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Wekiva River Area Consistency Form

A. Describe how the proposed Activity Type will protect each of the following:

1. Water quantity, water quality and hydrology of the Wekiva River System.
2. Wetlands associated with the Wekiva River System.
3. Aquatic and wetland-dependent wildlife species associated with the Wekiva River System.
4. Habitat within the Wekiva River Protection Area of species designated pursuant to Rules 39-27.003, 39-27.004, and 39-27.005, Florida Administrative Code.

Applicant Response:

- A1. The existing stormwater management system meets all criteria required by Seminole County and SJRWMD.
- A2. The on-site wetlands and associated upland buffer are within a conservation easement dedicated to SJRWMD. No development can occur within this easement.
- A3. The on-site wetlands and associated upland buffer are within a conservation easement dedicated to SJRWMD. No development can occur within this easement.
- A4. No impacts to threatened or endangered species are proposed as part of this development.

B. Describe how the proposed Activity Type will be consistent with the following provisions:

1. Provisions to ensure the preservation of sufficient habitat for feeding, nesting, roosting, and resting as to maintain viable populations or species designated pursuant to Rule 68A, 39-27.003, 39-27.004 and 39-27.005, Florida Administrative Code within the Wekiva River Protection Area.
2. Restrictions on clearing of native vegetation within the 100-year flood plain.
3. Prohibition of development that is not low-density in nature, unless that development has less effect on natural resources than low-density residential development.
4. Provisions for setbacks along the Wekiva River for areas that do not fall within the protection zones established pursuant to Section 373.415, Florida Statutes.
5. Restrictions on intensity of development adjacent to publicly owned lands to prevent adverse impacts to such lands.
6. Restrictions on filling and alteration of wetlands in the Wekiva River Protection Area.
7. Provisions encouraging clustering of residential development if it promotes protection of protection of environmentally sensitive areas and ensures that residential development in the aggregate is rural in density and character.
8. The density or intensity of development permitted on parcels of property adjacent to the Wekiva River System is not concentrated on those portions of the parcels which are the farthest from the surface waters and wetlands of the Wekiva River System.
9. Parcels of land adjacent to the surface waters and watercourses of the Wekiva River System are not subdivided so as to interfere with the implementation of protection zones as established pursuant to s. 373.415, any applicable setbacks from the surface waters

in the Wekiva River System which are established by local governments, or the policy established in paragraph (c) of concentrating development in the Wekiva River Protection Area as far from the surface waters and wetlands of the Wekiva River System as practicable.

10. Provisions of the Land Development Code of Seminole County regarding restrictions on the location of septic tanks and drainfields in the 100-year flood plain and discharges of stormwater to the Wekiva River System.

11. Seminole County shall have flexibility to achieve this objective through comprehensive plan strategies that may include, but are not limited to:

- (a) Coordinated greenway plans; and
- (b) Dedication of conservation easements; and
- (c) Land acquisition; and
- (d) Clustering of development; and
- (e) Density credits and density incentives which result in permanent protection of open space; and
- (f) Low to very low density development (Section 369.321(3), FS Comprehensive Plan Amendments.

12. Subsection 163.3162(3)(i)2, FS, does not limit a county's powers to:

- a. Enforce wetlands, springs protection, or stormwater ordinances, regulations, or rules adopted before July 1, 2003.
- b. Enforce wetlands, springs protection, or stormwater ordinances, regulations, or rules pertaining to the Wekiva River Protection Area.
- c. Enforce ordinances, regulations, or rules as directed by law or implemented consistent with the requirements of a program operated under a delegation agreement from a state agency or water management district.

13. Nothing within Subsection 163.3162(4)(d)1, FS relating to agricultural enclaves shall preempt or replace any protection currently existing for any property located within the boundaries of the Wekiva Study Area, as described in Section 369.316, FS

Applicant Response:

- B1. No impacts to threatened or endangered species are proposed as part of this development.
- B2. No clearing within the 100-year floodplain is proposed.
- B3. The proposed development will have a Floor Area Ratio of 0.09, similar to or less than the intensity of low-density residential development. Large portions of the property on the south, west, and east side are established green areas that will remain undisturbed.
- B4. Proposed improvements are 100 ft or more from the previously established conservation easement on the property associated with the wetlands and 50 foot average upland buffer.
- B5. The project is not next to any publicly owned lands except the SR 46 R.O.W.
- B6. No filling or alteration of the wetlands are proposed as a result of the development. The wetlands are within a conservation easement, requiring that they remain undisturbed in perpetuity.
- B7. The proposed development will leave large swaths of established green areas on the south, west, and east sides of the project that will not be disturbed.
- B8. The proposed development will leave large swaths of established green areas on the south, west, and east sides of the project that will not be disturbed.
- B9. The proposed development does not propose to subdivide land near any surface waters or intercourses.

- B10. No septic systems are proposed for this development. The existing stormwater management system meets all criteria required by Seminole County and SJRWMD.
- B11. The proposed development will leave large swaths of established green areas on the south, west, and east sides of the project that will not be disturbed. The wetlands are within a conservation easement, requiring that they remain undisturbed in perpetuity.
- B12. The proposed development will not interfere with or work against any of the County's powers vested under the County's Comprehensive Plan.
- B13. The proposed development does not preempt or replace any protections currently existing for properties within the Wekiva Study Area related to agricultural enclaves.