

STAFF REPORT

HEARINGS: Planning & Zoning Commission: August 14, 2023
Board of County Commissioners: September 12, 2023

APPLICANT: D.R. Horton, Inc.

FILE NUMBER: H2239

REQUEST: Master Plan Revision on property zoned CPDP/ (Combined Planned Development Project), including PDP(SF)/Planned Development Project (Single-Family), PDP(MF)/Planned Development Project (Multifamily), PDP(REC), Planned Development Project (Recreation) and PDP(HC)/Planned Development Project (Highway Commercial) with deviations

GENERAL

LOCATION: East of I-75, south of Cortez Boulevard (SR 50) and west of Kettering Road

PARCEL KEY: 394442, 394594, 394530, 394601, 394610, 838231

APPLICANT'S REQUEST:

On December 10, 2008, the subject site was approved for a Combined Planned Development Project (CPDP) with PDP(SF)/Planned Development Project (Single-Family), PDP(MF)/Planned Development Project (Multifamily), PDP(REC), Planned Development Project (Recreation) and PDP(HC)/Planned Development Project (Highway Commercial) uses. This zoning was approved in accordance with the Sunrise Development of Regional Impact.

The petitioner's current request is a Master Plan Revision on property zoned CPDP/ (Combined Planned Development Project), including PDP(SF)/Planned Development Project (Single-Family), PDP(MF)/Planned Development Project (Multifamily), PDP(REC), Planned Development Project (Recreation) and PDP(HC)/Planned Development Project (Highway Commercial) with deviations. This Master Plan Revision includes a companion application to abandon the DRI and establish an updated Development Agreement which will be scheduled for consideration by the Board of County Commissioners on September 12, 2023, in conjunction with the Master Plan Revision.

ENVIRONMENTAL CRITERIA:

- If archaeological artifacts are discovered during site development construction, the applicable developer shall stop construction in that area and immediately notify the County, WRPC, DEO, and the Division of Historical Resources of the Florida Department of State.

- Invasive plant species shall be removed during the site development process as required by the associated permitting agencies, environmental reports, and development review processes.

ENGINEERING CRITERIA:

- With the submittal of construction plans for each phase, the applicable developer shall provide the following materials for review:
 - Soil borings shall be used to verify that a minimum of five (5) feet of suitable soil cover is maintained between each drainage retention area (DRA) bottom and any subsurface limestone rock strata, limestone pinnacles or potential karst connections. In the event another regulatory agency with jurisdiction requires a greater separation depth than 5', compliance with that agency's greater depth shall be required.
 - BMPs for wetland protection (if applicable); control of siltation and turbidity during construction; minimization of site disturbance and wind erosion.
 - Low Impact Development (LID) design techniques (where reasonably feasible) as part of the stormwater plan.
- A geotechnical report prepared by a qualified professional shall be used in the design and layout of the Project and shall be submitted to the County at time of and in connection with the conditional platting of each phase to ascertain that the applicable developer has used its best efforts to avoid adverse impacts to sensitive karst and subsurface features in the overall project design and layout of the project.
- All streets internal to the Project may be public or private except for Sunrise Parkway and Cracker Crossing Blvd., which shall be open to the public. Private roads within single family or multifamily tracts may be gated with provision for emergency vehicle access in accordance with the requirements of the Hernando County Fire and Emergency Services Department and the Hernando County Facility Design Guidelines. Private roads will be owned, operated, and maintained by the developer(s) designated CDD and/or Property Owners Association(s).
- The Mixed-Use Area along the SR 50 Frontage shall be allowed two (2) access points to SR 50 between Sunrise Parkway and Kettering Road, subject to FDOT driveway connection permits.
- Cracker Crossing Blvd. Extension shall be considered the Project's reverse frontage road and shall be deemed to meet all such requirements for the Mixed-Use Area. To ensure compatibility for the multi-family, retail and office uses within the Mixed-Use Area, through-truck traffic shall be prohibited on Cracker Crossing Blvd. Extension, other than local deliveries servicing the commercial/office uses within the Mixed-Use Area itself.

- MAK Boulevard will be an optional internal Project roadway; however, in the event the adjacent Kettering Road parcel is actually utilized by the County for the East Government Center Site and/or by the School district for the School Site (as referenced in the Development Agreement), then the master developer for the Residential Area shall construct MAK Boulevard from Sunrise Parkway to the east Project Boundary, for connection (by the County or School District, as applicable) to the East Government Center Site and/or School Site. In the interim, this access area and other direct access point(s) to Kettering Road may be utilized as a construction access/haul roads for the Project as approved by the County Engineer.
- The Residential Area master developer shall construct Sunrise Parkway as a 4-lane divided collector in accordance with the Development Agreement. As a divided boulevard, Sunrise Parkway will be considered to have met the “two entrance requirement” to a residential subdivision until such time as a second external connection is available for the Project.

DEVELOPMENT ENTITLEMENTS:

The developer has requested the following entitlements outlined in the Land Use Schedule below. All public facilities and other supporting or ancillary facilities are also approved as referenced herein or in the Development Agreement, as may be amended from time to time:

Land Use	Dwellings	Square Feet	Units
MIXED USE AREA			
Multi-Family Residential*	600		
Commercial **, Office, Mini-Warehouse		415,000	
Motel			75
RESIDENTIAL AREA			
Single Family Residential***	4,200		
Community Recreation (Lagoon)****			
Community Recreation (Golf)		18 Holes	Optional
Total Project	4,800	415,000	75

* Multi-Family Residential uses may include fee simple units, build-to-rent apartment units and/or senior adult attached housing units, including independent living and/or assisted-living facilities,

** Land uses allowed in the Mixed-Use areas denoted on the Master Plan will include Multi-Family Residential, all C-1 and C-2 Commercial uses, Office Uses and Mini-Warehouse Use. Any government center or other public services building constructed by the County, or any public or charter school(s) within the Project, shall not count against the CPDP entitlements approved for the Project, but shall be in addition thereto.

*** Single Family Residential may include single family detached homes, single family attached homes; senior adult homes, townhomes, and build-for-rent single-family housing under single ownership (i.e., not separately platted/owned lots).

**** The potential lagoon recreational complex is an optional amenity use at the election of the Residential Area developer; if the lagoon recreational complex is constructed, it may include up to 25,000 sf of supportive commercial retail uses (which are separate and apart from the 415,000 sf of Commercial/Office/Mini-Warehouse uses approved for the Mixed-Use Area on the Master Plan).

Note: Certain land uses may be exchanged on a trip-equivalent basis in accordance with the Land Use Equivalency Matrix (LUEM) approved as Exhibit C to the Development Agreement; provided, however, that as set forth in the LUEM, exchanges from/to residential entitlements and non-residential entitlements shall not be allowed, unless separately approved by the Planning Department at such time.

BUFFERS, SETBACKS, AND INTERCONNECTIVITY

- Perimeter buffers may be used for interconnectivity; however, any Pedestrian paths within perimeter buffers shall consist of natural, permeable materials (no concrete or asphalt).

The applicable developer(s) shall maintain the following perimeter building setbacks for the following Project boundaries:

- From I-75 Interstate ROW 75’ residential; 35’ non-residential
- From I-75 FDOT DRAs 35’
- From SR 50 75’ residential; 35’ non-residential
- From Kettering Road 50’ residential; 35 non-residential
- From Remaining Eastern Boundary 35’
- From Southern Boundary/Dashbach ROW 35’
- From Cracker Crossing Blvd: 35’

The developer(s) shall maintain the following minimum internal lot building setbacks and dimensional criteria:

Non-Residential:

- Front (Structure to Parking): 5’
- Front (Structure to Public right-of-way): 0’
- Side (Structure to Structure): 5’
- Side (Structure to Parking): 5’
- Side (Structure to Public right of way): 0’
- Rear (Structure to Parking): 5’
- Rear (Structure to public right of way): 0’
- Maximum lot coverage: 100%

When non-residential lots are adjacent to the project perimeter, the perimeter setbacks shall govern setbacks for individual development areas as appropriate.

Residential (single-family detached lots):

- Front (Primary Structure): 10' (Deviation from 25')
- Front (Garage Door): 20'
- Side: 5'
- Rear (Primary Structure): 15' (Deviation from 20')
- Rear (Accessory Structure): 5'
- Minimum lot size: 4,000 sq. ft. (Deviation from 6,000 sq. ft)
- Minimum lot width: 40' (deviation from 60') *
- Maximum lot coverage (primary structure): 75%
- Maximum lot coverage (accessory structure): 15%

* Implementation of 40' wide lots within the single-family detached pods shall be limited by, and subject to, satisfaction of the following criteria for such 40' wide lots:

- (i) Monotony Control: Single-family detached homes built-for-sale on 40' lots shall be required to address the following requirements to avoid architectural monotony:
 - (1) A proposed home shall have two different architectural features (as defined below) from the two houses on either side of it that face the same street.
 - (2) A proposed home shall differ in architectural features (as defined below) from the house(s) directly across the street (i.e., the house directly across the street, but not diagonal or those on either side of the house directly across the street).
- (ii) Architectural Features: To establish a difference in architectural features between homes of the same model type facing a street or mews, a minimum of two (2) architectural features shall differ on such same models built-for-sale on 40-foot lots. These features may include different: colors, materials (e.g., stucco, siding, brick, stone, etc.), elevations, arrangement of openings such as windows and doors, gables and eaves, dentils, cornices, trim, division of lights within windows, variation of building elevation (i.e., height, recessed planes etc.), porches, porticos, dormers, location of garage (left, right, or rear), ornamental or decorative garage doors, ornaments such as medallions, shutters, etc., and color or material of rooftops (e.g., shingles, tiles, etc.). If different models of homes are adjacent to or across from each other, monotony is avoided. In addition:
 - (1) For the rear of homes that back-up to or face a street, the differing appearance shall be accomplished, at a minimum, by the reversal of floor plans or changes in material colors.

- (2) No more than 20% of garages shall protrude more than 8 feet beyond the roof line of each single family detached unit built-for-sale, and each such garage (protruding more than 8 feet beyond the roof line) shall contain decorative garage fronts.
- (iii) Streetscape Tree Requirements: Each single family detached home built-for-sale on a 40' lot shall have at least one (1) of its required lot trees on or in front of the lot, which tree(s) may either be a street tree (in the front of the lot) or a lot tree (in the lot front yard).

Residential (Townhomes)

- Front: 10' (deviation from 25')
- Side (primary structure-Internal): 0' (deviation from 10')
- Side (primary structure-external): 10'
- Side (Accessory structure): 5'
- Building separation: 10'
- Rear (primary structure): 15' (deviation from 20')
- Rear (accessory Structure): 5'
- Minimum lot size: 3500 sq. ft. (deviation from 6,000 sq. ft.)
- Minimum lot width: 35' (deviation from 60)
- Maximum lot coverage (primary structure): 75%
- Maximum lot coverage (accessory structure): 15%

Residential (single-family attached):

- Front (primary structure): 0' (deviation from 25')
- Front (garage door): 20'
- Side (primary structure): 0' (deviation from 10')
- Building separation: 10'
- Rear: 0' (deviation from 20')
- Minimum lot size: 900 sq. ft. (deviation from 6,000 sq. ft.)

Residential (multi-family building with common parking):

- Front (primary structure): 0' (deviation from 25')
- Side: 0' (deviation from 15')
- Rear: 0' (deviation from 20')
- Garage door: 20'
- Maximum lot coverage: 100% (primary structure)

Maximum building heights:

- Non-residential height: 65' (deviation from 45')
- Multi-family height: 65' (deviation from 45')
- Single family attached height: 45' (deviation from 35')
- Single family detached height: 35'

Minimum lot frontage on a curve or cul-de-sac will be as follows:

- 40' wide SF Lot 25'
- 50' wide SF Lot 35'
- 60' wide SF Lot 35'
- 70' wide Villa Lot 50'
- 60' wide townhome cluster (4 units) 45'

The applicable developer(s) shall provide the following perimeter buffers in the following designated areas of the Project:

- Northern -SR 50 Frontage Only 20' landscape buffer -dev from 35'
- East - Kettering Road Frontage Only 20' landscape buffer-dev from 35'
- East – Ridge manor WWTP 20' natural/enhanced
- East – Remaining Boundary no buffer required
- West - I-75 Interstate ROW 40' natural/enhanced
- West – Adjacent to FDOT or Project DRA's 20' natural/enhanced
- Southern Boundary – North of Dashbach Road 15' natural/enhanced

Buffer petitioner must submit cross section showing planting materials by type (trees, shrubs, and ground cover) at every conditional plat.

