



**MEETING AGENDA
SESSION OF THE PLANNING ADVISORY BOARD
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
WEDNESDAY, MARCH 18, 2026 AT 6:00 PM**

- 1. MEETING CALLED TO ORDER**
- 2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**
- 3. MINUTES**
- 4. OLD BUSINESS**
- 5. NEW BUSINESS**

- 5.A Public Hearing - Conditional Use with Site Plan to expand the outdoor storage area of a motor vehicle repair use, add off-site parking, and modify Conditional Use conditions for Caliber Collision at 1855 South John Young Parkway - CU-25-0027
- 5.B Public Hearing - Proposed Ordinance #26-06 - Amending the Future Land Use Map designation from Single-Family Low Density Residential (SF-LDR) to Industrial Business (IN): Hoagland Rd. Future Land Use Map Amendment - LUPA-25-0002

AN ORDINANCE AMENDING ORDINANCE NO. 3130 KNOWN AS THE ORDINANCE ADOPTING THE COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY OF KISSIMMEE, FLORIDA, UNDER THE AUTHORITY OF FLORIDA STATUTE 163.3184; DIRECTING THE CITY MANAGER TO AMEND THE COMPREHENSIVE LAND USE PLAN AS HEREIN PROVIDED AFTER THE PASSAGE OF THIS ORDINANCE; PROVIDING FOR A PUBLIC HEARING AS REQUIRED BY LAW; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

- 5.C Public Hearing - Proposed Ordinance #26-07 - Amending the Zoning Map designation from Agricultural Conservation (AC) to Industrial Business (IB): Hoagland Rd. Zoning Map Amendment - ZMA-25-0004

AN ORDINANCE AMENDING ORDINANCE NO. 3129 KNOWN AS THE CITY OF KISSIMMEE LAND DEVELOPMENT CODE, REZONING THE PROPERTY HEREINAFTER DESCRIBED, REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

- 5.D Public Hearing - Proposed Ordinance #26-08 - Amending the Future Land Use Map designation from Single-Family Low Density Residential (SF-LDR) to Conservation (CONS): Hoagland Rd. Future Land Use Map Amendment - LUPA-25-0009

AN ORDINANCE AMENDING ORDINANCE NO. 3130 KNOWN AS THE ORDINANCE ADOPTING THE COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY OF KISSIMMEE, FLORIDA, UNDER THE AUTHORITY OF FLORIDA STATUTE 163.3184; DIRECTING THE CITY MANAGER TO AMEND THE COMPREHENSIVE LAND USE PLAN AS HEREIN PROVIDED AFTER THE PASSAGE OF THIS ORDINANCE; PROVIDING FOR A PUBLIC HEARING AS

REQUIRED BY LAW; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH;
AND PROVIDING AN EFFECTIVE DATE.

- 5.E Public Hearing - Proposed Ordinance #26-09 - Amending the Zoning Map designation from Short-Term Rental Planned Unit Development (SRPUD) and Mixed-Use Planned Unit Development (MUPUD) to Agricultural Conservation (AC): Hoagland Rd. Zoning Map Amendment - ZMA-25-0012

AN ORDINANCE AMENDING ORDINANCE NO. 3129 KNOWN AS THE CITY OF KISSIMMEE LAND DEVELOPMENT CODE, REZONING THE PROPERTY HEREINAFTER DESCRIBED, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

- 6. PUBLIC HEARINGS**
- 7. DISCUSSION**
- 8. HEAR CHAIRMAN AND BOARD MEMBERS**
- 9. ADJOURNMENT**

In accordance with Florida Statutes 286.105: Any person wishing to appeal any decision made by the Planning Advisory Board with respect to any matter considered at such meeting or hearing will need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is made.

In accordance with Florida State 286.26, persons needing assistance to participate in any of these proceedings should contact the Office of the City Clerk, 101 Church Street, Kissimmee, Florida, (407) 518-2309.

ITEM 5.A

Public Hearing - Conditional Use with Site Plan to expand the outdoor storage area of a motor vehicle repair use, add off-site parking, and modify Conditional Use conditions for Caliber Collision at 1855 South John Young Parkway - CU-25-0027

Request

Approval of a Conditional Use with Site Plan to expand the outdoor storage area of a legal non-conforming heavy motor vehicle repair facility for Caliber Collision located at 1855 South John Young Parkway, add off-site parking at 1901 South John Young Parkway, and modify the Conditional Use (CU) conditions of approval of DRC#17-022 within a Highway Commercial (HC) Zoning District.

Explanation

Caliber Collision is seeking to expand the existing outdoor storage area associated with the 10,400 sq. ft. heavy motor vehicle repair facility at 1855 South John Young Parkway. The existing outdoor storage area is 2,080 sq. ft. on the north side of the building. The new outdoor storage area is 3,094 sq. ft. on the south side of the building. This will increase the outdoor storage area from 3.9% to 9.7% of the property, which is just under the maximum 10% allowed under Section 14-6-12, Outdoor Storage, in the Land Development Code (LDC).

Caliber has 14 service bays that require 3 parking spaces per service bay, or a minimum of 42 parking spaces. The existing outdoor storage area removed 13 parking spaces. The new outdoor storage area will take up 17 additional parking spaces. A total of 30 (53.6%) of the 56 on-site parking spaces will be used for outdoor storage. With the expansion of the outdoor storage in the on-site parking area, Caliber is also proposing 20 off-site parking spaces for employee parking at 1901 South John Young Parkway. The remaining 26 on-site parking spaces will be used by customers, which will provide 46 total available parking spaces. The off-site parking space site, Westgate Commerce Center Lot #4 (DRC#05-120) was approved in May 2006 with 66 total parking spaces for a 13,160 sq. ft. intended for a pharmacy, retail, and medical offices (1 parking space for every 200 sq.ft.; medical office parking ratio.) These uses have changed since the original approval that includes a day care center, hair salon, catering, and a church.

Caliber Collision received their CU approval (DRC#17-022) at the April 19, 2017 Planning Advisory Board (PAB) meeting because the previous CU approvals (DRC#04-00131 and DRC#07-00008) expired when the previous businesses closed. The 2017 approval included motor vehicle repair and expanded the existing outdoor storage area on the north side of the property. The previous conditions remained in addition to a set of new conditions of approval that were included in the attached Development Order.

Vehicles were being stored on-site in violation of the 2017 conditions of approval (CE-24-00540). Caliber Collision's heavy motor vehicle use approval is a legal non-conforming use in the current HC Zoning district standards. The HC zoning district no longer permits heavy motor vehicle repair. However, the LDC can consider a new CU for increases to outdoor storage areas for lawfully established uses which existed immediately prior to their present classification (legal nonconforming use)

FINDINGS AND REASONS:

1. Compliance with LDC Section 14-3-29(B)(2)a in that Caliber Collision is a lawfully established use which existed immediately prior to the present classification in the applicable zoning district (legal non-conforming use). Caliber Collision's heavy motor vehicle facility is a legal

non-conforming use from the previous Highway Commercial (HC) zoning standards in the previously adopted Land Development Code (LDC). Heavy motor vehicle repair is no longer allowed in the current HC Zoning District standards in Table 4-2, Schedule of Uses for Non-Residential Standard Districts, Section 14-4-5 of the LDC.

2. Compliance with LDC Section 14-3-29(B)(3) in that Conditional Uses established in accordance with subsections [14-3-29(B)](1) and [14-3-29(B)](2) must receive additional conditional use approval when the square footage of any outdoor area devoted to the conditional use is increased above the original approval. Caliber Collision's CU (DRC#17-022) was established under subsection 14-3-29(B)](2)a and the increase to their outdoor storage may be considered with this CU request.
3. Compliance with LDC Section 14-3-29(F), general review criteria, for conditional use approval as the proposed conditions of approval, layout, compatibility, and public facility impacts of the project are within compliance of the Land Development Code.
4. Analysis for conditions of approval has been reviewed based on the criteria specified under LDC Section 14-3-29(G).
5. Compliance with Future Land Use Policy 1.2.3.2, Commercial General (CG), in that the CG Future Land Use designation is intended to include the hub of retail sales and services within the downtown business district as well as highly accessible areas adjacent to major thoroughfares and transit facilities, that possess necessary location, site, and market requirements. Development and redevelopment projects within this future land use designation may be built with an intensity of up to 2.5 FAR. Caliber Collision is located off of South John Young Parkway which is a highly accessible major thoroughfare.
6. Compliance with LDC Section 14-4-4(K), Highway Commercial District (HC), in that the HC Zoning district is intended for use in suitable areas which have been assigned a Commercial General (CG) Future Land Use Map designation by the Comprehensive Plan. Caliber Collision's HC Zoning designation is compatible with the property's CG Future Land Use designation.

Recommendation

REQUESTED PLANNING ADVISORY BOARD ACTION:

Approve w/Conditions

The Development Review Committee (DRC) recommended approval, subject to conditions, on February 3, 2026.

CONDITIONS:

1. Approval of the expansion of the outdoor storage area of Caliber Collision at 1855 South John Young Parkway and associated off-site parking at 1901 South John Young Parkway only.
2. The outdoor storage areas must comply with all of the outdoor storage standards in Section 14-6-12 of the Land Development Code.
3. This conditional use request shall be valid for Caliber Collision only. In the event that Caliber Collision vacates the premises or if a City of Kissimmee Business Tax Receipt (BTR) is no longer valid, this conditional use becomes void
4. Outdoor display or storage of merchandise, tow trucks, inoperable vehicles or other related items shall be prohibited.
5. Loading/unloading within any required fire lane, access drive, pedestrian access and/or handicapped space/access aisle shall be prohibited.
6. Parking of all vehicles shall be located on paved surfaces within marked parking spaces, and shall not be conducted within any driveway, access points, handicapped access aisle, loading

zone, or fire lanes (including vehicles stored in the screened outdoor vehicle storage area). There shall be no parking of vehicles on John Henry Jones Boulevard.

7. All repairs shall be conducted solely within the enclosed building at 1855 South John Young Parkway. Any other business activities not listed in the conditions shall not be permitted outside of the building.
8. The parking of vehicles for repair shall be stored in the vehicle storage area in accordance with the site plan approved with CU-25-0027.
9. A maximum of 14 bays that correspond to 7 garage doors shall be utilized for repair or work of vehicles. All other space located within the enclosed building shall be limited to accessory office, retail, and storage of equipment and/or vehicles.
10. A valid vehicle license and registration shall be provided for all on-site vehicles.
11. The sales or leasing of vehicles shall be prohibited.
12. The outdoor parking of vehicles for repair shall be stored in the vehicle storage area in accordance with the site plan. During non-business hours, fence gates shall be closed.
13. The gates for the northwest access to the outdoor storage area shall be sliding as to not interfere with the parking spaces, loading zones, access aisles, and dumpster. The gates to the southeast access of the outdoor storage area shall swing open in opposite directions. The gate adjacent to the building will swing outward as to not interfere with the doorways, and the opposite gate shall swing inward, as not to interfere with the required parking.
14. Outdoor vehicle storage area shall be entirely screened from view by a minimum 6 foot high black vinyl coated chain link fence with black fabric black solid mesh screening fabric. No other storage shall be conducted outdoors. If this fence is ever removed, it must be replaced with a solid fence and/or wall made of wood, PVC, masonry, brick, or another material approved by Staff at the time of permit submittal.
15. A maximum of 14 bays within the building shall be utilized for repair or work of vehicles. All other space located within the enclosed building shall be limited to accessory office, retail, and storage of equipment and/or vehicles not being worked on. Repair, storage, and uses shall be in accordance with attached floor plan.
16. Monument signage, a maximum of 7-feet in height and in accordance with Section 14- 2-157, Table 2 of the Land Development Code shall be allowed.
17. Any missing or dead landscaping must be replaced, per the approved Conditional Use with Site Plan.
18. Any other conditions of approval set in DRC#04-00131 and DRC#07-00008 shall be adhered to at all times.
19. All applicable code requirements of the City of Kissimmee Code of Ordinances and conditions of approval shall be adhered to at all times. Failure to comply with the City of Kissimmee Code of Ordinances could result in re-evaluation of this conditional use request with possible revocation.
20. Employees, independent contractors, representatives and authorized agents of the business shall be permitted to park in off-site parking spaces on adjacent property pursuant to the off-site parking area exhibit.

Attachment(s):

1. CU-25-0027 Aerial Map
2. CU-25-0027 Vicinity Map
3. CU-25-0027 Outdoor Storage Areas
4. CU-25-0027 Off Site Parking Area
5. CU-25-0027 DRC#17-022 Development Order
6. CU-25-0027 DRC#07-008 Approved Conditions of Approval
7. CU-25-0027 DRC#04-131 Approved Conditions

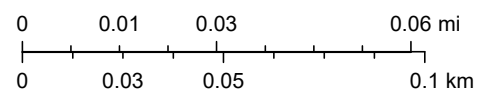
8. CU-25-0027 PAB Ad
9. CU-25-0027 DRC Comments
10. CU-25-0027 DRC Support Documents

CU-25-0027
Conditional Use
Caliber Collision



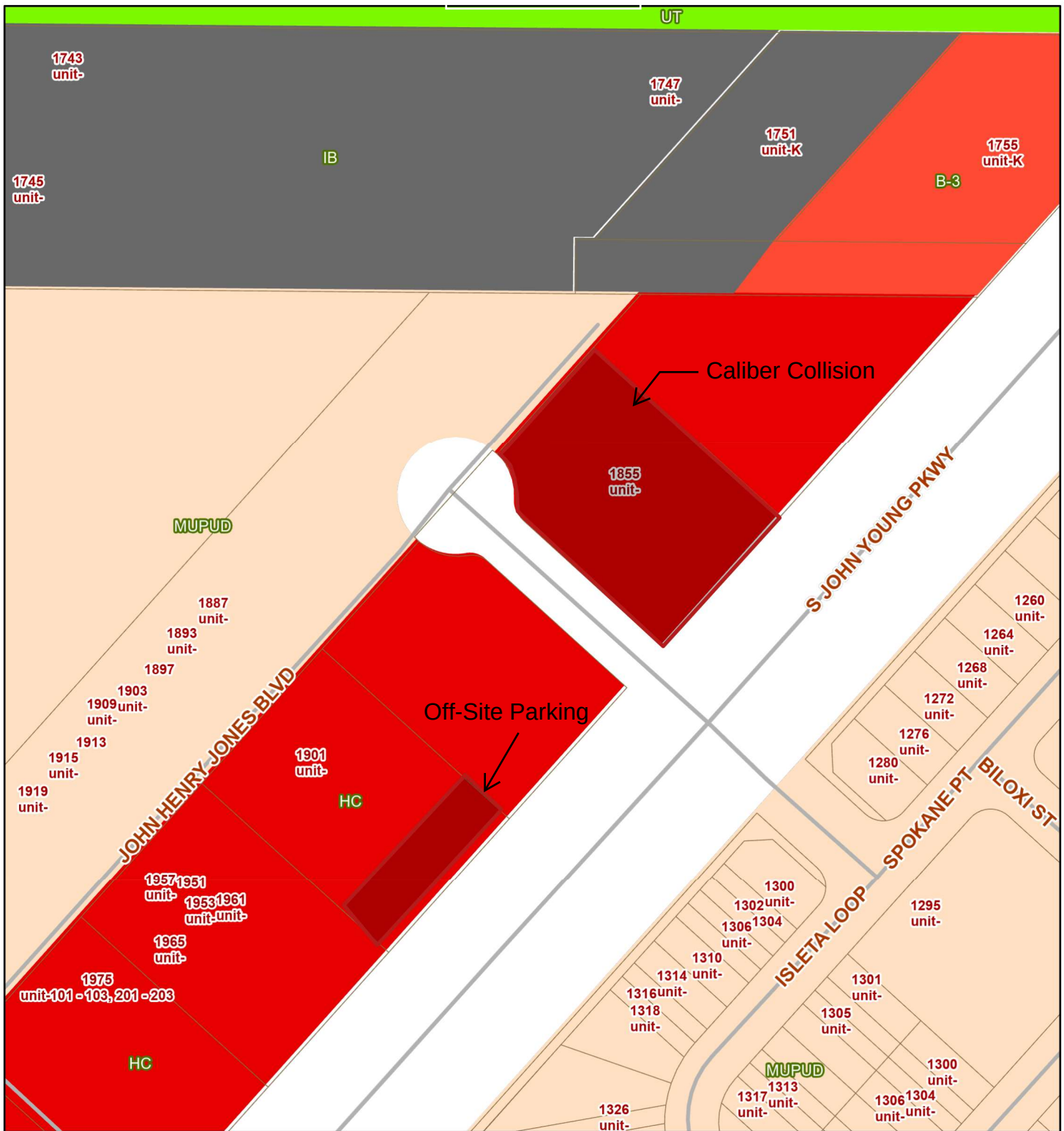
March 8, 2026

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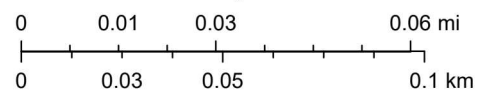
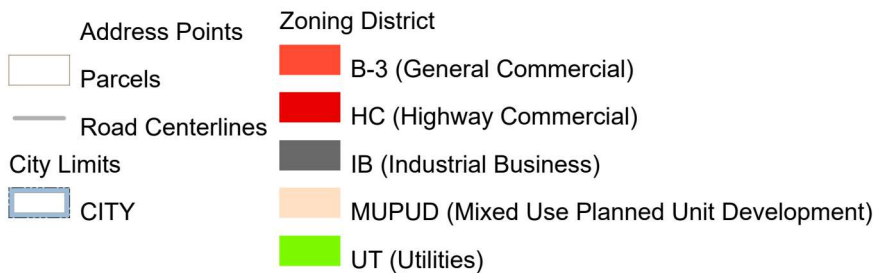
State of Florida, Vantor

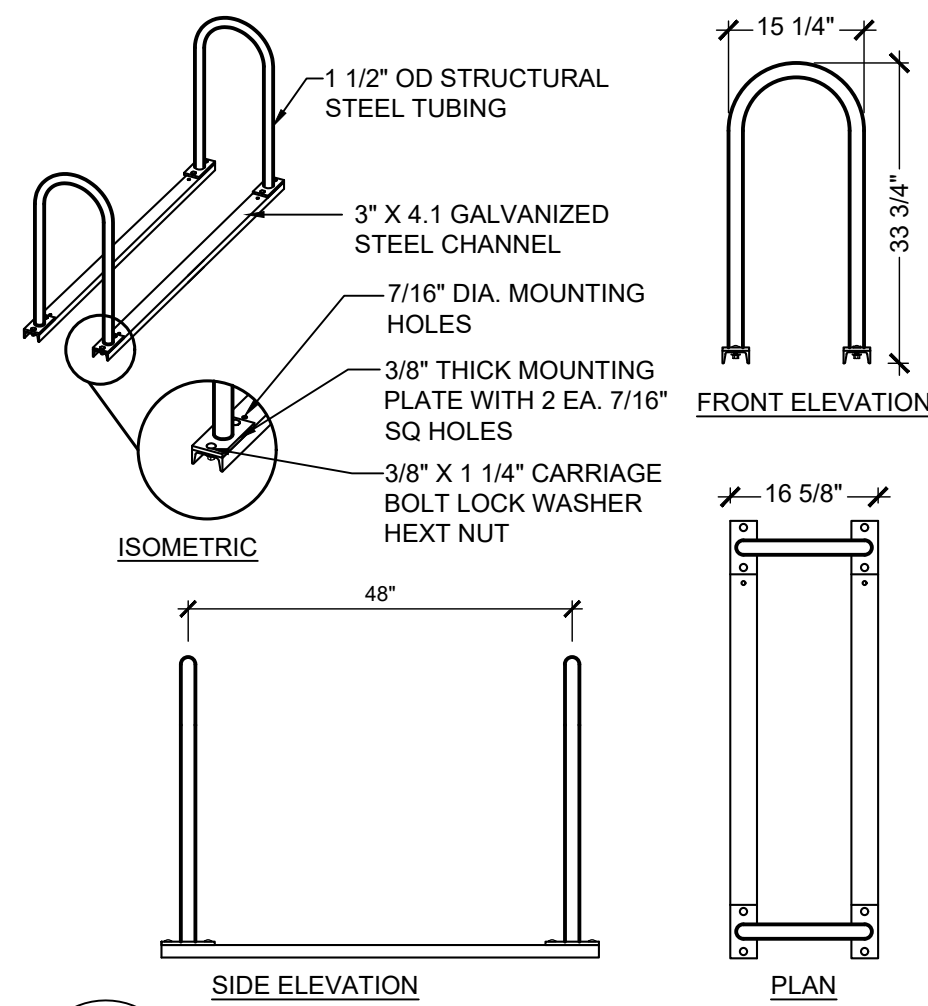
CU-25-0027
Conditional Use
Caliber Collision



March 8, 2026

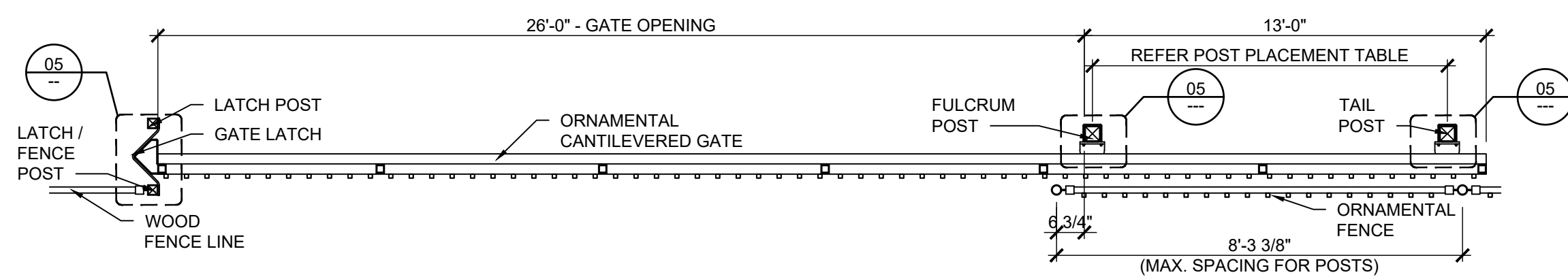
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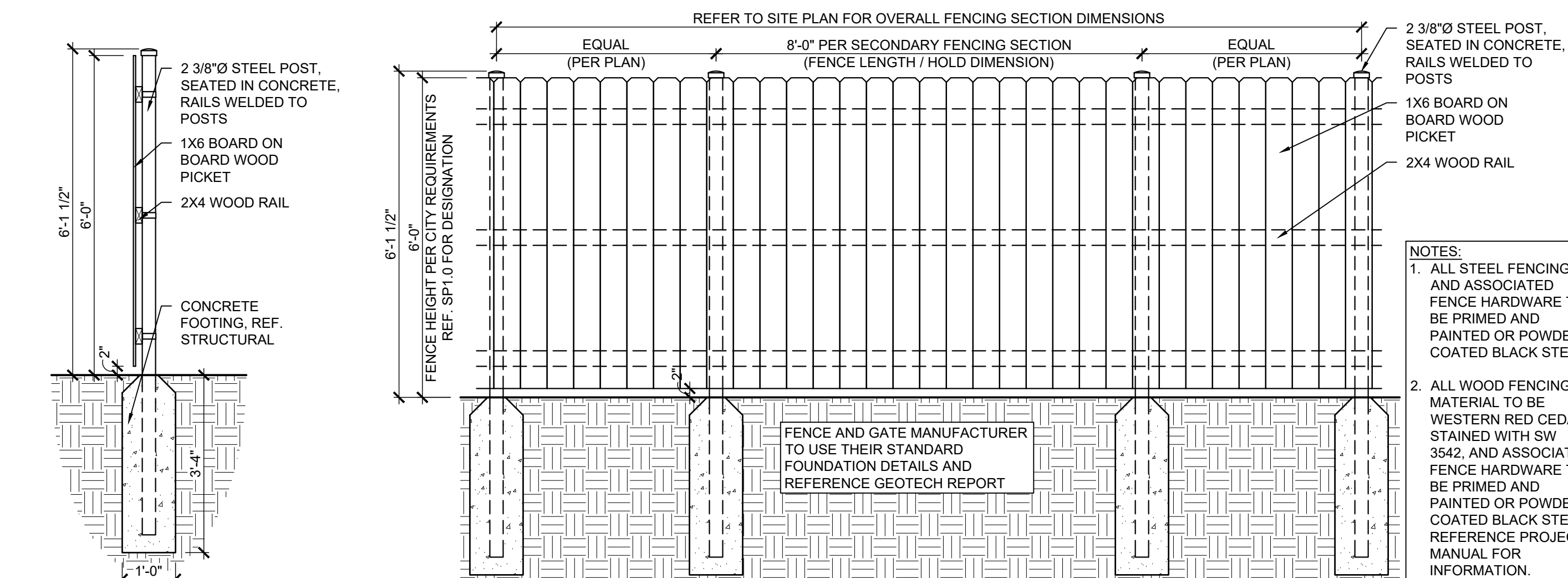
06 BICYCLE RACK DETAIL

SCALE: 1/2" = 1'-0"

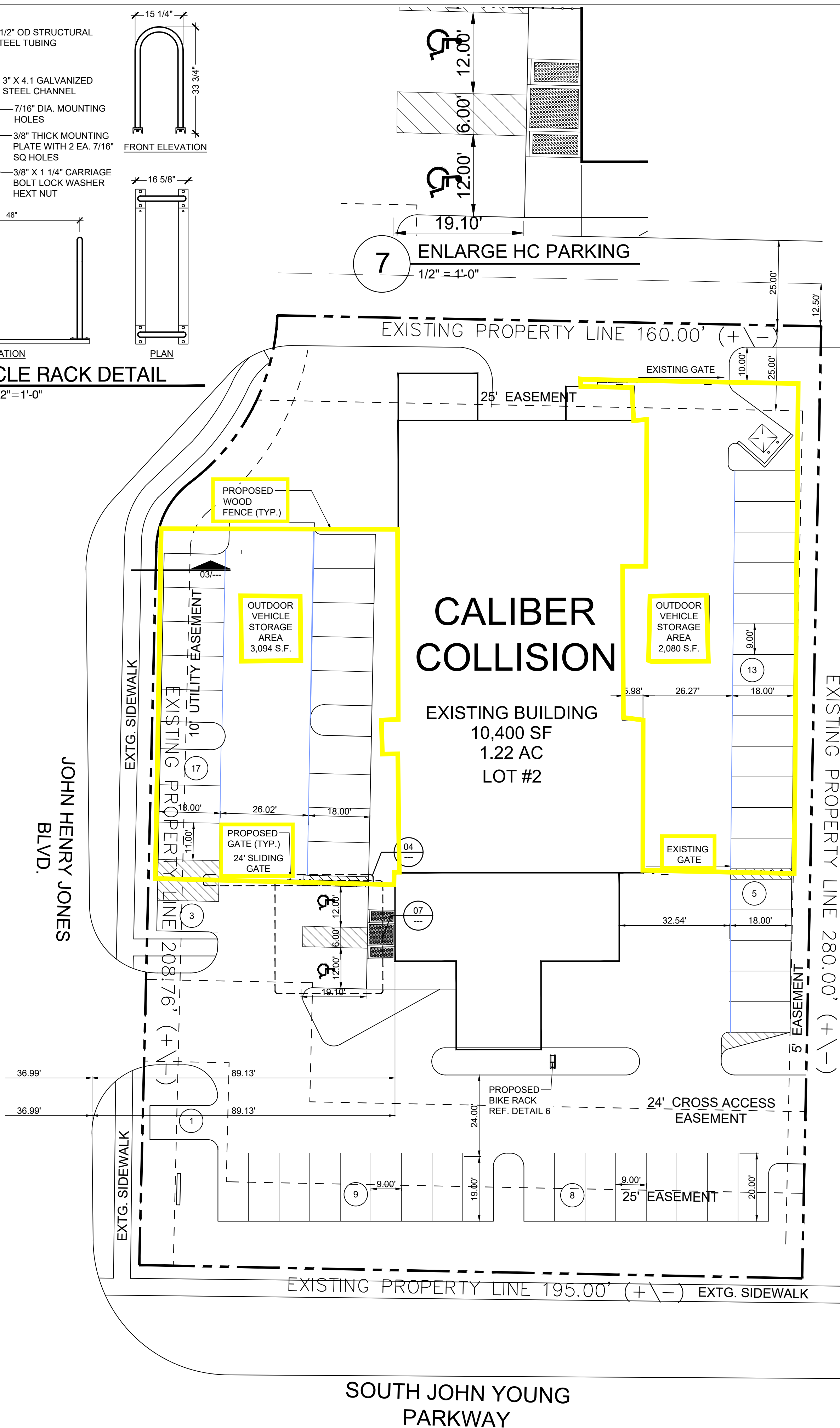


NOTES:

1. ALL STEEL FENCING AND ASSOCIATED FENCE HARDWARE TO BE PRIMED AND PAINTED OR POWDER COATED BLACK STEEL.
2. ALL WOOD FENCING MATERIAL TO BE WESTERN RED CEDAR, STAINED WITH SW 3542, AND ASSOCIATED FENCE HARDWARE TO BE PRIMED AND PAINTED OR POWDER COATED BLACK STEEL. REFERENCE PROJECT MANUAL FOR INFORMATION.



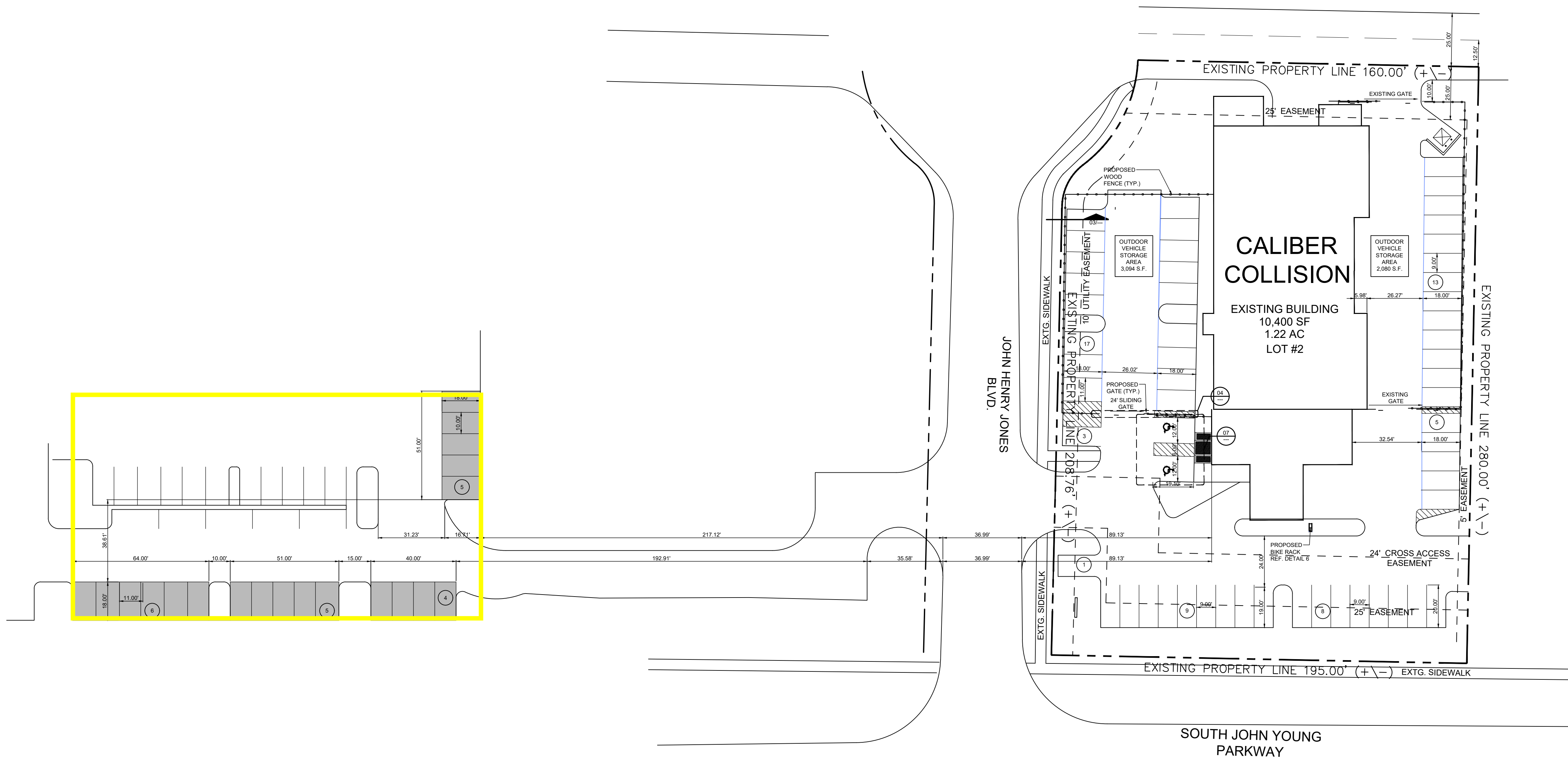
2 WOOD FENCE DETAIL



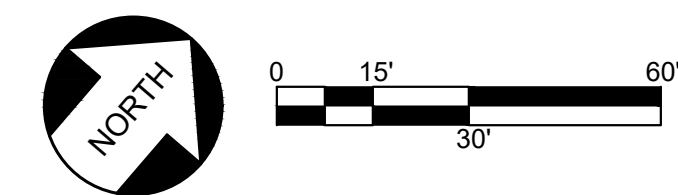
1 SITE PLAN

1" = 20'-0"

		BRET FLORY, NCARB 1913 GARDENGROVE COURT PLANO, TEXAS 75075 PH: 972.424.3325	
CALIBER COLLISION			
CONCEPTUAL SITE PLAN			
1855 S. JOHN YOUNG PARKWAY KISSIMMEE, FL			
DRAWN: CVO		PROJECT #: SCHEM	
		DATE: 26.01.16	



1 SHARE PARKING SITE
1" = 30'-0"



SITE DATA	
EXTG. BUILDING SQ.FT.=	13,646 SQ. FT. ±
ACREAGE TOTAL	=1.22 ± (53,134 SF)
OUTDOOR STORAGE AREA	= 5,184 SQ. FT. ±
PARCEL CONTROL NUMBER: 33-23-29-2367-0001-0020	
FLOOD ZONE 'X' (OUTSIDE 500 YEAR PLAIN)	
ZONING	HC (HIGHWAY COMMERCIAL)
AUTO REPAIR	
WATER	(TOHO WATER)
SEWER	(TOHO WATER)
PARKING CALCULATIONS	
PARKING RATIO = 3 / SERVICE BAY	
P REQUIRED	= 42
P PROVIDED (INC. 2 ADA SPACES)	= 46
CUSTOMERS (ON-SITE)	= 26
EMPLOYEE (OFF-SITE)	= 20
BICYCLE PARKING REQUIRED	= 5
BICYCLE PARKING PROVIDED	= 5



BRET FLORY, NCARB
 1913 GARDENGROVE COURT
 PLANO, TEXAS 75075
 PH: 972.424.3325

CALIBER COLLISION

OFF-SITE PARKING LOCATION

1855 S. JOHN YOUNG PARKWAY
KISSIMMEE, FL

DRAWN: CVO	PROJECT #: SCHEM	DATE: 26.01.16
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CITY OF KISSIMMEE

Development Services Department . Planning Division
101 Church Street . Kissimmee, Florida 34741-5054

Code Enforcement Division: Phone 407.518.2133 . Planning: Phone 407.518.2140 . FAX 407.518.2497

City of Kissimmee Development Order

Project Name: Caliber Collision Centers
Project Number: DRC#17-022
Project Type: Conditional Use
Project Address: 1855 South John Young Parkway
Project Parcel ID#: 33-25-29-2367-0001-0020
Request: Auto Repair/Outdoor Storage

Firm: Caliber Bodyworks of Florida Inc.
Address: 401 E. Corporate Drive
Suite 150
Lewisville, Texas 75057



CFN 2017084895
Bk 5162 Pgs 440-444 (5 Pgs)
DATE: 06/12/2017 09:12:25 AM
ARMANDO RAMIREZ, CLERK OF COURT
OSCEOLA COUNTY
RECORDING FEES \$44.00

Approval Authority: Planning Advisory Board
Date of Approval: April 19, 2017
Condition(s) of Approval:

- 1) This conditional use request shall be valid for Caliber Collision only. In the event that Caliber Collision vacates the premises or if a City of Kissimmee Business Tax Receipt (BTR) is no longer valid, this conditional use becomes void.
- 2) Outdoor display or storage of merchandise, tow trucks, inoperable vehicles or other related items shall be prohibited.
- 3) Loading/unloading within any required fire lane, access drive, pedestrian access and/or handicapped space/access aisle shall be prohibited.
- 4) Parking of all vehicles shall be located on paved surfaces within marked parking spaces, and shall not be conducted within any driveway, access points, handicapped access aisle, loading zone, or fire lanes (including vehicles stored in the screened outdoor vehicle storage area). There shall be no parking of vehicles on John Henry Jones Boulevard.
- 5) All repairs shall be conducted solely within the enclosed building at 1855 South John Young Parkway. Any other business activities not listed in the conditions shall not be permitted outside of the building unless approved via another conditional use.
- 6) The parking of vehicles for repair shall be stored in the vehicle storage area in accordance with the site plan approved with DRC#07-00008 (attached). During non-business hours, storage of vehicles shall be brought inside the enclosed building.
- 7) A maximum of 14 bays that correspond to 7 garage doors shall be utilized

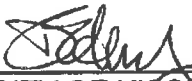
for repair or work of vehicles. All other space located within the enclosed building shall be limited to accessory office, retail, and storage of equipment and/or vehicles.

- 8) A valid vehicle license and registration shall be provided for all on-site vehicles.
- 9) The sales or leasing of vehicles shall be prohibited.
- 10) The outdoor parking of vehicles for repair shall be stored in the vehicle storage area in accordance with the site plan. During non-business hours, fence gates shall be closed. The storage area shall be limited to operable vehicles only and the drive aisles and loading/unloading areas shall remain accessible to the public during business hours and closed during non-business hours.
- 11) The gates for the northwest access to the outdoor storage area shall be sliding as to not interfere with the parking spaces, loading zones, access aisles, and dumpster. The gates to the southeast access of the outdoor storage area shall swing open in opposite directions. The gate adjacent to the building will swing outward as to not interfere with the doorways, and the opposite gate shall swing inward, as not to interfere with the required parking.
- 12) Outdoor vehicle storage area shall be entirely screened from view by a minimum 6 foot high black vinyl coated chain link fence with black fabric black solid mesh screening fabric. No other storage shall be conducted outdoors. If this fence is ever removed, it must be replaced with a solid fence and/or wall made of wood, PVC, masonry, brick, or another material approved by Staff at the time of permit submittal.
- 13) A maximum of 14 bays within the building shall be utilized for repair or work of vehicles. All other space located within the enclosed building shall be limited to accessory office, retail, and storage of equipment and/or vehicles not being worked on. Repair, storage, and uses shall be in accordance with attached floor plan.
- 14) Due to the on-site parking requirements, the outdoor vehicle storage area shall not consume more than 10 parking spaces.
- 15) Monument signage, a maximum of 7-feet in height and in accordance with Section 14-2-157, Table 2 of the Land Development Code shall be allowed.
- 16) Any missing or dead landscaping must be replaced, per the approved Conditional Use with Site Plan.
- 17) Any other conditions of approval set in DRC#04-00131 and DRC#07-00008 shall be adhered to at all times.
- 18) All applicable code requirements of the City of Kissimmee Code of Ordinances and conditions of approval shall be adhered to at all times. Failure to comply with the City of Kissimmee Code of Ordinances could result in re-evaluation of this conditional use request with possible revocation.

The above listed conditions shall govern the property and shall be executed and recorded by the developer in the public records of Osceola County in accordance with Section 14-2-174(C)(9) of the City of Kissimmee Land Development Code. Once recorded, please submit the recorded document to the City Development Services Planning Division prior to issuance of a building, Business Tax Receipt or Certificate of Occupancy permit, whichever occurs first.

NOTE: All written commitments made in the application and subsequent submissions of information and reports generated during the application review process, which are on file with the Planning Division, shall be considered binding upon the applicant, provided such commitments are not variance with the Comprehensive Plan, Land Development Code or other development regulations in effect at the time of development.

The official Board action is reflected in the minutes subsequently reviewed and adopted by the Board. Any conflicts between the restatement of the Board's action contained herein and the approved minutes of the Board shall be reconciled by utilizing the Board approved minutes.



CITY OF KISSIMMEE
By: Douglas Etheredge, Assistant Director
Development Services

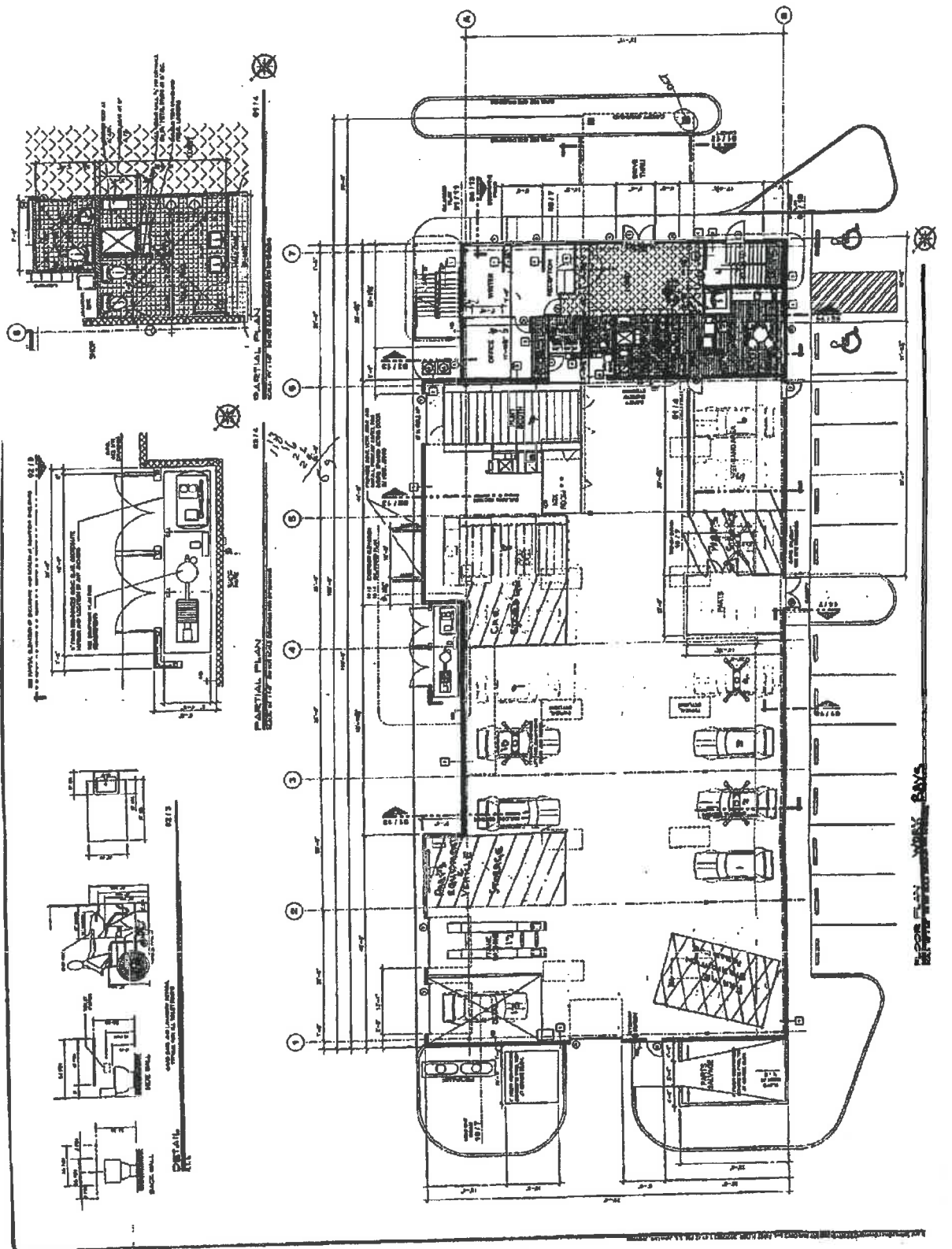
4/24/17
Date



Caliber Bodyworks of Florida Inc.
Representative (Signature)
Gregory M. Nichols
Chief Administrative Officer

5-22-17
Date

Caliber Bodyworks of Florida Inc.
Representative (Print Name)



STATE OF FLORIDA, COUNTY OF OSCEOLA, CLERK OF THE CIRCUIT COURT
The above and foregoing is a true copy of the original
document recorded in the public records.
Armando Ramirez, Clerk of the Circuit Court
Dated 10/12/17 By *Armando Ramirez* DC

Planner Josh Devries requested indefinite continuance of these items at the request of the applicant.

Motion made by Member Adams to continue the above three items indefinitely at the request of the applicant. Seconded by Member Suhl.

Chairman Hemphill – Aye

Vice-Chair Wilder – Aye

Member Velazquez – Aye

Member Adams – Aye

Member Hobbs – Aye

Member Suhl – Aye

Motion carried 6-0

D. O'Berry's Collision Center, DRC #07-008: Conditional Use (*Auto Collision Repair*)

Planner Devries requested a screened outdoor vehicle storage at O'Berry's Collision Center, an existing 16 bay auto collision repair facility, to be reduced to 14 bays to accommodate the parking requirements. The location of the subject property is 1855 John Young Pkwy.

Compliance with the intent of the specific HC zoning district as outlined in Section 14-2-33(A) of the Land Development Code. Compliance with 14-2-65(C) outdoor storage requirements, as the storage area will be fully screened from view by a 6 foot tall black vinyl coated chain link fence with solid mesh screening, the area does not exceed 10% of the lot, is not within 25 feet of a residential district, and will not impact any drive aisles, parking spaces, or loading areas. Compliance with Section 14-2-206(H)(1)-(5) general review criteria for conditional use approval as the subject property, layout, compatibility, and public facility impacts of the project are in compliance with the Land Development Code. Compliance with Section 14-2-194(A)-(D) site plan criteria for approval related to layout, transportation, drainage, and other miscellaneous infrastructure have been waived in accordance with the Land Development Code. Compliance with section 14-2-78(D) (2) number of parking spaces required as the use is limited to 14 bays, thus requiring 42 parking spaces.

Staff recommends approval subject to the following 8 conditions:

- 1) This conditional use request shall be valid for the O'Berry's Collision Center only. In the event that O'Berry's vacates the premises or if an Occupational License is no longer valid, this conditional use becomes void.
- 2) The outdoor parking of vehicles for repair shall be stored in the vehicle storage area in accordance with the site plan. During non-business hours, fence gates shall be closed. The storage area

- shall be limited to operable vehicles only and the drive aisles and loading/unloading areas shall remain accessible to the public during business hours and closed during non-business hours.
- 3) Parking of all vehicles shall be located on paved surfaces within marked parking spaces, and shall not be conducted within any driveway, access points, handicapped access aisle, loading zone, or fire lanes (including vehicles stored in the screened outdoor vehicle storage area.)
 - 4) The gates for the Northwest access to the outdoor storage area shall be sliding as to not interfere with the parking spaces, loading zones, access aisles, and dumpster. The gates to the Southeast access of the outdoor storage area shall swing open in opposite directions. The gate adjacent to the building will swing outward as to not interfere with the doorways, and the opposite gate shall swing inward, as not to interfere with the required parking.
 - 5) Outdoor vehicle storage area shall be entirely screened from view by a minimum 6 foot high black vinyl coated chain link fence with black fabric black solid mesh screening fabric. No other storage shall be conducted outdoors.
 - 6) A maximum of 14 bays within the building shall be utilized for repair or work of vehicles. All other space located within the enclosed building shall be limited to accessory office, retail, and storage of equipment and/or vehicles not being worked on. Repair, storage, and uses shall be in accordance with attached floor plan.
 - 7) Due to the on-site parking requirements, the outdoor vehicle storage area shall not consume more than 10 parking spaces.
 - 8) All other O'Berry's Conditional Use Site Plan (DRC #04-131) conditions of approval, with the exception of condition number 5, shall be adhered to.

Vice-Chair Wilder and Member Suhl had a discussion regarding the chain link fence, parking spaces and the durability of the fence.

Vice-Chair Wilder made a motion to approve subject to Staff's 8 conditions. Seconded by member Suhl.

- 1) **This conditional use request shall be valid for the O'Berry's Collision Center only. In the event that O'Berry's vacates the premises or if an Occupational License is no longer valid, this conditional use becomes void.**
- 2) **The outdoor parking of vehicles for repair shall be stored in the vehicle storage area in accordance with the site plan. During non-business hours, fence gates shall be closed. The storage area shall be limited to operable vehicles only and the drive aisles and loading/unloading areas shall remain**

- accessible to the public during business hours and closed during non-business hours.
- 3) Parking of all vehicles shall be located on paved surfaces within marked parking spaces, and shall not be conducted within any driveway, access points, handicapped access aisle, loading zone, or fire lanes (including vehicles stored in the screened outdoor vehicle storage area.)
 - 4) The gates for the Northwest access to the outdoor storage area shall be sliding as to not interfere with the parking spaces, loading zones, access aisles, and dumpster. The gates to the Southeast access of the outdoor storage area shall swing open in opposite directions. The gate adjacent to the building will swing outward as to not interfere with the doorways, and the opposite gate shall swing inward, as not to interfere with the required parking.
 - 5) Outdoor vehicle storage area shall be entirely screened from view by a minimum 6 foot high black vinyl coated chain link fence with black fabric black solid mesh screening fabric. No other storage shall be conducted outdoors.
 - 6) A maximum of 14 bays within the building shall be utilized for repair or work of vehicles. All other space located within the enclosed building shall be limited to accessory office, retail, and storage of equipment and/or vehicles not being worked on. Repair, storage, and uses shall be in accordance with attached floor plan.
 - 7) Due to the on-site parking requirements, the outdoor vehicle storage area shall not consume more than 10 parking spaces.
 - 8) All other O'Berry's Conditional Use Site Plan (DRC #04-131) conditions of approval, with the exception of condition number 5, shall be adhered to.

Chairman Hemphill – Aye
Vice-Chair Wilder – Aye
Member Velazquez – Aye
Member Hobbs – Aye
Member Adams – Aye
Member Suhl – Aye
Motion carried 6-0

E. KUA Parking Lot: DRC #07-009 (*to be continued*)

Planner Jose Devries requested continuance of this item to the March 7, 2007 meeting in order for the applicant to provide required documentation for the meeting.

- 1.) Architectural design of the building construction and renovation shall comply with the current Building Code and CRA Private Property Appearance Guidelines.
- 2.) Garage and stalls shall be utilized in conjunction with the single family residence only. Converting the garage and stalls into livable conditions shall be prohibited.

Bill Hart, 215 N. Orlando Avenue, addressed the Board. Mr. Hart explained that the property line "jogs" between 2 garages. At one time the site was one lot.

In response to Member Adams, Mr. Hart explained that some existing trees would have to be removed in order to straighten the lines around the garage.

Member Hobbs made a motion for approval, subject to Staff's conditions. Seconded by Member Gibbons.

- 1.) Architectural design of the building construction and renovation shall comply with the current Building Code and CRA Private Property Appearance Guidelines.
- 2.) Garage and stalls shall be utilized in conjunction with the single family residence only. Converting the garage and stalls into livable conditions shall be prohibited.

Hemphill	Aye	Mitckess	Aye
Wilder	Aye	Gibbons	Aye
Hobbs	Aye	Velazquez	Aye
Adams	Aye		

Motion carried 7-0

D. O'Berry's Body Shop, DRC #04-131: Conditional Use/Site Plan

Senior Planner Etheredge stated that this request is for approval of a conditional use with site plan to construct a 10,200 square foot auto repair establishment with accessory outdoor storage on a 1.22 acre lot within a HC (Highway Commercial) zoning district. The subject property is located on the northwest corner of S. John Young Parkway and John Henry Jones Boulevard (Lot 2 of the Westlake Commerce Center).

According to the plan, 7 bay doors will be constructed on the northern most side of the building in order to accommodate 14 interior bays for repairs of vehicles. At a requirement of 3 parking spaces for every available bay for repairs, a minimum of 42 parking spaces are required and provided in accordance with Code. According to the applicant, all repairs will be conducted solely within the enclosed building and within the 14 bays. All other areas within the enclosed building will be used for accessory office space, retail, storage of equipment and/or storage of inoperable vehicles. It should be

noted that repairs at the site will be for auto body repairs. General maintenance repairs will not be conducted at this site.

With regards to outdoor storage, the applicant is providing an enclosed parts storage area, which will be utilized for storage of new parts. In addition, the applicant has provided a vehicle storage area for those vehicles awaiting repair. During non-business hours, the applicant will store all inoperable vehicles inside the enclosed building. All other outdoor activities, including repairs, display of vehicles, and tow trucks, will be prohibited.

Auto repair service establishments and outdoor storage are listed as a conditional use in HC (Highway Commercial) zoning district per Sections 14-2-33(C)(2) & 14-2-33(C)(15) of the Land Development Code (LDC).

Staff recommends approval of this conditional use request to allow a auto repair establishment within a 7 bay door (14 bay), 10,200 square foot building with accessory outdoor storage for new parts within a fully enclosed screened enclosure located on an 1.22 acre lot within a HC (Highway Commercial) zoning district for O'Berry's Body Shop, #04-131, subject to the following conditions:

- 1.) Outdoor display or storage of merchandise, tow trucks, inoperable vehicles or other related items shall be prohibited.
- 2.) Loading/unloading within any required fire lane, access drive, pedestrian access and/or handicapped space/access aisle shall be prohibited.
- 3.) Parking of all vehicles shall be located on paved surfaces within marked parking spaces, and shall not be conducted within any driveway, access points, handicapped access aisle or fire lanes.
- 4.) All repairs shall be conducted solely within the enclosed building. Other business activities not listed in the conditions shall be allowed outside of the building.
- 5.) The parking of vehicles for repair shall be stored in the vehicle storage area in accordance with the site plan. During non-business hours, storage of vehicles shall be brought inside the enclosed building.
- 6.) A maximum of 14 bays that correspond to 7 garage doors shall be utilized for repair or work of vehicles. All other space located within the enclosed building shall be limited to accessory office, retail, and storage of equipment and/or vehicles.
- 6.) A valid vehicle license and registration shall be provided for all on-site vehicles.
- 7.) The sales or leasing of vehicles shall be prohibited.
- 8.) Proposed buildings/structures shall be constructed to conform with the submitted building elevation plans that were presented to the Planning Advisory Board.
- 9.) Monument signage, a maximum of 7-feet in height and in accordance with Section 14-2-157, Table 2 of the Land Development Code shall be allowed.

- 10.) All outdoor parts storage shall be stored solely within the fully enclosed structure in accordance with the site plan. Enclosure shall be a minimum 6-feet in height and made of masonry and consistent with the design theme of the building. A solid gate shall be installed, made of pressure treated wood or metal and shall remain closed when not access parts. In the event that storage exceeds 6-feet in height, the enclosure shall be extend to the height of the storage.
- 11.) All applicable code requirements of the City of Kissimmee Code of Ordinances and conditions of approval shall be adhered to at all times. Failure to comply with the City of Kissimmee Code of Ordinances could result in re-evaluation of this conditional use request with possible revocation.

David Reid, Franklin, Hart and Reid, addressed the Board on behalf of this project.

Senior Planner Etheredge stated that vehicles will be stored inside during off-business hours. There is no chainlink storage area.

Vice Chairman Wilder made a motion for approval, subject to Staff's conditions. Seconded by Member Gibbons.

- 1.) **Outdoor display or storage of merchandise, tow trucks, inoperable vehicles or other related items shall be prohibited.**
- 2.) **Loading/unloading within any required fire lane, access drive, pedestrian access and/or handicapped space/access aisle shall be prohibited.**
- 3.) **Parking of all vehicles shall be located on paved surfaces within marked parking spaces, and shall not be conducted within any driveway, access points, handicapped access aisle or fire lanes.**
- 4.) **All repairs shall be conducted solely within the enclosed building. Other business activities not listed in the conditions shall be allowed outside of the building.**
- 5.) **The parking of vehicles for repair shall be stored in the vehicle storage area in accordance with the site plan. During non-business hours, storage of vehicles shall be brought inside the enclosed building.**
- 6.) **A maximum of 14 bays that correspond to 7 garage doors shall be utilized for repair or work of vehicles. All other space located within the enclosed building shall be limited to accessory office, retail, and storage of equipment and/or vehicles.**
- 6.) **A valid vehicle license and registration shall be provided for all on-site vehicles.**
- 7.) **The sales or leasing of vehicles shall be prohibited.**
- 8.) **Proposed buildings/structures shall be constructed to conform with the submitted building elevation plans that were presented to the Planning Advisory Board.**

- 9.) Monument signage, a maximum of 7-feet in height and in accordance with Section 14-2-157, Table 2 of the Land Development Code shall be allowed.
- 10.) All outdoor parts storage shall be stored solely within the fully enclosed structure in accordance with the site plan. Enclosure shall be a minimum 6-feet in height and made of masonry and consistent with the design theme of the building. A solid gate shall be installed, made of pressure treated wood or metal and shall remain closed when not access parts. In the event that storage exceeds 6-feet in height, the enclosure shall be extend to the height of the storage.
- 11.) All applicable code requirements of the City of Kissimmee Code of Ordinances and conditions of approval shall be adhered to at all times. Failure to comply with the City of Kissimmee Code of Ordinances could result in re-evaluation of this conditional use request with possible revocation.

Hemphill
Wilder
Hobbs
Adams

Aye
Aye
Aye
Aye

Mitckess
Gibbons
Velazquez

Aye
Aye
Aye

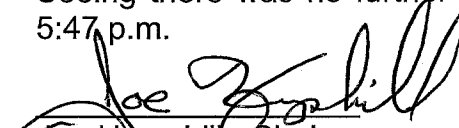
Motion carried 7-0

IV. HEAR CHAIRMAN AND BOARD MEMBERS

No discussion on this item

V. ADJOURN

Seeing there was no further discussion, Chairman Hemphill adjourned the meeting at 5:47 p.m.


Joe Hemphill, Chairman
Planning Advisory Board


Douglas Etheredge, Senior Planner
Development Services Department

**Published Daily in
Orange, Seminole, Lake, Osceola & Volusia Counties, Florida**

Sold To:

City of Kissimmee Planning Services - 140534
101 Church St
Ste 110
Kissimmee, FL 34741

Bill To:

City of Kissimmee Planning Services - 140534
101 Church St
Ste 110
Kissimmee, FL 34741

**State Of Florida
County Of Orange**

Before the undersigned authority personally appeared Rose Williams, who on oath says that he or she is a duly authorized representative of the ORLANDO SENTINEL, a DAILY newspaper published in Orange/Seminole-Lake-Osceola-Volusia County, Florida; that the attached copy of advertisement, being a Legal Notice in:

The matter of Public Hearing on Wednesday, March 18, 2026 Was published in said newspaper by print in the issues of, or by publication on the newspaper's website, if authorized on 10 Mar 2026.

Affiant further says that the newspaper complies with all legal requirements for publication in Chapter 50, Florida Statutes.



Rose Williams

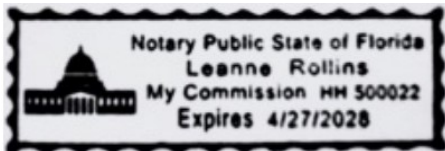
Signature of Affiant

Name of Affiant

Sworn to and subscribed before me on 10 Mar 2026,
by above Affiant, who is personally known to me (X) or who has produced identification ().



Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped

40678

**CITY OF KISSIMMEE
NOTICE OF PUBLIC HEARING**

The Planning Advisory Board will hold a Public Hearing on Wednesday, March 18, 2026 at 6:00 p.m. or as soon thereafter as possible, in the Commission Chambers of City Hall, 101 Church Street, Kissimmee, Florida for motor vehicle repair.

The subject property is located 1855 South John Young Parkway (Parcel ID# 33-25-29-2367-0001-0020) and 1901 South John Young Parkway (Parcel ID# 33-25-29-2367-0001-0040).

Any interested party wanting to be heard on this issue may submit testimony to be read into the official record to CityClerkEmail@kissimmee.gov prior to the start of the meeting or may be heard by participating in person. Any questions regarding this public hearing may be directed to the Development Services Department at (407) 518-2140 or at planning@kissimmee.gov.

Reference# CU-25-0027
PLANNING ADVISORY BOARD
Caliber Collision
KISSIMMEE, FLORIDA

In accordance with Florida Statutes 286.0105: any person wishing to appeal any decision made by the City Commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is made.

In accordance with Florida Statute 286.26, persons needing assistance to participate in any of these proceedings should contact the Office of the City Clerk (407) 518-2308 prior to the meeting. (FS286.26)

40678 3/20/26

40678

THE FOLLOWING SHALL BE USED AS AN ADDENDUM TO ANY PLAN, FILE, OR OTHER DOCUMENT REVIEWED IN ENERGОВ & BLUEBEAM

DATE: 1/27/2026

PROJECT: Caliber Collision (Conditional Use)

SITE PLAN (DRC) NUMBER: CU-25-0027

REVIEW NUMBER: 2

Review Status:
APPROVED WITH CONDITIONS

ENGINEERING DEPARTMENT - Erika Allen - 407.518.2168 - Erika.Allen@kissimmee.gov

ADVISORY COMMENTS/CONDITIONS OF APPROVAL (No Responses Necessary):

- Please log in to the Citizen Self Service (CSS) portal at <http://www.kissimmee.gov/energov> to upload any revised plans and/or responses to comments.
- The applicant shall clearly identify the designated customer parking area on the plans and demonstrate that vehicular circulation complies with LDC §14-7-23. All parking spaces shall be fully dimensioned and meet the minimum required stall size of 9 feet by 18 feet. If no changes are proposed, the plans shall include the note "No changes to parking layout."
- Outdoor storage areas must be paved with a durable, all-weather surface (concrete, asphalt, or brick). Crushed stone or gravel is not permitted for vehicular use areas per LDC §14-7-23(E).
- All applicable requirements of the City of Kissimmee Code of Ordinances must be met for any proposed use(s) and associated operations.
- For questions regarding these comments or conditions, please contact the reviewer listed above.

TRANSMITTAL FOR PLAN REVIEW

DATE: 01/26/25
PROJECT: Revise Site Plan

ADDRESS: 1855 S. John Young Pkwy.
PERMIT NUMBER: CU-25-0027

This permit has been - DISAPPROVED.

Please see below the comments/conditions (if applicable):

BUILDING DIVISION – Juan C Hernandez - 407.518.2149 - Juan.Hernandez2@kissimmee.gov

1. Indicate the location of proposed off-site parking spaces; include the distance from proposed parking site to the front entrance of the building.
2. Provide the amount of existing parking spaces and the amount of proposed off-site parking spaces. we will provide the amount of additional ADA parking spaces require once the total number of parking spaces are provided as per FBCA Table 208.2.
3. The proposed one ADA parking space is non-complying, minimum of (3) ADA parking spaces are require as per FBCA Table 208.2.

FYI: ADA parking spaces shall be located on the accessible route from parking to the building entrance as per FBCA Sect. 208.3.

PLEASE PROVIDE A WRITTEN RESPONSE EXPLAINING HOW EACH COMMENT HAS BEEN ANSWERED AND WHERE IT CAN BE FOUND.

Please login to the Citizen Self Service portal at www.kissimmee.gov to upload a response to comments. Once logged in, select "**My Work**", launch the permit record and select **Attachments**, select the type of file and **add attachment** to upload the new documentation. Once uploaded, the revisions will be routed for review.

Additional comments may be forth coming as a result of revisions to the plans, any new changes in the information provided, future plan review up to plan approval and permitting and/or with submittal of supporting documentation.

Provide a response to comments within one hundred eight (180) days, or a request for an extension submitted for consideration. Otherwise, the project will be considered abandoned and a new application will be required to proceed.



THE FOLLOWING SHALL BE USED AS AN ADDENDUM TO ANY PLAN, FILE, OR OTHER DOCUMENT REVIEWED IN ENERGОВ & BLUEBEAM

ADDRESS: 1855 S John Young Pkwy, Kissimmee, FL 34741
PLAN (DRC) NUMBER: CU-25-0027

DATE: 1/23/2026

**Review Status:
APPROVED WITH CONDITIONS.**

TOHO WATER AUTHORITY – Heather Farrow - 407.944.5097 - hfarrow@tohowater.com

Comments/Conditions (if applicable):

- Additional comments at and during pre-construction review.
- Impact fees may be due.
- Toho Water Authority utilizes development workflows to assist clients through the development journey. Please visit www.tohowater/development for development process tools and resources.
- Toho Water Authority has its own Development Review Portal. Please utilize the link provided to submit your review. <https://tohowaterauthfl-energovweb.tylerhost.net/apps/selfservice#/home>.
- The Development Portal includes a tutorial that will take you step by step through the application and submittal process. If you have any questions on how to submit your application, register or any other questions related to the portal, please contact Latoya Hanson at lhanson@tohowater.com or 407-483-3869.
- A Developer's Service Agreement (DSA), including Human Trafficking Affidavit (HTA) section 787.06(13) of the Florida statute must be fully executed prior to plan approval. The DSA will be sent separately by your assigned Development Project Manager (DPM) once it is ready for execution. Please take this time to review the [DSA- HTA template](#) and [commonly missed DSA items](#). The DSA Agreement must be signed by the landowner. If the current owner is an entity, the entity must be licensed in the State of Florida and the signee must provide proof of signing authority.
- Commercial and Residential construction/projects are required to comply with the Toho Efficiency Program, also known as TEP. TEP focuses on landscape design, irrigation systems, appliances, and indoor fixtures. Please call Toho Water Conservation Coordinator at 407-944-5121, you can also email Rodney Tilley, Environmental Supervisor Water Conservation at rtilley@tohowater.com, to obtain approval and compliance with the Toho Environmental Program (TEP).

If you have any questions regarding the comments/conditions above, please use the contact information provided.

Please login to the Citizen Self Service portal at www.kissimmee.gov.energov to upload a response to comments.

Additional comments may be forthcoming as a result of revisions to the plans, any new changes in the information provided, future plan review up to plan approval and permitting and/or with submittal of supporting documentation. When submitting, please provide a response to comments outlining where and how the comments have been addressed.



THE FOLLOWING SHALL BE USED AS AN ADDENDUM TO ANY PLAN, FILE, OR OTHER DOCUMENT REVIEWED IN ENERGVO & BLUEBEAM

ADDRESS: 1855 S John Young Pkwy.

DATE: 1/31/2026

PLAN NUMBER: CU-25-0027

PROJECT NAME: Caliber Collision Conditional Use w/Site Plan

REVIEW VERSION NUMBER: V2

**Review Status:
REVISE & RESUBMIT.**

PLANNING - Brenda Ryan - 407.518.2104 - Brenda.Ryan@kissimmee.gov

1. **Not Addressed. Update the total parking shown from 57 to 38. The storage areas will not be used for parking & should not be counted as part of the overall available on site parking.** Confirm the total number of on-site parking spaces that will be remaining.
2. **Not Addressed. Outdoor storage is limited in the HC Zoning District (14-6-12).** What is the total sq. ft. of all outdoor storage areas on this site?
3. Include the required amount of parking spaces on the site plan. For auto repair, include the parking ratio of 3 spaces per repair or service bay on the plan.
4. There are 14 bays which requires a minimum of 42 parking spaces. 24 parking spaces will remain onsite with the additional outdoor storage. Include the additional off-site parking plan and agreement.
5. Complete the bicycle parking information on the site plan.
6. Additional conditions may be forthcoming prior to the Planning Advisory Board with the submittal of additional information addressing comments.

Advisory Comments (To be addressed with Construction Plan Submittal)

7. Indicate on the plans whether this project will be phased. **The project will be delayed if it is decided during or after the construction plan review that the project needs to be phased. Any phasing proposed after construction plan approval requires a revision to the construction plans. The project cannot be phased with the building permit.**
8. Signage:
 - a) Note that all signage will be reviewed and permitted through a separate building permit.
 - b) Please note that per Code, cabinet signs with internal illumination with translucent background panels are prohibited. When submitting the sign permit, please provide a detail showing how this sign will be illuminated at night. 14-11-3B
9. Provide a photometric plan with the Preliminary Site Development Plan. Light locations and styles shall be chosen to reduce any potential light pollution spilling onto adjacent rights-of-

way. Please provide location, photometric and shielding plan for proposed lighting accordingly. LDC 14-10-9

10. For your information, any Mobility and Impact fees will be due at time of permit issuance. To find out more information please contact Juan F. Hernandez at 407-518-2233 of the Development Services Building Division for Mobility fees. Contact Toho Water Authority at 407-944-5000 for water/sewer impact fees and the School District for school impact fees.
 - a) **The city has adopted new Police and Fire fees. Only building permits submitted and paid for before the effective date of December 25, 2023 will be exempt from the new Police and Fire Impact Fees.**
 - b) **Parks and Recreation Impact fees, if applicable, will be incrementally increasing on January 1, 2024, and every subsequent year through January 1, 2026.**
11. All applicable code requirements of the City of Kissimmee Code of Ordinances shall be adhered to for any proposed use(s) and its processes.

If you have any questions regarding the comments/conditions above, please use the contact information provided.

Please login to the Citizen Self Service portal at www.kissimmee.gov.energov to upload a response to comments.

Additional comments may be forth coming as a result of revisions to the plans, any new changes in the information provided, future plan review up to plan approval and permitting and/or with submittal of supporting documentation. When submitting, please provide a response to comments outlining where and how the comments have been addressed.



TRANSMITTAL FOR PLAN REVIEW

ADDRESS: 1855 S JOHN YOUNG PKWY

DATE: 1/22/2026

PLAN (DRC) NUMBER: CU-25-0027

V-3

This permit has been

APPROVED WITH CONDITIONS

FIRE DIVISION - Travis Anderson - 407.518.2134 - Travis.Anderson@kissimmee.gov

Please see below the comments/conditions (if applicable):

- 1.The AHJ shall have the authority to require fire department access be provided to gated subdivisions or developments through the use of an approved device or system. (FFPC, NFPA 1, National Fire Prevention Code, section 18.2.2.2.
2. The owner or occupant of a structure or area, with required fire department access as specified in 18.2.2.2, shall notify the AHJ when the access is modified in a manner that could prevent fire department access. Per NFPA 1, National Fire Prevention Code, edition 2021, Chapter 18 section 2.2.3)
3. Will your community or property have a gate with a lock to secure it at night? (FFPC, NFPA 1, National Fire Prevention Code, edition 2021, Chapter 18 section 2.2.2) a. If the gate is locked with a chain and lock, then a Knox Master Key lock will be required on your gate. You can order one from www.Knoxbox.com.

Narrative Statement for Caliber Collision
Amendment to Approved Conditional Use Application DRC 17-022

This is a request from Caliber Bodyworks of Florida Inc. (the “Applicant”) to amend the conditional use application for the auto repair facility and an outdoor storage area, only for the vehicles awaiting repair, on the property at 1855 South John Young Parkway. Three conditional uses were approved by the Planning Advisory Board (PAB) previously, requesting the same usage of the property, one application in 2003 (DRC#04-131) for auto repair and associated outdoor storage, another application in 2007 (DRC#07-008) expanding the outdoor storage area, and the last application approved in 2017 (DRC#17-00022) after the previous tenants, O’berry’s, Business Tax Receipt (BTR) became invalid to reinstate the previous approvals to allow auto repair and associated outdoor storage at the subject property. There were conditions placed on all previous approvals, and the Application is not changing any use that was approved previously and substantially the same conditions will apply that were approved before in DRC#17-00022 with the exception of condition numbers 6, 10, 14 and one additional condition as number 19, to address certain code enforcement issues that were identified, as follows:

1. This conditional use request shall be valid for Caliber Collision only. In the event that Caliber Collision vacates the premises or if a City of Kissimmee Business Tax Receipt (BTR) is no longer valid, this conditional use becomes void. [*This condition has been previously approved, and no change is made herein.*]
2. Outdoor display or storage of merchandise, tow trucks, inoperable vehicles or other related items shall be prohibited. [*This condition has been previously approved, and no change is made herein.*]
3. Loading/unloading within any required fire lane, access drive, pedestrian access and/or handicapped space/access aisle shall be prohibited. [*This condition has been previously approved, and no change is made herein.*]
4. Parking of all vehicles shall be located on paved surfaces within marked parking spaces, and shall not be conducted within any driveway, access points, handicapped access aisle, loading zone, or fire lanes (including vehicles stored in the screened outdoor vehicle storage area). There shall be no parking of vehicles on John Henry Jones Boulevard. [*This condition has been previously approved, and no change is made herein.*]
5. All repairs shall be conducted solely within the enclosed building at 1855 South John Young Parkway. Any other business activities not listed in the conditions shall not be permitted outside of the building unless approved via another conditional use. [*This condition has been previously approved, and no change is made herein.*]

6. The parking of vehicles for repair shall be stored in the vehicle storage area in accordance with the site plan approved with ~~DRC#07-00008 (attached)~~. Project Number CU-25-0027. *[This condition has been revised to refer to the project/application number with the updated site plan.]*
7. A maximum of 14 bays that correspond to 7 garage doors shall be utilized for repair or work of vehicles. All other space located within the enclosed building shall be limited to accessory office, retail, and storage of equipment and/or vehicles. *[This condition has been previously approved, and no change is made herein.]*
8. A valid vehicle license and registration shall be provided for all on-site vehicles. *[This condition has been previously approved, and no change is made herein.]*
9. The sales or leasing of vehicles shall be prohibited. *[This condition has been previously approved, and no change is made herein.]*
10. The outdoor parking of vehicles for repair shall be stored in the vehicle storage area in accordance with the site plan. During non-business hours, fence gates shall be closed. ~~The storage area shall be limited to operable vehicles only and the drive aisles and loading/unloading areas shall remain accessible to the public during business hours and closed during non-business hours.~~ *[This condition has been updated to remove the second sentence.]*
11. The gates for the northwest access to the outdoor storage area shall be sliding as to not interfere with the parking spaces, loading zones, access aisles, and dumpster. The gates to the southeast access of the outdoor storage area shall swing open in opposite directions. The gate adjacent to the building will swing outward as to not interfere with the doorways, and the opposite gate shall swing inward, as not to interfere with the required parking. *[This condition has been previously approved, and no change is made herein.]*
12. ~~Outdoor vehicle storage area shall be entirely screened from view by a minimum 6 foot high black vinyl coated chain link fence with black fabric black solid mesh screening fabric. No other storage shall be conducted outdoors. If this fence is ever removed, it must be replaced with a solid fence and/or wall made of wood, PVC, masonry, brick, or another material approved by Staff at the time of permit submittal.~~ Outdoor vehicle storage area shall be entirely screened from view by a minimum 6-foot-high solid fence or wall made of wood, PVC, masonry, brick, or another material approved by Staff at the time of permit submittal. *[This condition has been removed in its entirety and replaced by the new condition herein.]*

13. A maximum of 14 bays within the building shall be utilized for repair or work of vehicles. All other space located within the enclosed building shall be limited to accessory office, retail, and storage of equipment and/or vehicles not being worked on. Repair, storage, and uses shall be in accordance with attached floor plan. *[This condition has been previously approved, and no change is made herein.]*
14. ~~Due to the on-site parking requirements, the outdoor vehicle storage area shall not consume more than 10 parking spaces.~~ Intentionally Deleted. *[This condition has been removed in its entirety.]*
15. Monument signage, a maximum of 7-feet in height and in accordance with Section 14-2-157, Table 2 of the Land Development Code shall be allowed. *[This condition has been previously approved, and no change is made herein.]*
16. Any missing or dead landscaping must be replaced, per the approved Conditional Use with Site Plan. *[This condition has been previously approved, and no change is made herein.]*
17. Any other conditions of approval set in DRC#04-00131 and DRC#07-00008 shall be adhered to at all times. *[This condition has been previously approved, and no change is made herein.]*
18. All applicable code requirements of the City of Kissimmee Code of Ordinances and conditions of approval shall be adhered to at all times. Failure to comply with the City of Kissimmee Code of Ordinances could result in re-evaluation of this conditional use request with possible revocation. *[This condition has been previously approved, and no change is made herein.]*
19. Employees, independent contractors, representatives and authorized agents of the business shall be permitted to park in off-site parking spaces on adjacent property pursuant to a written lease. *[This is a new condition, which has been added herein.]*

Applicant has addressed the landscaping issues. The plans for the new fencing area pursuant to the revised site plan shall be submitted for Site Construction Plan review. The applicant requests DRC approval subject to the above listed conditions.



DISCLAIMER FOR ALL CITY OF KISSIMMEE DEVELOPMENT REVIEW APPLICATIONS

Important note: The Development Review process associated with this request (as outlined in the attached application) is intended to ensure that the request meets the requirements established in the City of Kissimmee Land Development Code and site development criteria for the City of Kissimmee, and other local, regional and state agencies. It is not intended to constitute approval of building construction or permits as required by external agencies.

Other processes, permits, authorizations, and/or fees may be required prior to construction of requested improvements. These may include, but are not limited to:

- ❖ Mobility/Impact Fees (Transportation, Water & Sewer, Recreation, School)
- ❖ Building permits and review fees
- ❖ Right-of-Way Utilization permits
- ❖ South Florida Water Management District (SFWMD) permits
- ❖ Utility permits and/or fees
- ❖ Federal Aviation Administration (FAA) authorizations
- ❖ Business Tax Receipts (BTRs)
- ❖ State Permits and/or Licenses
- ❖ Development Service Agreements (Toho Water Authority)
- ❖ Florida Department of Environmental Protection (FDEP) Permits
- ❖ NPDES Permits (Stormwater permitting)

The Agent of record and/or property owner for the attached request is responsible for coordinating with applicable agencies to ensure all requirements for the requested improvements have been met prior to construction.

Please read all information above and complete the lower portion of this disclaimer. This document must be signed by both agent and property owner and shall be included with the attached application. Failure to submit this form with the completed application will result in Staff finding the application to be insufficient for review and will delay your request.

Project Name: Caliber Collision (Conditional Use) DRC# 17-000022

I Certify that I have read the above and understand/acknowledge the information contained therein.

Agent Signature: _____ Date: _____

Agent Name (Print): Jo Thacker, Esq., as agent

Property Owner Signature: _____ Date: _____

Property Owner Name (Print): KRONOS KISSIMMEE, LLC



Katrina S. Scarborough, CFA, CCF, MCF
Osceola County Property Appraiser

www.property-appraiser.org
Osceola County Government Center
2505 East Irlo Bronson Memorial Hwy, Kissimmee, FL 34744
Ph:(407) 742-5000 Fax:(407) 742-4900

Owner Information

Parcel ID: 33-25-29-2367-0001-0020
Owner(S): KRONOS KISSIMMEE LLC
Mailing Address: 171 SUTTON MANOR D NEW ROCHELLE NY 10801
Property Address: 1855 S JOHN YOUNG PKWY KISSIMMEE FL 34741
Primary Use: GENERAL AUTO REPAIR (Code: 2714)
Tax District: 200 - KISSIMMEE

Legal Description

Legal Description: WEST LAKE COMMERCE CENTER PB 15 PGS 107-108 LOT 2

Land (Total Records: 1) Total Acres: 1.22

Land	Units	Unit Type	Depth	Value
COMMERCIAL SF	SF	53143.1992	0	\$783,862

Property Values (Total Records: 5)

Values Shown Below Represents Working Appraised Values As Of 10/26/2025, Which Are Subject To Change Prior To Certification

Tax Year	Land	+ Building(S)	+ Feature(S)	= Market	Assessed	- Exemption	= Taxable
2026	\$783,900	\$1,246,600	\$30,100	\$2,060,600	\$2,060,600	\$0	\$2,060,600

Values Shown Below Represents Certified Values That Appeared On The Tax Roll As Of 10/03/2025

Tax Year	Land	+ Building(S)	+ Feature(S)	= Market	Assessed	- Exemption	= Taxable
2025	\$783,900	\$1,276,900	\$30,200	\$2,091,000	\$2,091,000	\$0	\$2,091,000

Values Shown Below Represents Historic Values

Tax Year	Land	+ Building(S)	+ Feature(S)	= Market	Assessed	- Exemption	= Taxable
2024	\$783,900	\$1,299,100	\$30,200	\$2,113,200	\$2,059,178	\$0	\$2,059,178
2023	\$707,900	\$1,279,000	\$30,600	\$2,017,500	\$1,871,980	\$0	\$1,871,980
2022	\$589,900	\$1,081,200	\$30,700	\$1,701,800	\$1,701,800	\$0	\$1,701,800

Exemptions (Total Exemption: 0)

No Records To Display.

Parcel Sales History

Sale Date	Price	Book-Page	Seller(S)	Buyer(S)	Vacant / Improved	Deed Code
2016-02-29	\$2,361,000	4921-0578	CROSS DEVELOPMENT CC KISSIMMEE LLC	KRONOS KISSIMMEE LLC	IMPROVED	SPECIAL WARRANTY DEED
2015-01-29	\$1,800,000	4731-0521	LEABRIDGE INVESTMENTS LLC	CROSS DEVELOPMENT CC KISSIMMEE LLC	IMPROVED	WARRANTY DEED
2005-03-21	\$451,700	2734-2767	KISSIMMEE 17 LTD	LEABRIDGE INVESTMENTS LLC	VACANT	WARRANTY DEED

Sales In Subdivision Within Last 1 Year (Total Records: 6)

Property Address	Date Sold	Price	Book-Page	Bed	Bath	Pool	SqFt	Seller(S)	Buyer(S)	Deed Code
5100 HOLOPAW RD 142732000001020000	2025-02-05	\$500,000	6736-2275	0	0	N	5000	LANGFORD GENE E JR & LANGFORD REBECCA A	REILLY HOLDINGS INC	WARRANTY DEED
2794 N ORANGE BLOSSOM TRL 102529000001250000	2025-06-27	\$100	6813-1766	0	0	N	2986	EMBURO INVESTMENTS LLC	2794 N ORANGE BLOSSOM LAND TRUST & EMBURO INVESTMENTS LLC TR	SPECIAL WARRANTY DEED
2717 OLD DIXIE HWY 102529466500010030	2025-08-25	\$100	6843-1132	0	0	N	11200	ALLEN SCOTT F TR	PIP DIXIE LLC	SPECIAL WARRANTY DEED
105 DUNCAN AVE 1025292920000C0140	2025-03-25	\$100	6772-1529	0	0	N	2160	HORSLEY JESSE A & HORSLEY AFTON N	H&L PROPERTY SERVICES LLC	QUIT CLAIM DEED
2255 E IRLO BRONSON MEMORIAL HWY 302530000000900000	2025-01-09	\$100	6732-2118	0	3	N	1885	KARINA PROPERTY LLC	ABREU ASSET MANAGEMENT LLC	SPECIAL WARRANTY DEED
2255 E IRLO BRONSON MEMORIAL HWY 302530000000900000	2025-01-09	\$100	6732-2122	0	3	N	1885	ABREU ASSET MANAGEMENT LLC	KARINA PROPERTY BRONSON LLC	SPECIAL WARRANTY DEED

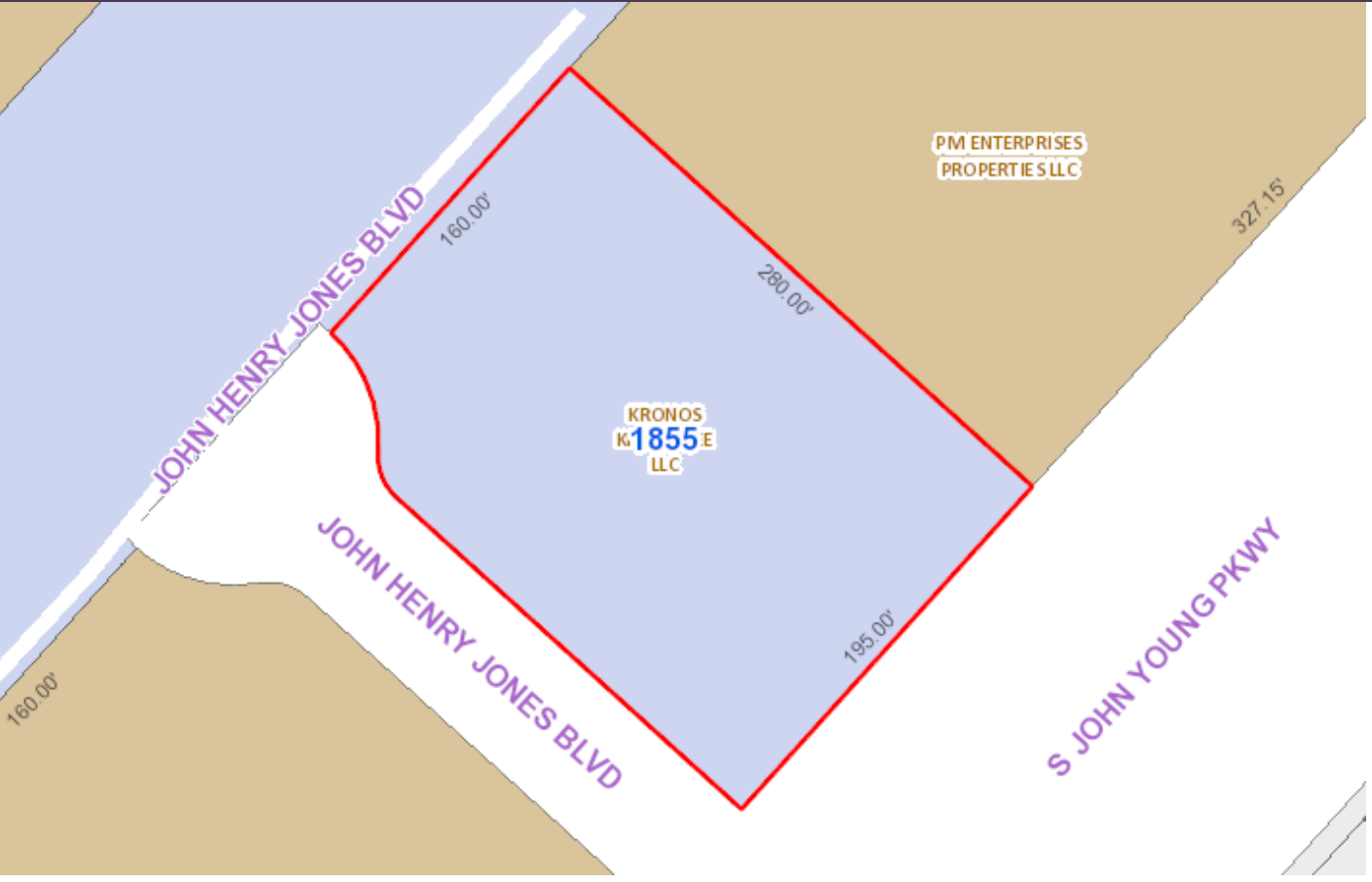
Buildings Information									
Building - 1									
Description	Yr Built	Bldg Value	Bldg SqFt	Heated SqFt	Beds	Baths	Half Baths	Roof	Exterior Wall
SERVICE GARAGE	2006	\$1,246,579	13,646	12,826	-	-	-	STEEL TRUSS	CONCRETE BLOCK STUCCO PREFINISHED METAL
Sub Areas - 1									
Code	Description							Year	Area
BAS	BASE AREA							2006	9,394
OFA	OFFICE-AVERAGE							2006	1,716
OFA	OFFICE-AVERAGE							2006	1,716
CAN	CANOPY							2006	50
CAN	CANOPY							2006	120
CAN	CANOPY							2006	650

Extra Features				
Description	Built Year	Units	Assessed Value	
COMMERCIAL-ASPHALT PAVING PER PARKING SPACE AVERAG	2006	51	\$17,600	
COMMERCIAL-OPEN STAIRWAY	2006	96	\$500	
COMMERCIAL-CONCRETE/CONCRETE BLOCK WALL	2006	299	\$1,300	
COMMERCIAL-CONCRETE PAD/PATIO	2006	705	\$1,300	
COMMERCIAL-TRASH ENCLOSURE-CONCRETE BLOCK	2006	132	\$500	
COMMERCIAL-CHAIN LINK FENCE-6 FT HIGH	2006	278	\$900	
COMMERCIAL ELEVATOR	2006	1	\$8,000	

School Info	
Category	Description
ELEMENTARY SCHOOLS	THACKER AVENUE ELEMENTARY
MIDDLE SCHOOLS	KISSIMMEE MIDDLE
HIGH SCHOOLS	OSCEOLA HIGH

TPP Info			
TPP Account	Business Name	Business Address	Market ValueTaxable Value
016817	CALIBER COLLISION CENTERS CALIBER BODYWORKS OF FLORIDA INC	1855 S JOHN YOUNG PKWY KISSIMMEE, FL 34746	\$242,453\$217,453

A photograph of the exterior of a Caliber Collision service center. The building is a single-story structure with a tan-colored facade and dark horizontal accents. It features a covered entrance area on the right side, supported by a pillar, with a sign above it that reads "CALIBER COLLISION". Several palm trees are planted in front of the building. A parking lot in the foreground contains several cars, including a red sedan and a silver sedan. The sky is blue with scattered white clouds. A timestamp in the bottom right corner reads "04/20/2016 15:25".



ITEM 5.B

Public Hearing - Proposed Ordinance #26-06 - Amending the Future Land Use Map designation from Single-Family Low Density Residential (SF-LDR) to Industrial Business (IN): Hoagland Rd. Future Land Use Map Amendment - LUPA-25-0002

AN ORDINANCE AMENDING ORDINANCE NO. 3130 KNOWN AS THE ORDINANCE ADOPTING THE COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY OF KISSIMMEE, FLORIDA, UNDER THE AUTHORITY OF FLORIDA STATUTE 163.3184; DIRECTING THE CITY MANAGER TO AMEND THE COMPREHENSIVE LAND USE PLAN AS HEREIN PROVIDED AFTER THE PASSAGE OF THIS ORDINANCE; PROVIDING FOR A PUBLIC HEARING AS REQUIRED BY LAW; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

Request

Recommendation of approval of a Future Land Use Map Amendment to change the Future Land Use Map designation from Single-Family Low Density Residential (SF-LDR) to Industrial Business (IN) on approximately 18.00 acres of land on Parcel ID: 30-25-29-00U0-0080-0000.

Explanation

Currently this parcel is vacant. This Future Land Use Map Amendment is associated with the portion of the parcel east of Shingle Creek, along Hoagland Blvd. This project is directly tied to ZMA-25-0004 and also associated with LUPA-25-0009 and ZMA-25-0012. In 2019, South Florida Water Management District (SFWMD) and Environmental Science Associates (ESA) conducted a site inspection of the Shingle Creek Mitigation Bank. The inspection found that there was hydrological stress on the outparcels along Hoagland Blvd, including the roughly 18 acres on parcel 30-25-29-00U0-0080-0000, reducing the wetlands in this area. Due to this, 17.94 acres were removed from the mitigation bank and 29.27 acres were added to the mitigation bank from another area. The applicant is now looking to extend the industrial corridor along Hoagland, and in doing so is proposing to add 157.31 acres of Conservation Future Land Use through LUPA-25-0009 and 79.51 acres of Agricultural Conservation zoning through ZMA-25-0012.

This property would help to increase the industrial center in the southwest quadrant of the City near the airport. This helps to ensure traffic, infrastructure and other industrial impacts are kept in specific areas that are meant for these types of uses. The property sits within the Conservation Overlay District, which will help to ensure any proposed developments will not have an adverse effect on the surrounding environments and to Shingle Creek. The Overlay requires any development within the district to conduct conservation impact reports. These reports will include an analysis of the property and techniques appropriate for protecting any important environmental characteristics of the property.

This Future Land Use Map Amendment to Industrial Business (IN) land use will provide consistency and compatibility with the parcel's proposed zoning designation of Industrial Business (IB). The intent of the Industrial Business Future Land Use is to accommodate a mixture of typical industrial uses and more intense non-industrial uses. Development and redevelopment projects within this future land use designation may be built with an intensity of up to 0.50 FAR. This designation shall be applied to areas appropriate for typical industrial uses or mixed-use development consisting of light-industrial uses and compatible commercial uses. The Land Development Code shall establish the specific permitted uses and applicable restrictions which shall be applied to areas with the Industrial Business land use designation.

FINDINGS AND REASONS

City of Kissimmee

1. Compliance with Comprehensive Plan Policy 1.2.4.3: Industrial Business (IN): This land use is intended to accommodate a mixture of typical industrial uses and more intense non-industrial uses. Development and redevelopment projects within this future land use designation may be built with an intensity of up to 0.50 FAR. This designation shall be applied to areas appropriate for typical industrial uses or mixed-use development consisting of light-industrial uses and compatible commercial uses. The Land Development Code shall establish the specific permitted uses and applicable restrictions which shall be applied to areas with the Industrial Business land use designation.
2. Compliance with Land Development Code Section 14-3-26, Comprehensive Plan text and Map Amendments, in regards to the submittal and review procedures and criteria to support an amendment.
3. Compliance with Comprehensive Plan Policy 1.1.3.2 in maintaining the major centers for industrial activity with this land use included in the airport and airport environs within the southwest quadrant of the City.
4. Compliance with Land Development Code 14-4-7.B, Conservation Overlay District, which is intended to protect the integrity of environmentally sensitive areas including wetlands, surface waters, floodplains, and special wildlife and plant habitats. This is to be achieved by requiring the preparation and implementation of an acceptable conservation impact report in conjunction with any development proposal submitted for a use permitted in the underlying zoning district. This report will include an analysis of the property and techniques appropriate for protecting any important environmental characteristics of the property.

Recommendation

REQUESTED PLANNING ADVISORY BOARD ACTION:

Approve

The Development Review Committee (DRC) recommended approval on May 20, 2025.

Attachment(s):

1. LUPA-25-0002 Aerial Map
2. LUPA-25-0002 Vicinity Map
3. LUPA-25-0002 Site Data Table
4. LUPA-25-0002 Hoagland Road Proposed Ord 26-06
5. LUPA-25-0002 PAB Ad
6. LUPA-25-0002 DRC Comments
7. LUPA-25-0002 Supporting Docs



February 9, 2026

— Road Centerlines

City Limits

CITY

COUNTY

World Imagery

Low Resolution 15m Imagery

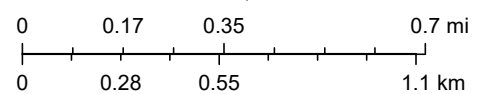
High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

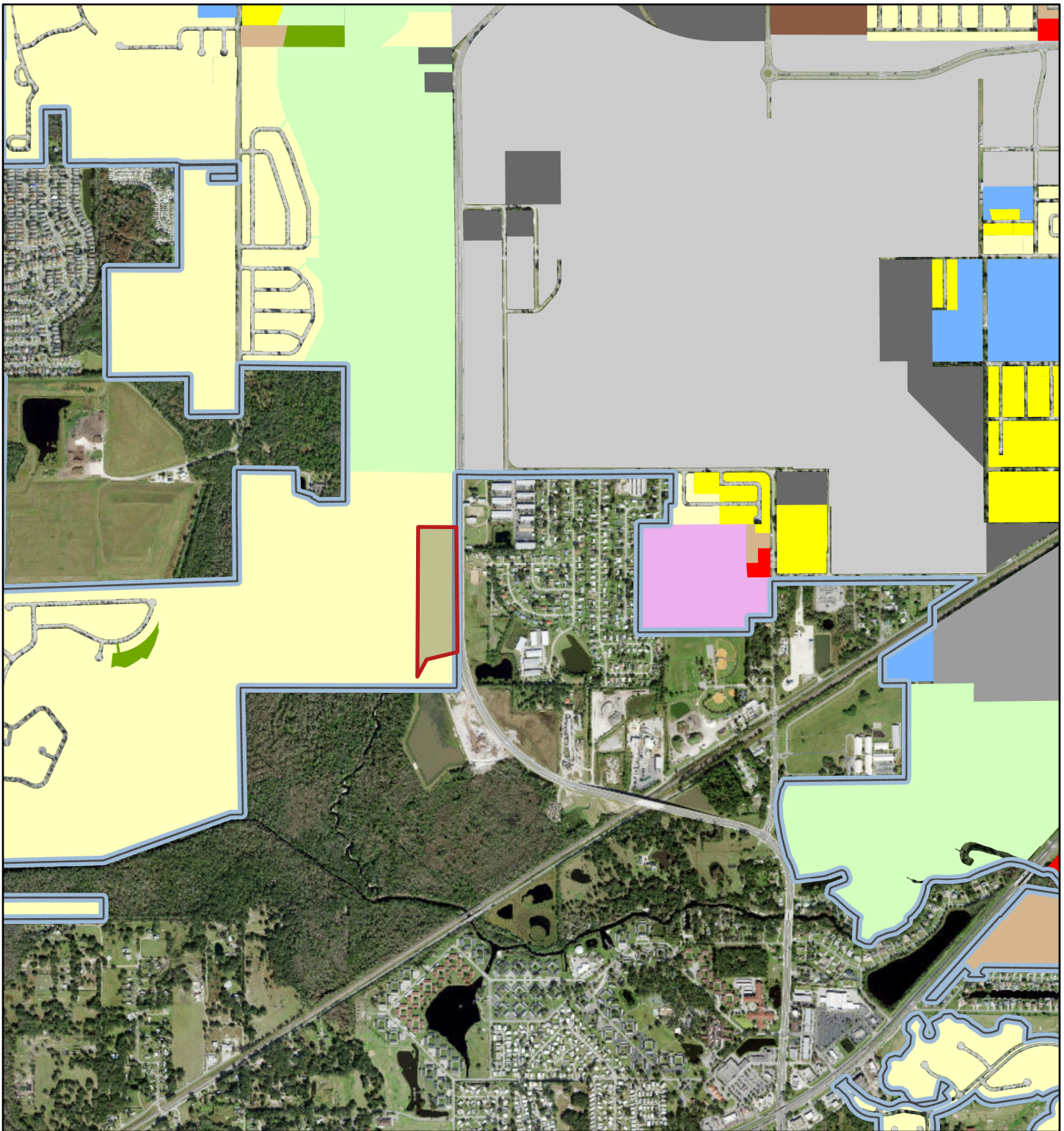
4.8m Resolution Metadata

1:23,974



State of Florida, Earthstar Geographics

LUPA-25-0002
Hoagland Road Future Land Use Amendment
Parcel ID: 30-25-29-00U0-0080-0000



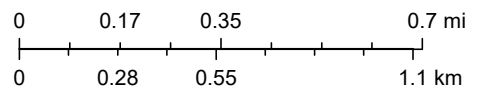
February 9, 2026

— Road Centerlines
 City Limits
 CITY
 COUNTY

Future Land Use

- SF-LDR (Single Family Low Density Residential)
- SF-MDR (Single Family Medium Density Residential)
- MH-MDR (Mobile Home Medium Density Residential)
- MF-MDR (Multiple Family Medium Density Residential)
- MF-HDR (Multiple Family High Density Residential)
- OR (Office Residential)
- CG (Commercial General)
- Industrial Business (IN)
- Airport Expansion (AE)
- INST (Institutional)
- UT (Utilities)
- Conservation (CONS)
- Recreation (REC)
- MU-D (Downtown)
- MU-V (Vine Street)
- MU-FR (Flora Ridge)
- MU-T (Tapestry)
- MU-FB (Frank Brown)

1:23,974



State of Florida, Earthstar Geographics

Hoagland Rd. Future Land Use Map Amendment, LUPA-25-0002
Parcel IDs #30-25-29-00U0-0080-0000;
Site Data Tables

Site Data	
Size	+/- 18.00 acres
Future Land Use Designation	Single-Family Low Density Residential (SF-LDR)
Proposed Future Land Use Designation	Industrial Business (IN) - City
Zoning District Designation	Agricultural Conservation (AC) – City
Proposed Zoning District Designation	Industrial Business (IB) – City
Existing Overlay District	Conservation Overlay (CO) and the Multimodal Transportation District (MMTD)
Existing Use(s)	Vacant
Proposed Use(s)	N/A
Adjacent Land Use	
North	Single-Family Low Density Residential (SF-LDR) - City
South	Single-Family Low Density Residential (SF-LDR) - City
East	Industrial - County
West	Single-Family Low Density Residential (SF-LDR) - City
Adjacent Zoning	
North	Agricultural (AC) - City
South	Agricultural (AC) - City
East	Industrial General (IG) - County
West	Agricultural (AC) - City
Zoning History	N/A
Past/Current Project Tracking	ZMA-25-0004, ZMA-25-0012 and LUPA-25-0009

Comprehensive Plan Summary	
Policy 1.2.4.3: Industrial Business (IN): This land use is intended to accommodate a mixture of typical industrial uses and more intense non-industrial uses. Development and redevelopment projects within this future land use designation may be built with an intensity of up to 0.50 FAR. This designation shall be applied to areas appropriate for typical industrial uses or mixed-use development consisting of light-industrial uses and compatible commercial uses. The Land Development Code shall establish the specific permitted uses and applicable restrictions which shall be applied to areas with the Industrial Business land use designation	
Potential Zoning Districts	IB, AI and BP
	Form-based Districts: T5-U

	Planned Unit Development District – MUPUD and PUD
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<i>Zoning District Standards District Summary</i>
Land Development Code Section 14-4-4(N), IB, Industrial Business District. This district is intended for properties suitable for industrial development, but where proximity to residential or commercial zones makes it desirable to limit the manner and extent of industrial operations. It is intended to permit the normal operation of a variety of industrial and related uses under such conditions of operation as will protect nearby development. Various commercial uses which are compatible with typical industrial uses shall also be allowed according to the provisions of this section. It is intended for use in suitable areas which have been assigned an Industrial Business (IN) future land use designation by the comprehensive plan.

<i>Comprehensive Plan Future Land Use & Zoning Comparisons</i>		
	<i>Existing Future Land Use & Zoning</i>	<i>Requested Future Land Use & Zoning</i>
Uses	Single-Family Low Density Residential (SF-LDR)	Industrial Business (IN)
	Single-Family Residential (RA-1)	Industrial Business (IB)
	Single-Family House	N/A

<i>Public Facilities Analysis</i>	
Transportation	
Adjacent street	Hoagland Blvd
Street Quality of Service (QOS)	N/A – Compliance
Sanitary Sewer	
Is volume less than 98% capacity?	N/A – Compliance
Potable Water	
Is volume less than 98% capacity?	N/A – Compliance
Is water pressure at least 40lbs per square inch?	N/A – Compliance
Solid Waste	
Is volume less than 5.1lbs per person per calendar day?	N/A – Compliance
Recreation	
Is active recreation area at least 2 acres per 1,000 population?	N/A – Compliance
Is urban open space area at least 2 acres per 1,000 population?	N/A – Compliance
Is total recreation area at least 4 acres per 1,000 population?	N/A – Compliance
Drainage	

Is off-site discharge; runoff velocities; roadway drainage; pavement; retention; and flood storage LOS standards met?	N/A- Compliance
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PROPOSED ORDINANCE NO. 26-06
ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE NO. 3050
KNOWN AS THE ORDINANCE ADOPTING THE
COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY
OF KISSIMMEE, FLORIDA, UNDER THE AUTHORITY OF
FLORIDA STATUTE 163.3184; DIRECTING THE CITY
MANAGER TO AMEND THE COMPREHENSIVE LAND USE
PLAN AS HEREIN PROVIDED AFTER THE PASSAGE OF
THIS ORDINANCE; PROVIDING FOR A PUBLIC HEARING
AS REQUIRED BY LAW; REPEALING ALL ORDINANCES IN
CONFLICT HERewith; AND PROVIDING AN EFFECTIVE
DATE.**

WHEREAS, the City of Kissimmee, Florida ("City") adopted Ordinance No. 3050 pursuant to the Local Government Comprehensive Planning Act of 1975, as amended; and

WHEREAS, City advertised the Comprehensive Plan amendment as required by Fla. Stat. § 166.041 and § 163.3184 for two (2) public hearings prior to adoption of this ordinance; and

WHEREAS, adjacent and affect property owners were properly notified as required by City Code and Florida Statutes; and

WHEREAS, the City Commission received the recommendation of the Planning Advisory Board (the Local Planning Agency "LPA").

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KISSIMMEE, FLORIDA, IN LAWFUL SESSION, ASSEMBLED, AS FOLLOWS:

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KISSIMMEE, FLORIDA, IN LAWFUL SESSION, ASSEMBLED, AS FOLLOWS:

SECTION 1. Amend the Land Use Plan as to the following area:

FROM: SF-LDR (Single-Family – Low Density Residential) – City

TO: IN (Industrial Business) - City

The subject properties are located at Parcel ID# 30-25-29-00U0-0080-0000

Legal Descriptions:

A TRACT OF LAND SITUATED IN THE SOUTHEAST ONE-QUARTER (SE-1/4) OF SECTION 30, TOWNSHIP 25 SOUTH, RANGE 29 EAST, OSCEOLA COUNTY, FLORIDA BEING MORE PARTICULARLY AS DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 30 THENCE N00°13'24"E ALONG THE WEST LINE OF SAID SE-1/4 LINE A DISTANCE OF 428.93 FEET TO THE POINT OF BEGINNING; THENCE S76°10'55"W A DISTANCE OF 370.52 FEET; THENCE S27°07'21"W A DISTANCE OF 245.96 FEET; THENCE S13°08'11"W A DISTANCE OF 19.12 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4570, PAGE 2536 OF THE PUBLIC RECORDS OF SAID OSCEOLA COUNTY; THENCE N00°13'24"E ALONG THE EAST LINE OF SAID TRACT A DISTANCE OF 1898.92; THENCE S88°52'54"E ALONG SAID TRACT A DISTANCE OF 475.06 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT OF WAYLINE OF HOAGLAND BOULEVARD; THENCE S00°13'24"W A DISTANCE OF 1563.62 FEET TO THE SAID POINT OF BEGINNING.

CONTAINING 18.00 ACRES MORE OR LESS
A map of the area is included with this ordinance.

SECTION 2. That a copy of said Land Use Plan Amendment is filed in the office of the Development Services Department of the City of Kissimmee as a matter of permanent record of the City, and that matters and contents therein are made a part of this ordinance by reference as fully and completely as if set forth herein, and such copy shall remain on file in said office, available for public inspection.

SECTION 3. That the City Manager, after passage of this Ordinance, is hereby directed to indicate the changes adopted in this Ordinance and to reflect the same on the Comprehensive Land Use Plan Map of the City of Kissimmee.

SECTION 4. That all ordinances in conflict herewith are hereby repealed.

SECTION 5. This ordinance shall take effect 10 days after its passage.

BE IT ORDAINED, by the City Commission of the City of Kissimmee, this XX day of XXXX, 2026.

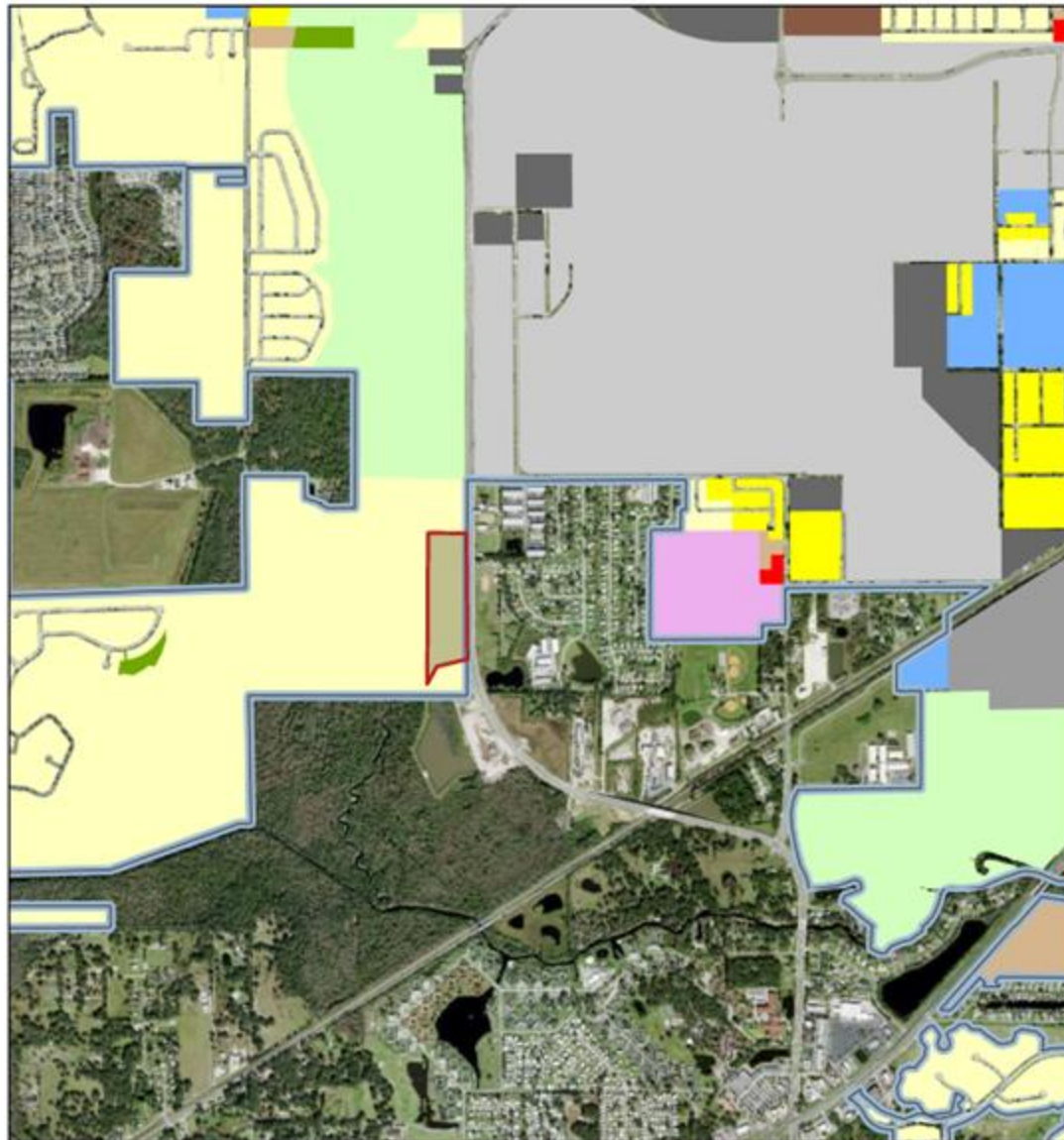
Mayor - Commissioner

ATTEST:

City Clerk

Approved as to form and legality:

LUPA-25-0002
Hoagland Road Future Land Use Amendment
Parcel ID: 30-25-29-00U0-0080-0000



February 9, 2026

— Road Centerlines

City Limits

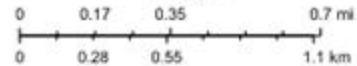
CITY

☐ COUNTY

Future Land Use

[illegible]

1:23,974



State of Florida, Earthstar Geographics

NOTICE OF PUBLIC HEARING PLANNING ADVISORY BOARD

The City of Kissimmee proposes to change the use of land for the area described in this advertisement by adopting an ordinance with the following title:

An ordinance amending Ordinance No. 3050 known as the Ordinance Adopting the Comprehensive Development Plan for the City of Kissimmee, Florida, under the authority of Florida Statute 163.3184; Directing the City Manager to amend the Comprehensive Land Use Plan as herein provided after the passage of this ordinance; Providing for a public hearing as required by law; Repealing all ordinances in conflict herewith; and providing an effective date.

The Planning Advisory Board will hold a Public Hearing on this request, **Wednesday, March 18, 2026** at 6:00 p.m., or as soon thereafter as possible, in the Commission Chambers of City Hall, located on the first floor of City Hall, 101 Church Street, Kissimmee, Florida 34741. The purpose of this Public Hearing is to make a recommendation to the City Commission concerning the request to amend Ordinance No. 3050. The proposed Ordinance would amend the 2025 Future Land Use Map of the Kissimmee Comprehensive Plan by changing the land use classification for the area described below as follows:

FROM: **SF-LDR (Single-Family – Low Density Residential) – City**
TO: **IN (Industrial Business) – City**

The subject property is located at **Parcel ID: 30-25-29-00U0-0080-0000**

Legal Description:

A TRACT OF LAND SITUATED IN THE SOUTHEAST ONE-QUARTER (SE-1/4) OF SECTION 30, TOWNSHIP 25 SOUTH, RANGE 29 EAST, OSCEOLA COUNTY, FLORIDA BEING MORE PARTICULARLY AS DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 30 THENCE N00°13'24"E ALONG THE WEST LINE OF SAID SE-1/4 LINE A DISTANCE OF 428.93 FEET TO THE POINT OF BEGINNING; THENCE S76°10'55"W A DISTANCE OF 370.52 FEET; THENCE S27°07'21"W A DISTANCE OF 245.96 FEET; THENCE S13°08'11"W A DISTANCE OF 19.12 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4570, PAGE 2536 OF THE PUBLIC RECORDS OF SAID OSCEOLA COUNTY; THENCE N00°13'24"E ALONG THE EAST LINE OF SAID TRACT A DISTANCE OF 1898.92; THENCE S88°52'54"E ALONG SAID TRACT A DISTANCE OF 475.06 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT OF WAYLINE OF HOAGLAND BOULEVARD; THENCE S00°13'24"W A DISTANCE OF 1563.62 FEET TO THE SAID POINT OF BEGINNING.

CONTAINING 18.00 ACRES MORE OR LESS

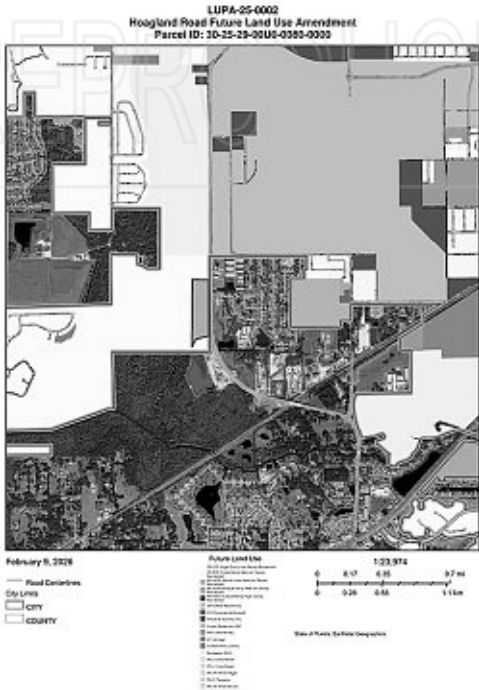
PROPOSED ORDINANCE# **26-06**: AN ORDINANCE AMENDING ORDINANCE NO. 3050 KNOWN AS THE ORDINANCE ADOPTING THE COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY OF KISSIMMEE, FLORIDA, UNDER THE AUTHORITY OF FLORIDA STATUTE 163.3184; DIRECTING THE CITY MANAGER TO AMEND THE COMPREHENSIVE LAND USE PLAN AS HEREIN PROVIDED AFTER THE PASSAGE OF THIS ORDINANCE; PROVIDING FOR A PUBLIC HEARING AS REQUIRED BY LAW; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

The proposed amendment and the supporting documents, including a parcel description, may be inspected in the Development Services Department, City Hall, 101 Church Street, Kissimmee, Florida, between 8:00 a.m. and 5:00 p.m., Monday through Friday. Please direct any questions to the Development Services Department, (407) 518-2140 or planning@kissimmee.gov.

Any interested party wanting to be heard on this issue may submit testimony to be read into the official record to CityClerkEmail@kissimmee.gov prior to the start of the meeting or may be heard by participating in person.

Reference # **LUPA-25-0002**
30-25-29-00U0-0080-0000

PLANNING ADVISORY BOARD
KISSIMMEE, FLORIDA



In accordance with [Florida Statutes](#) 286.0105: any person wishing to appeal any decision made by the City Commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is made.

In accordance with [Florida Statute](#) 286.26, persons needing assistance to participate in any of these proceedings should contact the Office of the City Clerk (407) 518-2308 prior to the meeting. (FS286.26)

THE FOLLOWING SHALL BE USED AS AN ADDENDUM TO ANY PLAN, FILE, OR OTHER DOCUMENT REVIEWED IN ENERGОВ & BLUEBEAM

ADDRESS: 30-25-29-00U0-0080-0000
PERMIT NUMBER: LUPA-25-0002
PROJECT NAME: Hoagland 18 Acres
REVIEW VERSION NUMBER: V.1

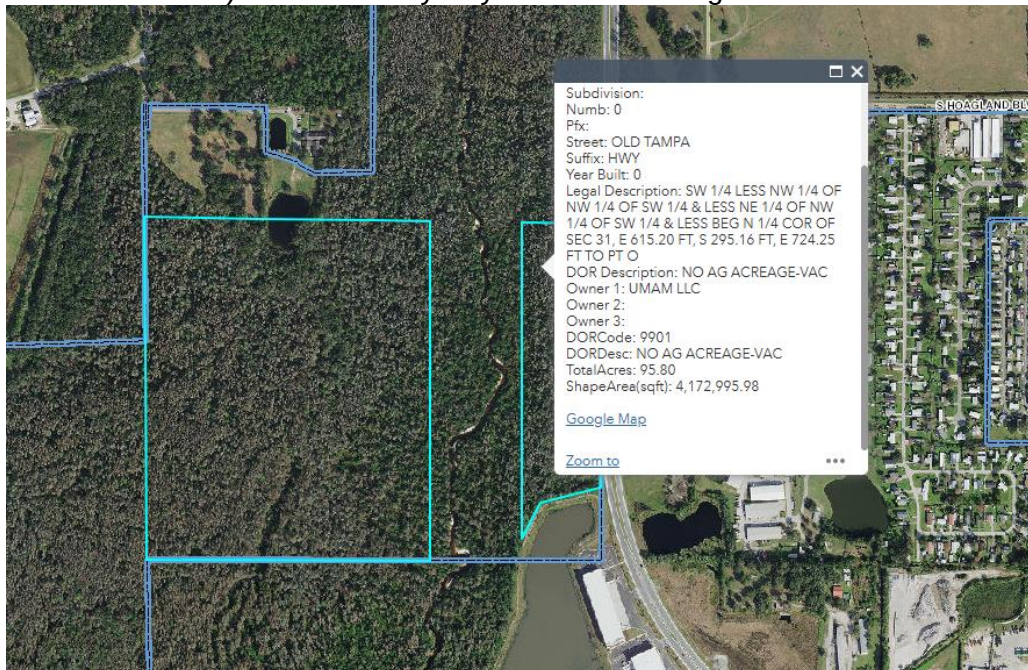
DATE: 5/9/2025

**Review Status:
REVISE & RESUBMIT.**

PLANNING DIVISION - Ryan Altizer - 407.518.2107 – Ryan.Altizer@kissimmee.gov

Comments/Conditions:

1. Please provide the permit modifications and documents associated with SFWMD Application 220222-33299.
2. The 8.8-acres proposed for the Future Land Use change from SF-LDR (Single-Family – Low Density Residential) to IN (Industrial Business) would align with the proposed Zoning of IB (Industrial Business).
3. Are the 77.8 acres to the west of the proposed changes that are tied to the same Parcel ID (30-25-29-00U0-0080-0000) effected in any way with these changes?



If you have any questions regarding the comments/conditions above, please use the contact information provided.

Please login to the Citizen Self Service portal at www.kissimmee.gov.energov to upload a response to comments.

Additional comments may be forth coming as a result of revisions to the plans, any new changes in the information provided, future plan review up to plan approval and permitting and/or with submittal of supporting documentation. When submitting, please provide a response to comments outlining where and how the comments have been addressed.



THE FOLLOWING SHALL BE USED AS AN ADDENDUM TO ANY PLAN, FILE, OR OTHER DOCUMENT REVIEWED IN ENERGОВ & BLUEBEAM

ADDRESS: 30-25-29-00U0-0080-0000
PERMIT NUMBER: LUPA-25-0002
PROJECT NAME: Hoagland 18 Acres
REVIEW VERSION NUMBER: V.2

DATE: 7/9/2025

Review Status:
REVISE & RESUBMIT.

PLANNING DIVISION - Ryan Altizer - 407.518.2107 – Ryan.Altizer@kissimmee.gov

Comments/Conditions:

1. Please provide the Boundary and Topo Survey per the comments of Long-Range Planning comment.
2. Please be advised that ZMA-25-0004 is dependent on the approval of this LUPA, and cannot move forward until so.

If you have any questions regarding the comments/conditions above, please use the contact information provided.

Please login to the Citizen Self Service portal at www.kissimmee.gov.energov to upload a response to comments.

Additional comments may be forthcoming as a result of revisions to the plans, any new changes in the information provided, future plan review up to plan approval and permitting and/or with submittal of supporting documentation. When submitting, please provide a response to comments outlining where and how the comments have been addressed.



THE FOLLOWING SHALL BE USED AS AN ADDENDUM TO ANY PLAN, FILE, OR OTHER DOCUMENT REVIEWED IN ENERGОВ & BLUEBEAM

DATE: 5/12/2025

ADDRESS: No address; 30-25-29-00U0-0080-0000

PLAN (DRC) NUMBER: LUPA-25-0002

**Review Status:
REVISE & RESUBMIT.**

PLANNING DIVISION - Ashley Cornelison - 407.518.2141 - ashley.cornelison@kissimmee.gov

1. Please submit a topography survey showing the wetland areas.
2. The acreage to the south of this property should be designated Conservation (CONS). The exact area to be designated CONS shall be determined when the topography survey is provided.

OTHER COMMENTS:

- The three parcels at 30-25-29-00U0-0080-0000, 25-25-28-00U0-0110-0000, and 36-25-28-00U0-0010-0000 are also owned by Umam, LLC. Due to the location of these properties, their proximity to Shingle Creek, and because they are wetland areas, this land should have further protection. It is staff's recommendation that the land use be changed from Single Family Low Density Residential (SF-LDR) to Conservation (CONS) and the properties rezoned from Planned Unit Developments (PUD) to Agricultural (AC). The City would like to offer to amend the land use and zoning of these properties at no cost to the applicant. Choosing to move forward with this request will not delay any other application currently in the system. If the applicant would like to take advantage of this opportunity, please submit an authorization letter allowing City staff to move forward with an application to ashley.cornelison@kissimmee.gov. Please feel free to reach out to me if you have any questions or want to discuss further.

If you have any questions regarding the comments/conditions above, please use the contact information provided.

Please login to the Citizen Self Service portal at www.kissimmee.gov.energov to upload a response to comments.

Additional comments may be forth coming as a result of revisions to the plans, any new changes in the information provided, future plan review up to plan approval and permitting and/or with submittal of supporting documentation. When submitting, please provide a response to comments outlining where and how the comments have been addressed.



THE FOLLOWING SHALL BE USED AS AN ADDENDUM TO ANY PLAN, FILE, OR OTHER DOCUMENT REVIEWED IN ENERGОВ & BLUEBEAM

ADDRESS: Hoagland Blvd

DATE: 4/15/2025

PLAN (DRC) NUMBER: LUPA-25-0002

**Review Status:
APPROVED WITH CONDITIONS.**

AVIATION - Ramon Senorans - 407.518.2546 - Ramon.Senorans@kissimmee.gov

Comments/Conditions (if applicable):

1. The northern portion of the parcel may have some height restrictions for future construction that could impact the safe landing of aircraft on Runway 6. For further guidance, submit an FAA Form 7460-1 to request a Federal Aviation Administration (FAA) Navigational Safety Study (<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>) that will determine the maximum allowable height of any **structures and/or construction equipment** that will penetrate the Kissimmee Airport's Airspace.

If you have any questions regarding the comments/conditions above, please use the contact information provided.

Please login to the Citizen Self Service portal at www.kissimmee.gov.energov to upload a response to comments.

Additional comments may be forthcoming as a result of revisions to the plans, any new changes in the information provided, future plan review up to plan approval and permitting and/or with submittal of supporting documentation. When submitting, please provide a response to comments outlining where and how the comments have been addressed.



THE SCHOOL DISTRICT OF OSCEOLA COUNTY, FLORIDA
PLANNING SERVICES DEPARTMENT
SCHOOL CAPACITY REPORT

SDOC#: 2024/25-0002

DRC#: LUPA-25-0002

Current FLU: SF-LDR

Requested FLU: IN

PROJECT NAME: Foundry Commercial

Current Zoning: AC

Requested Zoning: IB

PROJECT LOCATION: 0 Old Tampa Hwy., Kissimmee, 34746

COMMENTS DUE DATE: 5.14.25

PID: 30-25-29-00U0-0080-0000

This LUPA application has no impact on public school capacity.



South Florida Water Management District
Mitigation Bank Permit No. 49-01937-M
Date Issued: July 27, 2023

Corrected Copy April 30, 2024

Permittee: UMAM, LLC
Shingle Creek Mitigation Group, LP

Project: Shingle Creek Mitigation Bank

Application No. 210525-6295

Location: Osceola County, See Exhibit 1

Your application for a Mitigation Bank Permit is approved. This action is taken based on Chapter 373, Part IV, of Florida Statutes (F.S.) and the rules in Chapter 62-330 and 62-342, Florida Administrative Code (F.A.C.). Unless otherwise stated, this permit constitutes certification of compliance with state water quality standards under section 401 of the Clean Water Act, 33 U.S.C. 1341, and a finding of consistency with the Florida Coastal Management Program. Please read this entire agency action thoroughly and understand its contents.

This permit is subject to:

- Not receiving a filed request for a Chapter 120, F.S., administrative hearing.
- The attached General Conditions for Environmental Resource Permits.
- The attached Special Conditions.
- All referenced Exhibits.

All documents are available online through the District's ePermitting site at www.sfwmd.gov/ePermitting.

If you object to these conditions, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance with the "Notice of Rights", we will assume that you concur with the District's action.

The District does not publish notices of action. If you wish to limit the time within which a person may request an administrative hearing regarding this action, you are encouraged to publish, at your own expense, a notice of agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Legal requirements and instructions for publishing a notice of agency action, as well as a noticing format that can be used, are available upon request. If you publish a notice of agency action, please send a copy of the affidavit of publication provided by the newspaper to the District's West Palm Beach office for retention in this file.

If you have any questions regarding your permit or need any other information, please call us at 1-800-432-2045 or email epermits@sfwmd.gov.

A handwritten signature in blue ink that reads "Lisa Prather".

Lisa Prather, PWS
Section Administrator

Permittees:

UMAM, LLC
205 Abbey St
Birmingham, MI 48009

Shingle Creek Mitigation Group, LP
612 East 11 Mile Road
Royal Oak, MI 48067

**South Florida Water Management District
Mitigation Bank Permit No. 49-01937-M**

Date Issued:	July 27, 2023	Expiration Date:	July 27, 2028
Project Name:	Shingle Creek Mitigation Bank		
Permittees:	UMAM, LLC 205 Abbey St Birmingham, MI 48009 Shingle Creek Mitigation Group, LP 612 East 11 Mile Road Royal Oak, MI 48067		
Operating Entity:	UMAM, LLC 205 Abbey St Birmingham, MI 48009 Shingle Creek Mitigation Group, LP 612 East 11 Mile Road Royal Oak, MI 48067		
Location:	Osceola County		
Permit Acres:	534.96 acres		
Special Drainage District:	N/A		
Water Body Classification:	CLASS III		
FDEP Water Body ID:	3169A		
Total Potential Credits:	0.00		
Conservation Easement to District:	Yes		
Sovereign Submerged Lands:	No		

Project Summary

The Environmental Resource Permit authorized construction and operation of a 534.96 acre mitigation bank project known as Shingle Creek Mitigation Bank in Osceola County.

Project Site Description

Shingle Creek Mitigation Bank (SCMB) is located southwest of Kissimmee, off of Old Tampa Highway, southeast of Poinciana Boulevard and encompasses portions of Shingle Creek in Sections 30 and 31, Township 25S, Range 29E and Sections 25 and 36, Township 25S, Range 28E in Osceola County. To the north of the project lies property in both public and private ownership. To the west the property borders Poinciana Boulevard, a residential development, County owned property and District owned Save Our

Rivers (SOR) lands. To the south the property borders Old Tampa Highway and undeveloped wetlands under private ownership. To the east, the property borders a residential development and an industrial park.

Current Authorization (Application No. 210525-6295)

This modification authorizes the removal of a 17.94 acre parcel from the mitigation bank and the addition of a 29.27 acre parcel to the mitigation bank. This exchange results in a total of 534.96 acres in the mitigation bank, and the removal of 2.47 forested credits from the ledger. This modification also corrects errors in the credit calculations from previous reductions in bank area via Applications 150709-20 and 170330-12. The new parcel has the potential to gain 2.47 forested credits but no credits are currently released for the new addition.

Refer to Exhibit 6.0 for the updated mitigation bank ledger.

Background

On December 21, 1999 a Noticed General Permit (No. 49-01018-P) was issued for a project known as Logging a Cypress Swamp.

Permit Modification History

On January 13, 2009, an ERP was issued to construct and operate a 619-acre mitigation bank. [Application No. 070321-21]

On October 28, 2013, a modification was issued for a five year permit extension. [Application No. 130925-9]

On April 8, 2016, a minor modification was issued for the proportional adjustment of mitigation bank credits and financial assurance to correspond to a 84.99 acre reduction in project acreage, as well as, the addition of a new permittee. [Application No. 150709-20]

On May 16, 2017, a minor modification was issued for an adjustment of mitigation bank credits to correspond with a 10.11 acre reduction in project acreage. [Application No. 170330-12]

On November 14, 2018, a minor modification was issued to modify the Work Schedule due dates. [Application No. 181109-2]

Please see Exhibit 5.0 for a list of authorizations that constitute this permit.

Ownership, Operation and Maintenance

Perpetual operation and maintenance of the stormwater management system will be the responsibility of Shingle Creek Mitigation Group, LP and UMAM, LLC. Upon conveyance or division of ownership or control of the property or the system, the permittee must notify the Agency in writing within 30 days, and the new owner must request transfer of the permit.

The Permittee has provided the existing Access Easment (Exhibit 4.1) recorded in Osceola County ORB 3759, PG 1912 for the access to the added parcel in the South East portion of the permitted area.

The applicant provided an additional draft Access Easement (Exhibit 4.0) that will grant the South Florida Water Management District ingress and egress to the Conservation Easement area. Within 30 days of permit issuance, a copy of the executed and recorded easement must be provided to the District's Environmental Resource Compliance staff.

Engineering Evaluation:

Water Quality

There are no construction activities planned for this project, therefore, no adverse water quality impacts are anticipated as a result of the proposed project since the pre-development condition is the same as the post-development condition with respect to the site's surface water flow. Also, removal of the feral pig population will result in less rutting and thus less soil erosion from the site, and removal of the cattle will result in water quality improvements due to decreased nutrient loading and fewer eroded cattle crossings in the area.

Water Quantity

There are no works planned for this phase of the mitigation bank. Therefore, the post-development discharge will be the same as the pre-development discharge.

Environmental Evaluation:

Environmental Evaluation

This application (210525-6295) is to authorize the removal of a 17.94 acre parcel from the mitigation bank and to add a 29.27 acre parcel to the bank. The locations of the removal and addition parcels are shown in Exhibit 3.0.1. The parcel removal results in the reduction of total potential credits for the bank by 2.47 forested credits. The ledger has been updated to reflect the 17.94 acre removal, and the total number of released credits has been corrected to account for errors in the credit releases from Applications 150709-20 and 170330-12. The credit releases that have previously occurred were based on percentages of the total number of potential credits, and have been adjusted to reflect the new total potential credits following the parcel removals in Applications 150709-20, 170330-12, and 210525-6295. See Exhibit 3.4.1 for the UMAM scoring for the parcel addition and the ledger correction calculations. The updated ledger can be found in Exhibit 6.0. The closing balance on the ledger is 8.59 forested credits and -0.91 herbaceous credits.

The new parcel has the potential to gain 2.47 forested credits as shown in the table below, but no credits are currently released for the new addition.

Mitigation Plan

The proposed mitigation plan and success criteria for the 29.27 acre parcel addition can be found in Exhibit 3.0.1. The plan includes treatment of nuisance and exotic vegetation, planting of basin swamp trees and groundcover species, removal of interior fencing, and installation of external fencing. The addition parcel will be incorporated into the annual monitoring plan that is currently implemented for the existing bank area.

The financial assurance mechanism is also being updated to account for the acreage change, see Exhibit 3.1.1. The updated cost estimates can be found in the ePermitting file. A conservation easement will be recorded over the addition parcel, and a title insurance commitment is required. See Exhibit 3.2.1 for the draft conservation easement, and Exhibit 3.3.1 for the title commitment.

All special conditions, work schedules, and exhibits as found in Permit No. 49-01937-M continue to apply unless otherwise modified by the District. See Exhibit 5.0.

Environmental Evaluation Tables:

Summary

Wetlands and Other
Surface Waters: 464.61 acres

Wetland and Other
Surface Water Impacts: 0 acres

Total Onsite Mitigation
Area: 536.08 acres

Is a conservation
easement proposed?:

Shingle Creek Mitigation Bank

UMAM Mitigation and Preservation

ID	Acres	Action	Existing Community Description	Proposed Community Description	Current or Without Preserve Score	With Project Score	Time Lag Years.	Risk	P. A. F.	UMAM Gain
SW1	0.7	Preservation	Rivers, Streams and Waterways	Rivers, Streams and Waterways	0.53	0.56	1	1	0.8	0.017
U1f	15.23	Preservation	Pine-Mesic Oak	Pine-Mesic Oak	0.05	0.7	1	1	0.8	7.920
U1h	9.24	Preservation	Pastures	Pastures	0.05	0.7	1	1	0.8	4.805
U2	21.2	Preservation	Pine Flatwoods	Pine Flatwoods	0.05	0.7	1	1	0.8	11.024
U3	25.8	Preservation	Pine Flatwoods	Pine Flatwoods	0.05	0.7	1	1	0.8	13.416
W1f	271.54	Preservation	Mixed Wetland Hardwoods	Mixed Wetland Hardwoods	0.5	0.6	1	1	0.8	21.723
W1h	43.5	Preservation	Vegetated Non- Forested Wetlands	Vegetated Non- Forested Wetlands	0.5	0.6	1	1	0.8	3.480
W2	63.2	Preservation	Mixed Wetland Hardwoods	Mixed Wetland Hardwoods	0.5	0.6	1	1	0.8	5.056
W3	56.4	Preservation	Mixed Wetland Hardwoods	Mixed Wetland Hardwoods	0.5	0.6	1	1	0.8	4.512
Total: 506.81										71.953

29.27 Acre Addition

UMAM Mitigation and Preservation

ID	Acres	Action	Existing Community Description	Proposed Community Description	Current or Without Preserve Score	With Project Score	Time Lag Years.	Risk	P. A. F.	UMAM Gain
W1	23.9	Restoration	Basin Swamp	Basin Swamp	0.5	0.7	16 - 20	1.5	1.0	1.897
W2	5.37	Enhancement	Basin Swamp	Basin Swamp	0.6	0.733	1	1	0.8	0.571
Total: 29.27										2.468

Related Concerns:**Historical/Archeological Resources**

No information has been received that indicates the presence of archaeological or historical resources or that the proposed activities could cause adverse impacts to archaeological or historical resources.

Water Use Permit Status

The applicant has indicated that dewatering is not required for this project. This permit does not release the permittee from obtaining all necessary Water Use authorization(s) prior to the commencement of activities which will require such authorization, including construction dewatering and irrigation, unless the work qualifies for a No-Notice Short-Term Dewatering permit pursuant to Chapter 40E-20.302(3) or is exempt pursuant to Section 40E-2.051, FAC.

General Conditions for Individual Environmental Resource Permits, 62-330.350, F.A.C.

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation, June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," (October 1, 2013), (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505>), incorporated by reference herein, indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C., and shall be submitted electronically or by mail to the Agency. However, for activities involving more than one acre of construction that also require a NPDES stormwater construction general permit, submittal of the Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities, DEP Form 62-621.300(4)(b), shall also serve as notice of commencement of construction under this chapter and, in such a case, submittal of Form 62-330.350(1) is not required.
5. Unless the permit is transferred under rule 62-330.340, F.A.C., or transferred to an operating entity under rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms, and conditions of the permit for the life of the project or activity.
6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex- "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit"[Form 62-330.310(3)]; or
 - b. For all other activities- "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
 - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
7. If the final operation and maintenance entity is a third party:
 - a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.4 of Volume I) as filed with the Florida Department of State, Division of Corporations, and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the

County in which the activity is located.

- b. Within 30 days of submittal of the as-built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation and Maintenance Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
9. This permit does not:
 - a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the Agency in writing:
 - a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.
13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.
14. If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, stone tools, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section (DHR), at (850)245-6333, as well as the appropriate permitting agency office. Project activities shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and the proper authorities notified in accordance with section 872.05, F.S. For project activities subject to prior consultation with the DHR and as an alternative to the above requirements, the permittee may follow procedures for unanticipated discoveries as set forth within a cultural resources assessment survey determined complete and sufficient by DHR and included as a specific permit condition herein.

15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.
16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.
17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.
18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

Special Conditions for Individual Environmental Resource Permits, 62-330.350, F.A.C.

1. The construction phase of this permit shall expire on the shown on Page 2.
2. Operation and maintenance of the stormwater management system shall be the responsibility of Shingle Creek Mitigation Group, LP and UMAM, LLC. The permittee shall notify the Agency in writing within 30 days of any conveyance or division of ownership or control of the property or the system, and the new owner must request transfer of the permit in accordance with Rule 62-330.340, F.A.C.
3. Submit an executed recorded copy of the Access Easement granted to the South Florida Water Management District must be provided to the District's ERB staff within 30 days of permit issuance.
4. (a) In accordance with the schedule attached as Exhibit No. 2 (see Application No. 070321-21) and prior to the release of any credits from the bank, the permittee shall submit to the District, for review and approval in accordance with Exhibit No. 2 (see Application No. 070321-21) , two (2) copies of the following:
 1. Final executed draft in recordable form of conservation easement.
 2. Site map of conservation easement
 3. Signed and sealed survey by professional surveyor with legal description
 4. Certified appraisal of the market value of property
 5. Title insurance commitment and owner's title policy
- (b) Within 30 days of District approval of the above listed items, the permittee shall record a conservation easement for the 534.95 acres bank property for which the release of credits is sought and submit two (2) certified copies to the district. The conservation easement shall be granted to the District and FDEP and shall contain the activity restrictions set forth in section 704.06(1) F.S. The recorded conservation easement shall be in conformance with the draft conservation easement attached as Exhibit No. 2. The District must approve any amendments to the conservation easement.
- (c) Prior to recordation of the conservation easement for the bank project, the bank sponsor shall procure waivers of surface exploration rights for the bank site. the waiver form shall be subject to the approval of the District prior to recordation of the conservation easment.
5. All contractors must be provided with a copy of the staff report and permit conditions prior to the commencement of construction. The permittee is responsible for ensuring that all contractors adhere to the project details and methods indicated on the attached permit Exhibits and described herein.
6. The permittee shall, every two years, adjust the amount of financial responsibility provided for the implementation and long term management of the bank. The cost adjustment, along with supporting documentation, shall be submitted to the District for review and approval. Any significant change in the cost estimate (>10%) may result in a modification to required deposits into the construction and implementation fund. The amount of financial responsibility provided for construction and implementation shall be adjusted as follows:
 - (A) The permittees shall, every two (2) years, adjust the amount of financial responsibility provided for construction and implementation and for the long-term management of the bank. Every two (2) years, the permittees shall submit to the District a cost adjustment statement accompanied by supporting, verifiable documentation based upon a third party performing the work at the fair market value of the

services. Mitigation implementation and long term management costs shall be listed separately. The cost adjustment statements shall include inflation as well as changes in the cost to carry out the construction and implementation (i.e., initial exotic species removal and control, planting, structure installation, consultant fees, monitoring activities and reports) and long term management (i.e., nuisance/exotic species control, maintenance of fences, consultant fees, monitoring activities and reports, and any other costs associated with long-term management) activities required for compliance with this permit.

(B) If the value of the construction and implementation performance bond is less than the total amount of the current implementation cost estimate, or if the annual interest generated by the long-term management trust fund is less than the currently estimated annual costs of long-term management, the permittees shall upon District approval of the cost adjustment statement, increase the value of the financial mechanism(s) to reflect the new estimate within 60 days.

(C) If the value of the implementation performance bond is greater than the total amount of the current construction and implementation cost estimate, or if the annual interest generated by the long-term management trust fund is greater than the currently estimated annual costs of long-term management, the permittees may reduce the value of the financial assurance mechanism(s) to reflect the new estimate upon receiving District approval of the cost adjustment statement.

(D) The permittees shall adjust the amount of the implementation performance bond and/or long-term management trust fund at times other than the cost adjustment period when the costs associated with compliance with the permit conditions exceed the current amount of financial responsibility and such financial assurances are deemed necessary to ensure compliance with the permit conditions.

(E) Upon completion of an activity, the permittee may request a reduction in the required amount of the implementation performance bond to the amount specified in the most recent required cost estimate for the remaining phases of construction (Exhibit 2 ((see Application No. 070321-21) or the most recent cost adjustment).

7. The permittees shall maintain in perpetuity all of the physical components of the mitigation bank, including fences, access gate(s), signage and other physical components necessary for the continued operation, maintenance and long-term management of this mitigation bank as permitted. This permit does not authorize any construction or earthwork activities except for those explicitly described within the staff report.
8. Any future changes in land use or treatment of wetland and/or upland areas may require a permit modification and additional review by District environmental/engineering staff. Prior to the permittee instituting any future changes not authorized by this permit, the permittee shall notify the District of such intentions for a determination of any necessary permit modifications.
9. This application authorizes a total of 71.95 credits for the preservation of the property which includes recording a conservation easement over 534.96 acres, establishment of financial assurances in accordance with the special conditions and attached exhibits, removal and control of nuisance and exotic species and the implementation of a land management plan as described in the staff report and the special conditions of this application. The applicant may submit a request to modify this permit to perform additional activities, including hydrologic enhancement, which may result in the realization of additional credits. The future modification(s) will be based on the potential for additional vegetative improvement as well as hydrologic enhancement/restoration of the mitigation bank site. The potential hydrologic improvements will likely include the construction of control structures and berms where uncontrolled runoff currently occurs into the creek and/or into Oren Brown Canal. In order for the

applicant to demonstrate the amount of hydrologic, vegetative and ecological improvement that may occur, a comprehensive and quantifiable baseline conditions report as well as measurable success criteria must be submitted. Although the information submitted thus far relies on performance based success criteria, the analysis must also include a comparison of current hydrologic and vegetative conditions to potential future conditions in order to demonstrate the potential lift. The vegetative components of the baseline report must include, but are not limited to: - Established transects and quadrats with permanent photostations - List and percent cover of all species contained within each transect and quadrat - Percent cover of OBL, FACW, FAC and UPL species within each transect and quadrat - Quantitative description and list of canopy trees including percent cover and DBH - Nuisance and exotic vegetation coverage within each monitoring area - Wildlife observations The hydrologic elements of the baseline report must include but are not limited to: - An analysis of both the current and proposed condition in sufficient detail to support the proposed enhancement credit for the hydroperiod of each mitigation polygon - Hydrologic measurements including depth and duration of saturation/inundation. - Construction details of all structures and proposed earthwork The success criteria for the project must include: - Specific quantifiable goals of the proposed enhancement activities - Specify a reference wetland for each habitat type - A detailed planting plan for each polygon - UMAM data sheets for each polygon - Specific success criteria for each polygon. The documentation of the factors listed above will be utilized to determine the full number of potential credits that are available to the bank. The vegetative elements, in particular, are critical components of the current mitigation plan for preservation only as they will document the potential for future enhancement credit over and above the preservation element. At this time, the District has not made a determination as to the potential number of credits that may be generated as a result of future modifications to the permit.

10. The mitigation plan includes the removal of feral pigs from the property. The control of feral pigs shall be the responsibility of the applicant and shall in no way be interpreted to allow for hunting of native species on the property. In addition, the management and results of this activity shall be reported to the District in the annual monitoring reports.
11. A maintenance program shall be implemented in accordance with Exhibit No. 2 (see Application No. 070321-21) for the mitigation bank on a regular basis to ensure the integrity and viability of those areas as permitted. Coverage of exotic and nuisance species shall not exceed 1% total areal coverage after 5 years. Maintenance shall be conducted in perpetuity to ensure that the mitigation bank is maintained free from Category 1 exotic vegetation (as defined by the Florida Exotic Pest Plant Council at the time of permit issuance) immediately following a maintenance activity. In addition, the permittee shall manage the conservation areas such that nuisance plant species do not exceed 10% of areal cover.
12. The permittee shall be responsible for the successful completion of the mitigation bank, including the monitoring and maintenance of the bank for the duration of the mitigation plan, in accordance with the attached exhibits.
13. The work schedule shown in Exhibit 2 (see Application No. 070321-21) shall be implemented regarding the release of credits for sale within the mitigation bank.
14. A mitigation program for the Shingle Creek Mitigation Bank shall be implemented in accordance with the attached Exhibits. The permittee shall preserve 534.96 acres .
15. The District reserves the right to require remedial measures to be taken by the permittee if monitoring or other information demonstrates that adverse impacts to onsite or offsite wetlands, upland conservation areas or buffers, or other surface waters have occurred due to project related activities.

16. The mitigation bank credit ledger shall reflect a total of 71.95 credits which includes 63.67 forested credits and 8.28 herbaceous credits. The credits shall be released in accordance with the credit release schedule outlined below:

20% (12.73 forested credits, 1.65 herbaceous credits) Submit conservation easement and financial assurance documentation

20% (12.73 forested credits, 1.65 herbaceous credits) Installation of perimeter fencing, removal of interior fencing and signage

5% (3.18 forested credits, 0.41 herbaceous credits) Removal and control of feral pigs

45% (28.65 forested credits, 3.72 herbaceous credits) Nuisance and exotic vegetation removal and control

10% (6.37 forested credits, 0.82 herbaceous credits) Reserve (Successful completion of five year monitoring program)

17. A monitoring program shall be implemented in accordance with Exhibit No. 2 (see Application No. 070321-21). Short-term monitoring reports must be submitted annually and must be conducted in accordance with the approved Monitoring Plan.

The short term reports must include all of the information identified in the monitoring section of the approved mitigation plan and information sufficient to demonstrate whether the success criteria are being achieved.

Once the bank has achieved success, long-term (perpetual) monitoring reports must be submitted annually, by January 31st for the previous year. All reports must include the information identified in the monitoring section of the approved mitigation plan, must demonstrate how the bank is continuing to meet (or not meet) the goals and objectives of the mitigation bank plan, and must include a log and aerial showing the location of all maintenance activities undertaken during the previous year and scheduled for the following year. These activities include, but are not limited to, floral and faunal exotic and nuisance treatment/control, and any other management activities performed, or scheduled to be performed, on the mitigation bank property.

18. Project implementation, maintenance/monitoring and long term management shall be accomplished in accordance with the attached Exhibits and in accordance with the Special Conditions outlined herein. Additionally, issuance of this permit is based on the District's reliance on information submitted and commitments made by the permittees that the proposed mitigation design presented in Exhibits will be achieved and that the targeted success criteria outlined in the staff report and in Exhibit 2 will be met. If at any time, the District determines that the targeted success criteria have not or are not being met for any phase and/or that the milestone events identified in the credit release schedule contained in Exhibit 2 have not been satisfactorily accomplished, then no mitigation credits shall be withdrawn or released, including for other activities, until it is demonstrated that the targeted success criteria and/or milestone events have been achieved.

19. The permittee acknowledges, that pursuant to Rule 40E-4.101(2), F.A.C., a notice of Environmental Resource or Surface Water Management Permit may be recorded in the county public records. Pursuant to the specific language of the rule, this notice shall not be considered an encumbrance upon the property.

20. Prior to the release of any credits, and within 30 days of permit issuance, the permittee shall provide the District with documentation that a trust fund in the amount of \$386,444.40 has been established for the long term management of the Shingle Creek Mitigation Bank.
21. In conformance with the work schedule in Exhibit 2 (see Application No. 070321-21), the permittee shall provide an original letter of credit in the amount of \$245,080.00 to ensure the permittee's financial ability and commitment to complete the proposed mitigation, monitoring and maintenance plan. The financial assurance shall be in substantial conformance with Exhibit No. 2 (see Application No. 070321-21). The financial assurance shall be in effect for the entire period of the mitigation and monitoring program. Notification to the District by the financial institution or surety that the financial assurance will not be renewed or is no longer in effect shall constitute non-compliance with the permit.
22. Activities associated with the implementation of the mitigation, monitoring and maintenance plan(s) shall be completed in accordance with the work schedule attached as Exhibit 2 (see Application No. 070321-21). Any deviation from these time frames will require prior approval from the District's Environmental Resource Compliance staff. Such requests must be made in writing and shall include (1) reason for the change, (2) proposed start/finish and/or completion dates; and (3) progress report on the status of the project development or mitigation effort.
23. For the 29.27 acre parcel addition authorized under Application 210525-6295:
- A) Prior to the commencement of construction, and in accordance with the work schedule herein, the permittee shall submit for review and approval, one copy of the following as a package for review by District real estate staff:
1. Project map identifying conservation areas
 2. Legal description of conservation areas
 3. Signed amended conservation easement form
 4. Sealed boundary survey of conservation area(s) by professional Land surveyor
 5. Title insurance commitment for the conservation easement naming the District as beneficiary using approved valuation. See Exhibit 3.3.1.
 6. Data in accordance with paragraph E (below).
- B) The real estate information referenced in paragraph (A) above shall be reviewed by the District in accordance with the District's real estate review requirements. The easement shall be granted free of mortgages, liens, easements or other encumbrances or interests which the District staff states are contrary to the intent of the easement. The easement shall not be recorded until such approval is received.
- C) Once the Draft Amended Conservation Easement form is approved by the District, the permittee may commence with the Mitigation Plan. Upon completion of Phase 1 of the planting plan as outlined in the Mitigation Plan attached as Exhibit 3.0.1., the permittee shall record the Amended Conservation Easement over the real property designated as conservation/preservation areas on Exhibit 3.2.1, adding the 29.27 acre parcel constituting the additional conservation easement area and removing the 17.94 acre parcel constituting the removed conservation easement area. This Exhibit shall not be modified without a permit modification.
- D) In the event the conservation easement real estate information reveals encumbrances or interests in the easement which the District staff states are contrary to the intent of the easement, the permittee shall be required to provide release or subordination of such encumbrances or interests. If such are not

obtained, permittee shall be required to apply for a modification to the permit for alternative acceptable mitigation.

E) A CD or DVD containing the easement data supplied in a digital ESRI Geodatabase (mdb), ESRI Shapefile (shp) or AutoCAD Drawing Interchange (dxf) file format using Florida State Plane coordinate system, East Zone (3601), Datum NAD83, HARN with the map units in feet, shall be submitted.

F) Upon recordation of the amended conservation easement in the public records of Osceola County, the permittee shall submit one certified copy of the recorded conservation easements for the preservation/mitigation areas, and title insurance policy, via ePermitting or to the Environmental Resource Compliance staff in the local District service center.

24. A monitoring program shall be implemented for the mitigation bank in accordance with the updated Exhibit 3.0.1., with annual reports submitted to District staff.

25. For the 29.27 acre addition authorized under Application 210525-6295, the planting and mitigation plan shall be conducted in accordance with Exhibit 3.0.1.

Project Work Schedule for Permit No. 49-01937-M

The following activities are requirements of this Permit and shall be completed in accordance with the Project Work Schedule below. Please refer to General Conditions, Special Conditions and/or Specific Conditions for more information. Any deviation from these time frames will require prior approval from the District's Environmental Resources Bureau and may require a modification to this permit. Such requests must be made in writing and shall include: (1) reason for the change, (2) proposed start/finish and/or completion dates, and (3) progress report on the status of the project.

Condition No.	Date Added	Description (Application Number)	Due Date	Date Satisfied
SC 11	04/30/2024	Scmb Submit Original Long Term Mgmt Trust Fund	04/15/2008	04/21/2016
SC 11	04/30/2024	Scmb Submit Original Letter Of Credit	04/15/2008	04/21/2016
SC 11	04/30/2024	Scmb Remove Cattle Lease	04/15/2008	04/20/2016
SC 11	04/30/2024	Scmb Install Perimeter Fencing	07/01/2009	01/11/2017
SC 11	04/30/2024	Scmb Install Signage	07/01/2009	01/11/2017
SC 11	04/30/2024	Scmb Submit Baseline Monitoring Report	12/31/2027	07/17/2017
GC 2	02/18/2020	Certification (200130-2665)	02/17/2021	03/06/2023
GC 7	01/13/2009	Conversion/Transfer (070321-21)	01/13/2010	
SC 3	04/30/2024	Submit Recorded Access Easement granted to the SFWMD	Within 30 days of permit issuance	
SC 16	04/30/2024	Scmb Submit Monitoring Report 1	12/18/2018	10/23/2019
SC 16	04/30/2024	Scmb Submit Monitoring Report 2	03/19/2022	01/29/2021
SC 16	04/30/2024	Scmb Submit Monitoring Report 3	02/22/2022	02/03/2022
SC 16	04/30/2024	Scmb Submit Monitoring Report 4	02/22/2023	05/02/2023
SC 16	04/30/2024	Scmb Submit Monitoring Report 5	02/22/2024	02/07/2024
SC 16	04/30/2024	Scmb Submit Monitoring Report 6	02/22/2025	
SC 16	04/30/2024	Scmb Submit Monitoring Report 7	02/22/2026	
SC 16	04/30/2024	Scmb Submit Monitoring Report 8	02/22/2027	
SC 17	01/13/2009	Submittal Of Doc In Association With Conservation Easement (070321-21)	07/22/2016	04/25/2018
SC 23	04/30/2024	Application 210525-6295: Submit Real Estate Package For CE	Within 30 days of Phase 1 Completion	
SC 25	04/30/2024	Application 210525-6295: Submit Time Zero Report for Planted Areas	Within 30 days after Planting Complete Date	

GC = General Condition

SC = Special Condition

Distribution List

Julie Sullivan, ESA

Osceola County Engineer

US Army Corps of Engineers

Exhibits

The following exhibits to this permit are incorporated by reference. The exhibits can be viewed by clicking on the links below or by visiting the District's ePermitting website at <http://my.sfwmd.gov/ePermitting> and searching under this application number 210525-6295.

[Exhibit No. 1.0 Location Map](#)

[Exhibit No. 3.0.1 Mitigation Plan - 29 Acre Addition](#)

[Exhibit No. 3.1.1 Financial Assurance Update - 29 Acre Addition](#)

[Exhibit No. 3.2.1 Draft Conservation Easement Amendment](#)

[Exhibit No. 3.3.1 Title Insurance Commitment - 29 Acre Addition](#)

[Exhibit No. 3.4.1 UMAM and Credit Adjustment - 29 Acre Addition](#)

[Exhibit No. 4.0 Access Easement \(SFWMD\)](#)

[Exhibit No. 4.1 Access Easement \(Recorded\)](#)

[Exhibit No. 5.0 Permit History](#)

[Exhibit No. 6.0 Mitigation Bank Ledger](#)

NOTICE OF RIGHTS

As required by Chapter 120, Florida Statutes, the following provides notice of the opportunities which may be available for administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, or judicial review pursuant to Section 120.68, Florida Statutes, when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Some of the legal proceedings detailed below may not be applicable or appropriate for your situation. You may wish to consult an attorney regarding your legal rights.

RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Florida Statutes. Persons seeking a hearing on a District decision which affects or may affect their substantial interests shall file a petition for hearing in accordance with the filing instructions set forth herein within 21 days of receipt of written notice of the decision unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Florida Statutes; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Florida Statutes. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, posting, or publication that the District has taken or intends to take final agency action. Any person who receives written notice of a District decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action that materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional point of entry pursuant to Rule 28-106.111, Florida Administrative Code.

Any person to whom an emergency order is directed pursuant to Section 373.119(2), Florida Statutes, shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The District may grant the request for good cause. Requests for extension of time must be filed with the District prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and whether the District and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

FILING INSTRUCTIONS

A petition for administrative hearing must be filed with the Office of the District Clerk. Filings with the Office of the District Clerk may be made by mail, hand-delivery, or e-mail. Filings by facsimile will not be accepted. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Office of the District Clerk at the District's headquarters in West Palm Beach, Florida. The District's normal business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Any document received by the Office of the District Clerk after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day.

Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33406.

- Filings by hand-delivery must be delivered to the Office of the District Clerk. Delivery of a petition to the District's security desk does not constitute filing. It will be necessary to request that the District's security officer contact the Office of the District Clerk. An employee of the District's Clerk's office will receive and process the petition.
- Filings by e-mail must be transmitted to the Office of the District Clerk at clerk@sfwmd.gov. The filing date for a document transmitted by electronic mail shall be the date the Office of the District Clerk receives the complete document.

INITIATION OF ADMINISTRATIVE HEARING

Pursuant to Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Rules 28-106.201 and 28-106.301, Florida Administrative Code, initiation of an administrative hearing shall be made by written petition to the District in legible form and on 8 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, District file number or any other District identification number, if known.
2. The name, address, any email address, any facsimile number, and telephone number of the petitioner, petitioner's attorney or qualified representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the District's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the District's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the District's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the District to take with respect to the District's proposed action.

MEDIATION

The procedures for pursuing mediation are set forth in Section 120.573, Florida Statutes, and Rules 28-106.111 and 28-106.401–.405, Florida Administrative Code. The District is not proposing mediation for this agency action under Section 120.573, Florida Statutes, at this time.

RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Section 120.68, Florida Statutes, and in accordance with Florida Rule of Appellate Procedure 9.110, a party who is adversely affected by final District action may seek judicial review of the District's final decision by filing a notice of appeal with the Office of the District Clerk in accordance with the filing instructions set forth herein within 30 days of rendition of the order to be reviewed, and by filing a copy of the notice with the appropriate district court of appeals via the Florida Courts E-Filing Portal.



South Florida Water Management District
Mitigation Bank Permit No. 49-01937-M
Date Issued: October 28, 2013
Modified On: May 30, 2024

Permittee: UMAM, LLC
Shingle Creek Mitigation Group, LP

Project: Shingle Creek Mitigation Bank

Application No. 220222-33299

Location: Osceola County, See Exhibit 1

Your application for a Mitigation Bank Permit is approved. This action is taken based on Chapter 373, Part IV, of Florida Statutes (F.S.) and the rules in Chapter 62-330 and 62-342, Florida Administrative Code (F.A.C.). Unless otherwise stated, this permit constitutes certification of compliance with state water quality standards under section 401 of the Clean Water Act, 33 U.S.C. 1341, and a finding of consistency with the Florida Coastal Management Program. Please read this entire agency action thoroughly and understand its contents.

This permit is subject to:

- Not receiving a filed request for a Chapter 120, F.S., administrative hearing.
- The attached General Conditions for Environmental Resource Permits.
- The attached Special Conditions.
- All referenced Exhibits.

All documents are available online through the District's ePermitting site at www.sfwmd.gov/ePermitting.

If you object to these conditions, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance with the "Notice of Rights", we will assume that you concur with the District's action.

The District does not publish notices of action. If you wish to limit the time within which a person may request an administrative hearing regarding this action, you are encouraged to publish, at your own expense, a notice of agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Legal requirements and instructions for publishing a notice of agency action, as well as a noticing format that can be used, are available upon request. If you publish a notice of agency action, please send a copy of the affidavit of publication provided by the newspaper to the District's West Palm Beach office for retention in this file.

If you have any questions regarding your permit or need any other information, please call us at 1-800-432-2045 or email epermits@sfwmd.gov.

A handwritten signature in black ink, reading "Richard Lott".

Richard Lott, P.G., P.E.
Section Leader, Engineer

Permittees:

UMAM, LLC
205 Abbey St
Birmingham, MI 48009

Shingle Creek Mitigation Group, LP
612 East 11 Mile Road
Royal Oak, MI 48067

**South Florida Water Management District
Mitigation Bank Permit No. 49-01937-M**

Date Issued: October 28, 2013

Expiration Date: October 28, 2018

Modified On: May 30, 2024

Project Name: Shingle Creek Mitigation Bank

Permittees: UMAM, LLC
205 Abbey St
Birmingham, MI 48009

Shingle Creek Mitigation Group, LP
612 East 11 Mile Road
Royal Oak, MI 48067

Operating Entity: UMAM, LLC
205 Abbey St
Birmingham, MI 48009

Shingle Creek Mitigation Group, LP
612 East 11 Mile Road
Royal Oak, MI 48067

Location: Osceola County

Permit Acres: 534.96 acres

Special Drainage District: N/A

Water Body Classification: CLASS III
CLASS III

FDEP Water Body ID: 3169A
3169B

Total Potential Credits: 0.00

Conservation Easement to District: Yes

Sovereign Submerged Lands: No

Project Summary

The Environmental Resource Permit authorized construction and operation of a 534.96 acre mitigation bank project known as Shingle Creek Mitigation Bank in Osceola County.

Project Site Description

Shingle Creek Mitigation Bank (SCMB) is located southwest of Kissimmee, off of Old Tampa Highway, southeast of Poinciana Boulevard and encompasses portions of Shingle Creek in Sections 30 and 31, Township 25S, Range 29E and Sections 25 and 36, Township 25S, Range 28E in Osceola County. To the north of the project lies property in both public and private ownership. To the west the property borders Poinciana Boulevard, a residential development, County owned property and District owned Save Our Rivers (SOR) lands. To the south the property borders Old Tampa Highway and undeveloped wetlands under private ownership. To the east, the property borders a residential development and an industrial park.

Current Authorization (Application No. 220222-33299)

This modification authorizes the release of 5.90 forested and 1.05 herbaceous credits associated with the second interim release for nuisance and exotic vegetation control.

Refer to Exhibit 6.0 for the updated mitigation bank ledger.

Background

On December 21, 1999 a Noticed General Permit (No. 49-01018-P) was issued for a project known as Logging a Cypress Swamp.

Permit Modification History

On January 13, 2009, an ERP was issued to construct and operate a 619-acre mitigation bank. [Application No. 070321-21]

On October 28, 2013, a modification was issued for a five year permit extension. [Application No. 130925-9]

On April 8, 2016, a minor modification was issued for the proportional adjustment of mitigation bank credits and financial assurance to correspond to a 84.99 acre reduction in project acreage, as well as, the addition of a new permittee. [Application No. 150709-20]

On May 16, 2017, a minor modification was issued for an adjustment of mitigation bank credits to correspond with a 10.11 acre reduction in project acreage. [Application No. 170330-12]

On November 14, 2018, a minor modification was issued to modify the Work Schedule due dates. [Application No. 181109-2]

On July 27, 2023, a major modification was issued to remove a 17.94 acre parcel from the mitigation bank and add a 29.27 acre parcel. The ledger was adjusted to account for the swap and previous calculation errors. [Application No. 210525-6295]

Please see Exhibit 5.0 for a list of authorizations that constitute this permit.

Ownership, Operation and Maintenance

Perpetual operation and maintenance of the stormwater management system will be the responsibility of Shingle Creek Mitigation Group, LP and UMAM, LLC. Upon conveyance or division of ownership or control of the property or the system, the permittee must notify the Agency in writing within 30 days, and the new owner must request transfer of the permit.

The Permittee has provided the existing Access Easment (Exhibit 4.1) recorded in Osceola County ORB 3759, PG 1912 for the access to the added parcel in the South East portion of the permitted area.

The applicant provided an additional draft Access Easement (Exhibit 4.0) that will grant the South Florida Water Management District ingress and egress to the Conservation Easement area. Within 30 days of permit issuance, a copy of the executed and recorded easement must be provided to the District's Environmental Resource Compliance staff.

Environmental Evaluation:

Application (210525-6295) is to authorize the removal of a 17.94 acre parcel from the mitigation bank and to add a 29.27 acre parcel to the bank. The locations of the removal and addition parcels are shown in Exhibit 3.0.1. The parcel removal results in the reduction of total potential credits for the bank by 2.47 forested credits. The ledger has been updated to reflect the 17.94 acre removal, and the total number of released credits has been corrected to account for errors in the credit releases from Applications 150709-20 and 170330-12. The credit releases that have previously occurred were based on percentages of the total number of potential credits, and have been adjusted to reflect the new total potential credits following the parcel removals in Applications 150709-20, 170330-12, and 210525-6295. See Exhibit 3.4.1 for the UMAM scoring for the parcel addition and the ledger correction calculations. The updated ledger can be found in Exhibit 6.0.

The new parcel has the potential to gain 2.47 forested credits as shown in the table below, but no credits are currently released for the new addition.

Mitigation Plan

The proposed mitigation plan and success criteria for the 29.27 acre parcel addition can be found in Exhibit 3.0.1. The plan includes treatment of nuisance and exotic vegetation, planting of basin swamp trees and groundcover species, removal of interior fencing, and installation of external fencing. The addition parcel will be incorporated into the annual monitoring plan that is currently implemented for the existing bank area.

The financial assurance mechanism is also being updated to account for the acreage change, see Exhibit 3.1.1. The updated cost estimates can be found in the ePermitting file. A conservation easement will be recorded over the addition parcel, and a title insurance commitment is required. See Exhibit 3.2.1 for the draft conservation easement, and Exhibit 3.3.1 for the title commitment.

All special conditions, work schedules, and exhibits as found in Permit No. 49-01937-M continue to apply unless otherwise modified by the District. See Exhibit 5.0.

Environmental Evaluation Tables:

Summary

Wetlands and Other
Surface Waters: 464.61 acres

Wetland and Other
Surface Water Impacts: 0 acres

Total Onsite Mitigation
Area: 536.08 acres

Is a conservation
easement proposed?: Yes

Shingle Creek Mitigation Bank

UMAM Mitigation and Preservation

ID	Acres	Action	Existing Community Description	Proposed Community Description	Current or Without Preserve Score	With Project Score	Time Lag Years.	Risk	P. A. F.	UMAM Gain
SW1	0.7	Preservation	Rivers, Streams and Waterways	Rivers, Streams and Waterways	0.53	0.56	1	1	0.8	0.017
U1f	15.23	Preservation	Pine-Mesic Oak	Pine-Mesic Oak	0.05	0.7	1	1	0.8	7.920
U1h	9.24	Preservation	Pastures	Pastures	0.05	0.7	1	1	0.8	4.805
U2	21.2	Preservation	Pine Flatwoods	Pine Flatwoods	0.05	0.7	1	1	0.8	11.024
U3	25.8	Preservation	Pine Flatwoods	Pine Flatwoods	0.05	0.7	1	1	0.8	13.416
W1f	271.54	Preservation	Mixed Wetland Hardwoods	Mixed Wetland Hardwoods	0.5	0.6	1	1	0.8	21.723
W1h	43.5	Preservation	Vegetated Non- Forested Wetlands	Vegetated Non- Forested Wetlands	0.5	0.6	1	1	0.8	3.480
W2	63.2	Preservation	Mixed Wetland Hardwoods	Mixed Wetland Hardwoods	0.5	0.6	1	1	0.8	5.056
W3	56.4	Preservation	Mixed Wetland Hardwoods	Mixed Wetland Hardwoods	0.5	0.6	1	1	0.8	4.512
Total: 506.81										71.953

29.27 Acre Addition

UMAM Mitigation and Preservation

ID	Acres	Action	Existing Community Description	Proposed Community Description	Current or Without Preserve Score	With Project Score	Time Lag Years.	Risk	P. A. F.	UMAM Gain
W1	23.9	Restoration	Basin Swamp	Basin Swamp	0.5	0.7	16 - 20	1.5	1.0	1.897
W2	5.37	Enhancement	Basin Swamp	Basin Swamp	0.6	0.733	1	1	0.8	0.571
Total: 29.27										2.468

Related Concerns:**Historical/Archeological Resources**

No information has been received that indicates the presence of archaeological or historical resources or that the proposed activities could cause adverse impacts to archaeological or historical resources.

Water Use Permit Status

The applicant has indicated that dewatering is not required for this project. This permit does not release the permittee from obtaining all necessary Water Use authorization(s) prior to the commencement of activities which will require such authorization, including construction dewatering and irrigation, unless the work qualifies for a No-Notice Short-Term Dewatering permit pursuant to Chapter 40E-20.302(3) or is exempt pursuant to Section 40E-2.051, FAC.

General Conditions for Individual Environmental Resource Permits, 62-330.350, F.A.C.

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation, June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," (October 1, 2013), (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505>), incorporated by reference herein, indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C., and shall be submitted electronically or by mail to the Agency. However, for activities involving more than one acre of construction that also require a NPDES stormwater construction general permit, submittal of the Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities, DEP Form 62-621.300(4)(b), shall also serve as notice of commencement of construction under this chapter and, in such a case, submittal of Form 62-330.350(1) is not required.
5. Unless the permit is transferred under rule 62-330.340, F.A.C., or transferred to an operating entity under rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms, and conditions of the permit for the life of the project or activity.
6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex- "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit"[Form 62-330.310(3)]; or
 - b. For all other activities- "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
 - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
7. If the final operation and maintenance entity is a third party:
 - a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.4 of Volume I) as filed with the Florida Department of State, Division of Corporations, and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the

County in which the activity is located.

- b. