

ORANGE COUNTY

PLANNING DIVISION

2023-1 REGULAR

CYCLE

AMENDMENTS

2010 - 2030 COMPREHENSIVE PLAN

BOARD OF COUNTY COMMISSIONERS

MAY 2, 2023
TRANSMITTAL PUBLIC HEARING

PREPARED BY:
ORANGE COUNTY PLANNING, ENVIRONMENTAL
AND DEVELOPMENT SERVICES

PLANNING DIVISION
COMPREHENSIVE PLANNING SECTION





Interoffice Memorandum

April 18, 2023

TO: Mayor Jerry L. Demings
-AND-
County Commissioners (BCC)

FROM: Alberto A. Vargas, MArch., Manager, Planning Division 

THROUGH: Tim Boldig, Interim Director
Planning, Environmental, and Development Services Department

SUBJECT: 2023-1 Regular Cycle Comprehensive Plan
Amendments 2023-1-A-3-1 and 2023-1-B-FLUE-2
(Dean Road Multifamily)
Board of County Commissioners (BCC) Transmittal Public Hearing

2023-1 Regular Cycle Comprehensive Plan Amendments 2023-1-A-3-1 and 2022-2-B-FLUE-2 are scheduled for a BCC transmittal public hearing on May 2, 2023. These amendments were heard by the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) at a transmittal public hearing on March 16, 2023, and recommended to be transmitted.

The subject property is located south of E. Colonial Drive on the west side of Dean Road. The request is to change the Future Land Use Map designation from Office (O) and Low-Medium Density Residential (LMDR) to Planned Development-Medium Density Residential/Conservation (PD-MDR/CONS).

A community meeting was held for the request on February 15, 2023, with 43 residents in attendance with general concern for building height.

Following the BCC transmittal public hearing, the proposed amendments will be transmitted to the Florida Department of Economic Opportunity (DEO) and other State agencies for review and comment. Staff expects to receive comments from DEO and/or the other State agencies in June 2023. Pursuant to 163.3184, Florida Statutes, the proposed amendments must be adopted within 180 days of receipt of the comment letter.

Any questions concerning this document should be directed to Alberto A. Vargas, MArch, Manager, Planning Division, at (407) 836-5802 or Alberto.Vargas@ocfl.net or Jason Sorensen, AICP, Chief Planner at (407) 836-5602 or Jason.Sorensen@ocfl.net.

AAV/jhs/sw

Enc: 2023-1 Regular Cycle Amendments 2023-1-A-3-1 and 2023-1-B-FLUE-2

BCC Transmittal Staff Report

c: Jon V. Weiss, P.E., Deputy County Administrator
Joel Prinsell, Deputy County Attorney
Whitney Evers, Assistant County Attorney
Roberta Alfonso, Assistant County Attorney
Jason Sorensen, AICP, Chief Planner, Planning Division
Olan D. Hill, AICP, Assistant Manager, Planning Division
Nicolas Thalmueller, AICP, Planning Administrator, Planning Division
Read File

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	Office (O) and Low-Medium Density Residential (LMDR) to Planned Development-Medium Density Residential/Conservation (PD-MDR/CONS)	
	Text amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County, associated with Amendment 2023-1-A-3-1	

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2023-1 Regular Cycle State Expedited Review Comprehensive Plan Amendments
Privately Initiated Future Land Use Map Amendment

Amendment Number	Concurrent Rezoning or Substantial Change	Owner	Agent	Tax ID Number(s)	General Location / Comments	BCC Commission District	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:	Zoning Map Designation FROM:	Zoning Map Designation TO:	Acreage	Project Planner	Staff Rec	LPA Rec
2023-1-A-3-1 Dean Road Multifamily	LUP-22-12-387 (Dean Road Multifamily)	Manohar H. Jain Trustee; Chainers Land Trust; and Pique Land Trust	Eric Raasch, Inspire Placemaking Collective, Inc.	19-22-31-0000-00-023; 19-22-31-0000-00-024; 19-22-31-0000-00-070 (portion east of Little Econlockhatchee River)	1410 N. Dean Rd. and 1480 N. Dean Rd.; generally located west of N. Dean Rd., south of E. Colonial Dr., north of River Crest Ct., and east of N. Econlockhatchee Trl.	3 - Mayra Uribe	Office (O) and Low-Medium Density Residential (LMDR)	Planned Development-Medium Density Residential/Conservation (PD-MDR/CONS)	P-O (Professional Office District); R-T (Mobile Home Park District); R-CE (Country Estate District); and R-1 (Single-Family Dwelling District)	PD (Planned Development District) (Dean Road Multifamily PD)	42.10 gross ac. 21.40 net developable ac.	Sue Watson	Transmit	Transmit (6-1)
2023-1 Regular Cycle Comprehensive Plan Amendments Staff Initiated Comprehensive Plan Text Amendment														
Amendment Number	Sponsor	Description of Proposed Changes to the 2010-2030 Comprehensive Plan (CP)										Project Planner	Staff Rec	LPA Rec
2023-1-B-FLUE-2 (FLU6.1.4)	Planning Division	Text amendment to Future Land Use Element Policy FLU6.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County, associated with Amendment 2023-1-A-3-1										Sue Watson	Transmit	Transmit (6-1)

ABBREVIATIONS INDEX:

ABBREVIATIONS INDEX: IND-Industrial; C-Commercial; O-Office; LDR-Low Density Residential; LMDR-Low-Medium Density Residential; MDR-Medium Density Residential; HDR-High Density Residential; PD-Planned Development; EDU-Educational; CONS-Wetland/Conservation; PR/OS-Parks/Recreation/Open Space; OS-Open Space; R-Rural/Agricultural; RS-Rural Settlement; RS-1-Rural Settlement 1/1; RS-1/2-Rural Settlement 1/2; RSLD-2/1-Rural Settlement Low Density; GC-Growth Center; LP-Lake Picket; PD-Planned Development; USA-Urban Service Area; WB-Water Body; CP-Comprehensive Plan; FLUM-Future Land Use Map; FLUE-Future Land Use Element; TRAN-Transportation Element; GOPS-Goals, Objectives, and Policies; OBJ-Objective; A-2-Farmland Rural District; R-CE-Country Estate District; RCE-6-Rural Country Estate Residential District; PD-Planned Development District; PD-RP-Planned Development-Regulating Plan; PD-RS-Planned Development-Rural Settlement; SR-State Road; AC-Acres

2023 FIRST REGULAR CYCLE AMENDMENT TO THE 2010-2030 COMPREHENSIVE PLAN TRANSMITTAL PUBLIC HEARING

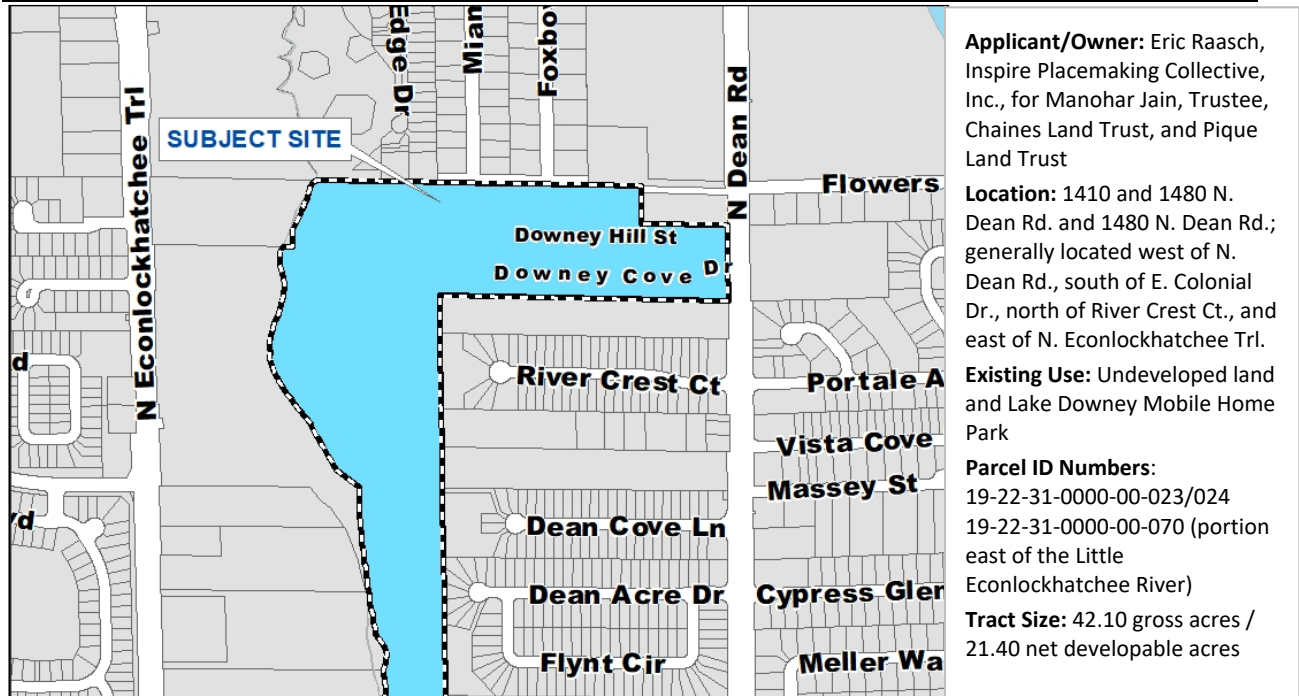
INTRODUCTION

This is the Board of County Commissioners (BCC) transmittal staff report for proposed First Regular Cycle Amendments 2023-1-A-3-1 and 2023-1-B-FLUE-2 to the Future Land Use Map (FLUM) and Comprehensive Plan (CP). These amendments were heard by the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) at a transmittal public hearing on March 16, 2023, and are scheduled for a transmittal public hearing before the BCC on May 2, 2023.

The 2023-1 Regular Cycle Amendments include a privately-initiated map amendment located in District 3 and an associated staff-initiated text amendment. Since this is the transmittal stage for these amendments, there will be a second round of public hearings for adoption after the Florida Department of Economic Opportunity (DEO) and other State agencies complete their review of the proposed amendments and provide comments, expected in June 2023.

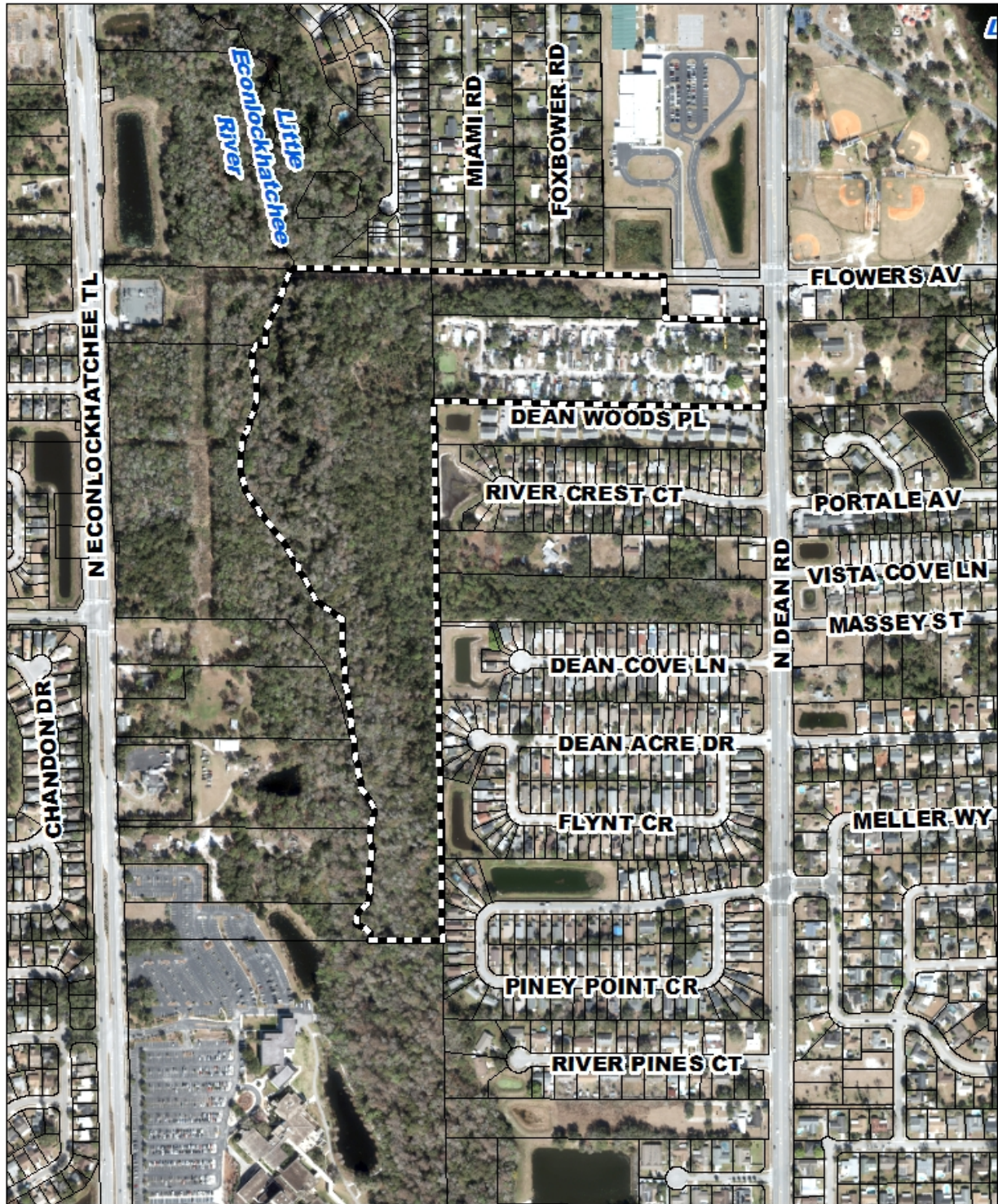
Once the Regular Cycle amendments have been adopted by the BCC, they will become effective 31 days after DEO notifies the County that the plan amendment package is complete.

Any questions concerning this document should be directed to Alberto A. Vargas, MArch., Manager, Planning Division, at (407) 836-5802 or Alberto.Vargas@ocfl.net, or Jason Sorensen, AICP, Chief Planner, at (407) 836-5602 or Jason.Sorensen@ocfl.net.



The following meetings and hearings have been held for this proposal:			Project Information	
Report/Public Hearing		Outcome	Request: Office (O) and Low-Medium Density Residential (LMDR) to Planned Development-Medium Density Residential/Conservation (PD-MDR/CONS)	
✓	Community Meeting February 15, 2023 2,054 notices sent; 43 people in attendance	Mixed - Some residents were in favor of the proposal, and some were opposed to the proposal.		
✓	Staff Report	Recommend Transmittal	Proposed Development Program: Up to 420 multi-family dwelling units.	
✓	LPA Transmittal March 16, 2023	Recommend Transmittal (6-1)		
	BCC Transmittal	May 2, 2023	Public Facilities and Services: Please see the Public Facilities Analysis Appendix for specific analysis of each public facility. Transportation: The proposed use will generate 164 p.m. peak hour trips, resulting in a decrease of 180 p.m. peak hour trips. Environmental: Conservation Area Determination CAD-22-01-006 was issued on January 6, 2023, with an expiration date of January 6, 2028. Schools: Per School Capacity Determination OC-22-071, dated February 6, 2023, capacity is not available at University High School. The mitigation of 26.0 seats will be required. This determination expires August 2, 2023.	
	State Agency Comments	TBD		
	LPA Adoption	TBD	Concurrent Rezoning: Case LUP-22-12-387 A proposed rezoning from P-O (Professional Office District), R-T (Mobile Home Park District), R-1 (Single-Family Dwelling District), and R-CE (Country Estate District) to PD (Planned Development District) (Dean Road Multi-Family PD/LUP) is proceeding through DRC review and is expected to be considered in conjunction with the requested Future Land Use Map Amendment during the adoption public hearing stage.	
	BCC Adoption	TBD		

2023-1-A-3-1



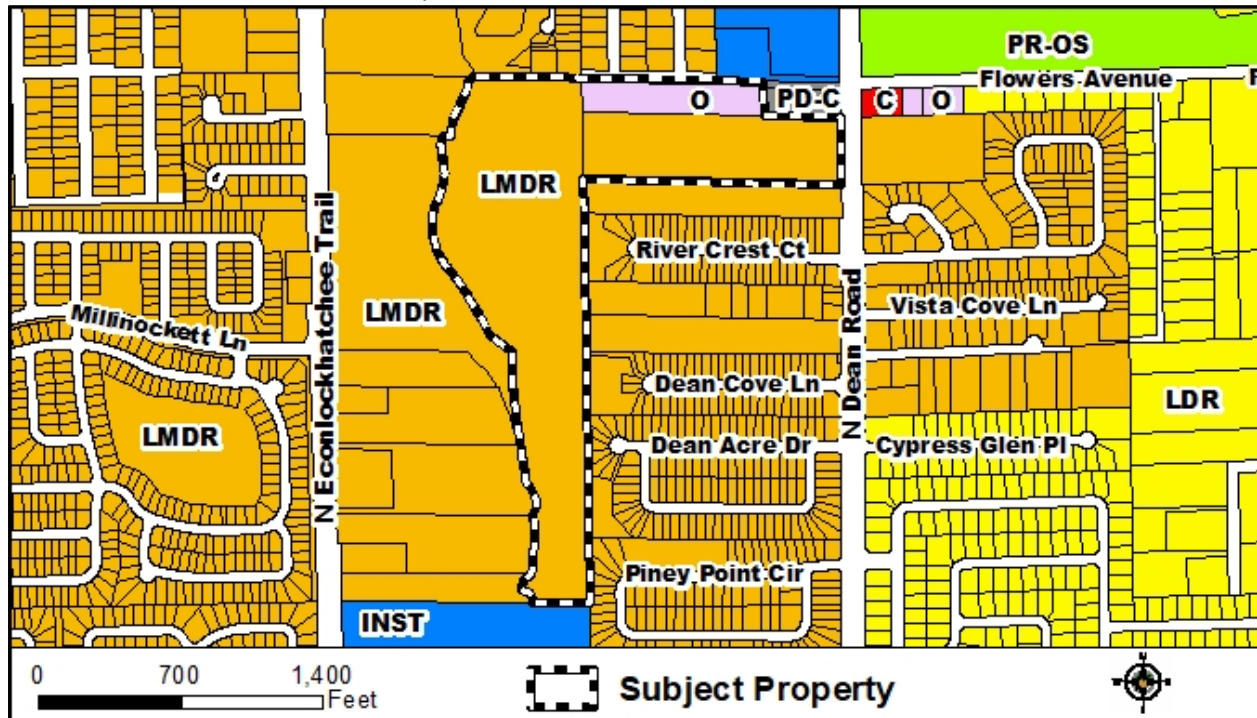
 Subject Property



0 445 890
Feet

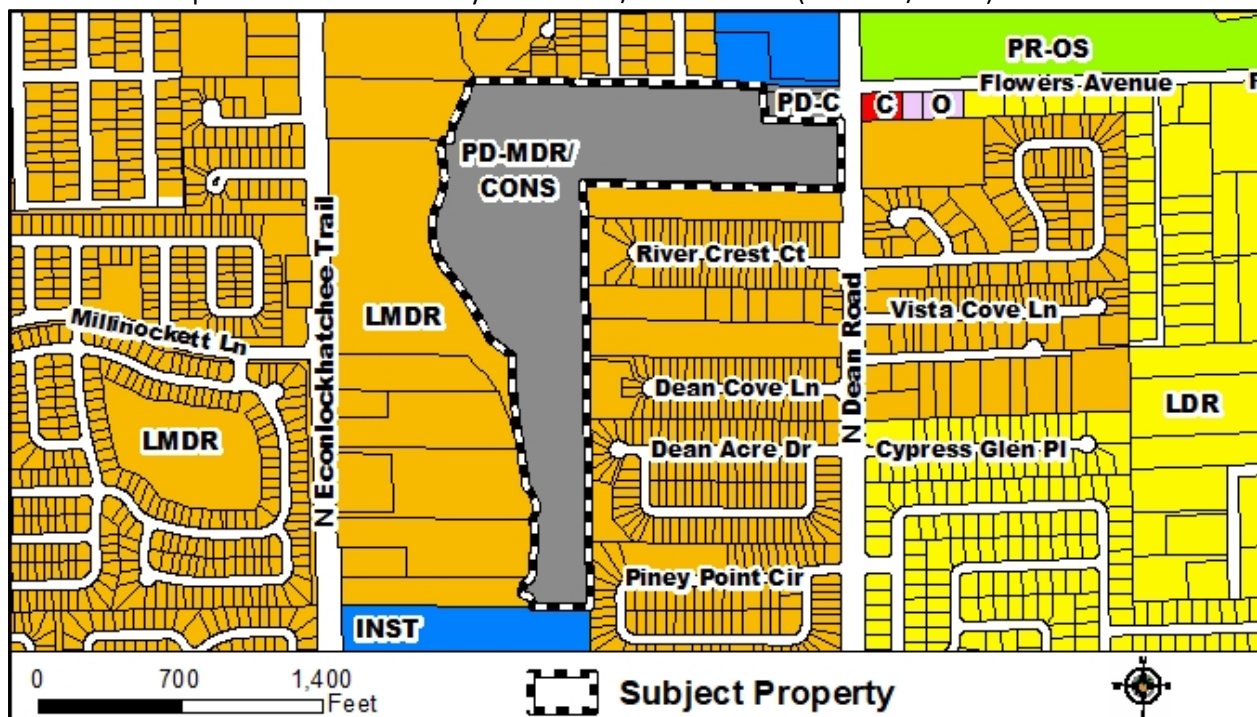
FUTURE LAND USE - CURRENT

Office (O) and Low-Medium Density Residential (LMDR)



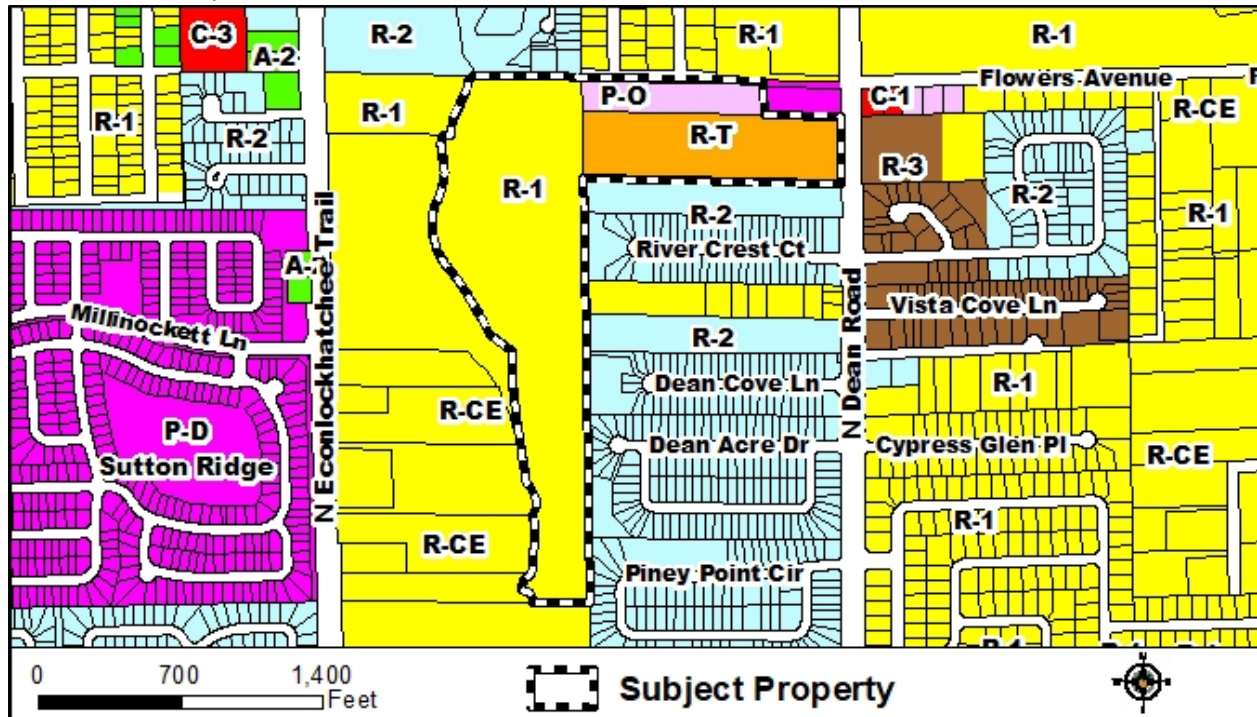
FUTURE LAND USE - PROPOSED

Planned Development- Medium Density Residential/Conservation (PD-MDR/CONS)



ZONING – CURRENT

P-O (Professional Office District), R-T (Mobile Home Park District), R-1 (Single-Family Dwelling District), and R-CE (Country Estate District)



STAFF RECOMMENDATION

1. **FUTURE LAND USE MAP AMENDMENT 2023-1-A-3-1:** Make a finding that the information contained in the application for the proposed amendment is sufficiently complete; that the proposed amendment has the potential to be found “in compliance,” as defined by Section 163.3184(1)(b), Florida Statutes; and recommend to the Local Planning Agency that the amendment, 2023-1-A-3-1, be **TRANSMITTED** to the state reviewing agencies.
2. **FUTURE LAND USE TEXT AMENDMENT 2023-1-B-FLUE-2:** Make a finding the proposed amendment has the potential to be found “in compliance,” as defined by Section 163.3184(1)(b), Florida Statutes; and recommend to the Local Planning Agency that Amendment 2023-1-B-FLUE-2, to include the development program for Amendment 2023-1-A-3-1 in Future Land Use Element Policy FLU8.1.4, be **TRANSMITTED** to the state reviewing agencies.

ANALYSIS

1. Background and Development Program

The applicant, Eric Raasch, has requested to change the Future Land Use Map (FLUM) designation of the 42.10-acre site from Office (O) and Low-Medium Density Residential (LMDR) to Planned Development-Medium Density Residential/Conservation (PD-MDR/CONS). The subject property consists of approximately 21.40 acres of developable land and 20.70 acres of wetlands. The applicant is proposing a development program of up to 420 multi-family dwelling units. The present O FLUM designation allows for the consideration of professional office development with a maximum floor area ratio (FAR) of 1.25, and the LMDR classification permits residential activity at a maximum net density of ten (10) dwelling units per acre. The MDR FLUM designation requested by the applicant allows for residential development at a maximum net density of twenty (20) dwelling units per acre, with the proposed Conservation (CONS) map overlay intended to recognize lands designated for the conservation of natural resources. The applicant has communicated that the onsite wetlands and upland buffers associated with the Little Econlockhatchee River will be preserved.

On January 6, 2023, the Orange County Environmental Protection Division (EPD) issued Conservation Area Determination CAD-22-01-006, with an expiration date of January 6, 2028. The CAD established the upland, wetland, and surface water acreages for Parcels 19-22-31-0000-00-00-023, 19-22-31-0000-00-00-024, and 19-22-31-0000-00-00-070 (both east and west of the Little Econlockhatchee River). Per the approved CAD, there are approximately a total of 24.62 acres of delineated Class I wetland and Class III surface water wetland onsite and approximately a total of 33.035 acres of upland onsite, totaling 57.65 acres of wetland and upland for the three parcels.

The 42.10-acre subject property is comprised of Parcels 19-22-31-0000-00-00-023, 19-22-31-0000-00-00-024, and a portion of 19-22-31-0000-00-00-070 (the portion east of the Little Econlockhatchee River). Parcel 19-22-31-0000-00-00-023, a 3.45-acre undeveloped parcel, is zoned P-O (Professional Office District) and has a corresponding Office (O) FLUM designation. Under the FAR cap of 1.25, up to 187,852 square feet of office space could be constructed. Parcel 19-22-31-0000-00-00-024 is a developed 62-lot mobile home park, Lake Downey Mobile Home Park. Parcel 19-22-31-0000-00-00-024 has a R-T (Mobile Home Park District) zoning classification and a corresponding LMDR FLUM designation. Parcel

19-22-31-0000-00-024 contains 9.81 gross acres, of which 9.55 acres are upland and 0.25 acres are classified as surface water Class III wetland. Parcel 19-22-31-0000-00-070 (portion east of Little Econlockhatchee River) is undeveloped. The majority of the parcel is zoned R-1 (Single-Family Dwelling District), with a small sliver zoned R-CE (Country Estate District), and it has a corresponding LMDR FLUM designation. This portion of Parcel 19-22-31-0000-00-070, portion east of Little Econlockhatchee River, contains approximately 10.71 acres of upland. Portions of this parcel contain Class I wetland and Class III surface water wetland. Parcel 19-22-31-0000-00-070 (both east and west of Little Econlockhatchee River) contains an approximate total of 24.31 acres of Class I wetland and an approximate total of 0.11 acres of Class III surface water wetland.

The 42.10-acre subject site is located at 1410 and 1480 N. Dean Road; generally located west of N. Dean Road, south of E. Colonial Drive, north of River Crest Court, and east of N. Econlockhatchee Trail. The subject property is located in an area characterized by a mix of commercial, institutional, and residential uses and a variety of housing types, including single-family attached and detached homes and apartments. Union Park Elementary School, Foxbower Manor and Rivers Edge Subdivisions, an Orange County retention pond, and a Family Dollar retail store abuts the subject property immediately to the north. Both the elementary school and the Orange County retention pond have Institutional (INST) FLUM designations and both have corresponding R-1 zoning classifications. The Foxbower Subdivision has both LMDR and Commercial (C) FLUM designations and corresponding R-1 and C-1 (Retail Commercial District) zoning classifications. The Rivers Edge Subdivision has a LMDR FLUM designation and a R-2 (Residential District) zoning classification. The Family Dollar retail store, located immediately north of Lake Downey Mobile Home Park, has a Planned Development-Commercial (PD-C) FLUM designation and is zoned PD (Planned Development District) (Family Dollar Dean & Flowers PD). Undeveloped land and the Little Econlockhatchee River are located west of the subject site and a majority of the parcel is zoned R-1 with a small sliver zoned R-CE. The property has a LMDR FLUM designation.

Currently, this portion of Parcel 19-22-31-0000-00-070 (portion west of the Little Econlockhatchee River) is also the subject of a proposed FLUM Amendment, 2023-1-A-3-2 (Econ Trail Multifamily). The applicant is requesting to change the FLUM designation of the 15.50 gross acre parcel from LMDR to PD-MDR/CONS to develop up to 180 multifamily dwelling units. Dean Woods Place Apartments, a 48-unit apartment complex, is located immediately south and possesses a LMDR FLUM designation and corresponding R-2 zoning classification. Duplexes and detached single-family homes are located further south and east of the subject parcel and are either zoned R-2, R-1, or R-3 (Multiple-Family Dwelling District). All the properties have LMDR FLUM designations. A convenience store, Thank You Come Again/Citgo, is located across the street on N. Dean Road, east of the subject site. It is zoned C-1 and has a corresponding C FLUM designation. Faith United Methodist Church is also located across the street on N. Dean Road, east of the subject site. It has a R-3 zoning classification and a LMDR FLUM designation. Downey Park, an Orange County Park, located across the street at the northeast corner of Flowers Avenue and Dean Road, will provide additional recreational opportunities for residents of the proposed apartment complex. Union Park Middle School is located further north of the subject site, immediately north of E. Colonial Drive. Valencia College East Campus and Polytechnic University of Puerto Rico are located on N. Econlockhatchee Trail, south and west of the subject site.

Orange County Code Violations

Two of the subject property's Parcels (19-22-31-0000-024, Lake Downey Mobile Home Park; and 19-22-31-0000-00-070, undeveloped parcel) have been cited for several code violations by the Orange County Neighborhood Services Division and the Orange County Fire Rescue Office of the Fire Marshal. Listed below are the code violations provided by Neighborhood Services and the Office of the Fire Marshal for each parcel. Per an email dated February 28, 2023, from Mark McSwain, Lead Code Inspector, Orange County Neighborhood Services Division, Code Compliance Section, Cases 589909, 589471, and 582299 are still active, accruing fines, and appear to be worsening. Per an email dated March 1, 2023, from Brian Kmak, Fire Inspector/Training/EMT, Office of the Fire Marshal, the property located at 1410 N. Dean Road (Parcel 19-22-31-0000-00-024, Lake Downey Mobile Home Park), has two Open Notice of Violations with the Office of the Fire Marshal. Report #2 has gone to Special Magistrate where the property owner has been accruing fines of \$1,000 per day since 2019, and unfortunately, the property owner has not made any efforts towards compliance. Mr. Kmak estimates Report #2 has 1,247 days of non-compliance after the Special Magistrate's ruling.

For the Parcel ID#: 19-22-31-0000-00-024 - there is an Incident #: 589909/CEB 2022-449716H – Roof damage on Community Recreation Building.

This violation is still an active violation and has not been corrected as of the writing of this staff report.

For the Parcel ID#: 19-22-31-0000-00-024 - there is an Incident #: 589471/CEB 2021-448993Z – Multiple zoning violations / farm animals in mobile home park. Some of the zoning violations associated with this incident report include not obtaining all applicable permits and meeting all required development standards for unpermitted accessory structures; not obtaining Zoning approval and applicable permits for unpermitted structures/mobile homes or obtaining a demolition permit for the unpermitted structures/mobile homes under Orange County Demolition permits; inoperable and improperly licensed vehicles; outside storage of trash, junk, and debris; dual rear wheeled vehicles parked on the property and/or right-of-way; horses and farm animals (poultry) located on the property; commercial equipment and recreational vehicles located on the property; and unpermitted fencing.

This violation is still an active violation and has not been corrected as of the writing of this staff report.

For the Parcel ID#: 19-22-31-0000-00-024 - there is an Incident #: 544711/SM 2019-411410FR – OCFD/FIRE HYDRANTS.

Report #1 began on 06/24/2022 and was last inspected 02/02/2023 with no resolution.

1. Floor 1 North Side Road – Fire inspector observed along the North SIDE ROAD there were several branches hanging low over the road that would make it difficult for a fire apparatus to fit under. Property failed this inspection. **ACTION REQUIRED:** Trim all trees to provide vertical clearance of no less than 13 feet 6 inches.
2. Floor 1 South Side Road – Fire inspector observed along SOUTH SIDE ROAD numerous vehicles parked on road limiting access for fire apparatus. Property failed this inspection.
ACTION REQUIRED: Fire department access roads shall have an unobstructed width of not less than 20 feet. No vehicles are to be parked on the road.

This violation is still an active violation and has not been corrected at time of writing this staff report.

Report #2 began on 03/04/2019 and has been ruled on by the magistrate and still not corrected as of 02/02/2023.

1. **Floor 1** – Code 18.5.9 – Hydrants Out of Service. Property failed this inspection.

2. **Floor 1** – Code 18.5.7.1 – Hydrant clearance of 36 inches shall be maintained. Property failed this inspection.
3. **Floor 1** – Code 18.5.10.1 – Excerpt: Fire hydrants shall be marked with an approved reflector... Deficiency - Fire hydrants site wide are missing the required blue road way reflector. Property failed this inspection.
4. **Floor 1** – Code 18.2.3.5.1 – Excerpt: Where required by the AHJ, approved signs, approved roadway... Deficiency – A) Unless property owner is relocating hydrants to the roadside, a sign should be placed pointing the direction and notifying each hydrant location. In addition, curb striping must meet Orange County Fire Lane marking Standard 6009. B) Where required by the AHJ, approved signs, approved roadway surface markings, or other approved notices shall be provided and maintained to identify fire department access roads or to prohibit the obstruction thereof or both. Property failed this inspection. This violation is still an active violation and has not been corrected at the time of writing this staff report.

For the Parcel ID#: 19-22-31-0000-00-070 - there is an Incident #: 582299/CEB 2021-440631Z – Transient camp / Trash, junk, debris and a junk vehicle. Some of the zoning violations associated with this incident report include inoperable and improperly licensed vehicles; outside storage of trash, junk, and debris, including but not limited to tarps, tents, shopping carts, grills, tires, consumer garbage, etc. This violation is still an active violation and has not been corrected at the time of writing this staff report.

COMMUNITY MEETING

A community meeting was held for this proposed amendment on February 15, 2023, with 43 residents in attendance. The applicant, Eric Raasch, Inspire Placemaking Collective, Inc., gave an overview of the proposed project. Mr. Raasch stated that the proposed amendment is to construct up to 420 multi-family dwelling units. He also stated that the proposed amendment includes the Lake Downey Mobile Home Park property. Mr. Raasch stated they will not impact the Little Econlockhatchee River, and they will concentrate the proposed units on the north side of the property, with a landscape buffer along the north property line. He stated the clubhouse would be located on Dean Road. Mr. Raasch opened the meeting up for questions and comments. Some of the questions and concerns the citizens had for the proposed amendment were for the building height (four stories), access points, protections for the Little Econlockhatchee River, rental price, will the proposed units be a rental or a condominium project, will the proposed units be on septic, stormwater, traffic concerns, and the impact the proposed multi-family units will have on the local schools.

Mr. Raasch and the proposed developer of the property, Mr. Kamil Salame, Royal Palm Companies (RPC), answered the residents questions and concerns. Mr. Salame stated that the additional supply of rental units will eventually reduce the rental rates in the area. As far as the rental price of the units, he stated that the rental rates will be market rate. The proposed apartments will range from one bedroom to three bedrooms, ranging in size from 700 square feet to 1,400 square feet. Mr. Salame stated the units will only be multi-family residential, not condominiums. As far as the access is concerned, Mr. Raasch stated that they will have two entrances – one at Flowers Avenue and the other at N. Dean Road. One resident requested that they have a fence or barrier wall along the northern property line to separate the single-family residential homes from the multi-family residential. The applicant agreed they could provide fencing as well as provide landscaping. For the traffic concerns, the applicant's traffic engineer stated that the proposed multi-family development will reduce the PM Peak hours trips. With regards to using septic for wastewater, the applicant stated

they will connect to Orange County Utilities' wastewater lines for wastewater. With regards to stormwater, the applicant stated Orange County requires that all stormwater be managed on-site and he stated that the stormwater ponds will be designed to meet all codes.

Some of the residents in attendance were opposed to the proposed apartments because they felt that they were too many units, the height (4 stories), and increased traffic. They stated they would rather see two story buildings rather than four story buildings. A few of the citizens expressed approval for the proposed apartments and also expressed that the proposed apartments will make the neighborhood safer especially with the Lake Downey Mobile Home Park's ongoing code violations, and they hope that they will help clean up the area.

Future Land Use Map Amendment Analysis

CONSISTENCY

The requested FLUM amendment initially appears to be **consistent** with the applicable Goals, Objectives, and Policies of the Comprehensive Plan.

The subject property is located within the County's Urban Service Area (USA) Boundary and is located within an area characterized by a mix of commercial, institutional, residential uses and a variety of housing types including single-family attached and detached homes, and apartments. As mentioned above, the applicant is seeking the PD-MDR/CONS Future Land Use Map designation to allow for the development of the 42.10 gross acre infill site to construct up to 420 multi-family units. It should be noted that per approved Conservation Area Determination CAD-22-01-006, Class I wetland and Class III surface water wetland are present on the site and has reduced the amount of developable acreage to approximately 21.40 acres.

As mentioned previously, the subject property is located in the immediate area of Union Park Elementary School and Union Park Middle School, as well as located in close proximity to Valencia College East Campus and Polytechnic University of Puerto Rico. In addition to its proximity to the educational facilities, the subject site lies in the vicinity of several major employers, including AdventHealth East Orlando and Lockheed Martin, making it well situated for residential development. In addition, the property is located in close proximity to the State Road 417/State Road 408 interchange, providing easy access to downtown Orlando and Interstate-4 to the west, the University of Central Florida to the north, and Lake Nona/Medical City to the south. Staff finds this proposal consistent with **Future Land Use Element Goal FLU2**, which states that Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development, and an urban experience with a range of choices and living options. Also applicable is **Future Land Use Element Objective FLU2.1**, which establishes that Orange County shall promote and encourage infill development through incentives identified in the Land Development Code for relatively small vacant and underutilized parcels within the County's established core areas in the Urban Service Area.

The requested amendment is consistent with **Future Land Use Element Policy FLU1.1.5**, which encourages mixed-use development, infill development, and transit-oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area. As noted previously, the subject property is surrounded by commercial, institutional, and residential uses and is considered to be an infill development.

With the proposal to develop 420 multi-family dwelling units, the proposed FLUM amendment is consistent with **Housing Element GOAL H1** and **Objective H1.1**, which state that the County will promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, and will support private sector housing production capacity sufficient to meet current and anticipated housing needs. It is staff's belief that the proposed project will contribute to the mix of available housing options in an area of the County deemed appropriate for urban uses, as set forth in **Policy FLU1.1.1**. Further, Future Land Use Element **Policy FLU1.4.1** states Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.

Lastly, **Conservation-related OBJ C1.4** and its supporting policies call for the protection of wetlands and existing native wildlife (flora and fauna). Per the Orange County Environmental Protection Division, Conservation Area Determination CAD 22-01-006 identified Class I wetland and Class III surface water wetland resulting in approximately 21.40 net developable acres. The CAD expires on January 6, 2028. It is the applicant's intent to preserve the wetlands and upland buffers associated with the Little Econlockhatchee River through conditions of approval placed on the proposed Dean Road Multi-Family Planned Development (PD)/Land Use Plan (LUP) rezoning, Case # LUP-22-12-387.

As explained in **Future Land Use Element Policy FLU 1.1.2(B)**, density and Floor Area Ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. The net developable land area is defined as the gross land area, less surface waters and wetland areas. The CAD completed by EPD on January 6, 2023 identified approximately 21.40 net developable acres. The proposed development program is based on the 21.40 net developable acres which results in a maximum number of 428 dwelling units. The applicant is proposing 420 dwelling units.

In order to include Class I, II, and III conservation areas in the density and FAR calculations, prior to the adoption of the FLUM amendment, the parcels shall have an approved Conservation Area Determination (CAD) and an approved Conservation Area Impact (CAI) permit from the Orange County EPD as per **Future Land Use Element Policy FLU1.1.2(B)**.

Inclusion of the 20.70 acres of wetlands in the density calculations would require an approved Conservation Area Impact (CAI) permit approved by EPD. Staff is limited to including currently recognized net developable acreage in the density calculations. The Conservation Area Determination (CAD) recognizes approximately 21.40 acres of upland on the site.

COMPATIBILITY

The proposed FLUM amendment appears to be **compatible** with the existing development and development trend of the surrounding area. **Future Land Use Element Objective FLU8.2** states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions, while **Policy FLU8.2.1** requires land use changes to be compatible with the existing development pattern and development trends in the area. As stated above, the subject property is located within an area characterized by a mix of commercial, institutional, residential uses and a variety of housing types including single-family attached and detached homes, and apartments. In addition to the site's close proximity to the elementary and middle schools, Valencia College East Campus and Polytechnic University of Puerto Rico, it is located in the vicinity of regional transportation corridors and major employers such as AdventHealth East Orlando and Lockheed Martin, adding to its suitability for residential development. **Future Land Use Element Policy FLU8.2.11** states that compatibility may not necessarily be determined to be a land use that is identical to those uses that surrounds it, and it also

states that the design attributes of a project, its urban form, and the physical integration of a project may be considered in determining compatibility. The PD zoning serves as a tool to implement site standards, buffering, placement, and other requirements that further enable compatibility. A proposed rezoning from P-O (Professional Office District), R-T (Mobile Home Park District), R-1 (Single-Family Dwelling District), and R-CE (Country Estate District) to PD (Planned Development District)(Dean Road Multi-Family PD/LUP), Case # LUP-22-12-387, is proceeding through DRC review and is expected to be considered in conjunction with the requested Future Land Use Map Amendment during the adoption public hearing stage.

It is staff's belief that the proposed multi-family project is compatible with the existing mix of commercial, institutional, residential uses and a variety of housing types including single-family attached and detached homes, and apartments in the surrounding area.

2. Staff-Initiated Text Amendment 2023-1-B-FLUE-2

Future Land Use Element Policy FLU8.1.4 establishes the development programs for Planned Development (PD) and Lake Pickett (LP) FLUM designations adopted since January 1, 2007. The development program for this requested amendment is proposed for incorporation into **Policy FLU8.1.4** via a corresponding staff-initiated text amendment, Amendment 2023-1-B-FLUE-2.

The maximum development program for Amendment 2023-1-A-3-1, if adopted, would be as follows:

Amendment Number	Adopted FLUM Designation	Maximum Density/Intensity	Ordinance Number
<u>2023-1-A-3-1</u> Dean Road Multifamily	<u>Planned Development-</u> <u>Medium Density Residential</u> <u>Conservation</u> <u>(PD-MDR/CONS)</u>	<u>Up to 420 multi-family</u> <u>dwelling units</u>	<u>2023-</u>

DIVISION COMMENTS: ENVIRONMENTAL, PUBLIC FACILITIES, AND SERVICES

Environmental:

EPD Review Summary:

- An Orange County Conservation Area Determination CAD-22-01-006 was completed with a certified survey of the conservation area boundary approved by the Environmental Protection Division (EPD) on 1/6/23. The CAD identified 24.31 acres of Class I wetlands/surface waters (including the Little Econ River) and 0.364 acre of Class III wetlands and surface waters.
- Any wetland encroachments will require submittal of an application for a Conservation Impact Permit to the Orange County Environmental Protection Division as outlined in Chapter 15, Article X Wetland Conservation Areas.
- Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled species (endangered, threatened, or species of special concern). The applicant is responsible to determine the presence of these

concerns and to verify and obtain, if necessary, any required habitat permitting of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).

FLUM Amendment Comments:

1. CAD Complete - An Orange County Conservation Area Determination CAD-22-01-006 was completed with a certified survey of the conservation area boundary approved by the Environmental Protection Division (EPD) on 1/6/23. The CAD identified 24.31 acres of Class I wetlands/surface waters (including the Little Econ River) and 0.364 acre of Class III wetlands and surface waters.
2. Conservation Area Impacts – In addition to any state or federal wetland permitting requirements, the applicant shall satisfy Orange County's wetland permitting requirements. Any wetland encroachments will require submittal of an application for a Conservation Impact Permit to the Orange County Environmental Protection Division. *Reference Orange County Code Chapter 15, Article X Wetland Conservation Areas.*
3. No Clearing – No construction, clearing, filling, alteration, or grading is allowed within or immediately adjacent to a conservation area or easement (includes the conservation area and the wetland setback/buffer) without first obtaining a Conservation Area Impact (CAI) permit approved by the county and obtaining other applicable jurisdictional agency permits. Submit a CAI permit application to Orange County Environmental Protection Division by mail or email to wetlandpermitting@ocfl.net. *Reference Orange County Code Chapter 15, Article X Wetland Conservation Areas.*
4. Outstanding Florida Waters – The Little Econlockhatchee River is designated as an Outstanding Florida waterbody by Florida Department of Environmental Protection (FDEP). The applicant shall comply with the Florida Department of Environmental Protection rule 62-302.700 Special Protection, Outstanding Florida Waters, Outstanding Natural Resource Waters. No degradation of water quality, other than that allowed in Rule 62-4.242(2) and (3), F.A.C., is to be permitted in Outstanding Florida Waters and Outstanding national Resource Waters, respectively, notwithstanding any other Department rules that allow water quality lowering.
5. Impaired Waters – The Little Econlockhatchee River has been designated as an impaired water body by the Impaired Waters Rule, *Chapter 62-303 of the Florida Administrative Code*. Be aware that the Environmental Protection Division will not support any variance requests affecting the water quality of the Little Econlockhatchee River or wetlands connected to the river without some extra protective measures by the applicant. These will likely include but are not limited to: a high efficiency septic system, shoreline plant enhancement, wetland buffer and a pollution abatement swale easement. In addition, state code may have other restrictions.
6. Habitat Permit Compliance – Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled species (endangered, threatened, or species of special concern). The applicant is responsible to determine the presence of these concerns and to verify and obtain, if necessary, any required habitat permitting of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).

7. Jurisdictional Coordination – This environmental review only addresses Orange County environmental regulatory code, however, the project shall also obtain and comply with all other existing environmental permits and applicable environmental regulations of, but not limited to: the Army Corps of Engineers, the Florida Department of Environmental Protection, and the applicable Water Management District, the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC). It is possible that one of the other agencies could deny the request even if the County approves it, or they may have other natural resource protective requirements. Therefore, it is imperative that this proposed request be addressed on a multi-agency basis.

Additional EPD Comments:

1. Demolition – Prior to demolition or construction activities associated with existing structures, provide a Notice of Asbestos Renovation or Demolition form to the Orange County Environmental Protection Division (EPD). For more information, or to determine if an exemption applies, contact the EPD Air Quality Management staff at 407-836-1400. *Reference Orange County Code Chapter 15 Environmental Control, Article III Air Quality Control, Division 4 Asbestos requirements, Sec.108 Notification procedure and requirements, Subsection A(1).*
2. Solid Waste Disposal – Any miscellaneous garbage, hazardous waste, yard waste (including excess fertilizers, herbicides, and pesticides), and construction or demolition debris shall be disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.
3. Erosion Control – Use caution to prevent erosion during construction along the boundary of the property, into wetlands and buffers, and into all drainage facilities and ditches. Construction will require Best Management Practices (BMPs) for erosion control. Minimize the extent of area exposed at one time, apply perimeter controls where necessary, and perform maintenance checks every seven (7) days and after every 1/2-inch rain. The construction entry area shall be designed to prevent trucks from tracking soil onto local roads and the affected storm drainage system shall be protected. This may require periodic street sweeping. *Reference Orange County Code Chapter 34 Subdivision Regulations, Article VII Stormwater Management, Division 2 General Design Criteria, Sec. 250 Open Drainage Facilities, (g).*

Transportation:

The applicant is requesting to change ~42.10 acres from O and LMDR to PD-MDR/CONS to allow for the construction of 420 multi-family dwelling units. Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed multi-family use will result in a decrease in the number of 180 pm peak trips and therefore will not impact the area roadways. The development will undergo further evaluation and will be required to mitigate capacity deficiencies on the transportation network in accordance with the requirements of the Orange County Concurrency Management System.

Future Roadway Network

Road Agreements: None

Planned and Programmed Roadway Improvements: Future improvements detailed in the MetroPlan Orlando 2045

Metropolitan Transportation Plan (MTP) Cost Feasible Plan were included for study area roadway segments for both the Short-Term (2030) and Long-Term (2040) analyses. The following cost feasible capacity improvement projects were included:

- Econlockhatchee Trail from Colonial Drive to Trevarthon Road – Widen to 4 lanes (MTP ID 7520)
 - Econlockhatchee Trail from Trevarthon Road to SR 417 – Widen to 4 lanes (MTP ID 7521)
- Right-of-Way Requirements: None

Summary

The applicant is requesting to change ~42.10 gross acres gross (~21.40 net acres) from LMDR and O to PD-MDR/CONS and rezone from P-O, R-T, R-CE, and R-1 to PD.

Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed residential use will result in a decrease in the number of p.m. peak trips and therefore will not impact the area roadways.

Roadway Capacity Analysis

A Traffic Study was submitted with the case for review and comment. The subject property is generally located west of N. Dean Rd., south of E. Colonial Dr., north of River Crest Ct., and east of N. Econlockhatchee Trl. Based on existing conditions, the following segments are operating over capacity. This information is dated and subject to change.

- Econlockhatchee Trail from Colonial Drive to Central Florida Greenway (Daily and P.M.)
- Colonial Drive from Central Florida Greenway to Dean Road (Daily)

The short term (Year 2030) analysis under the proposed FLU designation showed that the following roadway segments are projected to operate at an adverse level of service due to background traffic:

- Colonial Drive, from Central Florida Greenway to Rouse Road (Daily and PM)
- Valencia College Lane, from Econlockhatchee Trail to Chickasaw Trail (Daily and P.M.)

The long-term analysis year 2040 revealed in addition to the segments mentioned above, the following segments will be operating above their capacity:

- Dean Road, from Colonial Drive to Winder Trail (Daily and P.M.)
- Econlockhatchee Trail, from Valencia College Lane to Colonial Drive (Daily and P.M.)

Based on the analysis, the study roadway segments are projected to fail prior to the addition of project trips as a result of existing deficiency and high background or committed traffic on the remaining segments. The FLU change will not cause any additional deficiencies within the project impact area. The project will not be adding any trips on the failing roadway segments.

Final permitting of any development on this site will be subject to review and approval under capacity constraints of the county's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Policy Plan.

Utilities:

This property is within Orange County Utilities Water, Wastewater, and Reclaimed Water Service Areas. In accordance with Orange County Code Chapter 37:

Potable Water: Development within this property will be required to connect to Orange County Utilities Water system. The connection points will be assessed during Final Engineering/Construction Plan permitting.

Wastewater: Development within this property will be required to connect to Orange County Utilities wastewater system. The connection points will be assessed during Final Engineering/Construction Plan permitting.

Reclaimed water: There are no reclaimed water mains within the vicinity of this property. Reclaimed water is considered not available. Connection is not required.

Orange County Public Schools:

Per School Capacity Determination OC-22-071, issued February 6, 2023, capacity is currently available at the elementary school (Union Park Elementary) and middle school (Union Park Middle) that would currently serve the proposed multi-family project. However, capacity is presently not available at the high school that would serve the development, University High. As stated in the School Capacity Determination, the mitigation of 26,000 seats will be required. This determination expires August 2, 2023.

3. Policy References

GOAL H1 – Orange County's goal is to promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, to meet current and anticipated housing needs so that all our residents have the opportunity to purchase or rent standard housing.

OBJ H1.1 – The County will continue to support private sector housing production capacity sufficient to meet the housing needs of existing and future residents.

GOAL FLU2 – URBAN STRATEGIES. Orange County will encourage urban strategies such as, but not limited to, infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development and an urban experience with a range of choices and living options.

OBJ FLU8.2 – COMPATIBILITY. Compatibility will continue to be the fundamental consideration in all land use and zoning decisions. For purposes of this objective, the following policies shall guide regulatory decisions that involve differing land uses.

FLU1.1.1 – Urban uses shall be concentrated within the Urban Service Area, except as specified for the Horizon West Village and Innovation Way Overlay (Scenario 5), Growth Centers, and to a limited extent, Rural Settlements.

FLU1.1.2 (B) – Density and Floor Area Ratio (FAR) calculation is determined by dividing the total number of units/square footage by the net developable land area. Accessory Dwelling Units (ADUs) shall not be included in density calculations. The net developable land area for density and FAR calculation (intensity) is defined as the gross land area, excluding surface waters and certain conservation areas from the land area calculations. In order to include new Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Determination (CAD) and an approved Conservation Area Impact permit from the Orange County Environmental Protection Division.

FLU1.1.5 – Orange County shall encourage mixed-use development, infill development and transit-oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area. The County may require minimum FARs and densities in its Land Development Code to achieve the County’s desired urban framework. Infill is defined as development consistent with the *Infill Master Plan* (2008).

FLU1.4.1 – Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.

OBJ FLU2.1 – INFILL. Orange County shall promote and encourage infill development through incentives identified in the Land Development Code for relatively small vacant and underutilized parcels within the County’s established core areas in the Urban Service Area.

FLU8.1.4 – The following table details the maximum densities and intensities for the Planned Development (PD) Future Land Use designations that have been adopted subsequent to January 1, 2007.

FLU8.2.1 – Future land use changes shall be required to be compatible with the existing development and development trends in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

FLU8.2.11 – Compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

OBJ C1.4 – Orange County shall protect identified wetland areas and existing native wildlife (flora and fauna) habitats by implementing the following policies.

ACTION REQUESTED

Local Planning Agency (LPA) Recommendation – (March 16, 2023)

Make a finding that the information contained in the application for the proposed amendment has the potential to be found “in compliance” as defined by Section 163.3184(1)(b), Florida Statutes, and recommend to the Board of County Commissioners that Amendments 2023-1-A-3-1 and 2023-1-B-FLUE-2 be TRANSMITTED to the state review agencies.

LOCAL PLANNING AGENCY (LPA) PUBLIC HEARING SYNOPSIS

The staff report was presented to the Local Planning Agency (LPA) with the recommendation to transmit the amendments to the state review agencies.

The applicant was present and agreed with the staff recommendations. No members of the public appeared to speak regarding these amendments. Two thousand fifty-four (2,054) notices were sent to property owners extending 1,350 feet surrounding the property. Staff received four commentaries opposing the amendment and one commentary in favor.

A motion was made by Commissioner Pavon and seconded by Commissioner Spears to recommend transmittal of Amendment 2023-1-A-3-1 and Amendment 2023-1-B-FLUE-2. The motion carried 6-1.

Motion / Second	<i>Walter Pavon / Gordon Spears</i>
Voting in Favor	<i>George Wiggins, Walter Pavon, Gordon Spears, Camille Evans, Nelson Pena, Michael Arrington</i>
Voting in Opposition	<i>David Boers</i>
Absent	<i>Eddie Fernandez and Evelyn Cardenas</i>

**Site Visit Photos
Subject Site**



North – Union Park Elementary School



South – Dean Woods Place Apartments

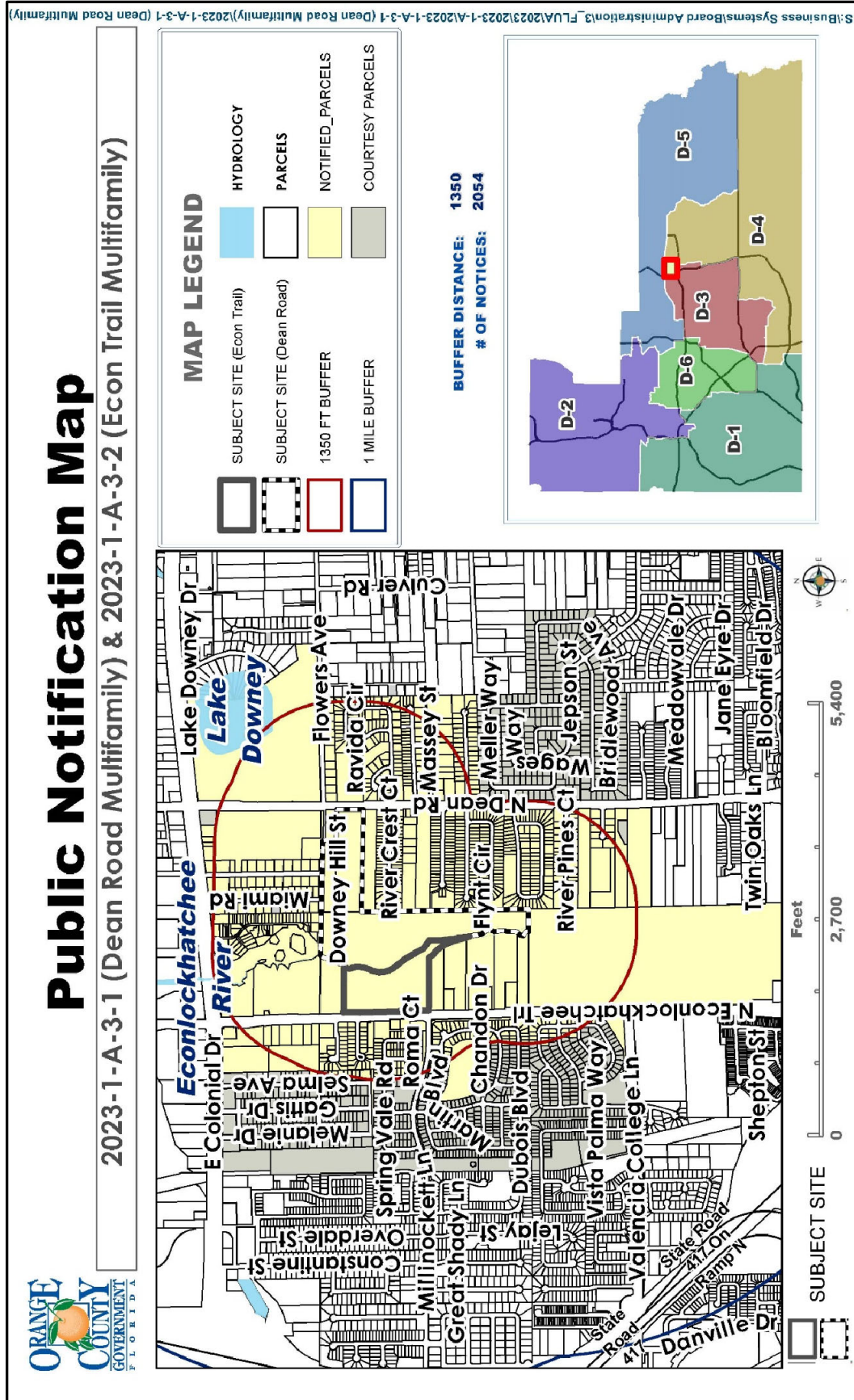


East – Undeveloped Land



West – Faith United Methodist Church





AMENDMENT 2023-1-A-3-1 (Dean Road Multifamily)

PROJECT SPECIFICS

Parcel ID:	19-22-31-0000-00-023; 19-22-31-0000-00-024; 19-22-31-0000-00-070 (portion east of Little Econlockhatchee River)
Location:	1410 N. Dean Rd. and 1480 N. Dean Rd.
Acreage:	~42.10 gross acres gross (21.40 net acres)
Request FLUM:	From: Low-Medium Density Residential (LMDR) and Office (O) To: Planned Development-Medium Density Residential/Conservation (PD-MDR/CONS)
Request Zoning:	From: P-O (Professional Office District); R-T (Mobile Home Park District), R-CE (Country Estate District), and R-1 (Single-Family Dwelling District) To: PD (Planned Development District) (Dean Road Multifamily PD)
Existing Development:	19-22-31-0000-00-023 - Undeveloped 19-22-31-0000-00-024 - Mobile Home Park (9.81 acre parcel) 62 Mobile Homes (MH) Lots 19-22-31-0000-00-070 (portion east of Little Econlockhatchee River) - Undeveloped
Development Permitted Under Current FLUM:	1. 19-22-31-0000-00-023 - 3.45 acres Office FLUM and P-O Zoning Up to 187,852.50 sq. ft. of Office uses 2. 19-22-21-0000-00-024 - 9.81 acres LMDR FLUM and R-T Zoning up to 68 MH Lots 3. 19-22-31-0000-00-070 (portion east of Little Econlockhatchee River) - 10.717 net developable acres LMDR FLUM and R-1 and Small Sliver of R-CE Zoning 10.71 net dev. ac x 10 = 107 SF dwelling units
Proposed Density/Intensity:	420 multi-family units

Trip Generation (ITE 11th Edition)

Land Use Scenario	PM Pk. Hr. Trips	% New Trips	New PM Pk. Hr. Trips
Existing Use: (See Above)	350	98%	344
Proposed Use: 420 multi-family units	164	100%	164

Net New Trips (Proposed Development less Allowable Development): -180

Future Roadway Network

Road Agreements: None

Planned and Programmed Roadway Improvements: Future improvements detailed in the MetroPlan Orlando 2045 Metropolitan Transportation Plan (MTP) Cost Feasible Plan were included for study area roadway segments for both the Short-Term (2030) and Long-Term (2040) analyses. The following cost feasible capacity improvement projects were included:

- Econlockhatchee Trail from Colonial Drive to Trevathon Road – Widen to 4 lanes (MTP ID 7520)
- Econlockhatchee Trail from Trevathon Road to SR 417– Widen to 4 lanes (MTP ID 7521)

Right of Way Requirements: None

Summary

The applicant is requesting to change ~42.10 gross acres gross (~21.40 net acres) from LMDR and O to PD-MDR/CONS and rezone from P-O; R-T, R-CE, and R-1 to PD.

Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed residential use will result in a decrease in the number of pm peak trips and therefore will not impact the area roadways.

Roadway Capacity Analysis

A Traffic Study **was** submitted with the case for review and comment. The subject property is generally located west of N. Dean Rd., south of E. Colonial Dr., north of River Crest Ct., and east of N. Econlockhatchee Trl. Based on existing conditions, the following segments are operating over capacity. This information is dated and subject to change.

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The short term (Year 2030) analysis under the proposed FLU designation showed that the following roadway segments are projected to operate at an adverse level of service due to background traffic:

- Colonial Drive, from Central Florida Greenway to Rouse Road (Daily and PM)
- Valencia College Lane, from Econolockhatchee Trail to Chickasaw Trail (Daily and PM)

The long-term analysis year 2040 revealed in addition to the segments mentioned above, the following segments will be operating above their capacity:

- Dean Road, from Colonial Drive to Winder Trail (Daily and PM)
- Econlockhatchee Trail, from Valencia College Lane to Colonial Drive (Daily and PM)

Based on the analysis, the study roadway segments are projected to fail prior to the addition of project trips as a result of existing deficiency and high background or committed traffic on the remaining segments. The FLU change will not cause any additional deficiencies within the project impact area. The project will not be adding any trips on the failing roadway segments.

Final permitting of any development on this site will be subject to review and approval under capacity constraints of the county's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Policy Plan.



6501 Magic Way · Building 200 · Orlando, Florida 32809 · (407) 317-3700 · www.ocps.net

FORMAL SCHOOL CAPACITY DETERMINATION CAPACITY LETTER

February 6, 2023

VIA E-MAIL: ERAASCH@SMEINC.COM

Eric Raasch
S & ME, INC
1615 Edgewater Dr, Suite 200
Orlando, FL 32804

Application OC-22-071 (Dean Rd Multifamily)

This letter serves as the official certification by Orange County Public Schools that school capacity for the following development is **NOT AVAILABLE**:

Type of Development Application	☒ FLUM ☐ Rezoning ☐ Amendment or Extension		
Development Application #:	2023-1-A-3-1		
Project Name:	Dean Rd Multifamily		
OCPS Completed Application Date:			
Parcel #(s):	19-22-31-0000-00-023; 19-22-31-0000-00-024; AND 19-22-31-0000-00-070		
Requested New Units (#):	SF:	MF: 325	TH:
Vested Unit(s):	SF:	MF: 95	TH:
Total Project Units:	420		
School Board District:	# 2		

In accordance with Section 10 of the First Amended and Restated Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency ("Interlocal Agreement"), a detailed Capacity Analysis is provided in **Attachment A**.

In accordance with Section 704(B) of the Orange County Charter and Section 30-742 of the Orange County Code, an analysis of significantly affected local governments impacted by the proposed development can be found below:

	Union Park ES	Union Park MS	University HS
Jurisdictional Analysis	N/A	N/A	N/A

Given the above analysis, this project does not meet the minimum criteria established by the Orange County Charter and Code to proceed through the joint approval process with the identified significantly affected local government(s). Additional information on the joint approval process can be obtained from Orange County.

This determination expires on August 2nd, 2023. OCPS is not required to extend the expiration date of this determination letter. In the event this project does not possess Development Application approval from Orange County by the expiration date, but still intends to move forward in the development process, the applicant must resubmit the application and application fee to be reevaluated by OCPS. In addition, should the scope of the project change (e.g., modification of unit count and/or unit type), a new determination will be required.

Unless otherwise vested, the Development is still required to submit for concurrency review and, if necessary, enter into a Concurrency Mitigation Agreement.

This determination is governed by the Interlocal Agreement, the provisions of Orange County's adopted Comprehensive Plan, and the Orange County Charter and Code.

Please contact me at (407) 317-3700 ext. 2022391 or e-mail me at christopher.mills@ocps.net with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Christopher Mills', is written over a horizontal line.

Christopher Mills, AICP
Senior Administrator, Facilities Planning

SC/cm

Attachments – Attachment A: Detailed Capacity Analysis

CC: Sue Watson, Orange County (via e-mail)
Thomas Moore, OCPS (via e-mail)
Project File

Attachment A



School Capacity Determination

User ID CCM February 2, 2023 08:44:16

Project ID: CEA – OC –22 –071

Valid Until: August 1, 2023

Project Name:		DEAN ROAD MULTIFAMILY		
Unvested Units	Single Family Units:	0	Single Family Units:	0
	Multi Family Units:	325	Multi Family Units:	95
	Multi Family High Rise Units:	0	Multi Family High Rise Units:	0
	Town Homes Units:	0	Town Homes Units:	0
	Mobile Home Units:	0	Mobile Home Units:	0
		Vested Units		

Capacity Enhancement	School Level	Elementary	Middle	High
	CSA:	R		
	School:	UNION PARK ES	UNION PARK MS	UNIVERSITY HS
	Analysis of Existing Conditions			
	School Capacity (2021-2022)	673	1,478	2,534
	Enrollment (2021-2022)	460	706	2,563
	Utilization (2021-2022)	70.0%	49.0%	102.0%
	LOS Standard	110.0%	100.0%	100.0%
	Available Seats	280	772	0
	Analysis of Reserved Capacity			
	School Level	Elementary	Middle	
	Encumbered Capacity	0	32	0
	Reserved Capacity	6	3	0
	Adjusted Utilization	69.2%	50.1%	101.1%
	Adjusted Available Seats	274	737	0
	Analysis of Proposed Development			
	Students Generated	45.825	21.125	26.000
	Adjusted Utilization	76.0%	51.6%	102.2%
	AVAILABLE/NOT AVAILABLE	AVAILABLE	AVAILABLE	NOT AVAILABLE
	Number of Seats to Mitigate	0.000	0.000	26.000

UNION PARK ES	
UNION PARK MS	
UNIVERSITY HS	



Interoffice Memorandum

Date: January 6, 2023

To: Alberto A. Vargas, MArch, Manager
Orange County Planning Division

From: Lindy A. Wolfe, P.E., LEED AP, Manager
Utilities Engineering Division

**Subject: Facilities Analysis and Capacity Report
2023-1 Regular Cycle Comprehensive Plan Amendments**

Orange County Utilities (OCU) staff reviewed the proposed development programs as submitted by the Planning Division and have concluded improvements to the County's water and wastewater treatment plants are not required to provide an adequate level of service consistent with the Comprehensive Plan's Potable Water, Wastewater and Reclaimed Water Element for those properties within OCU's service area. The Comprehensive Plan includes a 10-Year Water Supply Facilities Work Plan addressing the needs of our service area. Supporting documentation is provided in the attached Potable Water and Wastewater Facilities Analysis table.

As of today OCU has sufficient plant capacity to serve the subject amendments. This capacity is available to projects within OCU's service area and will be reserved upon payment of capital charges in accordance with County resolutions and ordinances. Transmission system capacity will be evaluated at the time of Master Utility Plan review and permitting, or at the request of the applicant.

OCU's groundwater allocation is regulated by its consumptive use permits (CUP). OCU is working toward alternative water supply (AWS) sources and agreements with third party water providers to meet the future water demands within our service area. While OCU cannot guarantee capacity to any project beyond its permitted capacity, we will continue to pursue the extension of the CUP and the incorporation of AWS and other water resources sufficient to provide service capacity to projects within the service area.

If you need additional information, please contact me or Laura Tatro at 407-254-9913.

cc: Andres Salcedo, P.E., Deputy Director, Utilities Department
Laura Tatro, P.E., Chief Engineer, Utilities Engineering Division
Alexander Castro, P.E., Senior Engineer, Utilities Engineering Division
Gregory Golgowski, Chief Planner, Planning Division
Christopher DeManche, MPA, Planner III, Planning Division
File: 37586; 2023-1 Regular Cycle

Potable Water and Wastewater Facilities Analysis for 2023-1 Regular Cycle Comprehensive Policy Plan Amendments

Amendment Number	Parcel ID	Service Type and Provider	Main Size and General Location	Proposed Land Use	Maximum Density, Dwelling Units	Maximum Density, Hotel Rooms	Maximum Density Non-residential SF	PW Demand (MGD)	WW Demand (MGD)	Available PW Capacity (MGD)	Available WW Capacity (MGD)	Reclaimed Water Required for Irrigation	OCU Service Area
2023-1-A-1-1 Sutton Lakes	31-24-27-0000-00-010; 31-24-27-0000-00-009; 31-24-27-0000-00-045; 31-24-27-0000-00-038; 31-24-27-0306-04-011	PW: Toho Water Authority WW: Toho Water Authority RW: Orange County Utilities	PW: Contact Toho Water Authority WW: Contact Toho Water Authority RW: Not Available	Growth Center-Planned Development-Commercial/Medium Density Residential/Low Density Residential (GC-PD-C/MDR/LDR)	557	0	20,000	N/A	N/A	N/A	N/A	N/A	N/A
2023-1-A-1-2 Sutton Grande	31-24-27-0000-00-012	PW: Toho Water Authority WW: Toho Water Authority RW: Orange County Utilities	PW: Contact Toho Water Authority WW: Contact Toho Water Authority RW: Not Available	Medium-High Density Residential (MHDR)	250	0	0	N/A	N/A	N/A	N/A	N/A	N/A
2023-1-A-1-3 Gissy Multifamily	34-24-28-0000-00-021	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: 24-inch watermain within World Center Dr right-of-way WW: 20-inch forcemain within World Center Dr right-of-way RW: 12-inch and 24-inch reclaimed watermain within World Center Dr right-of-way	Planned Development - Commercial/High Density Residential (PD-C/HDR)	2,888	200	200,000	0.840	0.687	0.840	0.687	Yes	South
2023-1-A-1-4 Poinciana Multifamily	35-24-28-0000-00-008	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: 12-inch water main within Poinciana Blvd right-of-way WW: TBD* RW: 8-inch reclaimed water main within Poinciana Blvd right-of-way	Activity Center Residential (ACR)	792	0	0	0.218	0.178	0.218	0.178	Yes	South
2023-1-A-2-1 6409 N OBT	04-20-27-0000-00-021	PW: Florida Governmental Utilities Authority WW: City of Mount Dora RW: Orange County Utilities	PW: Contact FGUA WW: Contact City of Mount Dora RW: Not Available	Growth Center - Low-Medium Densitiy Residential (GC-LMDR) **Joining the NW Growth Center with this application**	75	0	0	N/A	N/A	N/A	N/A	No	N/A
2023-1-A-2-2 Special Hearts Farm	19-20-27-3752-00-093	PW: City of Apopka WW: City of Apopka RW: City of Apopka	PW: Contact City of Apopka WW: Contact City of Apopka RW: Contact City of Apopka	Institutional (INST)	Not Specified	Not Specified	Not Specified	N/A	N/A	N/A	N/A	N/A	N/A
2023-1-A-3-1 Dean Road Multifamily	19-22-31-0000-00-023; 19-22-31-0000-00-024; 19-22-31-0000-00-070 (portion east of Little Econlockhatchee River)	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: 20-inch water main within Dean Rd right-of-way WW: TBD* RW: Not Available	Planned Development-Medium Density Residential/Conservation (PD-MDR/CONS)	420	0	0	0.116	0.095	0.116	0.095	No	East
2023-1-A-3-2 Econ Trail Multifamily	19-22-31-0000-00-070 (portion west of Little Econlockhatchee River)	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: 24-inch water main within N Econlockhatchee Tr right-of-way WW: TBD* RW: Not Available	Planned Development - Medium Density Residential/Conservation (PD-MDR/CONS)	180	0	0	0.050	0.041	0.050	0.041	No	East
2023-1-A-4-1 Simpson Road Multifamily	33-24-30-0000-00-014; 33-24-30-0000-00-033; 33-24-30-0000-00-032; 33-24-30-0000-00-031	PW: Orlando Utilities Commission WW: Orange County Utilities RW: Orange County Utilities	PW: Contact Orlando Utilities Commission WW: TBD* RW: Not Available	Planned Development - Medium-High Density Residential (PD-MHDR)	360	0	0	N/A	0.081	N/A	0.081	No	South
2023-1-A-4-2 Stoneybrook Enclave	01-23-31-0000-00-001 (portion of)	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: TBD* WW: TBD* RW: TBD*	Low Density Residential (LDR)	125	0	0	0.034	0.028	0.034	0.028	TBD	East
2023-1-A-4-3 Cedar Crossing	24-22-31-0000-00-027	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: 24-inch water main within Old Cheney Hwy right-of-way WW: 16-inch force main within Old Cheney Hwy right-of-way RW: Not Available	Commercial Urban Service Area Boundary Expansion	0	0	68,113	0.006	0.005	0.006	0.005	No	East

NOTES:

No plant improvements are needed to maintain LOS standards. This evaluation pertains solely to water and wastewater treatment plants. Connection points and transmission system capacity will be evaluated at the time of Master Utility Plan review and permitting, or at the request of the applicant.

* 2023-1-A-3-1, 2023-1-A-1-4, 2023-1-A-3-2, 2023-A-4-1, 2023-1-A-4-2: Water, Wastewater, and Reclaimed Water (as applicable) demands and connection points will be addressed as the project proceeds through the DRC and construction permitting processes.

Abbreviations: PW - Potable Water; WW - Wastewater; RW - Reclaimed Water; WM - Water Main; FM - Force Main; GM - Gravity Main; MUP - Master Utility Plan; TBD - To be determined as the project progresses through Development Review Committee, MUP and permitting reviews



Environmental Protection Division

**CONSERVATION AREA
DETERMINATION**

Determination No: CAD-22-01-006

Date Issued: January 6, 2023

Date Expires: January 6, 2028

Activity Location:

N Econlockhatchee Trail, 1480 N Dean Road, & 1410 N Dean Road,
Orlando, FL 32825

Parcel ID Nos.: 19-22-31-0000-00-070, 19-22-31-0000-00-023 & 19-22-31-
0000-00-024

Parcel Descriptions: See attached

Orange County Commission District: 3

Permittees / Authorized Entities:

Pique Land Trust, Manohar H. Jain, and Chaines Land Trust
c/o Daniel Gough, Bio-Tech Consulting, Inc.

E-mail: danny@btc-inc.com

The Environmental Protection Division (EPD) has received your certified survey received on December 22, 2022, which accurately depicts the approved limits of the jurisdictional surface waters and/or wetlands (conservation areas) on the referenced property. This Determination is binding for a period of five years.

The conservation area(s), as delineated in the field have been classified as follows:

Surface Water/
Wetland
Identification
Number

Class

FLUCCS¹ / Remarks

W-1	I	510 Streams and Waterways, 615 Stream and Lake Swamps / Little Econlockhatchee River and adjacent wetlands.
W-2	I	630 Wetland Forested Mixed / Hydrologically connected to the Little Econlockhatchee River.
SW-1	III	530 Reservoirs / Upland cut ditch less than five acres.
SW-2	III	530 Reservoirs / Upland cut ditch less than five acres.
SW-3	III	530 Reservoirs / Upland cut pond less than five acres.
SW-4	III	530 Reservoirs / Upland cut pond less than five acres.

¹Florida Land Use, Cover and Forms Classification System (FLUCCS) Handbook, Florida Department of Transportation, January 1999 (Third Edition).

Approved, subject to the following conditions:

1. The enclosed survey accurately depicts the limits of the jurisdictional surface waters/wetlands on the referenced property, as confirmed by EPD during the site inspection. This determination letter, along with the approved survey, constitutes final approval of the CAD.
2. The limits of wetlands and surface waters delineated on the approved survey are only binding for a period of five years from the date of CAD issuance provided physical conditions on the property do not change so as to alter the boundaries of surface waters or wetlands during that period. The limitations of this condition cannot be modified to allow for a longer duration without a complete reassessment of the limits of surface waters and wetlands occurring on the project. Changes in surface waters or wetland boundaries resulting from work authorized by a permit pursuant to Chapter 15, Article X, Section 15-376, will not be considered as altering the boundary for the purposes of this condition.
3. Please be advised that this permit does not grant approval to clear trees and vegetation in uplands. A site work, building, or tree mitigation permit is required in order to remove any trees or vegetation. A building permit limits clearing to the building pad including permanent power, driveway, on site disposal systems, and 15 feet around the building pad, per Orange County Code, Section 15-304. Contact 407-836-5807 for questions regarding additional clearing.
4. This CAD does not provide relief from other local, state, or federal policies, which regulate activity on the subject property. If this determination conflicts with those of any other Agency, Department, or Division, the applicant must rectify the conflict or comply with the most stringent conditions.

5. No construction, clearing, alteration, filling or grading is allowed within the limits of the conservation area unless approved by the County.
6. The property owner/permittee is also responsible for addressing any adverse secondary impacts to surface waters, wetlands, or conservation areas that may occur as a result of the development of the site.
7. The County may revoke this CAD upon finding that the applicant has submitted inaccurate information to the County regarding the delineation of surface waters or wetlands on the project site.
8. This CAD supersedes any existing determinations made on this parcel.
9. An upland buffer of a minimum of 25 feet is recommended for all Class I, II, and III wetland systems unless scientific data dictate a larger or smaller buffer based on wetland function or local conditions.

If you should have any questions concerning this permit, please contact Nicole Salvatico at 407-836-1494 or Nicole.Salvatico@ocfl.net.

Project Manager:



Nicole Salvatico, Senior Environmental Specialist

Authorized for the Orange County Environmental Protection Division by:

 for

David D. Jones, P.E., CEP, Environmental Protection Officer

NS/JR/TMH/DJ/gfdjr:

Attachment: Approved Survey

- c: Co-Permittee, Pique Land Trust, jainemergicare@outlook.com
Co-Permittee, Manohar H. Jain, 4800 South Apopka Vineland Road, Orlando, FL 32819
Co-Permittee, Chaines Land Trust, 4800 South Apopka Vineland Road, Orlando, FL 32819
Co-Permittee, Kamil Salame, Royal Palm Multifamily, LLC, kamil@rpcholdings.com
Conservation Planning Services, FWC, conservationplanningservices@MyFWC.com
Rocco Campanale, Orange County Property Appraiser's Office, rcampanale@ocpafl.org
Marc von Canal, St. Johns River Water Management District, mvoncana@sjrwmd.com

Property Descriptions

19-22-31-0000-00-070:

DOC 20210179824 - ERROR IN LEGAL - SW1/4 OF NE1/4 & NW1/4 OF SE1/4 LYING E OF CREEK (LESS R/W) IN SEC 19-22-31 (LESS PT OF SW1/4 OF NE1/4 OF SEC 19-22-31 DESC AS COMM NW COR OF SW1/4 OF NE1/4 OF SAID SEC 19 TH S89-06-35E 59.06 FT FOR POB TH CONT S89-06-35E 710 FT M/L TO WLY EDGE OF ECONLOCKHATCHEE RIVER TH SLY ALONG WATER'S EDGE TO A PT 300 FT S OF N LINE OF SAID SW1/4 OF NE1/4 TH N89-06-35W 574 FT M/L N01-41-46W 300.31 FT TO POB) & (LESS COMM AT SW COR OF NE1/4 OF SEC TH S89-26-46E 30.02 FT ALONG S LINE OF NE1/4 TO E EXISTING R/W LINE OF ECONLOCKHATCHEE TRL FOR POB TH N00-29-50W 1367.64 FT TH S88-53-04E 29.03 FT TH S01-28-28-15E 300.31 FT TH S88-53-04E 9.14 FT TH S01-29-39E 206.34 FT TH S88-30-21W 3 FT TH S01-29-39E 500 FT TH N88-30-21E 7 FT TH S01-29-39E 63.25 FT TH N88-30-21E 16 FT S01-29-39E 43.5 FT TH S88-30-21W 16 FT TH S01-29-39E 254 FT TH N89-26-46W 41.96 FT TO POB PER 10309/1127)

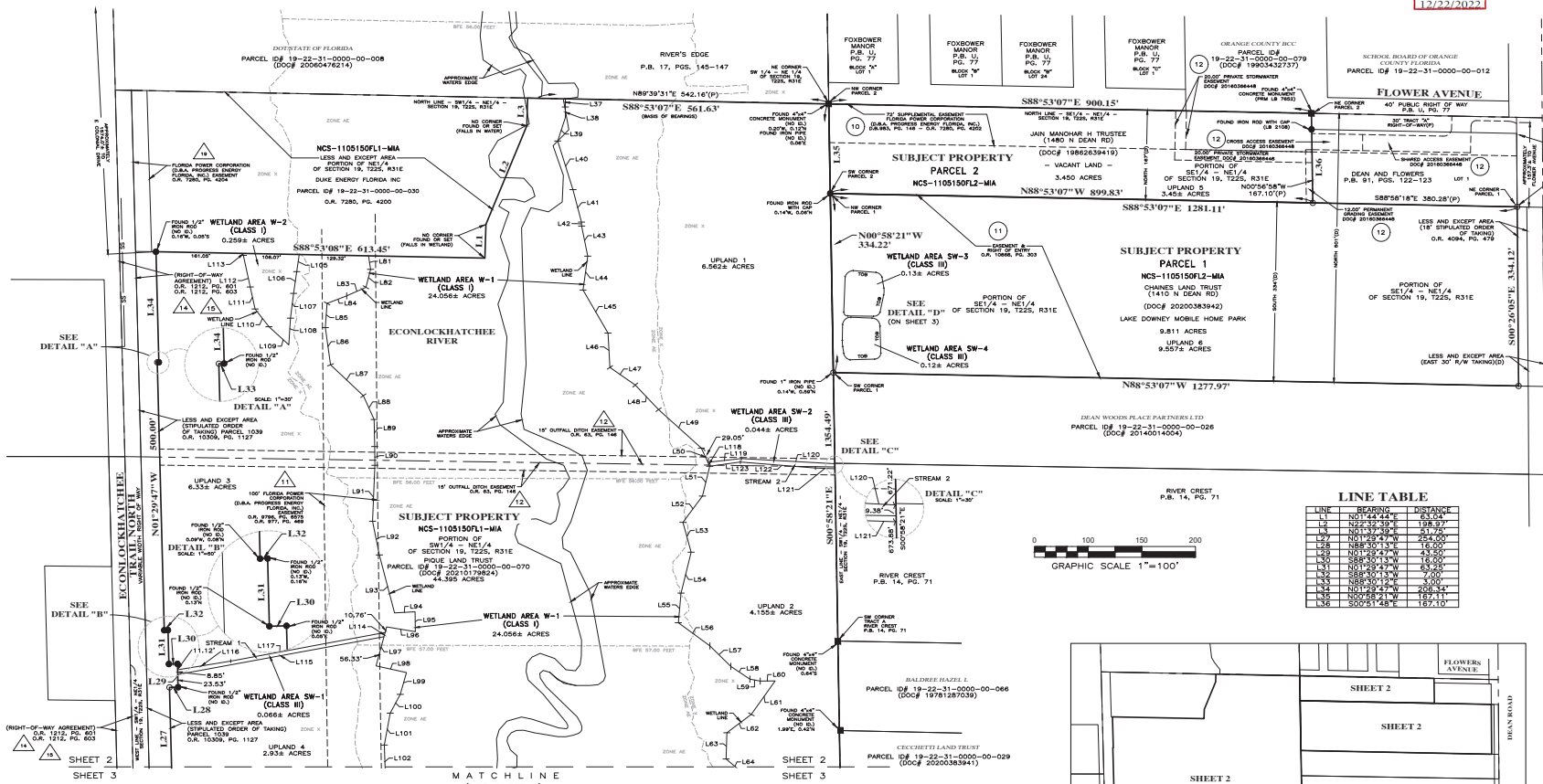
19-22-31-0000-00-023:

COMM NE COR SEC 19-22-31 TH S 1341.28 FT W 49.02 FT TH S 30.01 FT W 381.53 FT TH S 01 DEG E 137.09 FT FOR THE POB TH W 900 FT N 01 DEG W 167.11 FT E 900.13 THE S01E 167.09 FT TO POB

19-22-31-0000-00-024:

S 334 FT OF N 501 FT OF SE1/4 OF NE1/4 (LESS E 48 FT FOR RD) OF SEC 19-22-31

received
12/22/2022



ONSITE WETLAND ACREAGE TABLE

NCS-1105150FL1-MIA (CAD-22-01-006)
W-1 (CLASS I)
APPROXIMATE ONSITE ACREAGE = 24.056±
W-2 (CLASS I)
APPROXIMATE ONSITE ACREAGE = 0.259±
SW-1 (CLASS III)
APPROXIMATE ONSITE ACREAGE = 0.066±
SW-2 (CLASS III)
APPROXIMATE ONSITE ACREAGE = 0.044±
NCS-1105150FL2-MIA (CAD-22-01-006)
SW-3 (CLASS III)
APPROXIMATE ONSITE ACREAGE = 0.132±
SW-4 (CLASS III)
APPROXIMATE ONSITE ACREAGE = 0.122±
TOTAL:
APPROXIMATE ONSITE WETLAND ACREAGE = 24.621±

STREAM 1 LINE TABLE

LINE	BEARING	DISTANCE
L112	S85°11'28"W	19.80
L113	S79°35'59"W	350.00
L114	S64°42'42"E	45.00
L117	N79°25'53"E	292.79

STREAM 2 LINE TABLE

LINE	BEARING	DISTANCE
L119	N67°44'17"E	62.90
L120	N67°44'17"E	62.90
L121	N67°44'17"E	62.90
L122	N67°44'17"E	62.90
L123	N67°44'17"E	62.90

ONSITE UPLAND ACREAGE TABLE

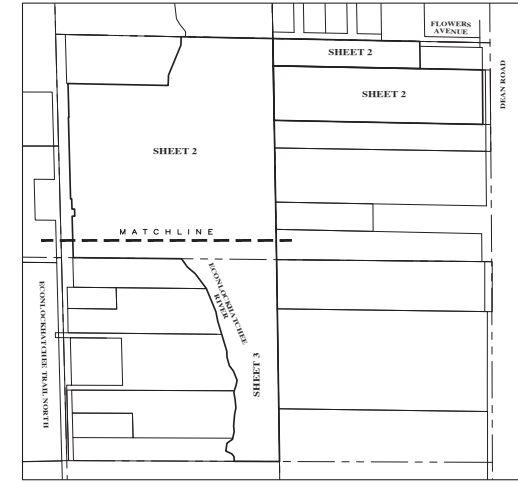
NCS-1105150FL1-MIA (CAD-22-01-006)
UPLAND 1
APPROXIMATE ONSITE ACREAGE = 6.562±
UPLAND 2
APPROXIMATE ONSITE ACREAGE = 4.155±
UPLAND 3
APPROXIMATE ONSITE ACREAGE = 6.325±
UPLAND 4
APPROXIMATE ONSITE ACREAGE = 2.928±
NCS-1105150FL2-MIA (CAD-22-01-006)
UPLAND 5
APPROXIMATE ONSITE ACREAGE = 3.450±
UPLAND 6
APPROXIMATE ONSITE ACREAGE = 9.557±
TOTAL:
APPROXIMATE ONSITE UPLAND ACREAGE = 33.035±

WETLAND LINE TABLE

LINE	BEARING	DISTANCE
L112	S85°11'28"W	19.80
L113	S79°35'59"W	350.00
L114	S64°42'42"E	45.00
L117	N79°25'53"E	292.79
L119	N67°44'17"E	62.90
L120	N67°44'17"E	62.90
L121	N67°44'17"E	62.90
L122	N67°44'17"E	62.90
L123	N67°44'17"E	62.90
L124	N67°44'17"E	62.90
L125	N67°44'17"E	62.90
L126	N67°44'17"E	62.90
L127	N67°44'17"E	62.90
L128	N67°44'17"E	62.90
L129	N67°44'17"E	62.90
L130	N67°44'17"E	62.90
L131	N67°44'17"E	62.90
L132	N67°44'17"E	62.90
L133	N67°44'17"E	62.90
L134	N67°44'17"E	62.90
L135	N67°44'17"E	62.90
L136	N67°44'17"E	62.90
L137	N67°44'17"E	62.90
L138	N67°44'17"E	62.90
L139	N67°44'17"E	62.90
L140	N67°44'17"E	62.90
L141	N67°44'17"E	62.90
L142	N67°44'17"E	62.90
L143	N67°44'17"E	62.90
L144	N67°44'17"E	62.90
L145	N67°44'17"E	62.90
L146	N67°44'17"E	62.90
L147	N67°44'17"E	62.90
L148	N67°44'17"E	62.90
L149	N67°44'17"E	62.90
L150	N67°44'17"E	62.90
L151	N67°44'17"E	62.90
L152	N67°44'17"E	62.90
L153	N67°44'17"E	62.90
L154	N67°44'17"E	62.90
L155	N67°44'17"E	62.90
L156	N67°44'17"E	62.90
L157	N67°44'17"E	62.90
L158	N67°44'17"E	62.90
L159	N67°44'17"E	62.90
L160	N67°44'17"E	62.90
L161	N67°44'17"E	62.90
L162	N67°44'17"E	62.90
L163	N67°44'17"E	62.90
L164	N67°44'17"E	62.90
L165	N67°44'17"E	62.90
L166	N67°44'17"E	62.90
L167	N67°44'17"E	62.90
L168	N67°44'17"E	62.90
L169	N67°44'17"E	62.90
L170	N67°44'17"E	62.90
L171	N67°44'17"E	62.90
L172	N67°44'17"E	62.90
L173	N67°44'17"E	62.90
L174	N67°44'17"E	62.90
L175	N67°44'17"E	62.90
L176	N67°44'17"E	62.90
L177	N67°44'17"E	62.90
L178	N67°44'17"E	62.90
L179	N67°44'17"E	62.90
L180	N67°44'17"E	62.90
L181	N67°44'17"E	62.90
L182	N67°44'17"E	62.90

LINE TABLE

LINE	BEARING	DISTANCE
L1	N00°44'44"E	183.54
L2	N25°32'39"E	198.97
L3	N01°39'47"W	254.00
L4	N01°39'47"W	254.00
L5	N01°39'47"W	254.00
L6	N01°39'47"W	254.00
L7	N01°39'47"W	254.00
L8	N01°39'47"W	254.00
L9	N01°39'47"W	254.00
L10	N01°39'47"W	254.00
L11	N01°39'47"W	254.00
L12	N01°39'47"W	254.00
L13	N01°39'47"W	254.00
L14	N01°39'47"W	254.00
L15	N01°39'47"W	254.00
L16	N01°39'47"W	254.00



BOUNDARY SURVEY INDEX MAP
(NOT TO SCALE)

Approved By The
Orange County
Environmental Protection Division
Date: 12/28/2022
Reviewer: N. Salvatino
CAD-22-01-006

Approval of wetland line only.
A Conservation Area Impact permit is
needed prior to any wetland impacts.

REVISIONS:

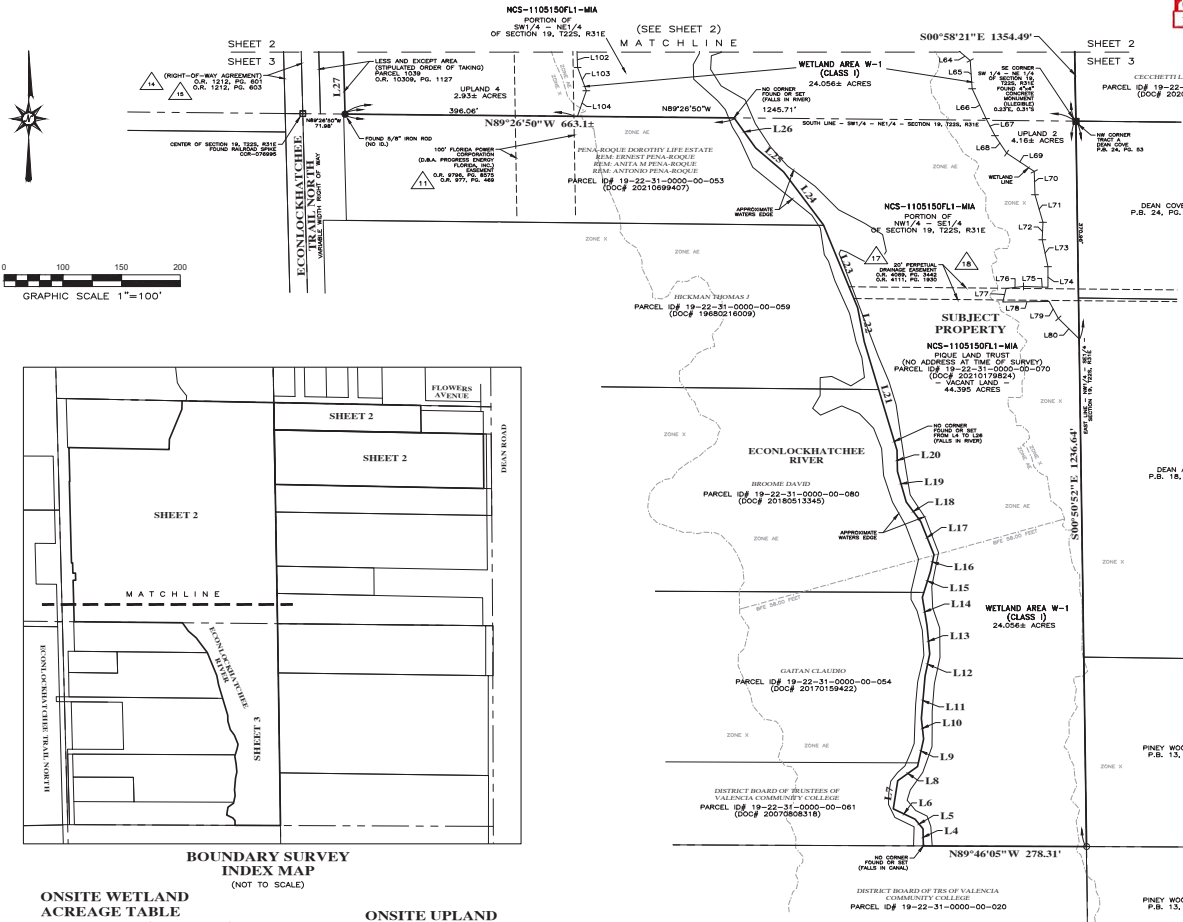
3 NOV 2022	ADDED WETLAND AND UPLAND TABLE INFO
7 DEC 2022	MERGED BOUNDARY WITH UPLAND AND WETLAND IN TABLE
12 DEC 2022	REVISED WETLAND LINE AND UPLAND IN TABLE
22 DEC 2022	ADDED 2D PRIVATE STATIONARY ELEVATION

DATE OF DRAWING: 25 OCT 2022
PROJECT NUMBER: 2024-01-006
MANAGER: MB
DRAWN: JH
CHECKED: JH
SCALE: 1"=100'

FOR
KIMLEY-HORN AND ASSOCIATES, INC.

ALTA/NPS LAND TITLE SURVEY
OF
A PORTION OF LAND IN SECTION 19, T22S, R31E,
LOCATED IN SECTION 19, T22S, R31E,
ORANGE COUNTY, FLORIDA

LEADING EDGE
LAND SERVICES
A CORPORATION
1400 S. R. A. P. O. BOX 1111
ORLANDO, FLORIDA 32809
PHONE: (407) 351-6730
FAX: (407) 351-6731
WWW: www.leadingedge.com
FLORIDA LICENSED BUSINESS NUMBER LB 8646



BOUNDARY SURVEY INDEX MAP (NOT TO SCALE)

ONSITE WETLAND ACREAGE TABLE
NCS-1105150FL1-MIA (CAD-22-01-006)

W-1 (CLASS I)	APPROXIMATE ONSITE ACREAGE = 24.056±
W-2 (CLASS I)	APPROXIMATE ONSITE ACREAGE = 0.259±
SW-1 (CLASS II)	APPROXIMATE ONSITE ACREAGE = 0.066±
SW-2 (CLASS II)	APPROXIMATE ONSITE ACREAGE = 0.044±
NCS-1105150FL2-MIA (CAD-22-01-006)	
SW-3 (CLASS II)	APPROXIMATE ONSITE ACREAGE = 0.132±
SW-4 (CLASS II)	APPROXIMATE ONSITE ACREAGE = 0.122±
TOTAL APPROXIMATE ONSITE WETLAND ACREAGE	= 24.621±

ONSITE UPLAND ACREAGE TABLE
NCS-1105150FL1-MIA (CAD-22-01-006)

UPLAND 1	APPROXIMATE ONSITE ACREAGE = 6.562±
UPLAND 2	APPROXIMATE ONSITE ACREAGE = 4.155±
UPLAND 3	APPROXIMATE ONSITE ACREAGE = 6.325±
UPLAND 4	APPROXIMATE ONSITE ACREAGE = 2.928±
NCS-1105150FL2-MIA (CAD-22-01-006)	
UPLAND 5	APPROXIMATE ONSITE ACREAGE = 3.450±
UPLAND 6	APPROXIMATE ONSITE ACREAGE = 9.557±
TOTAL APPROXIMATE ONSITE UPLAND ACREAGE	= 33.035±

THE SUBJECT PROPERTY: (TITLE COMMITMENT FILE# NCS-1105150FL1-MIA) CONTAINS 44.395 ACRES OF LAND, MORE OR LESS.
(TITLE COMMITMENT FILE# NCS-1105150FL2-MIA) PARCEL 1 CONTAINS 9.811 ACRES OF LAND, MORE OR LESS.
(TITLE COMMITMENT FILE# NCS-1105150FL2-MIA) PARCEL 2 CONTAINS 3.450 ACRES OF LAND, MORE OR LESS.
TOTAL ACRES: 57.656

Approved By The
Orange County
Environmental Protection Division
Date: 12/28/2022
Reviewer: N Salvatico
CAD-22-01-006

Approval of wetland line only.
A Conservation Area Impact permit is
needed prior to any wetland impacts.

WETLAND AREA SW-3 AND WETLAND AREA SW-4 CURVE TABLE

CURVE	RADIUS	CENTRAL ANGLE (DEG)	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C1	15.00	180.00	S00°00'00"E	15.00	15.71
C2	15.00	180.00	S00°00'00"E	15.00	15.71
C3	15.00	180.00	S00°00'00"E	15.00	15.71
C4	15.00	180.00	S00°00'00"E	15.00	15.71
C5	15.00	180.00	S00°00'00"E	15.00	15.71
C6	15.00	180.00	S00°00'00"E	15.00	15.71
C7	15.00	180.00	S00°00'00"E	15.00	15.71
C8	15.00	180.00	S00°00'00"E	15.00	15.71
C9	15.00	180.00	S00°00'00"E	15.00	15.71
C10	15.00	180.00	S00°00'00"E	15.00	15.71

LINE TABLE

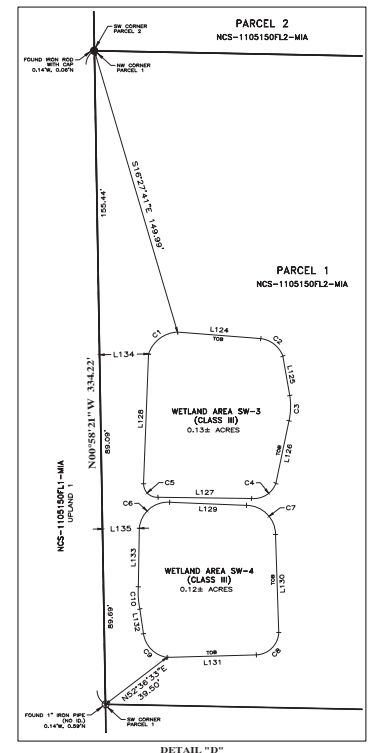
LINE	BEARING	DISTANCE
L1	N01°00'00"W	29.10
L2	N03°00'00"W	41.17
L3	N04°00'00"W	41.17
L4	N05°00'00"W	41.17
L5	N06°00'00"W	41.17
L6	N07°00'00"W	41.17
L7	N08°00'00"W	41.17
L8	N09°00'00"W	41.17
L9	N10°00'00"W	41.17
L10	N11°00'00"W	41.17
L11	N12°00'00"W	41.17
L12	N13°00'00"W	41.17
L13	N14°00'00"W	41.17
L14	N15°00'00"W	41.17
L15	N16°00'00"W	41.17
L16	N17°00'00"W	41.17
L17	N18°00'00"W	41.17
L18	N19°00'00"W	41.17
L19	N20°00'00"W	41.17
L20	N21°00'00"W	41.17
L21	N22°00'00"W	41.17
L22	N23°00'00"W	41.17
L23	N24°00'00"W	41.17
L24	N25°00'00"W	41.17
L25	N26°00'00"W	41.17
L26	N27°00'00"W	41.17
L27	N28°00'00"W	41.17
L28	N29°00'00"W	41.17
L29	N30°00'00"W	41.17

WETLAND LINE TABLE

LINE	BEARING	DISTANCE
L1	N01°00'00"W	29.10
L2	N03°00'00"W	41.17
L3	N04°00'00"W	41.17
L4	N05°00'00"W	41.17
L5	N06°00'00"W	41.17
L6	N07°00'00"W	41.17
L7	N08°00'00"W	41.17
L8	N09°00'00"W	41.17
L9	N10°00'00"W	41.17
L10	N11°00'00"W	41.17
L11	N12°00'00"W	41.17
L12	N13°00'00"W	41.17
L13	N14°00'00"W	41.17
L14	N15°00'00"W	41.17
L15	N16°00'00"W	41.17
L16	N17°00'00"W	41.17
L17	N18°00'00"W	41.17
L18	N19°00'00"W	41.17
L19	N20°00'00"W	41.17
L20	N21°00'00"W	41.17
L21	N22°00'00"W	41.17
L22	N23°00'00"W	41.17
L23	N24°00'00"W	41.17
L24	N25°00'00"W	41.17
L25	N26°00'00"W	41.17
L26	N27°00'00"W	41.17
L27	N28°00'00"W	41.17
L28	N29°00'00"W	41.17
L29	N30°00'00"W	41.17

WETLAND AREA SW-3 AND WETLAND AREA SW-4 LINE TABLE

LINE	BEARING	DISTANCE
L1	N01°00'00"W	29.10
L2	N03°00'00"W	41.17
L3	N04°00'00"W	41.17
L4	N05°00'00"W	41.17
L5	N06°00'00"W	41.17
L6	N07°00'00"W	41.17
L7	N08°00'00"W	41.17
L8	N09°00'00"W	41.17
L9	N10°00'00"W	41.17
L10	N11°00'00"W	41.17
L11	N12°00'00"W	41.17
L12	N13°00'00"W	41.17
L13	N14°00'00"W	41.17
L14	N15°00'00"W	41.17
L15	N16°00'00"W	41.17
L16	N17°00'00"W	41.17
L17	N18°00'00"W	41.17
L18	N19°00'00"W	41.17
L19	N20°00'00"W	41.17
L20	N21°00'00"W	41.17
L21	N22°00'00"W	41.17
L22	N23°00'00"W	41.17
L23	N24°00'00"W	41.17
L24	N25°00'00"W	41.17
L25	N26°00'00"W	41.17
L26	N27°00'00"W	41.17
L27	N28°00'00"W	41.17
L28	N29°00'00"W	41.17
L29	N30°00'00"W	41.17



REVISIONS:

3 NOV 2022	ADDED WETLAND AND UPLAND TABLE INFO
7 DEC 2022	REVISED BOUNDARY WITH TOPO
21 DEC 2022	REVISED WETLAND LINE AND FORECAST IN TABLE
22 DEC 2022	ADDED 2D PRIVATE STORMWATER EXCHANGE

DATE OF DRAWING: 25 OCT 2022
PROJECT NUMBER: 2024-22110
MANAGER: MB
FIELD BOOK NUMBER: 1210711460

ALTA/NSPS LAND TITLE SURVEY

OR

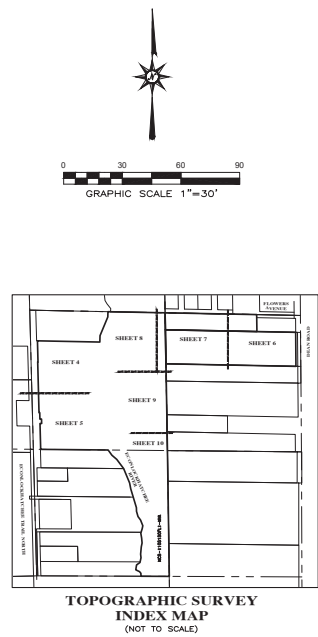
A PORTION OF LAND IN SECTION 31, RANGE 31 EAST, ORANGE COUNTY, FLORIDA

FOR

KIMLEY-HORN AND ASSOCIATES, INC.

READING EDGE LAND SERVICES
A CORPORATION
ORLANDO, FLORIDA 32809
PHONE: (407) 351-6750
WWW.READINGEDGE.COM
FLORIDA LICENSED BUSINESS NUMBER LB 8846

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER (SEE SHEET 1 OF 10)



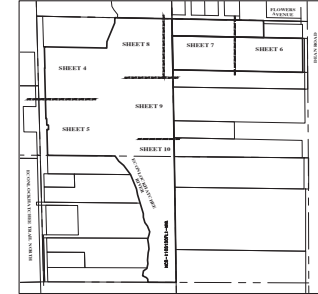
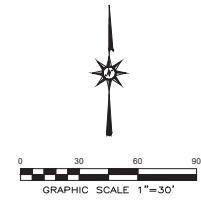
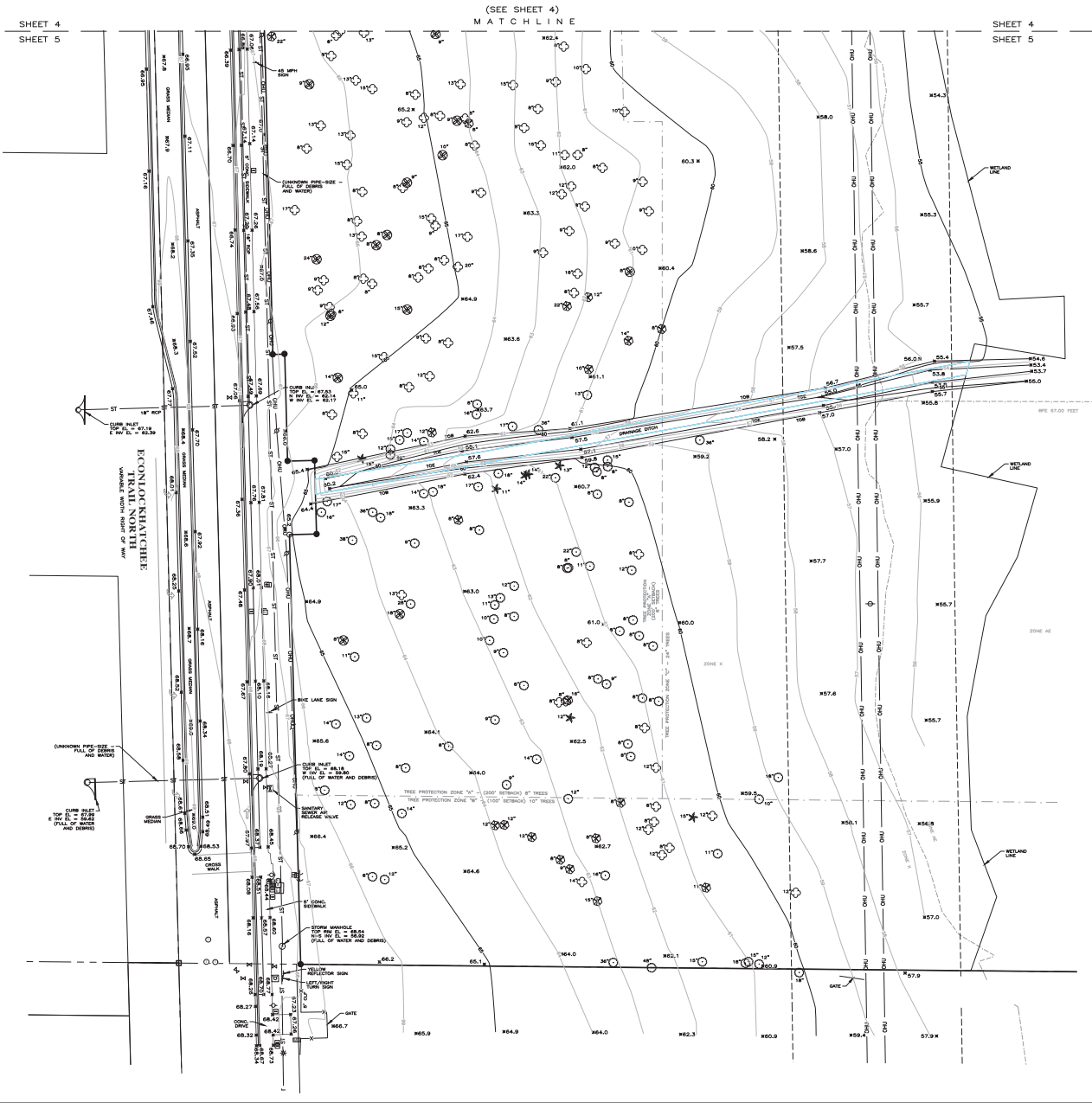
SHEET 4
SHEET 5

MATCHLINE
(SEE SHEET 5)

SHEET 4
SHEET 5

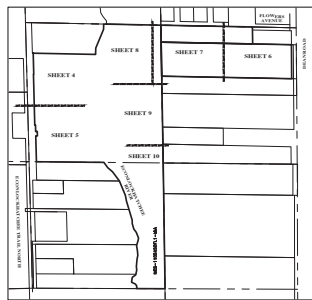
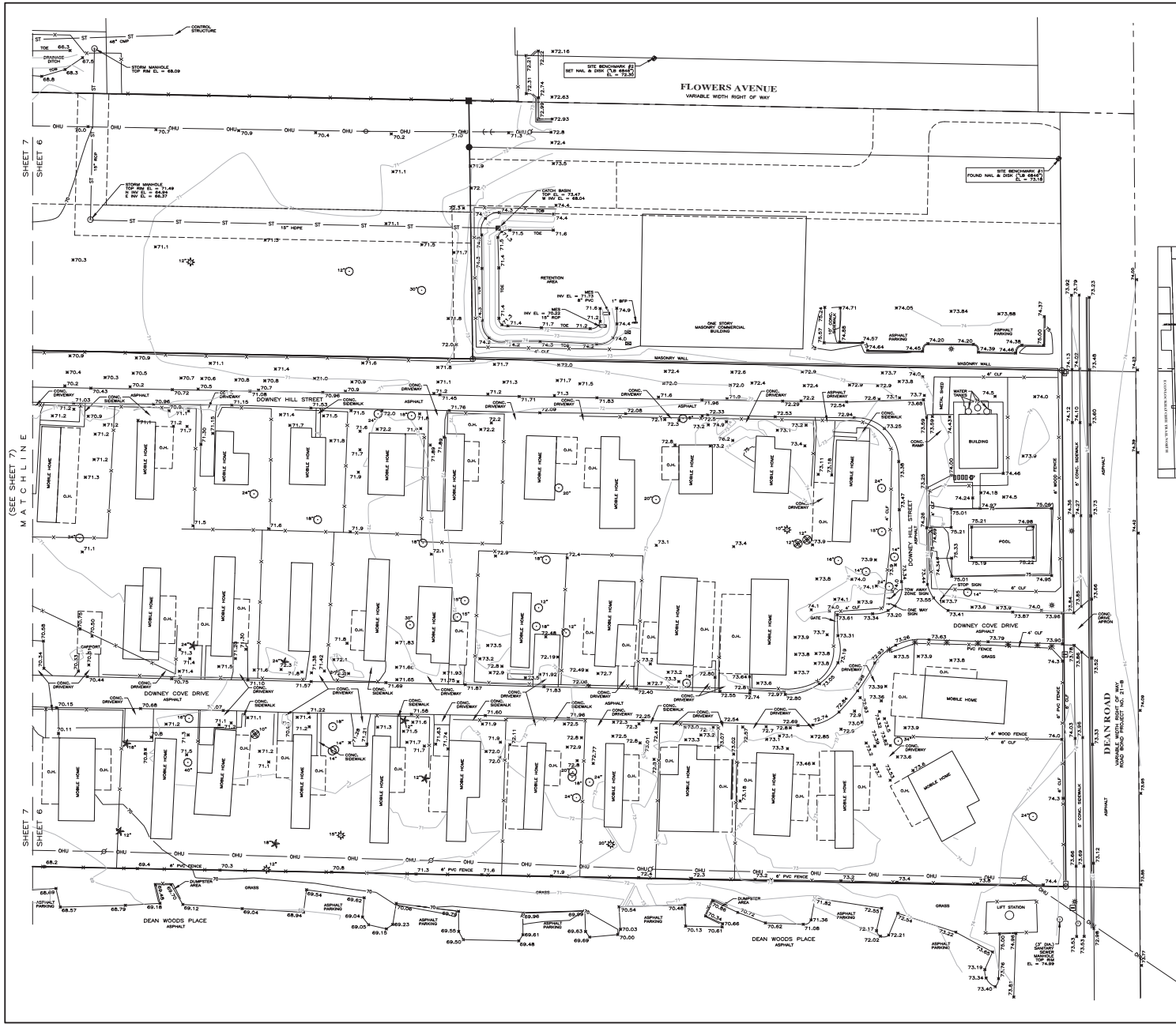
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER (SEE SHEET 1 OF 10)

