



PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

Tayna S. Wilson, AICP, Director

201 S. Rosalind Avenue, 2nd Floor - **Reply To:** Post Office Box 2687, Orlando, Florida 32802-2687

Phone: (407) 836-5883 • Tanya.Wilson@ocfl.net

September 18, 2024

VIA ELECTRONIC MAIL

Orlando City Council
Stephanie Herdocia, City Clerk
Public Comment
400 S. Orange Avenue
Orlando, Florida 32801
cityclerk@orlando.gov

Re: Orange County Objection and Concerns regarding the Proposed Dallas Boulevard Annexation 2024-10009 Ordinance No. 2024-45

Dear Stephanie Herdocia:

The County understands that a request has been made for the City of Orlando to consider annexing approximately 52,454-acres of unincorporated property generally located to the south side of E. Colonial Drive, west of SR 520, east of Sunbridge, and north of the Osceola County line. This request includes property owned by Farmland Reserve (ten parcels), Florida Power and Light Company (one parcel), Taylor Creek Solar (one parcel), and twenty-three (23) parcels owned by the City of Cocoa ("Properties"). Please refer to Exhibit A1 for reference to the proposed annexation area.

The purpose of this letter is to respectfully request the City Council to not move forward with adopting Ordinance 2024-45 seeking to annex the Properties pursuant to Section 171.044, Florida Statutes, at its upcoming City Council meeting, scheduled for September 23, 2024, for reasons listed below.

The County initiated the conflict resolution procedures adopting Resolution No. 2024-M-12 on April 23, 2024, and Resolution No. 2024-M-14 on May 21, 2024, regarding Phase I and Phase II of the Sunbridge Annexation. Should the County and City fail to resolve the ongoing issues and if the Sunbridge annexation is challenged in Court and overturned, the subject Properties proposed to be annexed will no longer be contiguous to the City. The legality of the proposed annexation of the subject property is contingent upon the outcome of the conflict resolution procedures.

Given the foregoing, the request does not comply with the Statutory requirements for Voluntary Annexations as the entirety of the annexation would not meet the contiguity requirement. Per the definition in Section 171.031(3) contiguous means:

that a substantial part of a boundary of the territory sought to be annexed by a municipality is coterminous with a part of the boundary of the municipality. The separation of the territory sought to be annexed from the annexing municipality by a publicly owned county park; a right-of-way for a highway, road, railroad, canal, or utility; or a body of water, watercourse, or other minor geographical

division of a similar nature, running parallel with and between the territory sought to be annexed and the annexing municipality...

The annexation request lists ten parcels owned by Farmland Reserve. However, parcel 34-23-32-0000-00-003, a 40.55-acre parcel owned by Farmland Reserve, listed as ag-grazing semi-improved property by the Orange County Property Appraiser, is excluded from the list of parcels and the accompanying legal description. The exclusion of this parcel from the annexation request causes those parcels to the east of this one parcel lose contiguity. Please see Exhibit A2, A3, and Exhibit B for reference.

Further, County Road 13 does not extend south beyond State Road 528. It may not be asserted that County Road 13 is a public right-of-way as the County has never accepted the road as a right-of-way. Furthermore, a gate limits access; there is no dedicated right-of-way; nor has it been paved by the County. The dirt road that exists is considered a private access, is a private parcel, and is privately maintained.

If the aforementioned parcel were included in the annexation, it could result in the creation of an enclave. If the area were annexed, an enclave could be created, contrary to Section 171.044(5), Florida Statutes ("Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves."). This would result in a new enclave of approximately sixteen parcels enclosed, or surrounded, by the City of Orlando and a natural obstacle to the south. (Please reference the definition of an "enclave" at Section 171.031(5), Florida Statutes). As it stands now the proposed annexation would create a pocket in this area, as it is connected to the county only by a thin strip of County land.

There appears to be some discrepancy between the City of Cocoa well parcels inclusions in the annexation area. On September 10, 2024, the City of Cocoa submitted to the City of Orlando a petition for annexation for inclusion in the Dallas Boulevard annexation request. Ordinance 2024-45, references a legal description in Exhibit A and a map of the annexation area as Exhibit B. Section 171,044(3), Florida Statutes, requires the adopting ordinance must include a map which clearly shows the annexed area and a complete legal description of that area by metes and bounds. The legal description appears to include the City of Cocoa parcels while the map appears to exclude the parcels.

Additionally, Section 1. Annexation. reads, "...the annexed area is clearly shown on the map attached to this ordinance as Exhibit B." Section 171.031(5), Florida Statutes, defines an enclave as any unincorporated improved or developed area that is enclosed within and bounded on all sides by a single municipality. The exclusion of these parcels results in the creation of an enclave. Please see Exhibit C.

As of note, there appears to be a discrepancy between the legal description and the parcels listed on the application. In reviewing the application and comparing those parcels listed to the legal description, there are parcels included in the legal description that do not appear to be listed on the application. These parcels are shown in crosshatch on the map included in Exhibit A.1.

In addition to the objections stated above, there are concerns from Orange County's Environmental Protection Division (EPD) and Orange County Utilities (OCU) regarding the proposed annexation.

EPD is concerned with complaints centered around an open enforcement case (Incident No. 23-627068) regarding the potential unauthorized clearing, excavating, and filling of wetlands and the inaction, as of this date, to restore the wetland. Also, the annexation of this property would also mean that the Wetland Conservation Areas Ordinance, adopted to strengthen protection of valuable wetlands and surface waters, may no longer apply to the 52,454 acres of land that include wetlands. Additionally, this annexation will greatly impact the Green PLACE Program management for many of the properties in this area. Please see attached Exhibit D for additional information provided by EPD.

Should the annexation move forward and be approved, OCU is requesting an agreement be in place to ensure that the developer will continue to coordinate with OCU for any needed easements for sewer and reclaimed water lines, in addition to the other items detailed in Exhibit E, as this development is within the Orange County Utilities Wastewater and Reclaimed Water Service Area. Please refer to Exhibit E for the full comment.

Enclosed for your review (as shown on Exhibit A.1) is a map showing the contested Sunbridge Annexation, the City's existing territory, the surrounding unincorporated area, and the proposed "annexation area" in grey. Also included, are additional maps noting the excluded parcel and the effects of its exclusion on the contiguity of the remaining annexation area.

If the City chooses to move forward to adopt the ordinance, the County objects to the proposed annexation for the reasons set forth in this letter. The Board of County Commissioners could take action on a resolution to enter into the conflict resolution process and if they are desirous to do so, the County's preference would be to address the objections through the Conflict Resolution Process as set forth in Chapter 164 of the Florida Statutes.

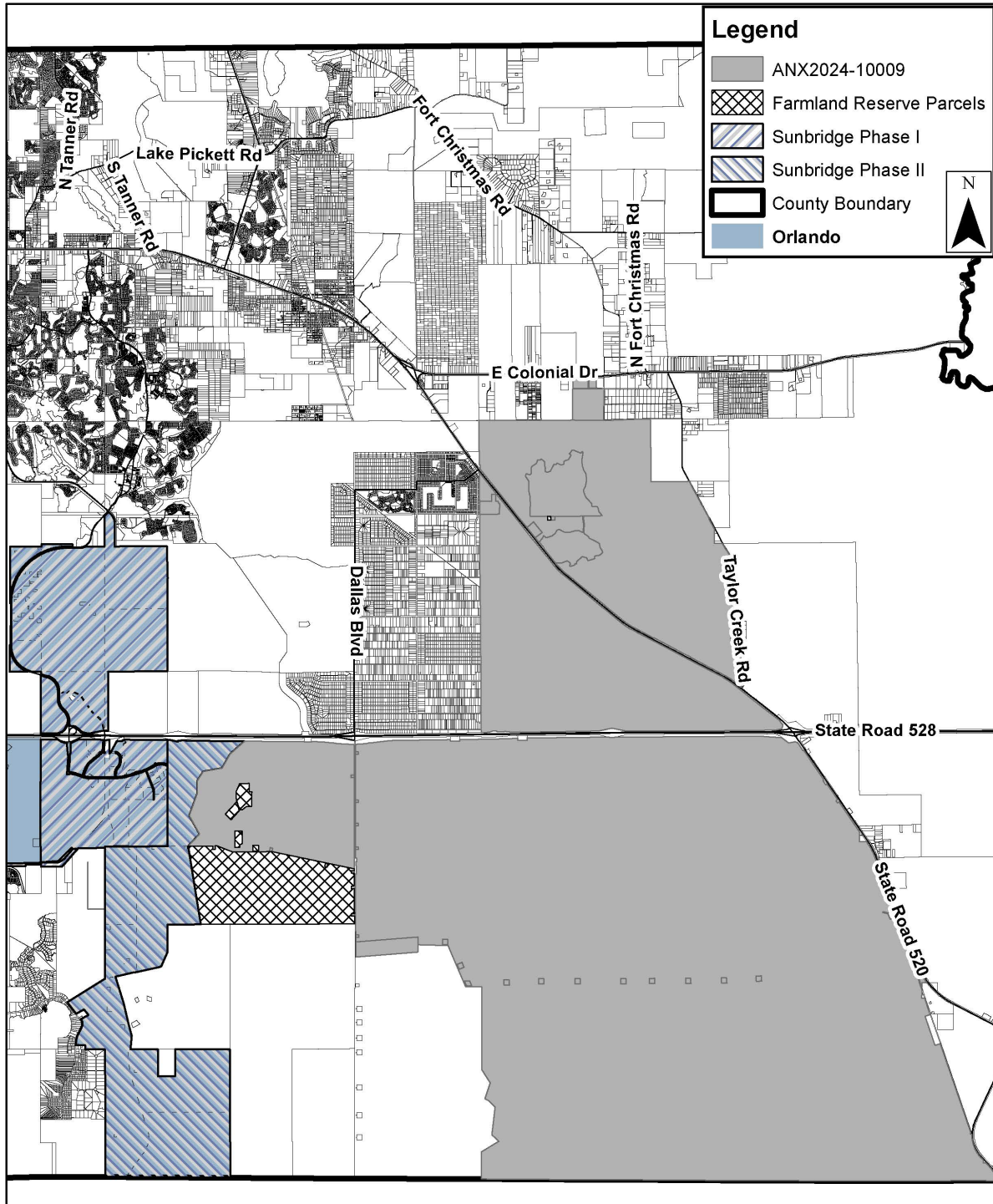
Sincerely,



Tanya Wilson, AICP
Director of Planning, Environmental, Development Services

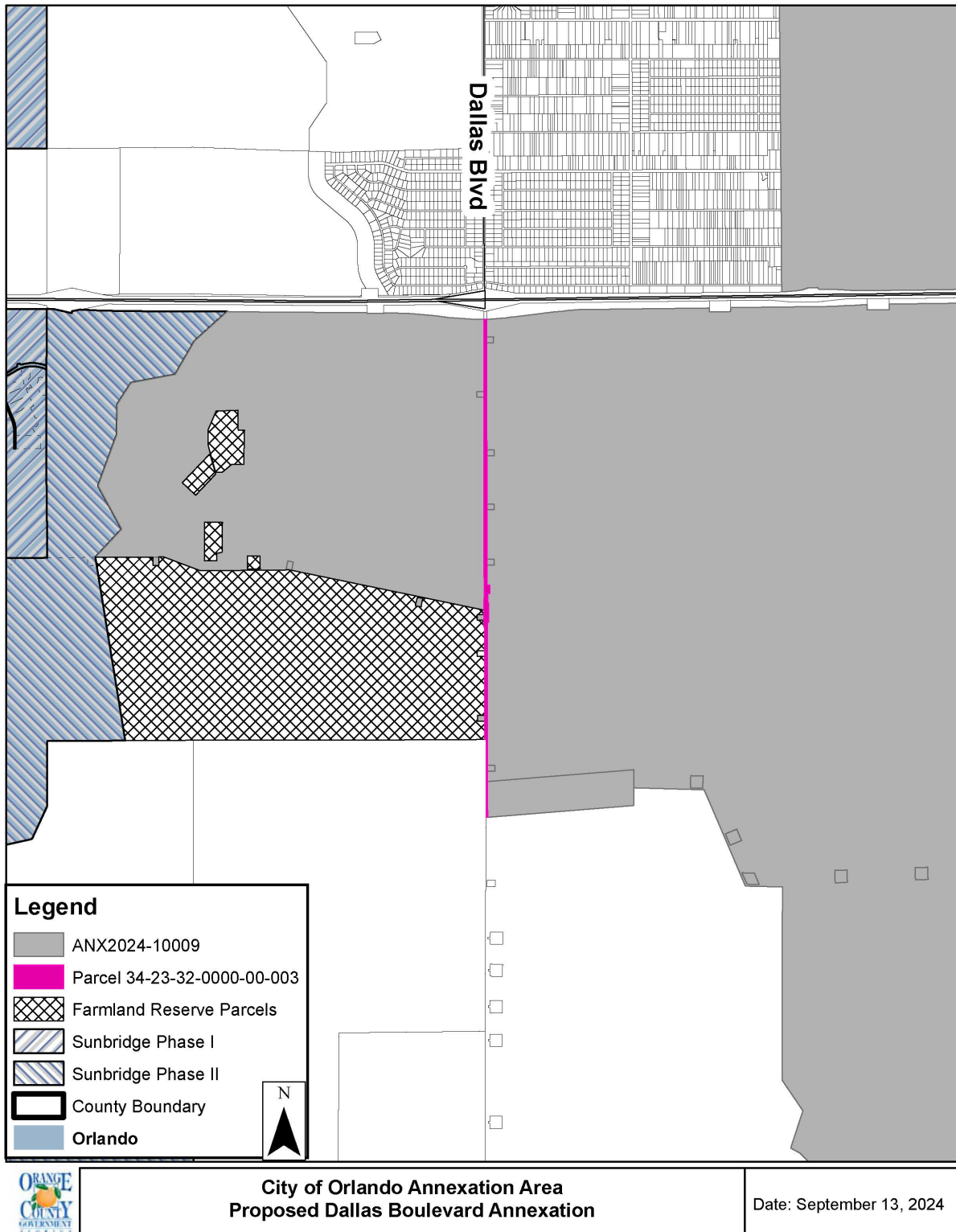
Cc: Mayor Jerry L. Demings
Commissioner Nicole Wilson
Commissioner Christine Moore
Commissioner Mayra Uribe
Commissioner Maribel Gomez Cordero
Commissioner Emily Bonilla
Commissioner Mike Scott
Byron W. Brooks, County Administrator
Roseann E. Harrington, Chief of Staff
Jon V. Weiss, P.E., Deputy County Administrator

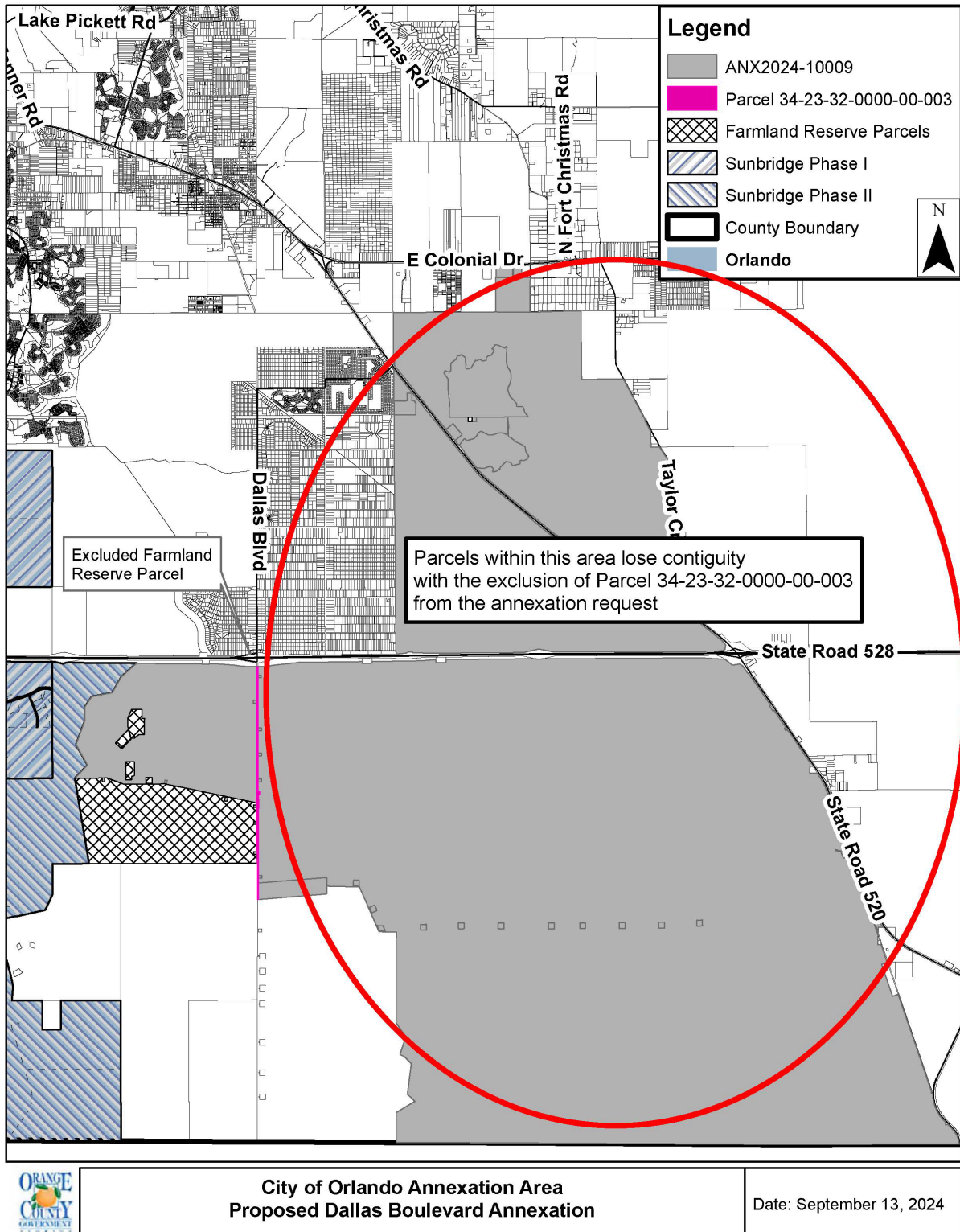
Jeffrey Newton, County Attorney
Andrew Mai, Assistant County Attorney
Mayor Buddy Dyer
Commissioner Jim Gray
Commissioner Tony Ortiz
Commissioner Robert F. Stuart
Commissioner Patty Sheehan
Interim Commissioner Shan Rose
Commissioner Bakari F. Burns
Kevin Edmonds, Chief Administrative Officer
Brooke Bonnett, Director, Economic Development Dept.
Maryanne Downs, City Attorney
Elisabeth Dang, Division Manager, City Planning



**City of Orlando Annexation Area
Proposed Dallas Boulevard Annexation**

Date: September 13, 2024





Property Record - 34-23-32-0000-00-003

Orange County Property Appraiser • <http://www.ocpafl.org>

Property Summary as of 09/17/2024

Property Name

S County Road 13

Names

Farmland Reserve Inc

Municipality

ORG - Un-Incorporated

Property Use

6200 - Ag Grazing Semi-Imp

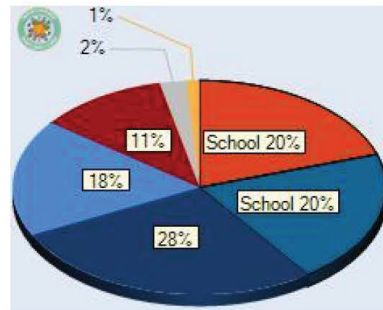
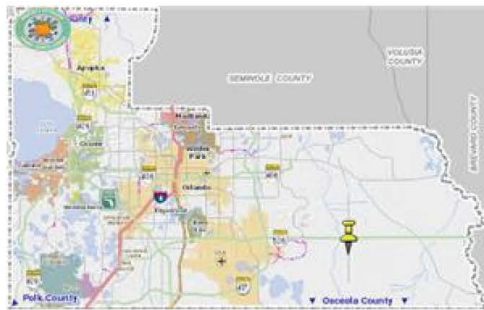
Mailing Address

Po Box 511196
Salt Lake City, UT 84151-1196

Physical Address

S County Road 13
Orlando, FL 32833

QR Code For Mobile Phone



Value and Taxes

Historical Value and Tax Benefits

Tax Year Values	Land	Building(s)	Feature(s)	Market Value	Ag Benefits	Assessed Value
2024	\$185,983	+	\$0	\$0 = \$185,983 (0%)	-	\$180,468 = \$5,515 (0%)
2023	\$185,983	+	\$0	\$0 = \$185,983 (5.0%)	-	\$180,468 = \$5,515 (0%)
2022	\$177,126	+	\$0	\$0 = \$177,126 (10%)	-	\$171,611 = \$5,515 (0%)
2021	\$161,024	+	\$0	\$0 = \$161,024	-	\$155,509 = \$5,515

Tax Year Benefits	Ag Benefits	Tax Savings
2024   	\$180,468	\$2,906
2023   	\$180,468	\$2,790
2022   	\$171,611	\$2,663
2021   	\$155,509	\$2,459

2024 Taxable Value and Estimate of Proposed Taxes

Taxing Authority	Assd Value	Exemption	Tax Value	Millage Rate	Taxes	%
Public Schools: By State Law (Rle)	\$5,515	\$0	\$5,515	3.2160 (1.36%)	\$17.74	20 %
Public Schools: By Local Board	\$5,515	\$0	\$5,515	3.2480 (0.00%)	\$17.91	20 %
Orange County (General)	\$5,515	\$0	\$5,515	4.4347 (0.00%)	\$24.46	28 %
Unincorporated County Fire	\$5,515	\$0	\$5,515	2.8437 (26.74%)	\$15.68	18 %
Unincorporated Taxing District	\$5,515	\$0	\$5,515	1.8043 (0.00%)	\$9.95	11 %
Library - Operating Budget	\$5,515	\$0	\$5,515	0.3748 (0.00%)	\$2.07	2 %
St Johns Water Management District	\$5,515	\$0	\$5,515	0.1793 (0.00%)	\$0.99	1 %
				16.1008	\$88.80	

2024 Non-Ad Valorem Assessments

Levying Authority	Assessment Description	Units	Rate	Assessment
COUNTY SPECIAL ASSESSMENT	FCC - GARBAGE - (407)836-6601	0.00	\$300.00	\$0.00
				\$0.00

Tax Savings

2024 Estimated Gross Tax Total:	\$88.80
Your property taxes without exemptions would be	\$2,994.48
Your ad-valorem property tax with exemptions is	– \$88.80
Providing You A Savings Of	= \$2,905.68

Property Features

Property Description

A STRIP OF LAND 100 FT IN WIDTH BEING 50 FT EACH SIDE OF CENTERLINE OF FORMER AND NOW ABANDONED OKEECHOBEE BRANCH OF FLORIDA EAST COAST RAILWAY CO LYING IN E1/2 OF E1/2 OF SEC 34-23-32 & SECTIONS 3, 10, 15 & 22-24-32 & IN W1/2 OF W1/2 OF SEC 35-23-32 & SECTIONS 2, 11, 14, 23, 26 & 35-24-32 & AN ADDITIONAL STRIP ABUTTING SAID 100 FT STRIP IN SW1/4 OF SW1/4 OF SAID SEC 02-24-32 BEING 100 FT E-W BY 300 FT N-S & TWO ADDITIONAL STRIPS ABUTTING SAID 100 FT STRIP IN NW1/4 OF NW1/4 OF SAID SEC 11-24-32 THE FIRST BEING 25 FT E-W BY 340 FT N-S & THE SECOND BEING 50 FT E-W BY 700 FT N-S & AN ADDITIONAL STRIP ABUTTING SAID 100 FT STRIP IN NE1/4 OF NE1/4 OF SAID SEC 10-24-32 BEING 25 FT E-W BY 1000 FT N-S ALL AS PER DEED BOOK 852/238 (LESS PTS SOLD PER DB843/378 & OR 9034/2926) & (LESS A PARCEL OF LAND LYING IN SEC

36-23- 33 E, ORANGE CNTY, FL, LYING S OF AND ADJ TO THE SLY LIMITED ACCESS R/W LINE OF ST RD 528, PER OOCEA R/W MAP, SECS NO. 1.1 AND NO. 1.2 AND FL DOT/ ST RD DEPARTMENT R/W MAPS, SEC NO. 75140 AND NO. 75005-2501, BEING MORE PART DESC AS FOLLOWS: COMM AT A 6X6 CONC MONUMENT (NO ID) MARKING THE NE CORN OF SEC 36-23-33, ORANGE CNTY, FL; TH RUN S00-50-15E, ALONG THE E LINE OF SAID SEC 36, ALSO BEING THE E LINE OF SAID RANGE 33, A DIST OF 327.04 FT TO SAID SLY LIMITED ACCESS R/W LINE OF ST RD 528 AND THE POB; TH S00-50-15E, ALONG SAID E LINE, A DIST OF 30.95 FT, TH RUN S89-44-58W, PARALLEL W/ SAID SLY LIMITED ACCESS R/W LINE, A DIST OF 812.90 FT TO THE PT OF CURV OF A CURVE CONCAVE TO THE S; TH RUN WLY ALONG THE ARC OF SAID CURVE, HAV A RAD OF 10737.56 FT, A CENT ANG OF 04-55-23, A CH LENGTH OF 922.32 FT BRG S87-17-16W, AN ARC DIST OF 922.61 FT; TH RUN S84-06-45W, NON-TAN TO SAID CURVE, A DIST OF 1028.79 FT TO A PT OF CURV OF A CURVE CONCAVE TO THE N; TH RUN WLY ALONG THE ARC OF SAID CURVE, HAV A RAD OF 30228.68 FT, A CENT ANG OF 01-45-12, A CH LENGTH OF 924.99 FT BRG S84-59-21W, AN ARC DIST OF 925.02 FT; TH RUN S84-01-19W, NON-TAN TO SAID CURVE, A DIST OF 502.38 FT TO SAID SLY LIMITED ACCESS R/W LINE; TH RUN N34-26-05W, ALONG SAID SLY LIMITED ACCESS R/W LINE, A DIST OF 39.37 FT, TH RUN S55-33-55W, ALONG SAID SLY LIMITED ACCESS R/W LINE, A DIST OF 106.44 FT; TH DEP SAID SLY LIMITED ACCESS R/W LINE, RUN S84-42-33W, 682.28 FT TO SAID SLY LIMITED ACCESS R/W LINE; TH RUN N10-28-50E, ALONG SAID SLY LIMITED ACCESS R/W LINE, A DIST OF 227.33 FT TO A 5/8 IRON ROD STAMPED FIA DOT T; TH RUN N68-20-19E, ALONG SAID SLY LIMITED ACCESS R/W LINE, A DIST OF 169.75 FT TO A 5/8 IRON ROD STAMPED FLA DOT T; TH RUN N78-36-54E, ALONG SAID SLY LIMITED ACCESS R/W LINE, A DIST OF 480.42 FT TO A 5/8 IRON ROD STAMPED FLA DOT T; TH RUN N89-51-18E, ALONG SAID SLY LIMITED ACCESS R/W LINE, A DIST OF 249.83 FT TO A 5/8 IRON ROD STAMPED FLA DOT T; TH RUN N87-54-29E, ALONG SAID SLY LIMITED ACCESS R/W LINE, A DIST OF 250.29 FT TO A 5/8 IRON ROD STAMPED FLA DOT T; TH RUN N89-44-58E, ALONG SAID SLY LIMITED ACCESS R/W LINE, A DIST OF 1749.46 FT TO A 5/8 IRON ROD STAMPED FLA DOT T; TH RUN N89-44-58E, ALONG SAID SLY LIMITED ACCESS R/W LINE, A DIST OF 2048.15 FT TO THE INT W/ SAID E LINE AND THE POB)

Total Land Area

1,766,309 sqft (+/-) | 40.55 acres (+/-) GIS Calculated

Land

Land Use Code	Zoning	Land Units	Unit Price	Land Value	Class Unit Price	Class Value
6200 - Ag Grazing Semi-Imp	A-2	40.55 ACRE(S)	\$4,586.51	\$185,983	\$136.00	\$5,515

Buildings

Extra Features

Description	Date Built	Units	Unit Price	XFOB Value
There are no extra features associated with this parcel				

ORDINANCE NO. 2024-45

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, ANNEXING TO THE CORPORATE LIMITS OF THE CITY CERTAIN LAND GENERALLY LOCATED SOUTH OF EAST COLONIAL DRIVE, WEST OF STATE ROAD 520, EAST OF SUNBRIDGE AND NORTH OF THE OSCEOLA COUNTY LINE AND COMPRISED OF 52,453.5 ACRES OF LAND, MORE OR LESS; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER’S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, on September 23, 2024, the City Council of the City of Orlando, Florida (the “Orlando City Council”), accepted a petition for voluntary annexation (hereinafter the “petition”) bearing the signatures of all owners of property in an area of land generally located south of East Colonial Drive, west of State Road 520, east of Sunbridge and north of the Osceola County line, such land comprised of approximately 52,453.5 acres of land and being precisely described by the legal description of the area by metes and bounds attached to this ordinance as **Exhibit A** (hereinafter “the Property”); and

WHEREAS, the petition was filed with the Orlando City Council pursuant to section 171.044, Florida Statutes; and

WHEREAS, the Orlando City Council hereby finds that:

1. As of the date of the petition, the Property was located in the unincorporated area of Orange County; and

2. As of the date of the petition, the Property is contiguous to the City within the meaning of subsection 171.031(3), Florida Statutes; and

3. As of the date of the petition, the Property is reasonably compact within the meaning of subsection 171.031(2), Florida Statutes; and

4. The petition bears the signatures of all owners of property in the area to be annexed; and

5. Annexation of the Property will not result in the creation of enclaves within the meaning of subsection 171.031(5), Florida Statutes; and

6. The Property is located wholly within the boundaries of a single county; and

7. The petition proposes an annexation that is consistent with the purpose of ensuring sound urban development and accommodation to growth; and

8. The petition, this ordinance, and the procedures leading to the adoption of this ordinance are consistent with the uniform legislative standards provided by the Florida Municipal Annexation or Contraction Act for the adjustment of municipal boundaries; and

ORDINANCE NO. 2024-45

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9. The petition proposes an annexation that is consistent with the purpose of ensuring the efficient provision of urban services to areas that become urban in character; and

10. The petition proposes an annexation that is consistent with the purpose of ensuring that areas are not annexed unless municipal services can be provided to those areas; and

WHEREAS, the Orlando City Council hereby finds that this ordinance is in the best interest of the public health, safety, and welfare, and is consistent with the applicable provisions of Florida Statutes and the City's Growth Management Plan and Land Development Code; and

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, AS FOLLOWS:

SECTION 1. ANNEXATION. Pursuant to the authority granted by section 171.044, Florida Statutes, and having determined that the owner or owners of the Property have petitioned the Orlando City Council for annexation into the corporate limits of the City, and having determined that the petition bears the signatures of all owners of property in the area proposed to be annexed, and having made the findings set forth in this ordinance, the Property is hereby annexed into the corporate limits of the City of Orlando, Florida, and the boundary lines of the City are hereby redefined to include the Property. In accordance with subsection 171.044(3), Florida Statutes, the annexed area is clearly shown on the map attached to this ordinance as **Exhibit B**.

SECTION 2. CITY BOUNDARIES. Pursuant to section 171.091, Florida Statutes, the charter boundary article of the City is hereby revised in accordance with this ordinance. The City Clerk, or designee, is hereby directed to file this ordinance as a revision of the City Charter with the Florida Department of State. The City Planning Official, or designee, is hereby directed to amend the City's official maps in accordance with this ordinance.

SECTION 3. SCRIVENER'S ERROR. The City Attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the City Clerk.

SECTION 4. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 5. EFFECTIVE DATE. This ordinance is effective upon adoption.

DONE, THE FIRST READING, by the City Council of the City of Orlando, Florida, at a regular meeting, this _____ day of _____, 2024.

DONE, THE FIRST PUBLIC NOTICE, in a newspaper of general circulation in the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this _____ day of _____, 2024.

EXHIBIT
"B"



Annexation - ANX2024-10009



Environmental Protection Division

Open Enforcement Cases –

Incident No. 23-627068

In August 2023, EPD received a complaint regarding potential clearing, excavating, and filling of wetlands at 15122 Wewahootee Road, owned by Farmland Reserve Inc. Upon confirming the violations, EPD issued a Notice of Violation (NOV) requesting the owner to apply for a Conservation Area Determination (CAD), restore or permit the impacted wetlands, and remit a penalty.

On October 6, 2023, Farmland Reserve responded to the NOV. Based on the October 2023 response, EPD issued an Updated NOV on November 16, 2023. Representatives of EPD, Farmland Reserve, the borrow pit operator, and their consultant met in person on December 8, 2023. The property owner and their representatives presented information that some impacts to the wetland occurred as a result of a hurricane and that a berm was installed in the wetland to prevent further erosion.

On January 8, 2024, EPD issued a Notice of Non-Compliance (NONC) to the property owner, which replaced the original and Updated NOVs, acknowledging that the work was done in response to an emergency and further requested that the owner work with EPD to resolve the unauthorized impacted wetlands.

On February 20, 2024, EPD conducted a site inspection on the property and met with Bio-Tech and representatives from J. McKinnon Development. It was discussed and agreed upon in the field that Best Management Practices were needed to prevent further sedimentation into the wetlands, and that the berm in the wetland would need to be moved or removed. No action has been taken to restore the wetland to date.

Ongoing environmental investigations On August 8, 2024, EPD received several emails from the Save East Orange email address informing EPD about additional potential unpermitted haul roads and additional impacts to wetlands. EPD brought these issues to the attention of the property owner, who in turn, requested a meeting with County Attorney's Office, stating that they were operating within the Right to Farm Act.

Permit History

Please see the Table below for EPD permits that have been issued on the parcels to be annexed. Most of the permits are expired, but there are some borrow pit permits that are in the operational phase.

Parcel No.	Permit No./ Name	Status
17-23-33-0000-00-001	CAD-17-09-124	Expired
	CAI-17-12-034	Closed
04-23-33-0000-00-001	CAD-18-10-157/ Taylor Creek Solar Energy Site	Expired
	CAI-19-03-015/ Taylor Creek Solar Energy Site and minor modification issued	Passed compliance inspection/ operational phase
01-24-32-0000-00-001	CAD 11-027	Expired
	CAD-11-10-046/ Farmland Reserve CR-13 Borrow Pit	Expired
	CAD-11-10-048 – closed duplicate	
	CAI 08-027/ 19500 Cocoa Water Plant Road	Expired
	CAD 08-040 / 9500 Cocoa Water Plant Road	Expired
	CAI 07-023/ 19500 Cocoa Water Plant Road	Expired
	CAD 06-187/ 19500 Cocoa Water Plant Road	Expired
	CAD 08-078 / 19500 Cocoa Water Plant Road	Closed
	CAD 98-104/ Holland Properties/ TM Ranch	No expiration
	CAI 98-167/ TM Ranch Shooting Range	No expiration date
	CAD-15-01-009/ Farmland Reserve Borrow Pit - 15122 Wewahootee Road	Expired
	CAI-15-05-017/ Farmland Reserve Borrow Pit - 15122 Wewahootee Road	Closed – see CAI-18-02-008
	CAD-15-08-104/ John Deer Training Facility - 15122 Wewahootee Road	Expired
	CAI- - Info Only - NPR	Taylor Creek Reservoir Levee Improvements
	CAI-17-02-004/ Dallas Borrow Pit Phase 5 - 15122 Wewahootee Road	Operational phase
	CAD-17-02-022/ Dallas Borrow Pit Phase 5 - 15122 Wewahootee Road	Expired
	CAI-18-02-008/ Farmland Reserve Borrow Pit	Operational phase
	CAD-20-11-217/ Farmland Reserve Borrow Pit Expansion	
	CAI-21-03-020/ Farmland Reserve Borrow Pit Expansion	Application withdrawn
	CAI-24-03-017/ Farmland Borrow Pit Expansion (OCPW) 24-E4-0008	Application under Review
18-24-34-0000-00-014	No EPD Permits	
32-23-32-0000-00-001	CAD-11-10-049/ Innovation Way East (IWE) - Farmland Reserve	Expired
	CAD-11-12-049 / Innovation Way East (IWE) - 6750 S County Road 13	Informational Only

Orange County has adopted regulations regarding the protection of environmental areas, including the 2023 update to the Wetlands Conservation Areas Ordinance, the Environmental Land Stewardship Program (ELSP), the Econlockhatchee River Protection Area, and County's Green PLACE Program.

Wetlands Conservation Areas Ordinance

On December 12, 2023, the Orange County Board of County Commissioners voted unanimously to update its Wetland Conservation Areas Ordinance (Chapter 15, Article X) to strengthen protection of valuable wetlands and surface waters, make permitting processes more streamlined, predictable, and consistent for applicants, and ensure that natural resource protections are balanced with property rights.

Code highlights include:

- Regulatory Framework Study
- State of the Wetlands Study
- Goals of the ordinance update:
 - Identify and protect most important and most valuable wetlands and surface waters
 - Balance protection with property rights
 - Develop streamlined, predictable and consistent processes and outcomes
 - Create an understandable rule that is less complicated
- Developed from scientific data and stakeholder feedback
- Improves application review process
 - Increases predictability of review outcomes
 - Effects more efficient workflows / provides clear application instructions
- Increased protection for wetland resources
 - Tiered permitting encourages applicants to limit wetland impacts
 - Modifier system incentivizes applicants to adopt sustainable development plans and avoid and minimize impacts to qualify for a lower-level Standard Permit
 - 100-foot upland buffer enhances protections and improves wetland longevity
- Improvements and incentives for wetland mitigation process
- Wetlands Code Proposed New Sensitive Areas:
 - Shingle Creek
 - St. Johns River

Environmental Land Stewardship Program

On January 26, 2016, the Orange County Board of County Commissioners voted unanimously to adopt the Environmental Land Stewardship Program (ELSP). A portion of the proposed annexation area lies within the boundary of the ELSP. This Article is established to implement the goals, objectives and policies of the Comprehensive Plan adopted by the Board to help preserve lands conceptually identified as Stewardship Lands on the *Innovation Way ELSP Map*, or other lands within the Innovation Way Overlay that meet one or more of the primary principles.

The primary principles are:

- Provide additional buffering along the Econlockhatchee River;
- Create, enhance and preserve wildlife corridors;
- Provide adequate crossings for wildlife and water conveyance;

- Protect habitat on ecologically important lands; and
- Protect rare habitat.

Econlockhatchee River Protection Area

Portions of the project lie within the Econlockhatchee River Protection Area. Adopted in Orange County's Chapter 15, Art. XI, Econlockhatchee River Protection Area.

Green PLACE Parcels:

The County's Green PLACE Program routinely performs prescribed burns on many of our managed properties. Developing parcels adjacent to the Green PLACE parcels reduce the ability to burn due to conflicts/concerns with residents. This annexation could impact the Green PLACE Program's ability to properly manage the following properties:

- TM-Econ Mitigation Bank (Phase IV);
- Hal Scott Preserve;
- Hidden Pond Preserve;
- Pine Lily Preserve;
- Long Branch; and
- Savage Christmas Creek Preserve.

Orange County Utilities

Should the proposed annexation be approved Orange County requests an Agreement with City and/or Developer to:

- To ensure that the developer will continue to coordinate with Orange County Utilities for any needed easements for sewer and reclaimed water lines.
- As this development will remain within Orange County Utilities Wastewater and Reclaimed Water Service Area. All development within the annexation area must be submitted to Orange County Utilities for review and approval.
- The water service provider for the annexation area is East Central Florida Services, Inc. a Public Services Commission Certificated Water Service Area.
- Commitment that the City of Orlando shall impose these conditions on all annexed lands at the earliest opportunity when the landowner applies for any rezoning or development entitlements.
 1. The developer shall obtain wastewater and reclaimed water service from Orange County Utilities.
 2. A Transmission Systems Master Utility Plan (MUP) shall be submitted to Orange County Utilities prior to approval of the first Specific Parcel Master Plan (SPMP) within the annexation area. The Transmission Systems MUP shall include demands for the entire annexation area, and shall include wastewater and reclaimed water transmission systems layouts, sizing, and supporting hydraulic calculations.
 3. At least thirty (30) days prior to construction plan submittal, the applicant shall submit a Master Utility Plan (MUP) for the SPMP, including hydraulically dependent parcels outside SPMP boundaries; such MUP shall include supporting calculations showing that the SPMP-level MUP is consistent with an approved Transmission Systems MUP, or shall include an update to the Transmission Systems MUP to incorporate any revisions. The MUP(s) must be approved prior to construction plan approval.
 4. The Developer shall be responsible for building master utilities transmission and collection infrastructure adequate to serve the project to accommodate the ultimate flows for the entire annexation area. Utilities infrastructure shall be built in accordance with Orange County Utilities Standards and Specifications connecting to the build-out points.
- The existing wastewater and reclaimed water territorial agreements between Orange County and the City of Orlando, shall not only remain in full force until the current expiration date in 2029, but also, the City shall agree to amend and extend the term of all such territorial agreements for an additional 20 years, (through 2049) prior to any land annexations and with no other modifications to these agreements other than this immediate term extension.
- Farmland Reserve, Inc. has entered into the Taylor Creek Reservoir/St. Johns River Water Supply Project General Implementation Agreement (GIA), including the provisions by which easements may be obtained by the County, if necessary, for a regional water supply project.

- The land owners of all annexed lands, shall commit to donate to Orange County, at no cost to Orange County, all easements and fee simple land necessary to the installation of wastewater and reclaimed water infrastructure in accordance with Orange County Utilities Standards for the location of wastewater pump stations, regional storage and repumping facilities, pipelines and appurtenances necessary to serve all the annexed lands.