

Interoffice Memorandum

DATE: April 21, 2025

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: N/A



FROM: Tanya Wilson, AICP, Director Planning, Environmental, and Development Services Department

CONTACT: Nicolas Thalmueller, AICP, DRC Chairman

PHONE: (407) 836-5523

DIVISION: Development Review Committee

ACTION REQUESTED:

Make a finding of consistency with the Comprehensive Plan and approve an amendment to the South Goldenrod Townhomes Planned Development / Land Use Plan (PD / LUP) received February 20, 2025, subject to the conditions listed under the Planning & Zoning Commission (PZC) Recommendation in the Staff Report. District 3.

PROJECT: South Goldenrod Townhomes Planned Development Land Use Plan Amendment (LUPA-24-11-268)

PURPOSE: The South Goldenrod Townhomes Planned Development (PD) is generally located west of Goldenrod Road and north of Pershing Avenue and consists of 14.33 acres currently.

Through this request the applicant is seeking to rezone 6.84 acres from R-1A (Single-Family Dwelling District) to Planned Development (PD) to join the existing South Goldenrod Townhomes PD, for a total of 21.16 overall PD acres. The applicant is also seeking to increase the unit count from the previously approved LUP (CDR-21-12-387) from 110 townhome units to 167 townhome units for 9.34 units per acre which is consistent with the FLUM designation.

This proposal received a recommendation of approval from the DRC on March 5 2025, and a recommendation of approval from the PZC on April 24, 2025.

BUDGET: N/A

CASE # LUPA-24-11-268

Commission District: # 3

GENERAL INFORMATION

APPLICANT	Brian Forster, Land Design
OWNER	Palm Property Partners, LLC
PROJECT NAME	South Goldenrod Townhomes Planned Development (PD) / Land Use Plan Amendment (LUPA) (PD / LUPA)
PARCEL ID NUMBER(S)	02-23-30-3024-00-100, 02-23-30-3024-00-110
TRACT SIZE	6.84 acres to be added / 14.33 acres existing PD aces 21.16 (new overall PD acreage)
LOCATION	2400 South Goldenrod Road; West of Goldenrod Road / North of Pershing Avenue
REQUEST	To rezone 6.84 acres from A-1 (Citrus Rural Districts) to PD (Planned Development District) to add to the South Goldenrod Townhomes Planned Development (PD). The request is also to increase the allowable entitlement program from 110 to 167 single-family attached residential dwelling units.
PUBLIC NOTIFICATION	The notification area for this public hearing extended beyond 800 feet. Chapter 30-40(c)(3)(a) of Orange County Code requires the owners of the property within three hundred (300) feet of the subject property to be notified at least 10 days prior to the date of the hearing. Two hundred and twenty-nine (229) notices were mailed to those property owners in the mailing area.

IMPACT ANALYSIS

Project Overview

The South Goldenrod Townhomes Planned Development (PD) is generally located west of Goldenrod Road and north of Pershing Avenue. The South Goldenrod PD was originally approved on April 13, 2021, and was approved to rezone 14.33 gross acres from R-1A (Single-Family Dwelling District) to PD (Planned Development District) in order to construct 110 single-family attached residential dwelling units and request 2 waivers regarding setbacks and building separation. The Preliminary Subdivision Plan, (PSP-21-06-195) was approved by the Board on June 6, 2023 to subdivide 14.33 acres and construct 96 single-family attached residential dwelling units.

Through this Land Use Plan Amendment (LUPA), the applicant is seeking to rezone 6.84 acres from R-1A (Citrus Rural District) to Planned Development (PD) to join the existing South Goldenrod Townhomes PD. The subject properties have a Future Land Use Map (FLUM) designation of Low Medium Density Residential (LMDR) which allows for the

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consideration of up to 10 dwelling units per acre. This request increases the unit count from the previously approved LUP (CDR-21-12-387) from 110 townhome units to 167 townhome units for 9.34 units per acre which is consistent with the FLUM designation.

SITE DATA

Existing Use	Undeveloped Property / Single-Family Residence
Adjacent Zoning	N: R-T (Mobile Home Park District) E: C-1 (Retail Commercial District), R-1A (Single-Family Dwelling District) W: City of Orlando S: R-1A (Single-Family Dwelling District)
Adjacent Land Uses	N: Mobile Home Park E: Shopping Center / Religious Institution W: Wetland S: Undeveloped Land / Religious Institution

APPLICABLE PD DEVELOPMENT STANDARDS

PD Perimeter Setback
(Goldenrod Road): 50 feet
Maximum Building Height: 35 feet
Minimum Lot Area: 2,000 acre
Minimum Lot Width: 20 feet
Minimum Living Area: 1,200 Square Feet (under HVAC)

Minimum Building Setbacks

Front Setback: 20 feet
Rear Setback: 20 feet
Side Setback: 0-10 feet

Minimum Open Space: 10%

Land Use Compatibility

The applicant is seeking to rezone the subject parcels from R-1A (Single-Family Dwelling District) to PD (Planned Development District) in order to increase the allowable entitlement program from 110 to 167 single-family attached dwelling units.

The proposed development program is compatible with existing development in the area and would not adversely impact any adjacent properties.

Comprehensive Plan (CP) Consistency

The subject property has an underlying Future Land Use Map (FLUM) designation of Low Medium Density Residential (LMDR) which allows for a maximum residential density of ten (10) dwelling units per net developable acre. The proposed PD zoning district and development program is consistent with the LMDR FLUM designation; therefore a CP amendment is not necessary. Additionally, the request is consistent with the following CP provisions:

FLU1.4.2 states that Orange County shall ensure that land uses changes are compatible with and serve existing neighborhoods.

FLU8.1.1 states that the zoning and future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities, market demand, and environmental features shall also be used in determining which specific zoning district is most appropriate. Density is restricted to the maximum and minimum allowed by the Future Land Use Map designation regardless of zoning.

OBJ FLU8.2 states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions.

FLU8.2.11 states that 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.

Overlay Ordinance

The subject property is not located within an Overlay District.

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located within a JPA.

Environmental

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).

Modifications to OC Code Ch. 15, Article X were adopted on December 12, 2023, with an effective date of June 1, 2024. The updated ordinance can be accessed at <https://www.ocfl.net/Environment/Wetlands.aspx>, linked under "Wetland Code Final." Be advised that the new wetland code may be effective for your development. Final determination of the applicability of the new code requirements on your development

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may be reviewed by the Orange County's Attorney's Office. Contact wetlandpermitting@ocfl.net with any questions.

Transportation Planning

This LUPA case to rezone 6.84 acres from R-1A to PD and add it into the South Goldenrod Townhomes PD will not trigger the transportation concurrency requirements via a Capacity Encumbrance Letter (CEL) application. Future development will be required to meet transportation capacity requirements.

Pursuant to Article XII, Chapter 30, Orange County Code, as may be amended, unless documentation to the County's satisfaction has been provided proving that a property is exempt or vested, each property must apply for and obtain concurrency. Unless required at a different time (by agreement, condition of approval, etc.), residential properties must obtain concurrency prior to approval of the plat; non-residential properties that are required to plat must obtain concurrency for any lot with an assigned use prior to approval of the plat (lots without an assigned use shall be labeled as "future development") and non-residential properties that are not required to plat must obtain concurrency prior to obtaining the first building permit. Concurrency may be obtained earlier than plat or building permit, but it is ultimately the responsibility of the applicant to obtain concurrency, including any proportionate share agreement, as applicable, in a timely fashion. Should an applicant wait to obtain concurrency until later in the development process, the County will not be responsible for any delays caused by the applicant's failure to obtain concurrency in a timely fashion.

Based on the Concurrency Management database (CMS) dated 11/15/2024, there are multiple failing roadway segments within the project's impact area. Chickasaw Tr, from Cascade Rd to Curry Ford Rd (1 segment(s)), Goldenrod Rd, from Narcoossee Rd to Curry Ford Rd (2 segment(s)), and Semoran Blvd, from Pershing Ave to Lake Underhill Rd (2 segment(s)) are failing. This information is dated and subject to change.

Transportation Planning has received and reviewed the rezoning traffic analysis. Since the applicant did not provide a comparison between the maximum allowable under the existing zoning and the proposed zoning, the amendment will be based on the specific development program you provided. This will be considered your maximum development program.

Pursuant to Section 30-552 (3) of the County's Code of Ordinances, any application for a planned development (PD) zoning is required to conduct a study to assess the traffic and capacity impacts of the proposed development. A traffic study is required prior to approval of this rezoning request.

Community Meeting Summary

A community meeting was not required for this request.

Schools

OCPS considers the impact of the rezoning on school capacity to be de minimis.

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Utilities

Water: Orange County Utilities

Wastewater: Orange County Utilities

Reclaim Water: Orange County Utilities

Parks and Recreation

Parks and Recreation staff reviewed the request and did not identify any issues or concerns.

State of Florida Notice

Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

Specific Project Expenditure Report and Relationship Disclosure Forms

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

ACTION REQUESTED

Development Review Committee – (March 5, 2025)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the South Goldenrod Townhomes Planned Development / Land Use Plan Amendment (PD/LUPA), dated "Received February 20, 2025", subject to the following conditions:

1. Development shall conform to the South Goldenrod Townhomes PD Land Use Plan Amendment (LUPA) dated "Received February 20, 2025," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a

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conflict or inconsistency between a condition of approval and the land use plan dated "Received February 20, 2025," the condition of approval shall control to the extent of such conflict or inconsistency.

2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.
3. Pursuant to Section 125.022, Florida Statutes, as may be amended, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit, or any other development order, if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this land use plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements

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required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).

6. If applicable, an Acknowledgement of contiguous Sustainable Agricultural Land pursuant to Section 163.3163, Florida Statutes, as may be amended, must be executed and recorded in the Public Records of Orange County, Florida, prior to issuance of any permits associated with this plan and a copy of such Acknowledgment shall be submitted with all future permit applications for this project.
7. Unless a Natural Resource Impact Permit (NRIP) is approved by Orange County consistent with Orange County Code Chapter 15, Article X, "Wetland and Surface Water Protection", prior to Construction Plan approval, no wetland, surface water or buffer encroachments shall be permitted. Approval of this plan does not authorize any direct or indirect wetland and surface water impacts.
8. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish and Wildlife Conservation Commission (FWC).
9. Pole signs and billboards shall be prohibited. All other signage shall comply with Chapter 31.5 of the Orange County Code, as may be amended.
10. Pursuant to Article XII, Chapter 30, Orange County Code, as may be amended, unless documentation to the County's satisfaction has been provided proving that a property is exempt or vested, each property must apply for and obtain concurrency. Unless required at a different time (by agreement, condition of approval, etc.), residential properties must obtain concurrency prior to approval of the plat; non-residential properties that are required to plat must obtain concurrency for any lot with an assigned use prior to approval of the plat (lots without an assigned use shall be labeled as "future development") and non-residential properties that are not required to plat must obtain concurrency prior to obtaining the first building permit. Concurrency may be obtained earlier than plat or building permit, but it is ultimately the responsibility of the applicant to obtain concurrency, including any proportionate share agreement, as applicable, in a timely fashion. Should an applicant wait to obtain concurrency until later in the development process, the County will not be responsible for any delays caused by the applicant's failure to obtain concurrency in a timely fashion.

11. In compliance with Section 19 of the Orange County Code, the property owner / engineer may be required to provide a series of FEMA Letter of Map Changes (LOMC). For development within the 1% annual chance flood (100-year flood) floodplain without an established Base Flood Elevations (BFE), depicted as Zone A, the owner/engineer must perform a study to establish the BFE and obtain a FEMA LOMR (Letter of Map Revision) prior to site construction plan submittal. For modifications to a determined BFE (Zone AE), floodway, or flood hazard area boundaries on the Flood Insurance Rate Maps (FIRMs), a FEMA Conditional Letter of Map Revision (CLOMR) must be obtained prior to site construction plan approval; a subsequent FEMA Letter of Map Revision (LOMR) reflecting final construction will be required. Said FEMA LOMR approval must be obtained by the owner / engineer and must be submitted to the Floodplain Administrator prior to the release of the Certificate of Occupancy and / or Certificate of Completion. Compensation Storage for all projects within the 1% annual chance flood (100-year flood) floodplain shall be provide on a "cup for cup" basis in accordance with Chapter 19-107(1).
12. All acreages identified as wetlands, surface waters and upland buffers are considered approximate until finalized by a Wetland Determination (WD) and/or a Natural Resource Impact Permit (NRIP). Approval of this plan does not authorize any direct or indirect wetland/surface water impacts.
13. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated April 13, 2021, shall apply:
 - a. A current Phase One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review as part of any Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) submittal and must be approved prior to Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) approval for any streets and/or tracts anticipated to be dedicated to the County and/or to the perpetual use of the public.
 - b. A Master Utility Plan (MUP) for the PD shall be submitted to Orange County Utilities at least thirty (30) days prior to submittal of the first set of construction plans. Construction plans within this PD shall be consistent with an approved and up-to-date Master Utility Plan (MUP). MUP updates shall be submitted to Orange County Utilities at least thirty (30) days prior to the corresponding construction plan submittal. The MUP and updates must be approved prior to Construction Plan approval
 - c. The developer shall obtain water and wastewater service from Orange County Utilities subject to County rate resolutions and ordinances.