At the developer's option, fencing along the perimeter and interior of Sunrise can be added to proposed buffer areas; where possible fencing will blend into the natural landscape of the area but will be supplemented with natural vegetation/screening as necessary. The developer(s)' fencing options may include materials such as PVC (non-white), decorative black aluminum (wrought iron style), mason/Symtec, stone and/or brick wall(s) consistent with project identification and entry monumentation features.

PARKS AND OPEN SPACE

The Oak Hammock Preserve/Passive Park area identified within the northern Mixed-Use Area on the Master Plan, and the Water Preserve/Passive Park area identified in the southern Residential Area on the Master Plan, will be interconnected with the project trails, and shall count toward required open space and neighborhood park acreage. Any other perimeter buffer areas or preservation areas identified on the Master Plan will count as open space but will not count toward required neighborhood park acreage.

Open space and connectivity plan shall be submitted at the first conditional plat and revised every conditional plat thereafter. By way of clarification, the initial master open space and connectivity plan will provide for a primary, central trail along Sunrise Parkway through the entirety of the project, with future connection to the internal trails within each development pod. However, the details of the internal trail system within each development pod and the open spaces within each development pod, will only be delineated and added to the master open space and connectivity plan, as each proposed conditional plat is provided for such development pod.

ENTITLEMENT TRACKING

- Pending the commencement of site development for each respective development phase of the Project, any, or all the undeveloped portions of the Property shall be allowed to continue interim agriculture and/or silviculture uses on such undeveloped portions of the Property, pending full and complete development of the Project.
- At each conditional plat, the applicable developer shall be required to provide the number and type of residential units and square feet of non-residential (on an aggregated basis to such date) versus total allowed for each of the Residential Area and Mixed-Use Area), as applicable.
- The master developer for the Residential Area shall generate a project absorption schedule, differentiating age-restricted and non-age-restricted dwelling units. This schedule shall be updated on an annual basis based upon actual home occupancy and shall be provided to the Hernando County School District and the Hernando County Planning Department, for long-term planning purposes.
- Beginning five years after approval of this Master Plan, and continuing every 600th residential unit thereafter until buildout, the Residential Area master developer shall complete and submit the traffic monitoring reports specified in the companion Development Agreement.

LIGHTING

Enhanced lighting beyond minimum standards shall be required as follows:

- Lighting throughout the Project shall be designed to shield the night sky. Shielding means a fixture, either directly from the lamp or indirectly from a fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.

- Internal residential area lighting shall not exceed 18 feet in height with full cut-off fixtures.
- Street and parking lot lighting shall be oriented downward with full electrical cut-off fixtures. Fifty percent of all lighting fixtures within parking lots shall be turned off within one hour after closing or between 11:00 pm and sunrise, whichever occurs first.
- Solar streetlighting shall be allowed within public or private road rights-of way areas. All street lighting shall be privately owned by the developer or its designee, and/or operated by the HOA, CDD or the Developer, at the Developer's sole election.

FINDINGS OF FACT:

The petitioner's request for a Master Plan Revision on the subject Property previously zoned CPDP/(Combined Planned Development Project), including PDP(SF)/Planned Development Project (Single-Family), PDP(MF)/Planned Development Project (Multifamily), PDP(MU)/Planned Development Project (Mixed Use), PDP(REC), Planned Development Project (Recreation) and PDP(HC)/Planned Development Project (Highway Commercial) with deviations is appropriate as it is consistent with the Comprehensive Plan, specifically the I-75/S.R. 50 Planned Development District and the previously approved Development of Regional Impact and will not cause any adverse impact to the surrounding community.

NOTICE OF APPLICANT RESPONSIBILITY:

The rezoning process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of Concurrency. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowner's associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.

STAFF RECOMMENDATION:

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the Petitioner's request for a Master Plan Revision on the subject Property previously zoned CPDP/(Combined Planned Development Project), including PDP(SF)/Planned Development Project (Single-Family), PDP(MF)/Planned Development Project (Multifamily), PDP(MU)/Planned Development Project (Mixed Use), PDP(REC), Planned Development Project (Recreation) and

PDP(HC)/Planned Development Project (Highway Commercial) with deviations (the “Project”), subject to the following performance conditions:

1. The applicable developer(s) must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations (unless provided otherwise herein or in the companion Development Agreement approved on even date herewith), for either construction or use of the property, and complete all applicable development review processes, for each phase or portion of the Project, as applicable:

2. The Project is approved for the entitlements outlined in the Land Use Schedule below. All public facilities and other supporting or ancillary facilities are also approved as referenced herein or in the Development Agreement, as may be amended from time to time:

Land Use	Dwellings	Square Feet	Units
MIXED USE AREA			
Multi-Family Residential*	600		
Commercial **, Office, Mini-Warehouse		415,000	
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are separate and apart from the 415,000 sf of Commercial/Office/Mini-Warehouse uses approved for the Mixed-Use Area on the Master Plan).

Note: Certain land uses may be exchanged on a trip-equivalent basis in accordance with the Land Use Equivalency Matrix (LUEM) approved as Exhibit C to the Development Agreement; provided, however, that as set forth in the LUEM, exchanges from/to residential entitlements and non-residential entitlements shall not be allowed, unless separately approved by the Planning Department at such time.

3. Perimeter buffers may be used for interconnectivity; however, any pedestrian paths within perimeter buffers shall consist of natural, permeable materials (no concrete or asphalt).
4. At each conditional plat, the applicable developer shall be required to provide the following land use entitlement tracking:
 - Number and type of residential units and square feet of non-residential (on an aggregated basis to such date) versus total allowed for each of the Residential Area and Mixed-Use Area), as applicable.
5. The master developer for the Residential Area shall generate a project absorption schedule, differentiating age-restricted and non-age-restricted dwelling units. This schedule shall be updated on an annual basis based upon actual home occupancy and shall be provided to the Hernando County School District and the Hernando County Planning Department, for long-term planning purposes.
6. The applicable developer(s) shall maintain the following perimeter building setbacks for the following Project boundaries:
 - From I-75 Interstate ROW 75' residential; 35' non-residential
 - From I-75 FDOT DRAs 35'
 - From SR 50 75' residential; 35' non-residential
 - From Kettering Road 50' residential; 35 non-residential
 - From Remaining Eastern Boundary 35'
 - From Southern Boundary/Dashbach ROW 35'
 - From Cracker Crossing Blvd: 35'
7. The developer(s) shall maintain the following minimum internal lot building setbacks and dimensional criteria:

Non-Residential:

 - Front (Structure to Parking): 5'
 - Front (Structure to Public right-of-way): 0'
 - Side (Structure to Structure): 5'
 - Side (Structure to Parking): 5'
 - Side (Structure to Public right of way): 0'

- Rear (Structure to Parking): 5'
- Rear (Structure to public right of way): 0'
- Maximum lot coverage: 100%

When non-residential lots are adjacent to the project perimeter, the perimeter setbacks shall govern setbacks for individual development areas as appropriate.

Residential (single-family detached lots):

- Front (Primary Structure): 10' (Deviation from 25')
- Front (Garage Door): 20'
- Side: 5'
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- Minimum lot size: 4,000 sq. ft. (Deviation from 6,000 sq. ft)
- Minimum lot width: 40' (deviation from 60') *
- Maximum lot coverage (primary structure): 75%
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* Implementation of 40' wide lots within the single-family detached pods shall be limited by, and subject to, satisfaction of the following criteria for such 40' wide lots:

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 - (iii)
 - (3) A proposed home shall have two different architectural features (as defined below) from the two houses on either side of it that face the same street.
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- (ii) Architectural Features: To establish a difference in architectural features between homes of the same model type facing a street or mews, a minimum of two (2) architectural features shall differ on such same models built-for-sale on 40-foot lots. These features may include different: colors, materials (e.g., stucco, siding, brick, stone, etc.), elevations, arrangement of openings such as windows and doors, gables and eaves, dentils, cornices, trim, division of lights within windows, variation of building elevation (i.e., height, recessed planes etc.), porches, porticos, dormers, location of garage (left,

right, or rear), ornamental or decorative garage doors, ornaments such as medallions, shutters, etc., and color or material of rooftops (e.g., shingles, tiles, etc.). If different models of homes are adjacent to or across from each other, monotony is avoided. In addition:

- (3) For the rear of homes that back-up to or face a street, the differing appearance shall be accomplished, at a minimum, by the reversal of floor plans or changes in material colors.
- (4) No more than 20% of garages shall protrude more than 8 feet beyond the roof line of each single family detached unit built-for-sale, and each such garage (protruding more than 8 feet beyond the roof line) shall contain decorative garage fronts.

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- Minimum lot width: 35' (deviation from 60)
- Maximum lot coverage (primary structure): 75%
- Maximum lot coverage (accessory structure): 15%

Residential (single-family attached):

- Front (primary structure): 0' (deviation from 25')
- Front (garage door): 20'
- Side (primary structure): 0' (deviation from 10')
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- Rear: 0' (deviation from 20')
- Minimum lot size: 900 sq. ft. (deviation from 6,000 sq. ft.)

Residential (multi-family building with common parking):

- Front (primary structure): 0' (deviation from 25')
- Side: 0' (deviation from 15')
- Rear: 0' (deviation from 20')
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- Maximum lot coverage: 100% (primary structure)

Maximum building heights:

- Non-residential height: 65' (deviation from 45')
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- 40' wide SF Lot 25'
- 50' wide SF Lot 35'
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- 60' wide townhome cluster (4 units) 45'

8. The applicable developer(s) shall provide the following perimeter buffers in the following designated areas of the Project:

- Northern -SR 50 Frontage Only 20' landscape buffer -dev from 35'
- East - Kettering Road Frontage Only 20' landscape buffer-dev from 35'
- East – Ridge manor WWTP 20' natural/enhanced
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9. The Oak Hammock Preserve/Passive Park area identified within the northern Mixed-Use Area on the Master Plan, and the Water Preserve/Passive Park area identified in the southern Residential Area on the Master Plan, will be interconnected with the project trails, and shall count toward required open space and neighborhood park acreage. Any other perimeter buffer areas or preservation areas identified on the Master Plan will count as open space but will not count toward required neighborhood park acreage.

10.

11. All streets internal to the Project may be public or private except for Sunrise Parkway and Cracker Crossing Blvd., which shall be open to the public. Private roads within single family or multifamily tracts may be gated with provision for emergency vehicle

access in accordance with the requirements of the Hernando County Fire and Emergency Services Department and the Hernando County Facility Design Guidelines. Private roads will be owned, operated, and maintained by the developer(s) designated CDD and/or Property Owners Association(s).

12. The Mixed-Use Area along the SR 50 Frontage shall be allowed two (2) access points to SR 50 between Sunrise Parkway and Kettering Road, subject to FDOT driveway connection permits.
13. Cracker Crossing Blvd. Extension shall be considered the Project's reverse frontage road and shall be deemed to meet all such requirements for the Mixed-Use Area. To ensure compatibility for the multi-family, retail and office uses within the Mixed-Use Area, through-truck traffic shall be prohibited on Cracker Crossing Blvd. Extension, other than local deliveries servicing the commercial/office uses within the Mixed-Use Area itself.
14. MAK Boulevard will be an optional internal Project roadway; however, in the event the adjacent Kettering Road parcel is actually utilized by the County for the East Government Center Site and/or by the School district for the School Site (as referenced in the Development Agreement), then the master developer for the Residential Area shall construct MAK Boulevard from Sunrise Parkway to the east Project Boundary, for connection (by the County or School District, as applicable) to the East Government Center Site and/or School Site. In the interim, this access area and other direct access point(s) to Kettering Road may be utilized as a construction access/haul roads for the Project as approved by the County Engineer.
15. The Residential Area master developer shall construct Sunrise Parkway as a 4-lane divided collector in accordance with the Development Agreement. As a divided boulevard, Sunrise Parkway will be considered to have met the "two entrance requirement" to a residential subdivision until such time as a second external connection is available for the Project.
16. Covenant, Conditions and Restrictions (CC&Rs) will be established to govern development within the C/PDP. The CC&Rs shall implement the applicable requirements of the zoning and Development Agreement and provide for enforcement by the developer(s) designated CDD(s) and/or Property Owners Association(s). The CC&Rs will be submitted to Hernando County for review and comment prior to final plat approval for each phase. The CC&Rs shall be recorded against those portions of the Development subject to such plat.

17. A geotechnical report prepared by a qualified professional shall be used in the design and layout of the Project and shall be submitted to the County at time of and in connection with the conditional platting of each phase to ascertain that the applicable developer has used its best efforts to avoid adverse impacts to sensitive karst and subsurface features in the overall project design and layout of the project.
18. At the developer's option, fencing along the perimeter and interior of Sunrise can be added to proposed buffer areas; where possible fencing will blend into the natural landscape of the area but will be supplemented with natural vegetation/screening as necessary. The developer(s)' fencing options may include materials such as PVC (non-white), decorative black aluminum (wrought iron style), mason/Symtec, stone and/or brick wall(s) consistent with project identification and entry monumentation features.
19. Beginning five years after approval of this Master Plan, and continuing every 600th residential unit thereafter until buildout, the Residential Area master developer shall complete and submit the traffic monitoring reports specified in the companion Development Agreement.
20. With the submittal of construction plans for each phase, the applicable developer shall provide the following materials for review:
 - Soil borings shall be used to verify that a minimum of five (5) feet of suitable soil cover is maintained between each drainage retention area (DRA) bottom and any subsurface limestone rock strata, limestone pinnacles or potential karst connections. In the event another regulatory agency with jurisdiction requires a greater separation depth than 5', compliance with that agency's greater depth shall be required.
 - BMPs for wetland protection (if applicable); control of siltation and turbidity during construction; minimization of site disturbance and wind erosion.
 - Low Impact Development (LID) design techniques (where reasonably feasible) as part of the stormwater plan.
21. If archaeological artifacts are discovered during site development construction, the applicable developer shall stop construction in that area and immediately notify the County, WRPC, DEO, and the Division of Historical Resources of the Florida Department of State.
22. Invasive plant species shall be removed during the site development process as required by the associated permitting agencies, environmental reports, and development review processes.

23. The C-PDP Zoning and Master Plan shall remain valid as long as the development proceeds in accordance with the terms of the Development Agreement, for the duration of the Development Agreement.
24. All the foregoing performance conditions are intended to conform to the companion Development Agreement for Sunrise, and not to alter any requirement or condition of the Development Agreement. In the event of a conflict between the Development Agreement, these performance conditions, and any County land use regulations or ordinances, the Development Agreement shall supersede and control. This notwithstanding, any applicable County Ordinance containing additional details or regulations, which do not conflict with the provisions of the Development Agreement, shall govern the actions of the developer(s).
25. The location and design of the optional lagoon complex amenity will not require a Master Plan Revision.
26. Pending the commencement of site development for each respective development phase of the Project, any, or all the undeveloped portions of the Property shall be allowed to continue interim agriculture and/or silviculture uses on such undeveloped portions of the Property, pending full and complete development of the Project.
27. Enhanced lighting beyond minimum standards shall be required as follows:
- Lighting throughout the Project shall be designed to shield the night sky. Shielding means a fixture, either directly from the lamp or indirectly from a fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.
 - Internal residential area lighting shall not exceed 18 feet in height with full cut-off fixtures.
 - Street and parking lot lighting shall be oriented downward with full electrical cut-off fixtures. Fifty percent of all lighting fixtures within parking lots shall be turned off within one hour after closing or between 11:00 pm and sunrise, whichever occurs first.
 - Solar streetlighting shall be allowed within public or private road rights-of way areas. All street lighting shall be privately owned by the developer or its designee, and/or operated by the HOA, CDD or the Developer, at the Developer's sole election.
28. Open space and connectivity plan shall be submitted at the first conditional plat and revised every conditional plat thereafter. By way of clarification, the initial master open space and connectivity plan will provide for a primary, central trail along Sunrise Parkway through the entirety of the project, with future connection to the internal trails within each development pod. However, the details of the internal trail system within

each development pod and the open spaces within each development pod, will only be delineated and added to the master open space and connectivity plan, as each proposed conditional plat is provided for such development pod.

29. The petitioner shall provide a revised Master Plan in compliance with all the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.