LEADING EDGE LAND SERVICES A C O R P O R A T E D SURVEYING & MAPPING ORLANDO, FLORIDA 32809 PHONE: (407) 351-6730 WWW.LEADINGEDGEFLA.COM FLORIDA LICENSED BUSINESS NUMBER LB 8846	ALTA/NSPS LAND TITLE SURVEY	
	OF A PORTION OF LAND 10TH, RANGE 31 EAST, SECTION 26, TOWNSHIP 28 NORTH, ORANGE COUNTY, FLORIDA	
FOR KIMLEY-HORN AND ASSOCIATES, INC.		REVISIONS:
		3 NOV 2022 - ADDED WETLAND AND UPLAND TABLE INFO
		7 DEC 2022 - MERGED BINDY WITH TOPO
		22 DEC 2022 - ADDED 20' PRIVATE STORMWATER EASEMENT
		DATE OF DRAWING: 25 OCT 2022
		MANAGER: MB [CADED TO: JAA]
		PROJECT NUMBER: 204-22110
		COMPUTER FILE: 20411WALY.DWG
		FIELD BOOK NUMBER: LB 18711460
		SHEET 4 OF 10



TOPOGRAPHIC SURVEY
INDEX MAP
(NOT TO SCALE)

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER (SEE SHEET 1 OF 10)	ALTA/NSPS LAND TITLE SURVEY	
	OF A PORTION OF LAND IN THE 10TH RANGE 31 EAST, LOCATED IN SECTION 20, TOWNSHIP 31 NORTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA	
FLORIDA LICENSED BUSINESS NUMBER LB 8846	FOR KIMLEY-HORN AND ASSOCIATES, INC.	
	REVISIONS: 3 NOV 2022 - ADDED WETLAND AND UPLAND TABLE INFO 7 DEC 2022 - MERGED BINDY WITH TOPO 22 DEC 2022 - ADDED 20' PRIVATE STORMWATER EASEMENT	
DATE OF DRAWING: 25 OCT 2022		LAST FIELD WORK: 22 DEC 2022
MANAGER: MB		CHECK: CHIEF(S): NG/RE
PROJECT NUMBER: 204-22110		COMPUTER FILE: 2041WALTA.DWG
FIELD BOOK NUMBER: LB 18711460		SCALE: 1"=30'
DRAWN BY: NG		SHEET 3 OF 10



TOPOGRAPHIC SURVEY
INDEX MAP
(NOT TO SCALE)

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER (SEE SHEET 1 OF 10)

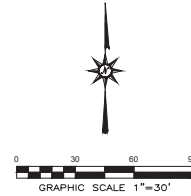
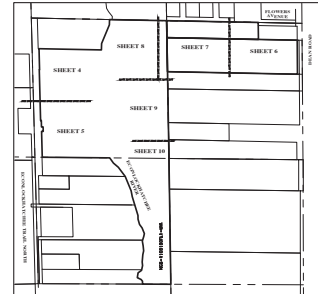
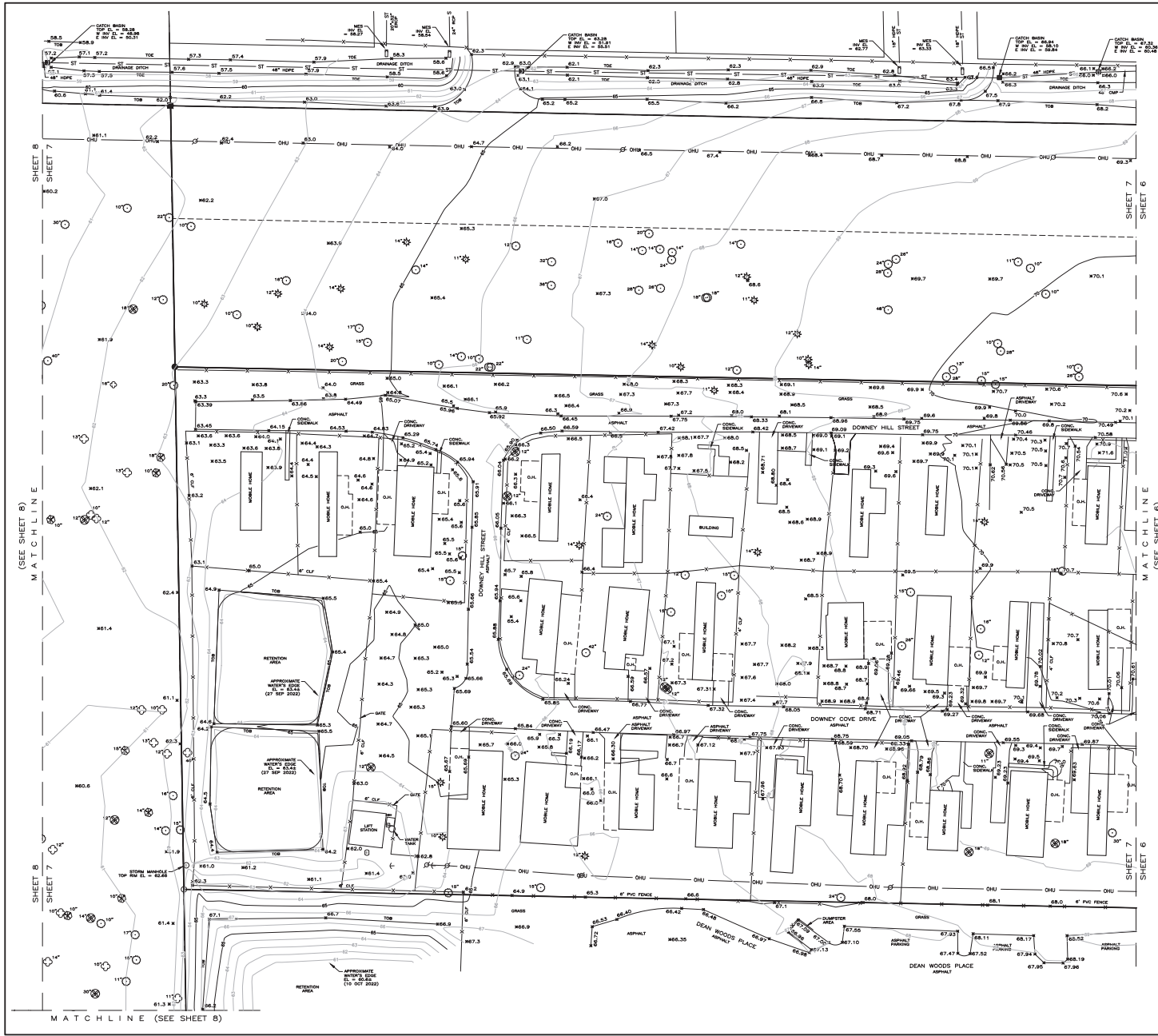
ALTA/NSPS LAND TITLE SURVEY

OF
A PORTION OF LAND IN THE 31ST EAST,
RANGE 31 EAST,
SECTION 20, TOWNSHIP 21N,
RANGE 31 EAST,
ORANGE COUNTY, FLORIDA

FOR
KIMLEY-HORN AND ASSOCIATES, INC.

LEADING EDGE
LAND SERVICES
A CORPORATION
10000 W. BOULEVARD
ORLANDO, FLORIDA 32835
PHONE (407) 351-6730
FAX (407) 351-6730
WWW.LEADINGEDGE.COM
FLORIDA LICENSED BUSINESS NUMBER LB 9846

REVISIONS:
3 NOV 2022 - ADDED WETLAND AND UPLAND TABLE INFO
7 DEC 2022 - MERGED BOUND WITH TOPO
22 DEC 2022 - ADDED 20' PRIVATE STORMWATER EASEMENT
DATE OF DRAWING: 25 OCT 2022
LAST FIELD WORK: 22 DEC 2022
DRAWN BY: J. H. HORN
CHECKED BY: J. H. HORN
MANAGER: J. H. HORN
PROJECT NUMBER: 204-22116
COMPUTER FILE: 204116.DWG
FIELD BOOK NUMBER: 12111600
SCALE: 1"=30'
SHEET 8 OF 10



FLORIDA LICENSED BUSINESS NUMBER LB 8846

WEADING EDGE
LAND SERVICES
A CORPORATION
10000 W. BOULEVARD
ORLANDO, FLORIDA 32835
PHONE (407) 351-6730
WWW.WEADINGEDGE.COM

FOR

ALTA/NSPS LAND TITLE SURVEY

OR

A PORTION OF LAND
IN SECTION 28, T4N, R31E, S1E,
ORANGE COUNTY, FLORIDA

LOCATED IN SECTION 28, T4N, R31E, S1E,
ORANGE COUNTY, FLORIDA

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER (SEE SHEET 1 OF 10)

REVISIONS:
3 NOV 2022 - ADDED WETLAND AND UPLAND TABLE INFO
7 DEC 2022 - MERGED BINDER WITH TOPO
22 DEC 2022 - ADDED 20' PRIVATE STORMWATER EASEMENT

DATE OF DRAWING: 25 OCT 2022

LAST FIELD WORK: 22 DEC 2022

PROJECT NUMBER: 204-22116

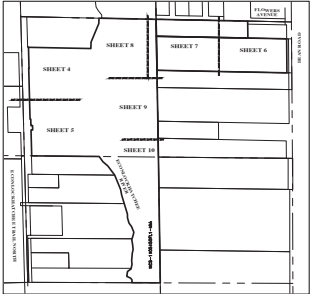
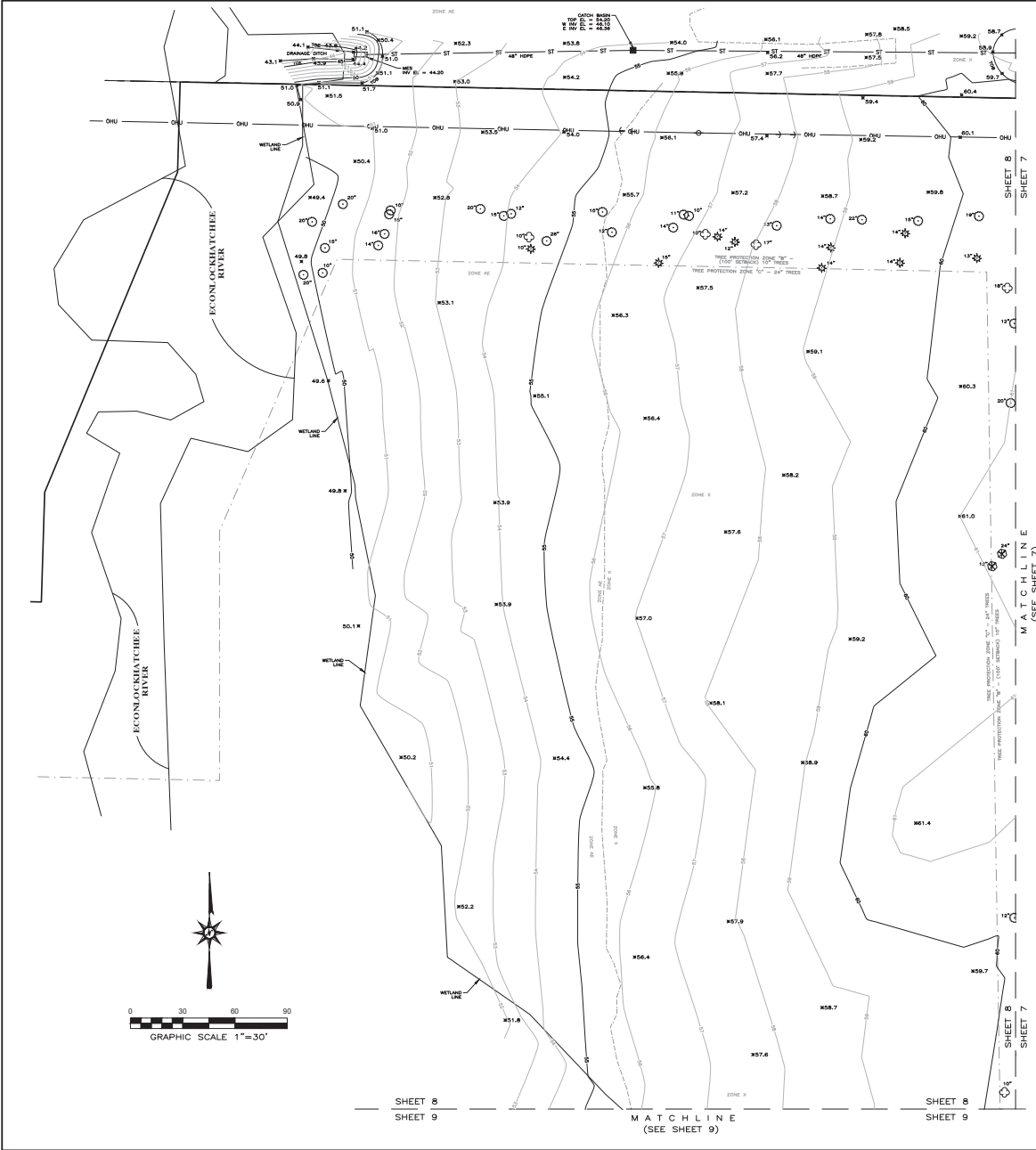
CREW CHIEF(S): NCHE

MANAGER: MB

COMPUTER FILE: 2041WALTA.DWG

FIELD BOOK NUMBER: LB 10711460

SHEET 7 OF 10



TOPOGRAPHIC SURVEY
INDEX MAP
(NOT TO SCALE)

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER (SEE SHEET 1 OF 10)

LEADING EDGE LAND SERVICES INCORPORATED 10000 N. W. 10TH AVENUE SUITE 100 ORLANDO, FLORIDA 32839 PHONE: (407) 351-6730 FAX: (407) 351-6731 WWW.LEADINGEDGE.COM	ALTA/NSPS LAND TITLE SURVEY		REVISIONS:
	OF A PORTION OF LAND IN SECTION 31, TOWNSHIP 31 NORTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA		3 NOV 2022 — ADDED WETLAND AND UPLAND TABLE INFO
	LOCATED IN SECTION 31, TOWNSHIP 31 NORTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA		7 DEC 2022 — MERGED BMDY WITH TOPO
	FOR KIMLEY-HORN AND ASSOCIATES, INC.		22 DEC 2022 — ADDED 20' PRIVATE STORMWATER EASEMENT
			DATE OF DRAWING: 25 OCT 2022 DRAWN BY: JAC CHECKED BY: JAC PROJECT NUMBER: 2021-22110 COMPUTER FILE: 2021WALTA.DWG FIELD BOOK NUMBER: LE 16811460 SCALE: 1"=30' SHEET 8 OF 10

Orange County EPD Comments to the Local Planning Agency for the
2023-1 Regular Cycle Comprehensive Plan Amendments
November 30, 2022

Plan Amendment Number	2023-1-A-3-1
Project Name	Dean Road Multifamily
Requested Change	FLU from Office (O) and Low-Medium Density Residential (LMDR) to Planned Development-Medium Density Residential/Conservation (PD-MDR/CONS)
Parcels	19-22-31-0000-00-023, 19-22-31-0000-00-024, and 19-22-31-0000-00-070 (portion east of Little Econlockhatchee River)
General Location	1410 N. Dean Rd. and 1480 N. Dean Rd.; generally located west of N. Dean Road, south of E. Colonial Dr., north of River Crest Ct., and east of N. Econlockhatchee Trl.
Proposed Development	420 multi-family units
Area	42.10 gross acres
Agent	S&ME, Inc. (Eric Raasch)
Owner	Jain Manohar Trustee, Chaines Land Trust, and Pique Land Trust
District	3
Comments Prepared by	Alyse Tristram, Alyse.Tristram@ocfl.net , 407-836-1471

EPD Review Summary:

- An Orange County Conservation Area Determination CAD-22-01-006 was completed with a certified survey of the conservation area boundary approved by the Environmental Protection Division (EPD) on 1/6/23. The CAD identified 24.31 acres of Class I wetlands/surface waters (including the Little Econ River) and 0.364 acre of Class III wetlands and surface waters.
- Any wetland encroachments will require submittal of an application for a Conservation Impact Permit to the Orange County Environmental Protection Division as outlined in Chapter 15, Article X Wetland Conservation Areas.
- Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled species (endangered, threatened, or species of special concern). The applicant is responsible to determine the presence of these concerns and to verify and obtain, if necessary, any required habitat permitting of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).

FLUM Amendment Comments:

1. CAD Complete - An Orange County Conservation Area Determination CAD-22-01-006 was completed with a certified survey of the conservation area boundary approved by the Environmental Protection Division (EPD) on 1/6/23. The CAD identified 24.31 acres of

Orange County EPD Comments to the Local Planning Agency for the
2023-1 Regular Cycle Comprehensive Plan Amendments
November 30, 2022

Class I wetlands/surface waters (including the Little Econ River) and 0.364 acre of Class III wetlands and surface waters.

2. Conservation Area Impacts – In addition to any state or federal wetland permitting requirements, the applicant shall satisfy Orange County's wetland permitting requirements. Any wetland encroachments will require submittal of an application for a Conservation Impact Permit to the Orange County Environmental Protection Division. *Reference OC Code Chapter 15, Article X Wetland Conservation Areas.*
3. No Clearing – No construction, clearing, filling, alteration, or grading is allowed within or immediately adjacent to a conservation area or easement (includes the conservation area and the wetland setback/buffer) without first obtaining a Conservation Area Impact (CAI) permit approved by the county and obtaining other applicable jurisdictional agency permits. Submit a CAI permit application to Orange County Environmental Protection Division by mail or email to wetlandpermitting@ocfl.net. *Reference OC Code Chapter 15, Article X Wetland Conservation Areas.*
4. Outstanding FL Waters – The Little Econlockhatchee River is designated as an Outstanding FL waterbody by FDEP. The applicant shall comply with the Florida Department of Environmental Protection rule 62-302.700 Special Protection, Outstanding Florida Waters, Outstanding Natural Resource Waters. No degradation of water quality, other than that allowed in Rule 62-4.242(2) and (3), F.A.C., is to be permitted in Outstanding Florida Waters and Outstanding national Resource Waters, respectively, notwithstanding any other Department rules that allow water quality lowering.
5. Impaired Waters – The Little Econlockhatchee River has been designated as an impaired water body by the Impaired Waters Rule, *Chapter 62-303 of the Florida Administrative Code*. Be aware that the Environmental Protection Division will not support any variance requests affecting the water quality of the Little Econlockhatchee River or wetlands connected to the river without some extra protective measures by the applicant. These will likely include but are not limited to: a high efficiency septic system, shoreline plant enhancement, wetland buffer and a pollution abatement swale easement. In addition, state code may have other restrictions.
6. Habitat Permit Compliance – Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled species (endangered, threatened, or species of special concern). The applicant is responsible to determine the presence of these concerns and to verify and obtain, if necessary, any required habitat permitting of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).
7. Jurisdictional Coordination – This environmental review only addresses Orange County environmental regulatory code, however, the project shall also obtain and comply with all other existing environmental permits and applicable environmental regulations of, but not limited to: the Army Corps of Engineers, the Florida Department of Environmental

Orange County EPD Comments to the Local Planning Agency for the
2023-1 Regular Cycle Comprehensive Plan Amendments
November 30, 2022

Protection, and the applicable Water Management District, the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC). It is possible that one of the other agencies could deny the request even if the County approves it, or they may have other natural resource protective requirements. Therefore, it is imperative that this proposed request be addressed on a multi-agency basis.

Additional EPD Comments:

1. Demolition – Prior to demolition or construction activities associated with existing structures, provide a Notice of Asbestos Renovation or Demolition form to the Orange County Environmental Protection Division (EPD). For more information, or to determine if an exemption applies, contact the EPD Air Quality Management staff at 407-836-1400. *Reference OC Code Chapter 15 Environmental Control, Article III Air Quality Control, Division 4 Asbestos requirements, Sec.108 Notification procedure and requirements, Subsection A(1).*
2. Solid Waste Disposal – Any miscellaneous garbage, hazardous waste, yard waste (including excess fertilizers, herbicides, and pesticides), and construction or demolition debris shall be disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.
3. Erosion Control – Use caution to prevent erosion during construction along the boundary of the property, into wetlands and buffers, and into all drainage facilities and ditches. Construction will require Best Management Practices (BMPs) for erosion control. Minimize the extent of area exposed at one time, apply perimeter controls where necessary, and perform maintenance checks every seven (7) days and after every 1/2-inch rain. The construction entry area shall be designed to prevent trucks from tracking soil onto local roads and the affected storm drainage system shall be protected. This may require periodic street sweeping. *Reference OC Code Chapter 34 Subdivision Regulations, Article VII Stormwater Management, Division 2 General Design Criteria, Sec. 250 Open Drainage Facilities, (g).*



Bio-Tech Consulting Inc.

Environmental and Permitting Services

August 29, 2022

Kamil Salame
Royal Palm Multi-Family, LLC
1010 NE 2nd Avenue
Miami, Florida 33132

Proj: Pique & Dean Site – Orange County, Florida
Section 19, Township 22 South, Range 31 East
(BTC File #112-41)
Re: Environmental Assessment Report

Dear Mr. Salame:

During August of 2022, Bio-Tech Consulting, Inc. (BTC) conducted an environmental assessment of the approximately 57.1-acre Pique & Dean project site. This project site is located east of Econlockhatchee Trail, west of Dean Road and just south of East Colonial Drive (SR 50); within Section 19, Township 22 South, Range 31 East in Orange County, Florida (**Figures 1, 2 & 3**). This environmental assessment included the following elements:

- Review of soil types mapped within the property boundaries;
- Evaluation of land use types/vegetative communities present;
- Field review for occurrence of protected flora and fauna; and
- Delineation of on-site wetland communities.

SOILS

According to the Soil Survey of Orange County, Florida, prepared by the U.S. Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS), seven (7) soil types exist within the subject site (**Figure 4**). These soil types include the following:

Orlando: Main Office
3025 East South Street
Orlando, FL 32803

Jacksonville Office
11235 St Johns Industrial Pkwy N
Suite 2
Jacksonville, FL 32246

Tampa Office
6011 Benjamin Road
Suite 101-B
Tampa, FL 33634

Vero Beach Office
4445 North A1A
Suite 221
Vero Beach, FL 32963

Key West Office
1107 Key Plaza
Suite 259
Key West, FL 33040

Land & Aquatic Management
3825 Rouse Road
Orlando, FL 32817

407.894.5969
877.894.5969
407.894.5970 fax

info@bio-techconsulting.com

www.bio-techconsulting.com

- **Felda fine sand, frequently flooded (#15)**
- **Immokalee fine sand (#20)**
- **Pomello fine sand, 0 to 5 percent slopes (#34)**
- **Pomello-Urban land complex (#35)**
- **Smyrna-Smyrna, wet, fine sand, 0 to 2 percent slopes (#44)**
- **Smyrna-Urban land complex (#45)**
- **Zolfo fine sand, 0 to 2 percent slopes (#54)**

The following presents a brief description of each soil type mapped for the subject site:

Felda fine sand, frequently flooded (#15) is a nearly level, poorly drained soil found on the floodplain of the Econlockhatchee River and other minor streams. This soil is flooded for very long periods following prolonged, intense rains. Typically, the surface layer of this soil type consists of very dark gray fine sand about 3 inches thick. In most years, the seasonal high water table for this soil type is within 10 inches of the surface for 2 to 6 months. Permeability of this soil type is rapid in the surface and subsurface layers and in the substratum and is moderate in the subsoil.

Immokalee fine sand (#20) is a nearly level, poorly drained soil found on broad flatwoods. The surface layer of this soil type generally consists of black fine sand about 5 inches thick. In most years the seasonal high water table for this soil type is within 10 inches of the surface for 1 to 3 months. It recedes to a depth of 10 to 40 inches for more than 6 months. Permeability of this soil type is rapid in the surface and subsurface layers and in the substratum. It is moderate in the subsoil.

Pomello fine sand, 0 to 5 percent slopes (#34) is a nearly level to gently sloping, moderately well drained soil found on low ridges and knolls on the flatwoods. The surface layer of this soil type generally consists of gray fine sand about 3 inches thick. In most years, the seasonal high water table for this soil type is at a depth of 24 to 40 inches for 1 to 4 months and recedes to a depth of 40 to 60 inches during dry periods. Permeability of this soil type is very rapid in the surface and subsurface layers, moderately rapid in the subsoil, and rapid in the substratum.

Pomello-Urban land complex (#35) consists of Pomello soil that is nearly level to gently sloping and moderately well drained. The surface layer of this soil type generally consists of dark gray fine sand about 5 inches thick. In most years, the seasonal high water table for this soil type is at a depth of 24 to 40 inches for 1 to 4 months and recedes to a depth of 40 to 60 during dry periods. Permeability of this soil type is very rapid in the surface and subsurface layers, moderately rapid in the subsoil, and rapid in the substratum.

Smyrna-Smyrna, wet, fine sand, 0 to 2 percent slopes (#44) is a nearly level, poorly drained soil found on broad flatwoods. The surface layer of this soil type generally consists of black fine sand about 4 inches thick. The seasonal high water table for this soil type is within 10 inches of the surface for 1 to 4 months. It recedes to a depth of 10 to 40 inches for more than 6 months. Permeability of this soil type is rapid in the surface and subsurface layers and in the substratum. It is moderate to moderately rapid in the subsoil.

Smyrna-Urban land complex (#45) consists of nearly level, poorly drained areas of urban land on the flatwoods. The surface layer of this soil type generally consists of black fine sand about 5 inches thick. In undrained areas, a seasonal high water table is within 10 inches of the surface for 1 to 4 months. Drainage systems though, have been established in most areas mapped with this soil unit. Permeability of this soil type is rapid in the surface and subsurface layers and in the substratum. It is moderate to moderately rapid in the subsoil.

Zolfo fine sand, 0 to 2 percent slopes (#54) is a nearly level, somewhat poorly drained soil found on broad, slightly higher positions adjacent to the flatwoods. The surface layer of this soil type generally consists of dark grayish brown fine sand about 5 inches thick. The seasonal high water table for this soil type is at a depth of 24 to 40 inches for 2 to 6 months. It is at a depth of 10 to 24 inches during periods of heavy rain. It recedes to a depth of about 60 inches during extended dry periods. Permeability of this soil type is rapid in the surface and subsurface layers and is moderate in the subsoil.

The Florida Association of Environmental Soil Scientists (FAESS) considers the main components of Felda fine sand, frequently flooded (#15) to be hydric. The FAESS also considers inclusions present within Immokalee fine sand (#20), Pomello fine sand, 0 to 5 percent slopes (#34), Pomello-Urban land complex (#35), Smyrna-Smyrna, wet, fine sand, 0 to 2 percent slopes (#44) and Smyrna-Urban land complex (#45) to be hydric. This information can be found in the Hydric Soils of Florida Handbook, Fourth Edition, March 2007.

LAND USE TYPES/VEGETATIVE COMMUNITIES

The Pique & Dean project site currently supports six (6) land use types/vegetative communities. These land use types/vegetative communities were identified utilizing the Florida Land Use, Cover and Forms Classification System, Level III (FLUCFCS, FDOT, January 2004) (**Figure 5**). The on-site upland land use types/vegetative communities are classified as Mobile Home Units (112), Mixed Hardwoods (438) and Electrical Power Transmission Lines (823). The on-site wetland/surface water land use types/vegetative communities are classified as Streams and Waterways (510), Stream and Lake Swamp (615) and Mixed Forested Wetlands (630). The following provides a brief description of the on-site land use types/vegetative communities:

Uplands:

112 Mobile Home Units

The northeast portion of the subject property is an active mobile home park and is best described as Mobile Home Units (112) per the FLUCFCS. Vegetation identified in this area consists of slash pine (*Pinus elliottii*), camphortree (*Cinnamomum camphora*), red maple (*Acer rubrum*), live oak (*Quercus virginiana*), laurel oak (*Quercus laurifolia*), cabbage palm (*Sabal palmetto*), queen palm (*Syagrus romanzoffiana*), American sycamore (*Platanus occidentalis*), citrus tree (*Citrus* spp.), crapemyrtle (*Lagerstroemia indica*), red cedar (*Juniperus virginiana*), Chinese tallowtree (*Sapium sebiferum*), Japanese yew plumpine (*Podocarpus macrophyllus*), bahiagrass (*Paspalum notatum*), and various ornamentals.

438 Mixed Hardwoods

The western and central portions of the site contain a forested upland community type that is most consistent with the Mixed Hardwoods (438) FLUCFCS classification. Vegetative species identified within this community type included Chinaberry (*Melia azedarach*), American sweetgum (*Liquidambar styraciflua*), elderberry (*Sambucus canadensis*), earpod tree (*Enterolobium contortisiliquum*), camphor tree (*Cinnamomum camphora*), cabbage palm (*Sabal palmetto*), saw palmetto (*Serenoa repens*), American beautyberry (*Callicarpa americana*), blackberry (*Rubus cuneifolius*), winged sumac (*Rhus copallinum*), muscadine grapevine (*Vitis rotundifolia*), greenbriar (*Smilax* spp.), cogongrass (*Imperata cylindrica*), caesarweed (*Urena lobata*), Brazilian pepper (*Schinus terebinthifolius*), American pokeweed (*Phytolacca americana*), air potato vine (*Dioscorea bulbifera*), eastern bracken fern (*Pteridium aquilinum*), and saltbush (*Baccharis halimifolia*).

832 Electrical Power Transmission Lines

The northeast boundary of the subject property contains a powerline easement and overhead power lines. This area is most consistent with the Electrical Power Transmission Lines (832) FLUCFCS classification. The vegetative species identified within this community consist of bahiagrass (*Paspalum notatum*), muscadine (*Vitis rotundifolia*), air-potato (*Discorea bulbifera*), ragweed (*Ambrosia artemisiifolia*), guineagrass (*Panicum maximum*), dog fennel (*Eupatorium capillifolium*), with scattered earpod tree (*Enterolobium contortisiliquum*), laurel oak (*Quercus laurifolia*), and Chinaberrytree (*Melia azedarach*).

Wetlands/Surface Waters:

510 *Streams and Waterways (Ditch)*

There are two (2) separate ditches, one on the eastern portion of the site and one on the western portion of the site and are most consistent with the Streams and Waterways (510) FLUCFCS classification. Both ditches are man-made conveyances from the adjacent developments. Vegetative species identified within this community type includes cinnamon fern (*Osmundastrum cinnamomeum*), marsh pennywort (*Hydrocotyle umbellata*), wax myrtle (*Myrica cerifera*), netted chain fern (*Woodwardia areolata*), wild taro (*Colocasia esculenta*), torpedo grass (*Panicum repens*), Peruvian primrosewillow (*Ludwigia peruviana*), caesarweed (*Urena lobata*) and smartweed (*Persicaria* spp.).

615 *Stream and Lake Swamp*

The central portion of the site contains the main channel of the Little Econlockhatchee River and associated wetlands that are considered Stream and Lake Swamp (615) FLUCFCS classification. Vegetative species identified within this community type includes red maple (*Acer rubrum*), laurel oak (*Quercus laurifolia*), bald cypress (*Taxodium distichum*), pond cypress (*Taxodium ascendens*), sweetbay (*Magnolia virginiana*), black gum (*Nyssa sylvatica*), Carolina willow (*Salix caroliniana*), dahoon holly (*Ilex cassine*), pond pine (*Pinus serotina*), Peruvian primrosewillow (*Ludwigia peruviana*), wax myrtle (*Morella cerifera*), maidencane (*Panicum hemitomom*), pickerelweed (*Pontederia cordata*), alligatorweed (*Alternanthera philoxeroides*), shield fern (*Thelypteris kunthii*), lizard's-tail (*Saururus cernuus*), wild taro (*Colocasia esculenta*), swamp fern (*Blechnum serrulatum*), cinnamon fern (*Osmundastrum cinnamomeum*), netted chain fern (*Woodwardia areolata*), common buttonbush (*Cephalanthus occidentalis*), cattails (*Typha* spp.) and assorted sedges (*Carex* spp. and *Cyperus* spp.).

630 *Wetland Forested Mixed*

The northwest corner of the project contains a small remnant forested wetland that is most consistent with the Wetland Forested Mixed (630) FLUCFCS classification. Vegetative species identified within this community type includes Chinese tallow tree (*Sapium sebiferum*), wax myrtle (*Myrica cerifera*), slender spikerush (*Eleocharis* spp.), Peruvian primrosewillow (*Ludwigia peruviana*), soft rush (*Juncus effusus*), flat sedge (*Cyperus* spp.), bushy bluestem (*Andropogon glomeratus*), spadeleaf (*Centella asiatica*), marsh pennywort (*Hydrocotyle umbellata*) and torpedo grass (*Panicum repens*).

PROTECTED SPECIES

Utilizing methodologies outlined in the Florida's Fragile Wildlife (Wood, 2001); Measuring and Monitoring Biological Diversity Standard Methods for Mammals (Wilson, et al., 1996); and Florida Fish and Wildlife Conservation Commission's (FFWCC) Gopher Tortoise Permitting Guidelines (April 2008 - revised May 2017), an updated assessment for "listed" floral and faunal species occurring within the subject site boundaries was conducted in August 2022. The covered approximately 100 percent of the subject site's developable area, included both direct observations and indirect evidence, such as tracks, burrows, tree markings and vocalizations that indicated the presence of species observed. The assessment focused on species that are "listed" by the FFWCC's Official Lists - Florida's Endangered Species, Threatened Species and Species of Special Concern (June 2021) that have the potential to occur in Orange County (attached Table 1).

No plant species listed as "Threatened" or "Endangered" by either The Florida Department of Agriculture (FDA) or U.S. Fish and Wildlife Service (USFWS) was identified on the project site during the assessment conducted. However, two (2) fern species were identified that are listed as "Commercially Exploited" by the Florida Department of Agriculture and Consumer Services (FDACS). The harvesting of these species, cinnamon fern (*Osmunda cinnamomea*) and royal fern (*Osmunda regalis*), for commercial gain, is not allowed. However, the listing of these species poses no restrictions towards the development of the subject site.

The following is a list of those wildlife species identified during the evaluation of the site:

Reptiles and Amphibians

brown anole (*Norops sagrei*)
eastern racer (*Coluber constrictor*)
Florida leopard frog (*Lithobates sphenoccephalus sphenoccephalus*)
green anole (*Anolis carolinensis*)
southern toad (*Anaxyrus terrestris*)

Birds

American Crow (*Corvus caurinus*)
Anhinga (*Anhinga anhinga*)
Black Vulture (*Coragyps atratus*)
Cattle Egret (*Bubulcus ibis*)
Gray Catbird (*Dumetella carolinensis*)
Mourning Dove (*Zenaida macroura*)
Northern Cardinal (*Cardinalis cardinalis*)
Northern Mockingbird (*Mimus polyglottos*)
Pileated Woodpecker (*Dryocopus pileatus*)

Red-bellied Woodpecker (*Melanerpes carolinus*)
Red-shouldered Hawk (*Buteo lineatus*)
Tufted Titmouse (*Baeolophus bicolor*)

Mammals

eastern cottontail (*Sylvilagus floridanus*)
eastern gray squirrel (*Sciurus carolinensis*)
nine-banded armadillo (*Dasypus novemcinctus*)
northern raccoon (*Procyon lotor*)
Virginia opossum (*Didelphis virginiana*)

None of the above wildlife species were identified in the FFWCC's Official Lists - Florida's Endangered Species, Threatened Species and Species of Special Concern (December 2018). The following provides a brief description of wildlife species as they relate to the development of the site.

Bald Eagle (Haliaeetus leucocephalus)

State protected by F.A.C. 68A-16.002 and federally protected by both the Migratory Bird Treaty Act (1918) and the Bald and Golden Eagle Protection Act (1940)

In August of 2007, the USFWS removed the Bald Eagle from the list of federally endangered and threatened species. Additionally, the Bald Eagle was removed from FFWCC's imperiled species list in April of 2008. Although the Bald Eagle is no longer protected under the Endangered Species Act, it is still protected under the Bald and Golden Eagle Protection Act, the Migratory Bird Treaty Act, and FFWCC's Bald Eagle rule (Florida Administrative Code 68A-16.002 Bald Eagle (*Haliaeetus Leucocephalus*)).

In May of 2007, the USFWS issued the National Bald Eagle Management Guidelines. In April of 2008, the FFWCC adopted a new Bald Eagle Management Plan that was written to closely follow the federal guidelines. In November of 2017, the FFWCC issued "A Species Action Plan for the Bald Eagle" in response to the sunset of the 2008 Bald Eagle Management Plan. Under the USFWS's management plans, buffer zones are recommended based on the nature and magnitude of the project or activity. The recommended protective buffer zone is 660 feet or less from the nest tree, depending on what activities or structures are already near the nest. As provided within the above referenced Species Action Plan, the USFWS is the regulating body responsible for issuing permits for Bald Eagles. In 2017, the need to obtain a State permit (FFWCC) for the take of Bald Eagles or their nests in Florida was eliminated following revisions to Rule 68A-16.002, F.A.C. A USFWS Bald Eagle "Non-Purposeful Take Permit" is not needed for any activity occurring outside of the 660-foot buffer zone. No activities are permitted within 330 feet of a nest without a USFWS permit.

In addition to the on-site evaluation for “listed” species, BTC conducted a review for any Audubon EagleWatch and FFWCC recorded Bald Eagle nests on or within the vicinity of the project site. This review revealed that there are no Bald Eagle nests through the 2019-2020 nesting season (publicly available Audubon EagleWatch data) and 2016-2017 nesting season (publicly available FFWCC data) within 660 feet of the project site. Thus, no developmental constraints are expected with respect to Bald Eagle nests.

USFWS CONSULTATION AREAS

The USFWS has established “consultation areas” for certain listed species. Generally, these consultation areas only become an issue if USFWS consultation is required, which is usually associated with permitting through the USACE. The reader should be aware that species presence and need for additional review are often determined to be unnecessary early in the permit review process due to lack of appropriate habitat or other conditions. However, the USFWS makes the final determination.

Consultation areas are typically very regional in size, often spanning multiple counties where the species in question is known to exist. Consultation areas by themselves do not indicate the presence of a listed species. They only indicate an area where there is a potential for a listed species to occur and that additional review might be necessary to confirm or rule-out the presence of the species. The additional review typically includes the application of species-specific criteria to rule-out or confirm the presence of the species in question. Such criteria might consist of a simple review for critical habitat types. In other cases, the review might include the need for species-specific surveys using established methodologies that have been approved by the USFWS. The following paragraphs include a list of the USFWS Consultation Areas associated with the subject site. Also included, is a brief description of the respective species habitat and potential for additional review:

Everglade Snail Kite (Rostrhamus sociabilis) *Federally Listed as “Endangered” by USFWS*

The subject site falls within the USFWS Consultation Area for the Everglade Snail Kite. Currently the Everglade Snail Kite is listed as “Endangered” by the USFWS. Everglade Snail Kites are similar in size to Red-shouldered Hawks. All Everglade Snail Kites have deep red eyes and a white rump patch. Males are slate gray, and females and juveniles vary in amounts of white, light brown, and dark brown, but the females always have white on their chin. Everglade Snail Kites vocalize mainly during courtship and nesting. They may occur in nearly all of the wetlands of central and southern Florida. They regularly occur in lake shallows along the shores and islands of many major lakes, including Lakes Okeechobee, Kissimmee, Tohopekaliga (Toho) and East

Toho. They also regularly occur in the expansive marshes of southern Florida such as Water Conservation Areas 1, 2, and 3, Everglades National Park, the upper St. John's River marshes and Grassy Waters Preserve.

Although a portion of the project site contains wetlands/surface waters, no Everglade Snail Kites were observed within the site during the wildlife survey conducted by BTC. As minimal suitable habitat exists within the limits of the site, it is not anticipated that a formal survey would be required by the USFWS or another agency to determine if any Everglade Snail Kites utilize any portions of the project site.

Florida Scrub-Jay (*Aphelocoma coerulescens*)
Federally Listed as "Threatened" by USFWS

Currently the Florida Scrub-Jay is listed as threatened by the USFWS. Florida Scrub-Jays are largely restricted to scattered, often small and isolated patches of sand pine scrub, xeric oak, scrubby flatwoods, and scrubby coastal stands in peninsular Florida (Woolfenden 1978, Fitzpatrick et al. 1991). They avoid wetlands and forests, including canopied sand pine stands. Optimal Scrub-Jay habitat is dominated by shrubby scrub, live oaks, myrtle oaks, or scrub oaks from 1 to 3 meters (3 to 10 feet) tall, covering 50 percent to 90 percent of the area; bare ground or sparse vegetation less than 15 centimeters (6 inches) tall covering 10 percent to 50 percent of the area; and scattered trees with no more than 20 percent canopy cover (Fitzpatrick et al. 1991).

No Florida Scrub-Jays were observed on the project site during the cursory survey conducted by BTC and no suitable habitat exists within the limits of the site. Thus, a formal survey would not be required by the USFWS or another agency to determine if any Florida Scrub-Jays utilize any portions of the site.

Red-Cockaded Woodpecker (*Picoides boreali*)
Federally Listed as "Endangered" by USFWS

The Red-cockaded Woodpecker (*Picoides boreali*) is a federally endangered species by the USFWS. The basis for the listing is loss and degradation of suitable habitat. This species is commonly found in open park-like pine forests maintained by periodic fire, such as mature long-leaf pine ecosystem. The Red-cockaded Woodpecker is a federally and state protected endangered species that is protected and should not be injured, harmed, molested or killed.

No Red-cockaded Woodpeckers were observed within the subject site during the wildlife survey conducted by BTC. As there is no suitable habitat and no nesting trees were found within the limits of the subject site, it is not anticipated that a formal survey would be required by the USFWS or another agency to determine if any Red-cockaded Woodpeckers utilize any portions of the site.

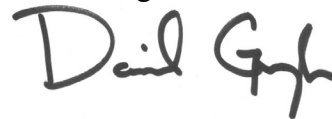
Florida Sand Skink (*Neoseps reynoldsi*)
Federally Listed as “Threatened” by USFWS

The project site falls within the Florida sand skink Consultation Area for the USFWS. The Florida sand skink is listed as “Threatened” by the USFWS. Florida sand skinks exist in areas vegetated with sand pine (*Pinus clausa*) - rosemary (*Ceratiola ericoides*) scrub or a long leaf pine (*Pinus palustris*) - turkey oak (*Quercus laevis*) association. Habitat destruction is the primary threat to this species’ survival. Citrus groves, residential, commercial and recreational facilities have depleted the xeric upland habitat of the Florida sand skink. All properties within the limits of this consultation area that are located at elevations greater than 80 feet and contain suitable (moderate-to-well drained soils) soils are believed by USFWS to be areas of potential Florida sand skink habitat.

The results of the pedestrian survey in June 2020 showed no evidence (i.e. sinusoidal tracks) that indicate the presence of the Florida sand skink. Additionally, the entire site is located below the 80-foot elevation requirement, and the vast majority of the site consists of poorly drained soils which are not appropriate soil types for the Florida sand skink. Due to these factors, a formal survey would not be required by the USFWS or another agency to determine if any Florida sand skink utilize any portions of the site.

The environmental limitations described in this document are based on observations and technical information available on the date of the on-site evaluation. This report is for general planning purposes only. The wildlife surveys conducted within the subject property boundaries do not preclude the potential for any listed species, as noted on Table 1 (attached), currently or in the future. Should you have any questions or require any additional information, please do not hesitate to contact our office at (407) 894-5969. Thank you.

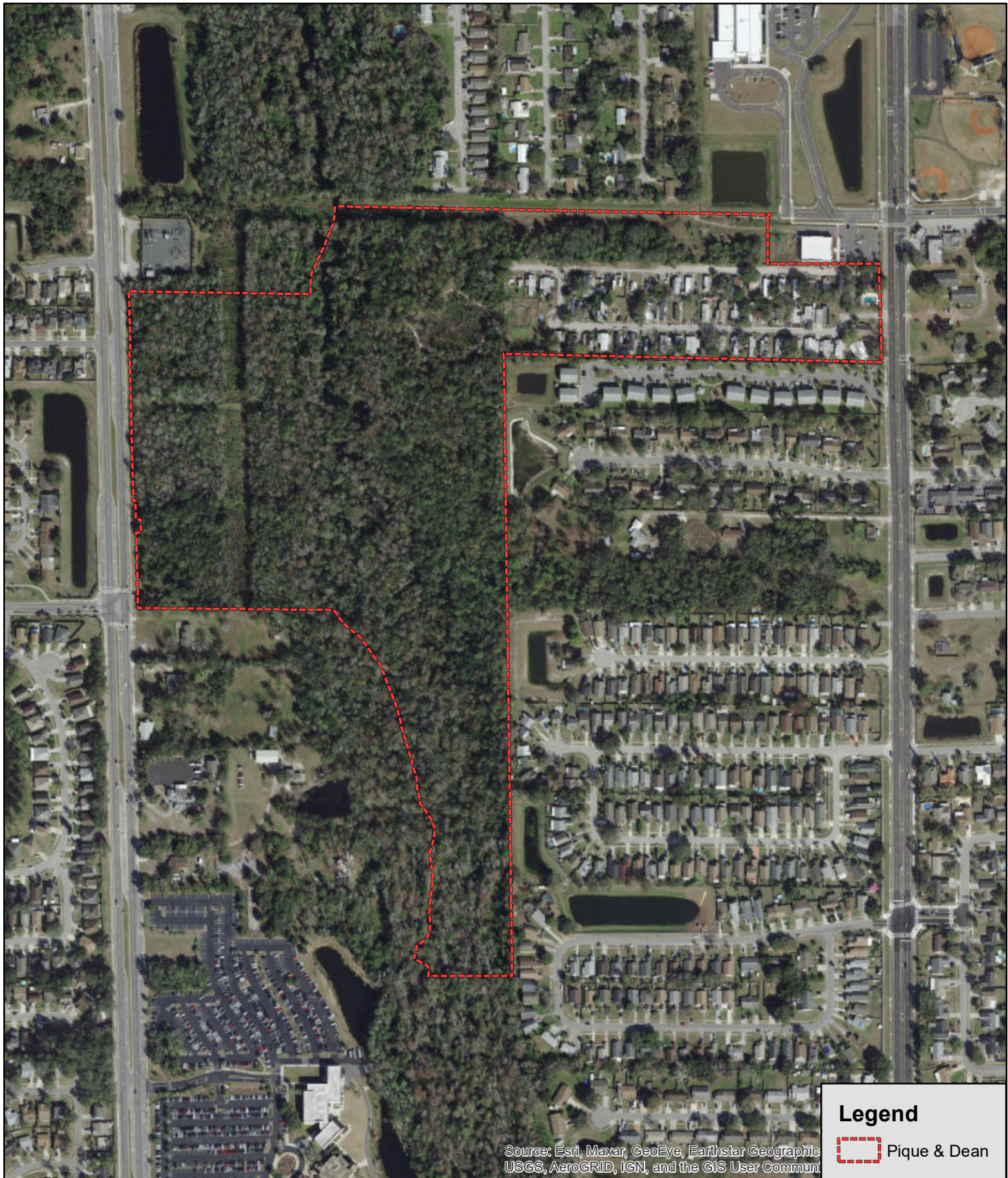
Regards,



Daniel Gough
Project Manager



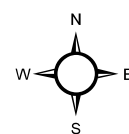
John Miklos
President



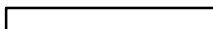
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USGS, AeroGRID, IGN, and the GIS User Community

Legend

 Pique & Dean



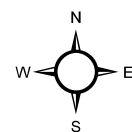
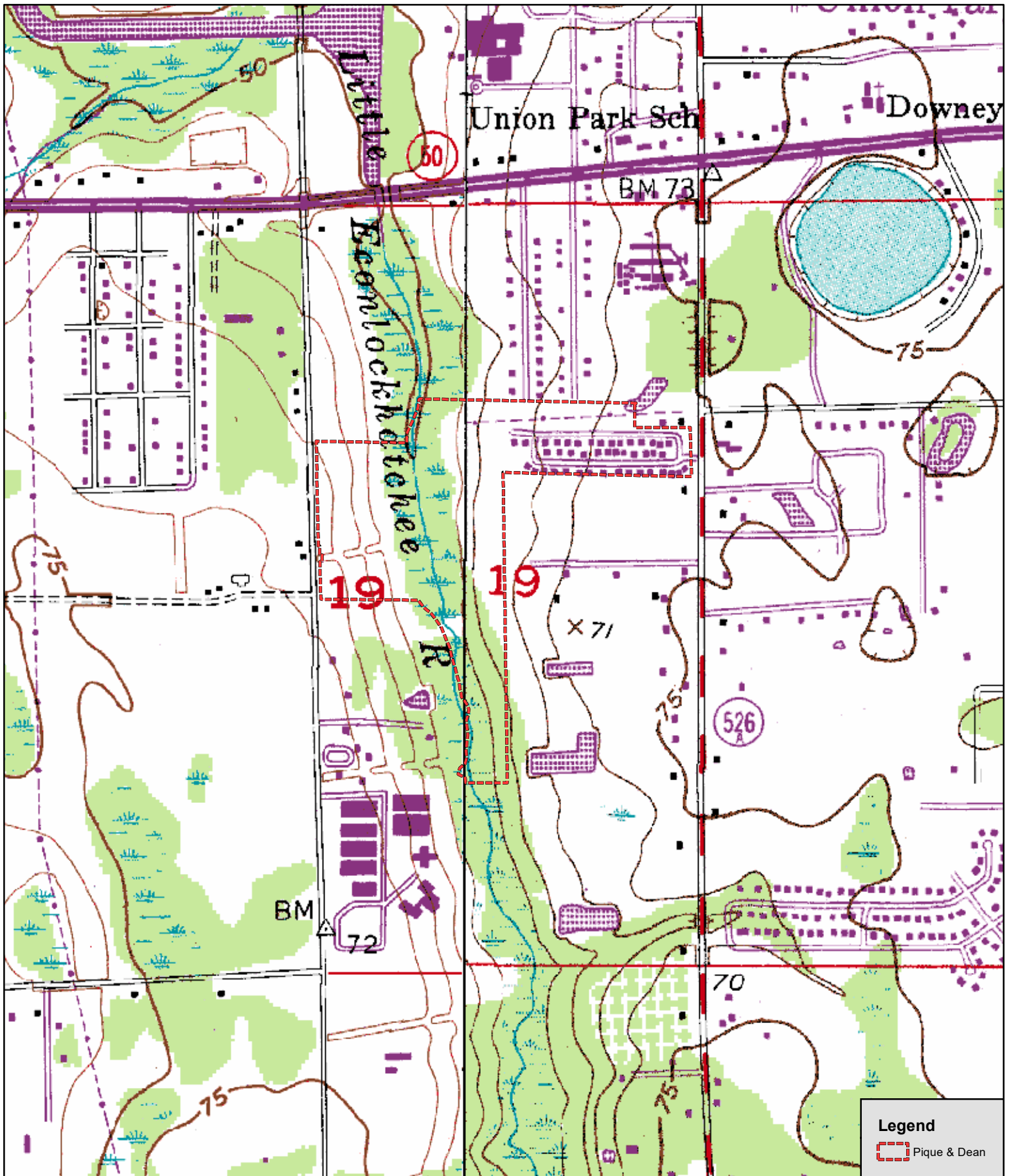
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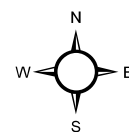
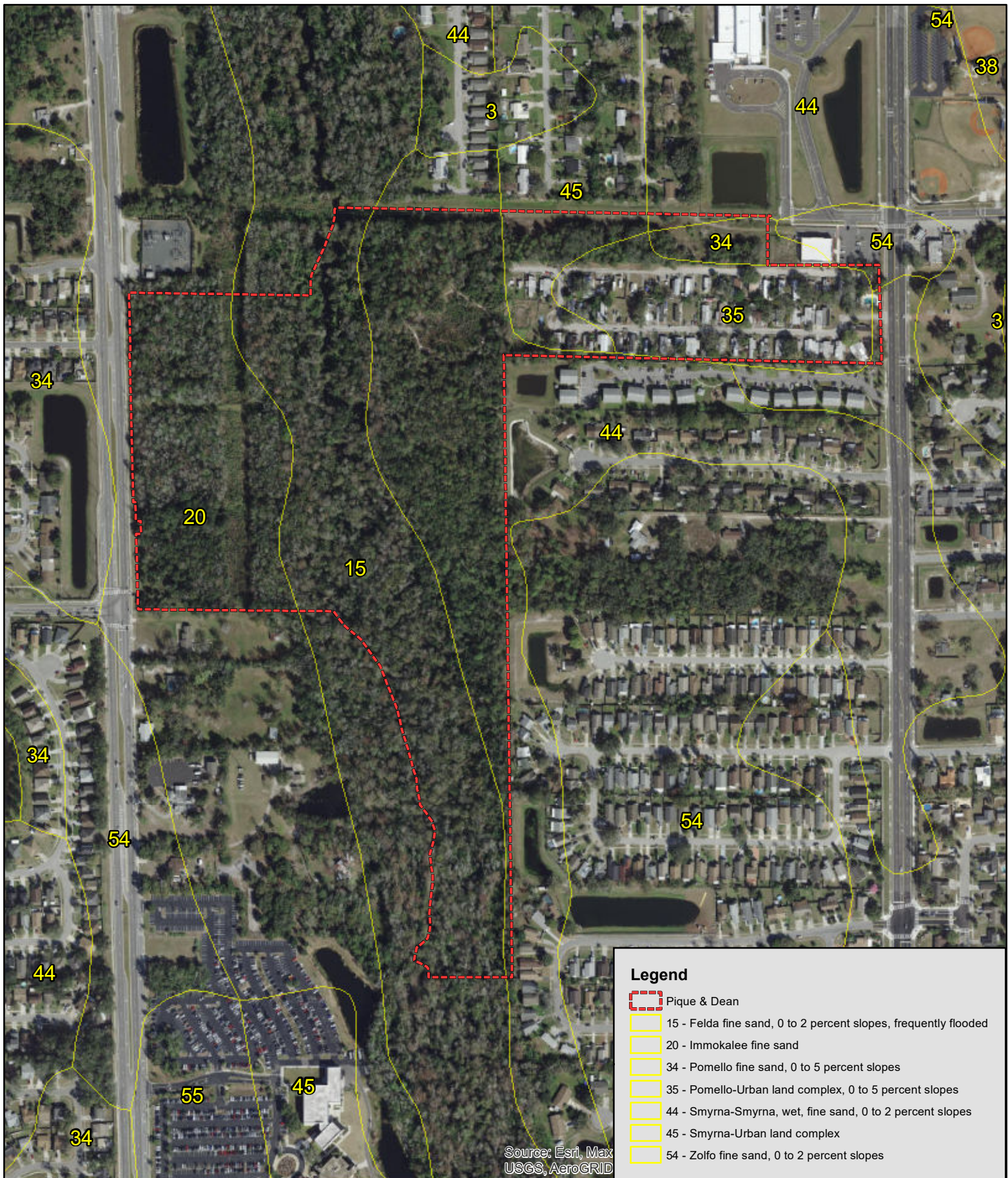
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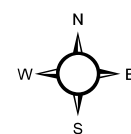


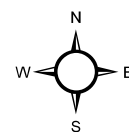
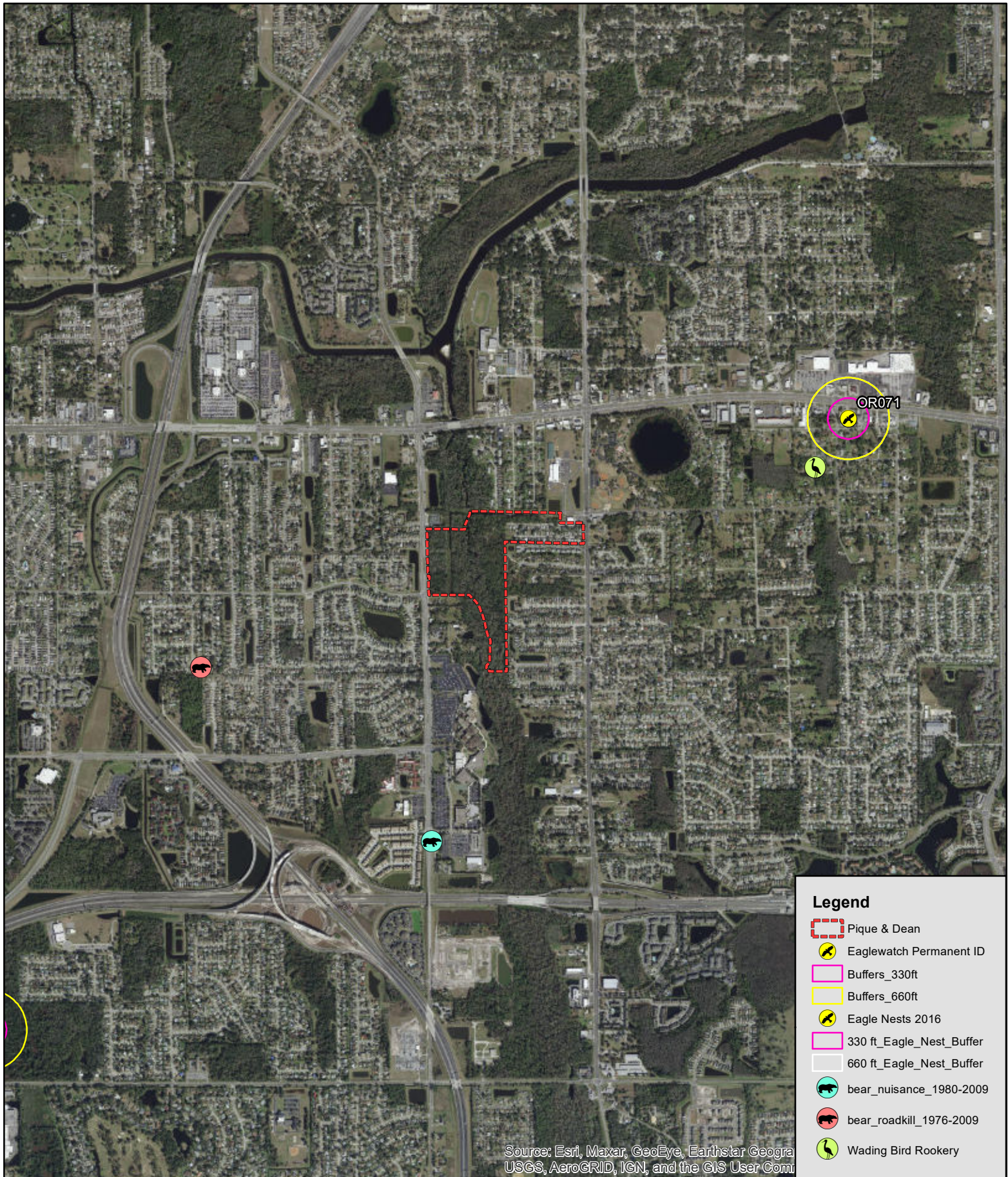


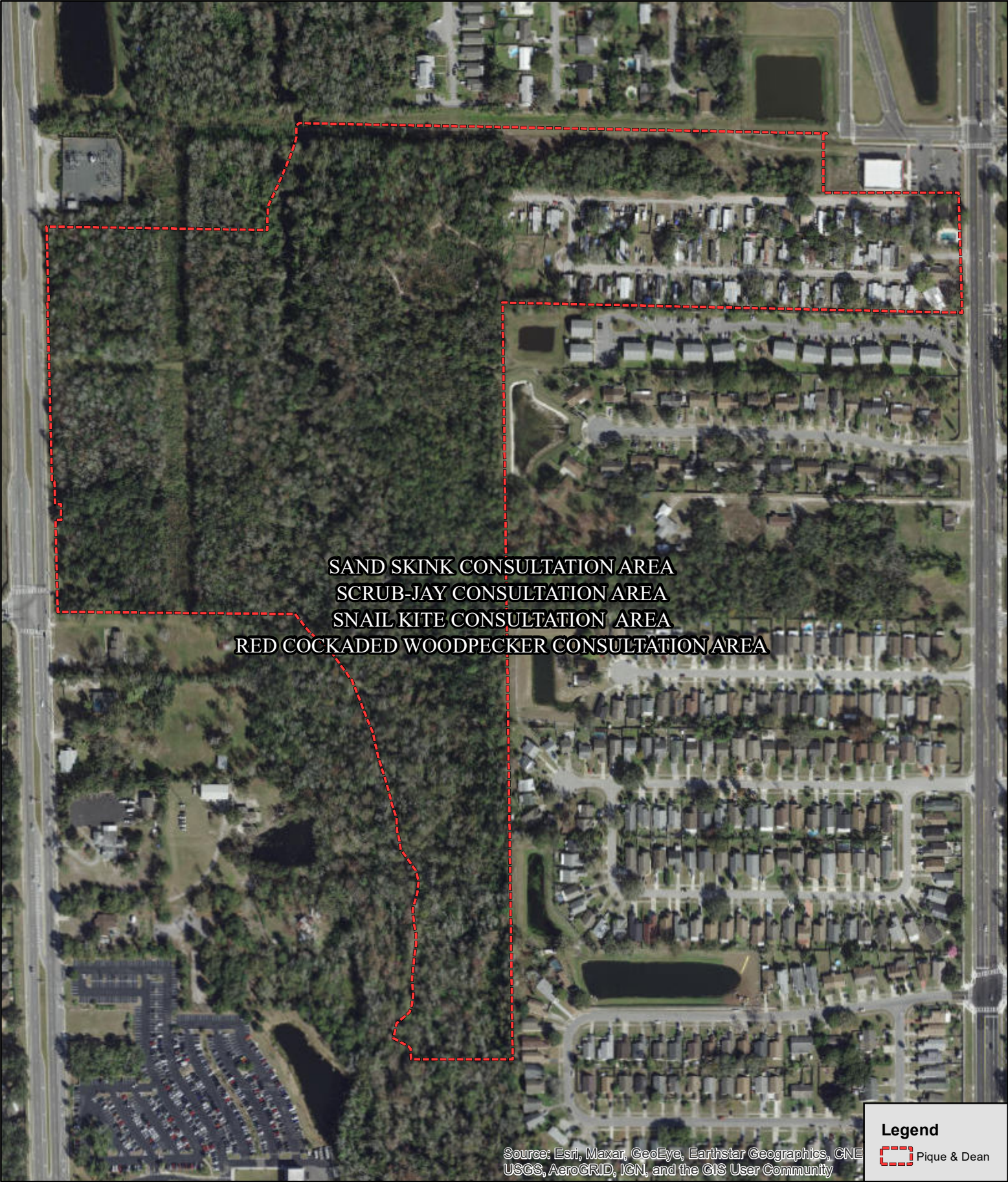


Legend

- Pique & Dean
- 112, Mobile Home Units
- 438, Mixed Hardwoods
- 510, Ditch
- 615, Stream and Lake Swamp
- 630, Wetland Forested Mixed
- 740, Disturbed Lands





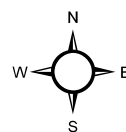


SAND SKINK CONSULTATION AREA
SCRUB-JAY CONSULTATION AREA
SNAIL KITE CONSULTATION AREA
RED COCKADED WOODPECKER CONSULTATION AREA

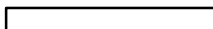
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNR
USGS, AeroGRID, IGN, and the GIS User Community

Legend

 Pique & Dean



380

 Feet

Project #: 22-1782

Produced By: JDH

Date: 8/29/2022

Table 1:	Potentially Occuring Listed Wildlife and Plant Species in Orange County, Florida		
Scientific Name	Common Name	Federal Status	State Status
REPTILES			
<i>Alligator mississippiensis</i>	American alligator	SAT	FT(S/A)
<i>Drymarchon corais couperi</i>	eastern indigo snake	LT	FT
<i>Gopherus polyphemus</i>	gopher tortoise	C	ST
<i>Lampropeltis extenuata</i>	short-tailed snake	N	ST
<i>Pituophis melanoleucus mugitus</i>	Florida pine snake	N	ST
<i>Plestiodon reynoldsi</i>	sand skink	LT	FT
BIRDS			
<i>Antigone canadensis pratensis</i>	Florida sandhill crane	N	ST
<i>Aphelocoma coerulescens</i>	Florida scrub-jay	LT	FT
<i>Athene cunicularia floridana</i>	Florida burrowing owl	N	ST
<i>Polyborus plancus audubonii</i>	Crested Caracara	LT	N
<i>Egretta caerulea</i>	little blue heron	N	ST
<i>Egretta tricolor</i>	tricolored heron	N	ST
<i>Falco sparverius paulus</i>	southeastern American kestrel	N	ST
<i>Mycteria americana</i>	wood stork	LT	FT
<i>Picoides borealis</i>	red-cockaded woodpecker	LE	FE
<i>Platalea ajaja</i>	roseate spoonbill	N	ST
<i>Sterna antillarum</i>	least tern	N	ST
MAMMALS			
N/A			
VASCULAR PLANTS			
<i>Bonamia grandiflora</i>	Florida bonamia	LT	E
<i>Calopogon multiflorus</i>	Many-flowered Grass-pink	N	T
<i>Centrosema arenicola</i>	Sand Butterfly Pea	N	E
<i>Chionanthus pygmaeus</i>	Pygmy Fringe Tree	LE	E
<i>Clitoria fragrans</i>	Scrub Pigeon-Wing	LT	E
<i>Coelorachis tuberculosa</i>	piedmont jointgrass	N	LT
<i>Deeringothamnus pulchellus</i>	beautiful pawpaw	LE	E
<i>Eriogonum longifolium</i> var <i>gnaphalifolium</i>	scrub buckwheat	LT	E
<i>Glandularia tampensis</i>	Tampa Vervain	N	E
<i>Illicium parviflorum</i>	star anise	N	E
<i>Lechea cernua</i>	nodding pinweed	N	T
<i>Lechea divaricata</i>	Pine Pinweed	N	E
<i>Lupinus aridorum</i>	scrub lupine	LE	E
<i>Matelea floridana</i>	Florida spiny-pod	N	E
<i>Monotropa hypopithys</i>	pinemap	N	E
<i>Najas filifolia</i>	Narrowleaf Naiad	N	T
<i>Nemastylis floridana</i>	Celestial Lily	N	E
<i>Nolina atopocarpa</i>	Florida beargrass	N	T
<i>Nolina brittoniana</i>	Britton's beargrass	LE	E
<i>Ophioglossum palmatum</i>	hand fern	N	E
<i>Paronychia chartacea</i> ssp <i>chartacea</i>	paper-like nailwort	LT	E
<i>Pechuma plumula</i>	Plume Polypody	N	E
<i>Pechuma ptilota</i> var. <i>bourgeauana</i>	Comb Polypody	N	E
<i>Platanthera integra</i>	Yellow Fringeless Orchid	N	E
<i>Polygonella myriophylla</i>	Small's jointweed	LE	E
<i>Prunus geniculata</i>	scrub plum	LE	E
<i>Pteroglossaspis ecristata</i>	Giant Orchid	N	T
<i>Stylisma abdita</i>	scrub stylisma	N	E
<i>Warea amplexifolia</i>	clasping warea	LE	E
<i>Zephyranthes simpsonii</i>	redmargin lily	N	T

FEDERAL LEGAL STATUS

LE-Endangered: species in danger of extinction throughout all or a significant portion of its range.

LT-Threatened: species likely to become Endangered within the foreseeable future throughout all or a significant portion of its range.

SAT-Endangered due to similarity of appearance to a species which is federally listed such that enforcement personnel have difficulty in attempting to differentiate between the listed and unlisted species.

C-Candidate species for which federal listing agencies have sufficient information on biological vulnerability and threats to support proposing to list the species as Endangered or Threatened.

XN-Non-essential experimental population.

N-Not currently listed, nor currently being considered for listing as Endangered or Threatened.

STATE LEGAL STATUS - ANIMALS

FE- Listed as Endangered Species at the Federal level by the U. S. Fish and Wildlife Service

FT- Listed as Threatened Species at the Federal level by the U. S. Fish and Wildlife Service

FXN- Federal listed as an experimental population in Florida

FT(S/A)- Federal Threatened due to similarity of appearance

ST- State population listed as Threatened by the FFWCC. Defined as a species, subspecies, or isolated population which is acutely vulnerable to environmental alteration, declining in number at a rapid rate, or whose range or habitat is decreasing in area at a rapid rate and as a consequence is destined or very likely to become an endangered species within the foreseeable future.

SSC-Listed as Species of Special Concern by the FFWCC. Defined as a population which warrants special protection, recognition, or consideration because it has an inherent significant vulnerability to habitat modification, environmental alteration, human disturbance, or substantial human exploitation which, in the foreseeable future, may result in its becoming a threatened species. (SSC* for *Pandion haliaetus* (Osprey) indicates that this status applies in Monroe county only.)

N-Not currently listed, nor currently being considered for listing.

**** State protected by F.A.C. 68A-16.002 and federally protected by both the Migratory Bird Treaty Act (1918) and the Bald and Golden Eagle Protection Act (1940)**

STATE LEGAL STATUS - PLANTS

E-Endangered: species of plants native to Florida that are in imminent danger of extinction within the state, the survival of which is unlikely if the causes of a decline in the number of plants continue; includes all species determined to be endangered or threatened pursuant to the U.S. Endangered Species Act.

T-Threatened: species native to the state that are in rapid decline in the number of plants within the state, but which have not so decreased in number as to cause them to be Endangered.

N-Not currently listed, nor currently being considered for listing.