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- d. The following waivers from Orange County Code are granted:
- i) A waiver for the residential parcel from Section 38-1254(a) to allow for a twenty (20) foot perimeter setback abutting the western boundary of the church property in lieu of the twenty-five (25) foot perimeter setback.
 - ii) A waiver for the residential parcel from Section 38-79(20)(j) to allow for a forty (40) foot, in lieu of sixty (60) foot, rear separation between townhome units.
- e. A minimum seven (7) foot wide landscaped strip shall be provided along the entire frontage of S. Goldenrod Road between the required wall and the edge of the right-of-way, and shall include, at a minimum, understory trees spaced at one (1) tree per every twenty-five (25) linear feet, and a thirty (30) inch high hedge spaced thirty (30) inches on center. Irrigation, may be installed, owned and maintained by the Home Owner's Association, which would also be provided within this landscape strip, or Florida Friendly xeriscape plants may be installed in lieu of irrigation.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

Commented [NT1]: This is a placeholder and will be filled in after the PZC hearing.

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested PD (Planned Development District) zoning. The applicant was present and agreed with the staff recommendation. No members of the public were present to speak during public comment.

Staff indicated that three hundred forty-six (346) notices were sent to property owners and residents extending beyond 1,500 feet surrounding the property, and that staff had received zero (0) responses in favor, and zero (0) responses in opposition of the request.

A motion was made by Commissioner Spears and seconded by Commissioner Fernandez to recommend APPROVAL of the requested PD (Planned Development District) zoning subject to twenty-five (25) conditions listed in the staff report including five (5) from Orange County Code. The motion carried 4 to 1.

Motion / Second *Gordon Spears / Eddie Fernandez*

Voting in Favor *Gordon Spears, Eddie Fernandez, George Wiggins and Evelyn Cardenas*

Voting in Opposition *David Boers*

Absent *Walter Pavon, Camille Evans, Nelson Pena, and Michael Arrington*

PZC RECOMMENDED ACTION

Planning and Zoning Commission (PZC) Recommendation – (April 24, 2025)

Make a finding of consistency with the Comprehensive Plan and recommend **APPROVAL** of the South Goldenrod Townhomes Planned Development / Land Use Plan Amendment (PD/LUPA), dated "Received February 20, 2025", subject to the following conditions:

1. Development shall conform to the South Goldenrod Townhomes PD Land Use Plan Amendment (LUPA) dated "Received February 20, 2025," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received February 20, 2025," the condition of approval shall control to the extent of such conflict or inconsistency.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.

3. Pursuant to Section 125.022, Florida Statutes, as may be amended, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit, or any other development order, if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this land use plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
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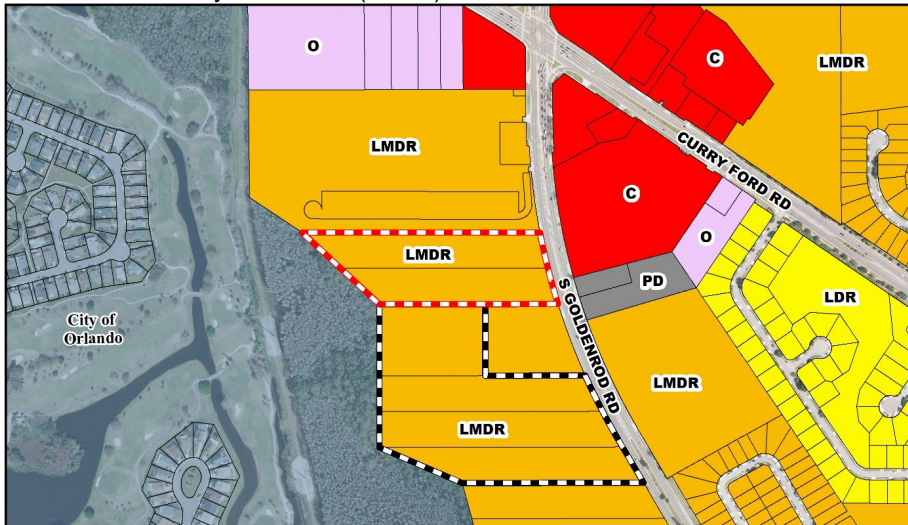
7. Unless a Natural Resource Impact Permit (NRIP) is approved by Orange County consistent with Orange County Code Chapter 15, Article X, "Wetland and Surface Water Protection", prior to Construction Plan approval, no wetland, surface water or buffer encroachments shall be permitted. Approval of this plan does not authorize any direct or indirect wetland and surface water impacts.
8. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish and Wildlife Conservation Commission (FWC).
9. Pole signs and billboards shall be prohibited. All other signage shall comply with Chapter 31.5 of the Orange County Code, as may be amended.
10. Pursuant to Article XII, Chapter 30, Orange County Code, as may be amended, unless documentation to the County's satisfaction has been provided proving that a property is exempt or vested, each property must apply for and obtain concurrency. Unless required at a different time (by agreement, condition of approval, etc.), residential properties must obtain concurrency prior to approval of the plat; non-residential properties that are required to plat must obtain concurrency for any lot with an assigned use prior to approval of the plat (lots without an assigned use shall be labeled as "future development") and non-residential properties that are not required to plat must obtain concurrency prior to obtaining the first building permit. Concurrency may be obtained earlier than plat or building permit, but it is ultimately the responsibility of the applicant to obtain concurrency, including any proportionate share agreement, as applicable, in a timely fashion. Should an applicant wait to obtain concurrency until later in the development process, the County will not be responsible for any delays caused by the applicant's failure to obtain concurrency in a timely fashion.
11. In compliance with Section 19 of the Orange County Code, the property owner / engineer may be required to provide a series of FEMA Letter of Map Changes (LOMC). For development within the 1% annual chance flood (100-year flood) floodplain without an established Base Flood Elevations (BFE), depicted as Zone A, the owner/engineer must perform a study to establish the BFE and obtain a FEMA LOMR (Letter of Map Revision) prior to site construction plan submittal. For modifications to a determined BFE (Zone AE), floodway, or flood hazard area boundaries on the Flood Insurance Rate Maps (FIRMs), a FEMA Conditional Letter of Map Revision (CLOMR) must be obtained prior to site construction plan approval; a subsequent FEMA Letter of Map Revision (LOMR) reflecting final construction will be required. Said FEMA LOMR approval must be obtained by the owner / engineer and must be submitted to the Floodplain Administrator prior to the release of the Certificate of Occupancy and / or Certificate of Completion. Compensation Storage for all projects within the 1% annual chance flood (100-year flood) floodplain shall be provide on a "cup for cup" basis in accordance with Chapter 19-107(1).
12. All acreages identified as wetlands, surface waters and upland buffers are considered approximate until finalized by a Wetland Determination (WD) and/or a Natural Resource Impact Permit (NRIP). Approval of this plan does not authorize any direct or indirect wetland/surface water impacts.

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13. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated April 13, 2021, shall apply:
- a. A current Phase One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review as part of any Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) submittal and must be approved prior to Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) approval for any streets and/or tracts anticipated to be dedicated to the County and/or to the perpetual use of the public.
 - b. A Master Utility Plan (MUP) for the PD shall be submitted to Orange County Utilities at least thirty (30) days prior to submittal of the first set of construction plans. Construction plans within this PD shall be consistent with an approved and up-to-date Master Utility Plan (MUP). MUP updates shall be submitted to Orange County Utilities at least thirty (30) days prior to the corresponding construction plan submittal. The MUP and updates must be approved prior to Construction Plan approval
 - c. The developer shall obtain water and wastewater service from Orange County Utilities subject to County rate resolutions and ordinances.
 - d. The following waivers from Orange County Code are granted:
 - i) A waiver for the residential parcel from Section 38-1254(a) to allow for a twenty (20) foot perimeter setback abutting the western boundary of the church property in lieu of the twenty-five (25) foot perimeter setback.
 - ii) A waiver for the residential parcel from Section 38-79(20)(j) to allow for a forty (40) foot, in lieu of sixty (60) foot, rear separation between townhome units.
 - e. A minimum seven (7) foot wide landscaped strip shall be provided along the entire frontage of S. Goldenrod Road between the required wall and the edge of the right-of-way, and shall include, at a minimum, understory trees spaced at one (1) tree per ever twenty-five (25) linear feet, and a thirty (30) inch high hedge spaced thirty (30) inches on center. Irrigation, may be installed, owned and maintained by the Home Owner's Association, which would also be provided within this landscape strip, or Florida Friendly xeriscape plants may be installed in lieu of irrigation.

FUTURE LAND USE

Low Medium Density Residential (LMDR)



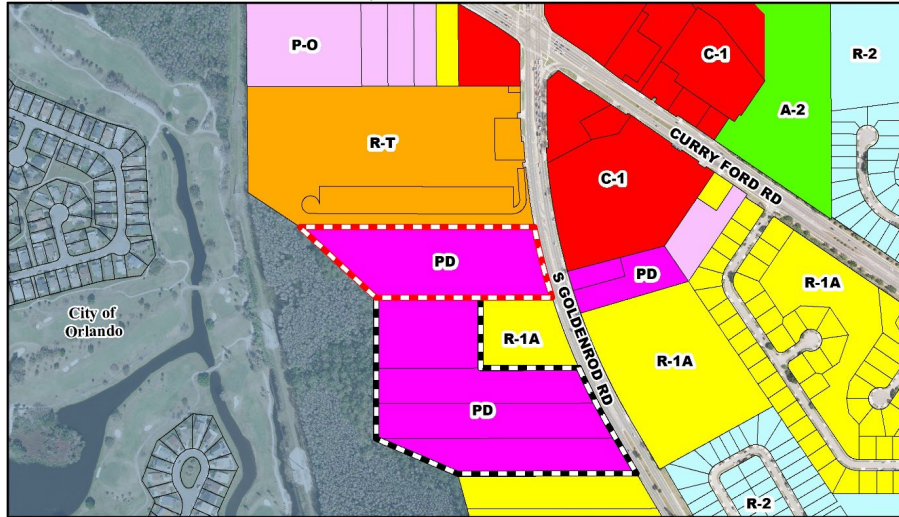
ZONING - CURRENT

R-1A (Single-Family Dwelling District)

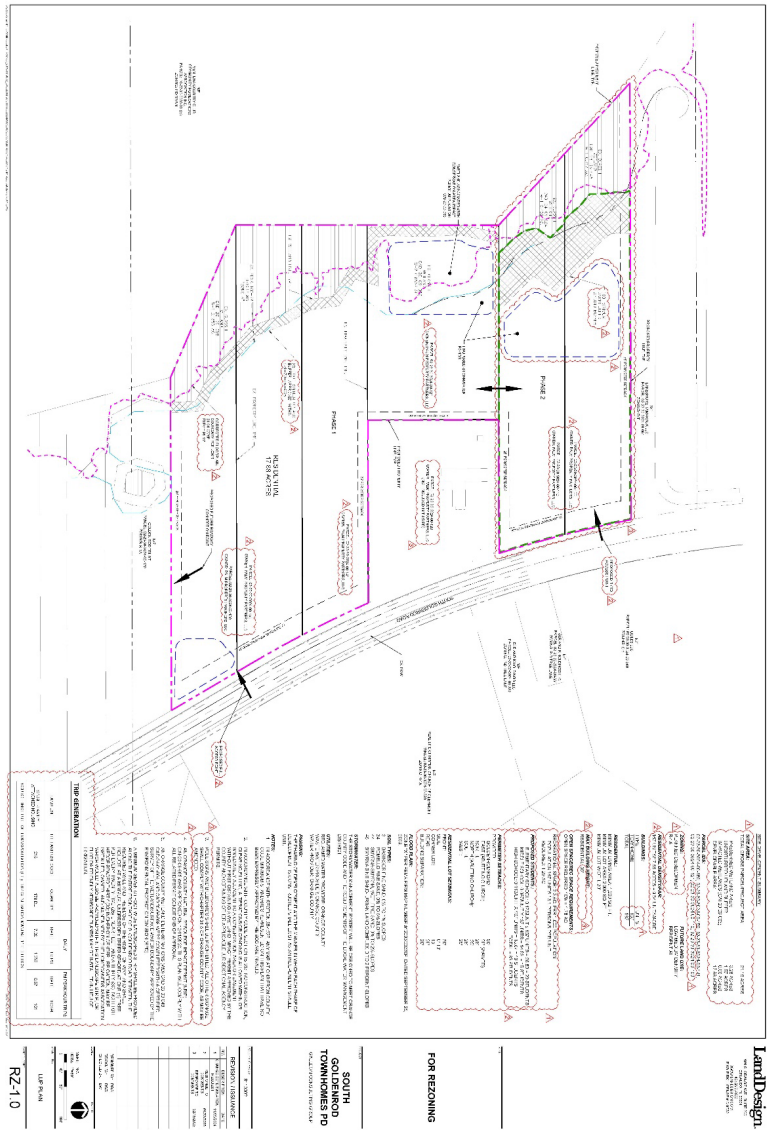


ZONING - PROPOSED

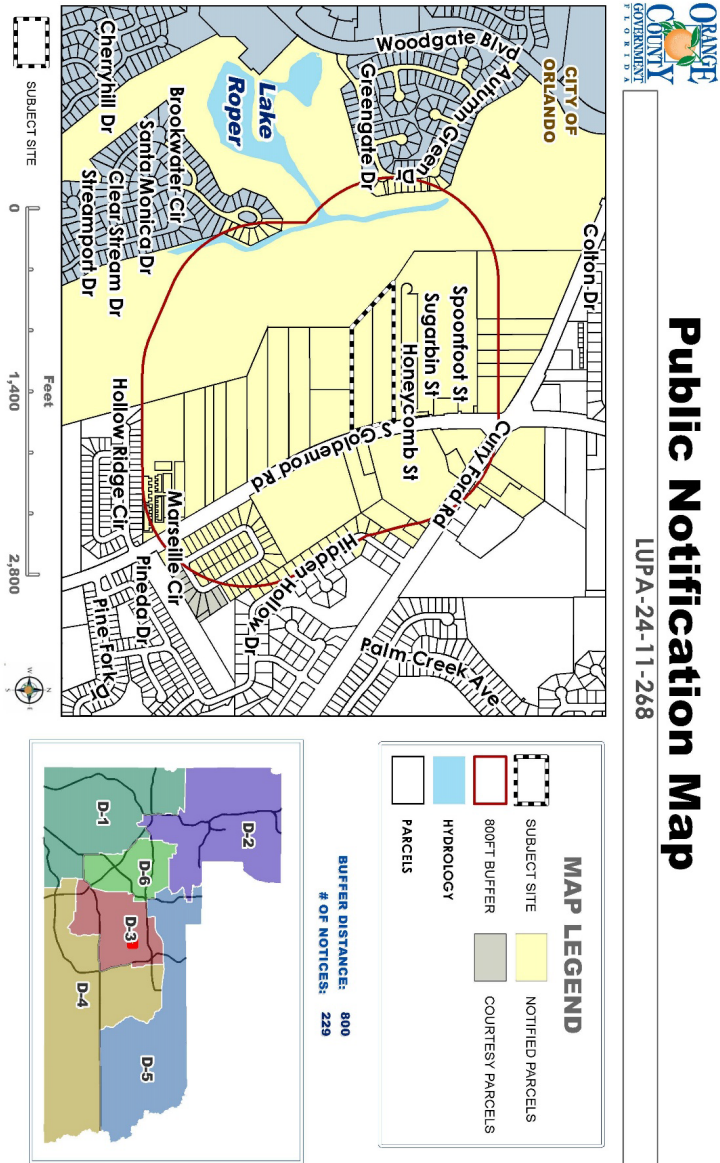
PD (Planned Development District)



Site Plan Sheet



Notification Map



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