm/drc022609/wernerdr09441

DEVELOPMENT REVIEW DIVISION ACTION: