

Board of County Commissioners

**Semi-Private Boat Ramp and
Conservation Area Impact Permit Applications**

BR-20-04-001 and CAI-20-04-027

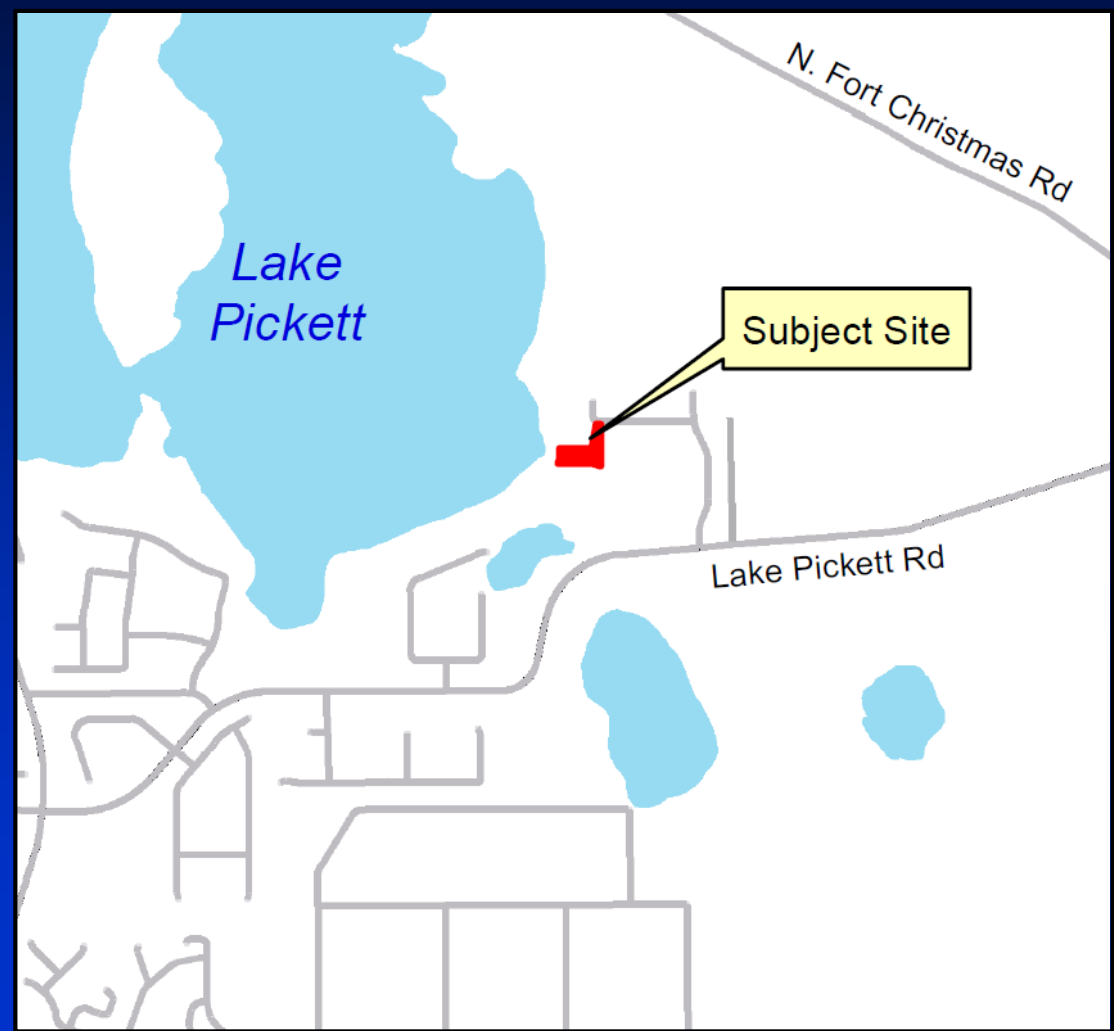
Applicant: Pulte Home Company, LLC

December 15, 2020



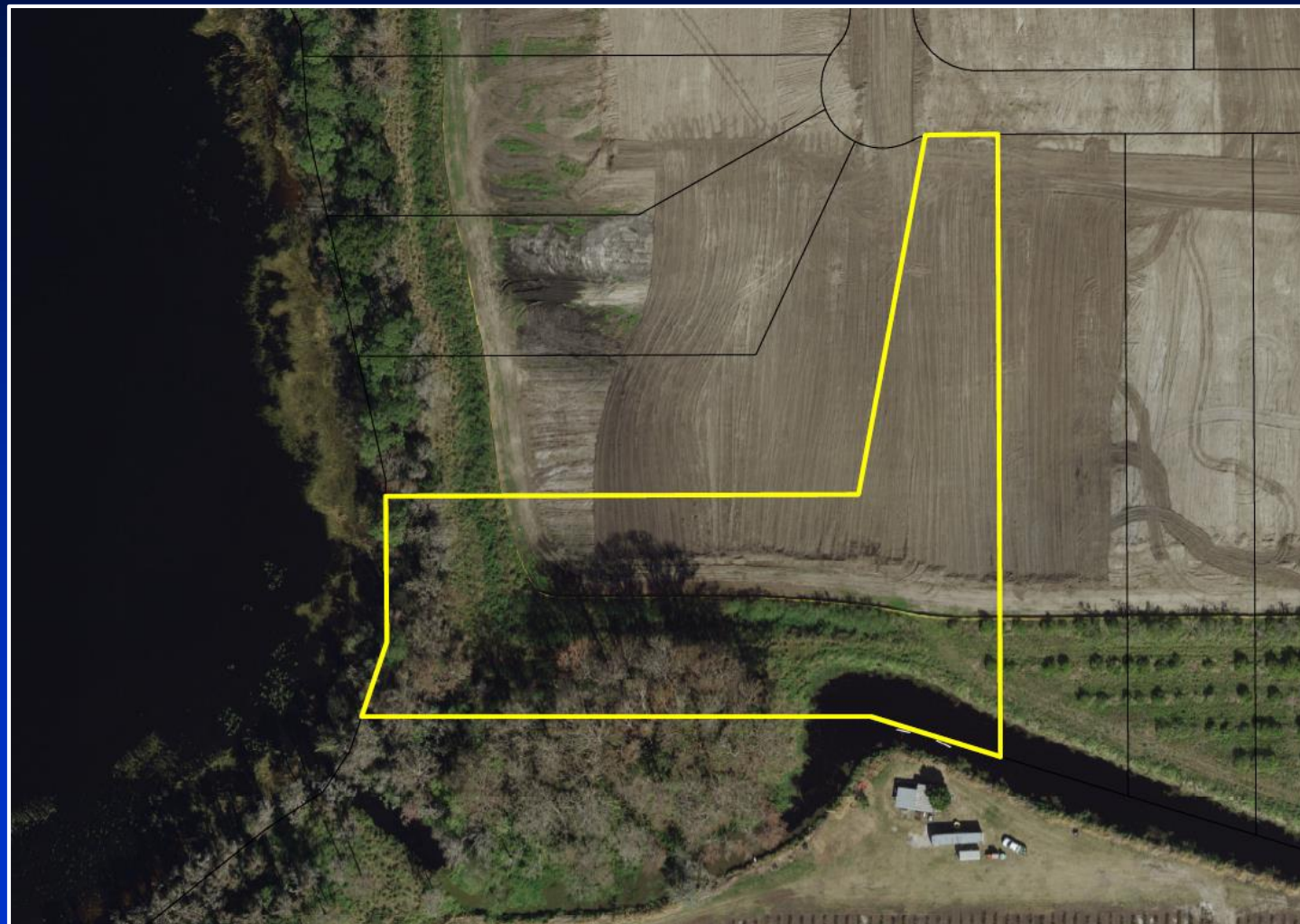
Location Map

4708 Marina Row Drive, Orlando



Parcel ID No.: 03-22-32-7898-18-001

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Parcel ID No.: 03-22-32-7898-18-001

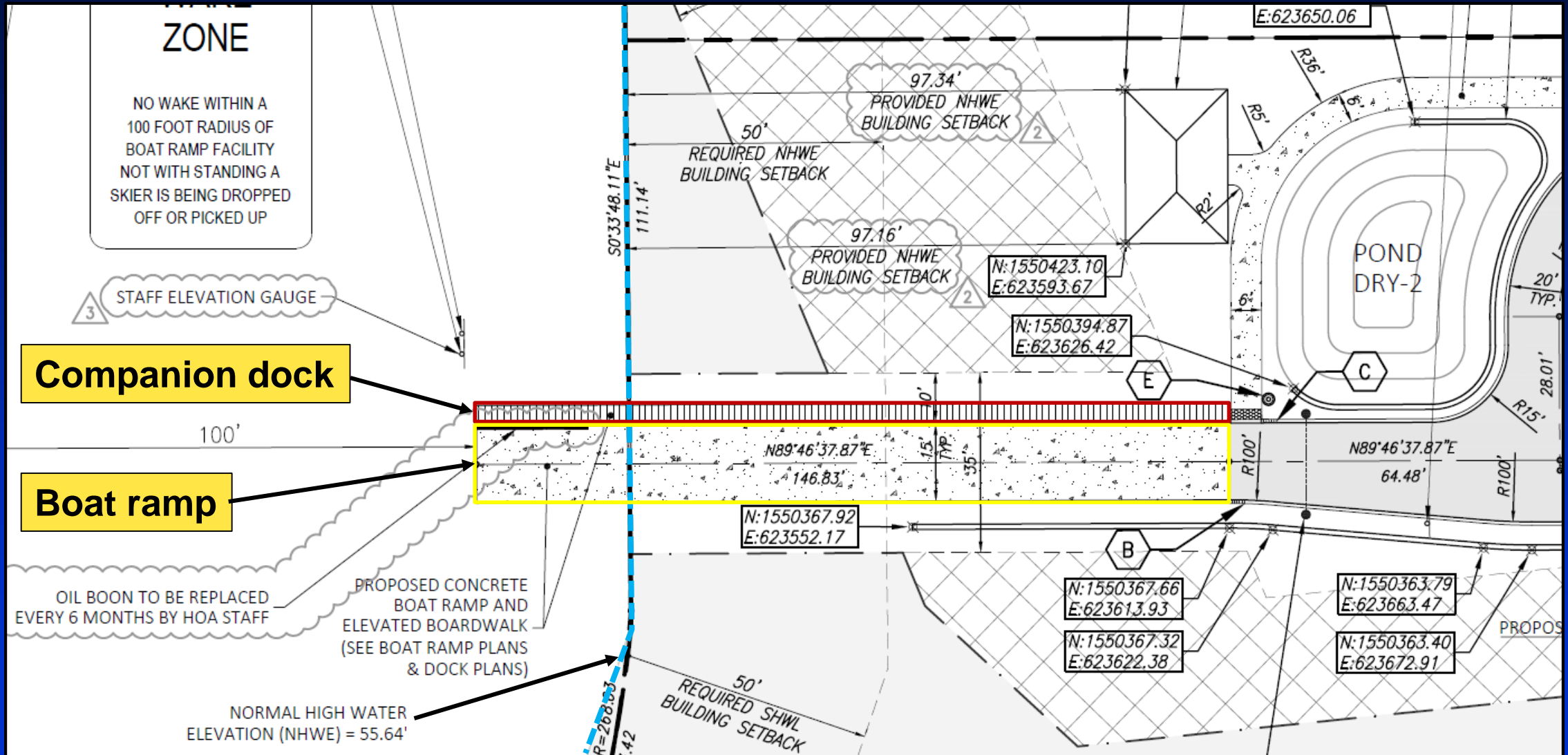


Semi-Private Boat Ramp Permit Request

- **The applicant is proposing a semi-private boat ramp facility on a parcel designated on the plat as a recreation and boat ramp tract.**
- **The ramp will be 147 feet long and 15 feet wide, and will extend 33 feet waterward of the Normal High Water Elevation of Lake Pickett.**
- **A companion boat dock, as required by Orange County Code, will also be constructed immediately adjacent to the semi-private boat ramp.**



Site Plan



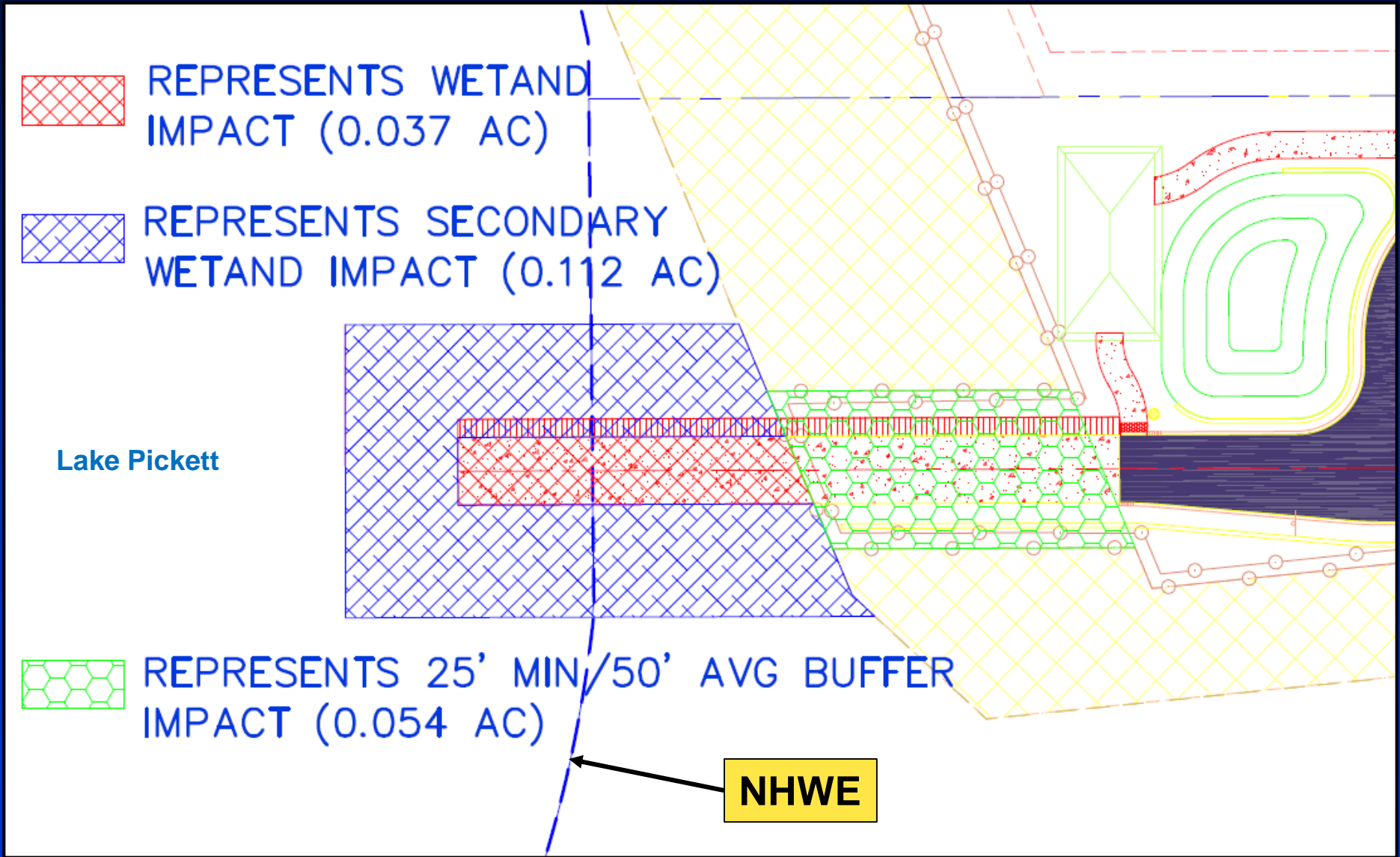


Conservation Area Impact Permit Request

- In order to construct the proposed semi-private boat ramp, the applicant is requesting direct impacts to 0.04 acre of Class I wetlands and surface waters and 0.11 acre of secondary wetland impacts.
- The parcel is located within the Econlockhatchee River Protection Area and therefore a 50-foot average width upland buffer is required adjacent to Class I wetlands.
 - The project will result in 0.05 acre of upland buffer impacts.



Site Plan





Mitigation Plan

- EPD previously issued a CAI permit (CAI-18-12-060) that authorized other wetland impacts associated with the development of the subdivision. The mitigation provided for these impacts included the preservation of 38.47 acres of onsite wetlands and 4.50 acres of upland buffer.
- The applicant has a small surplus of mitigation since the amount of mitigation provided under the original CAI permit was more than what was required for the impacts approved by that permit.
- The preservation areas were placed in a conservation easement dedicated to Orange County, which was recorded on July 19, 2019 (Document No. 20190444863).
- The excess in mitigation adequately offsets the impacts associated with the boat ramp; therefore, no additional mitigation is required.



Review Criteria – CAI Permit

- **Chapter 15, Article X:**

- **Sec. 15-362(5) states: Where wetlands serve a significant and productive environmental function . . . any alteration or development affecting such lands should be so designed and regulated so as to minimize or eliminate any impact upon the beneficial environmental productivity of such lands, consistent with the development rights of property owners.**
- **Sec. 15-396(3)(a) states: The removal, alteration or encroachment within a Class I conservation area shall only be allowed in cases where no other feasible or practical alternatives exist that will permit a reasonable use of the land or where there is an overriding public benefit.**

- **Chapter 15, Article XI:**

- **Sec. 15-442(f) states: Upland buffers averaging fifty (50) feet in width with a minimum of twenty-five (25) feet in width shall be required for class I and II conservation areas as such areas are defined in section 15-364. Where feasible, upland buffers for these conservation areas shall connect with each other and with larger natural systems. Mitigation, density or open space credits for upland buffers shall be given. Density credits for upland buffers of the conservation area shall be not less than that which is allowable under the zoning ultimately approved by the county and transferred to developable portions of the same property.**



Review Criteria – Semi-Private Boat Ramp Permit

▪ Chapter 15, Article XV:

–Sec. 15-605(d)(1) states:

- (a) The potential number of additional users of the waters that would result from approval of the boat ramp facility;
- (b) Number of existing boat ramps and similar recreational uses on the waters and the extent to which such existing boat ramps and similar recreational uses to the waters are available to the public;
- (c) Noise impacts on residents living directly adjacent to the waters;
- (d) The impact that the proposed semi-private boat ramp facility will have on that adjacent area; it is the intent of this subsection that strong preference be given to proposed semi-private boat ramp facilities located on internal lots, as opposed to corner lots in a subdivision;
- (e) Whether the fish, wildlife, flora and fauna, including endangered or threatened species (as those threatened or endangered species may be defined from time to time by the applicable local, state or federal laws and regulations) or their habitats will be adversely affected;
- (f) Whether the boat ramp facility will adversely affect navigation, water quality, water flow, or cause harmful erosion, shoaling, or sediment resuspension;



Review Criteria – Semi-Private Boat Ramp Permit

▪ Chapter 15, Article XV:

–Sec. 15-605(d)(1) states:

- (g) Whether there exists a navigable passage from the boat ramp facility to the waters;
- (h) Whether the ecological balance of the waters will be adversely affected;
- (i) Whether the boat ramp facility will adversely affect significant historical and archaeological resources as defined by state law;
- (j) Whether the boat ramp facility will pose a hazard to normal vehicular traffic as a result of trailering vehicles leaving or entering roads;
- (k) Whether the boat ramp facility will pose a hazard to boating traffic on the waters, or otherwise adversely affect public safety, given the number of people using the waters, as well as the size, depth and shoreline configuration and natural contours (i.e., existence of a cove, blind spot, etc.) on the subject waters;



Review Criteria – Semi-Private Boat Ramp Permit

▪ Chapter 15, Article XV:

–Sec. 15-605(d)(1) states:

- (l) [Criterion only applicable to lakes with unrestricted public access];
- (m) Whether the proposed boat ramp facility would adversely affect areas of special concern including, but not limited to, outstanding Florida waters, wetlands, areas which provide habitat for endangered species or threatened species (as those endangered or threatened species may be defined by applicable local, state or federal law or regulations) and conservation areas as defined by, and in accordance with, the Orange County Conservation Ordinance No. 89-8, as amended [article X of this chapter];
- (n) Interrelationship and organization of multiple uses of the water body that is the site of the proposed boat ramp facility...;
- (o) How the proposed boat ramp will affect existing uses of the water body which is the site of the proposed boat ramp facility.



Considerations

- Pursuant to Orange County Code, Chapter 15, Article X, XI, and XV, EPD staff has evaluated the permit applications and required documentation therein.
- The semi-private boat ramp is proposed on a parcel designated on the plat for recreation/boat ramp.
- The applicant has demonstrated that the proposed site plan allows for reasonable use of the land and there are no other feasible or practical alternatives to further minimize or eliminate impacts.
- The excess mitigation provided under CAI-18-12-060 adequately offsets the impacts associated with the boat ramp.
- A virtual community meeting was facilitated by the applicant on October 20, 2020. All of the lakefront owners were invited to attend.



Findings

- EPD staff has made a finding that the permit requests are consistent with Orange County Code, Chapter 15, Article X, XI, and XV, and recommends approval of Permit Nos. BR-20-04-001 and CAI-20-04-027.



Actions Requested

- **Acceptance of the findings and recommendation of the Environmental Protection Division staff and approval of the Sunset Preserve Semi-Private Boat Ramp Permit (BR-20-04-001) for Pulte Home Company, LLC, subject to the conditions listed in the staff report.**
 - **Acceptance of the findings and recommendation of the Environmental Protection Division staff and approval of Conservation Area Impact Permit CAI-20-04-027 for Pulte Home Company, LLC, subject to the conditions listed in the staff report.**
- District 5**



Site Plan

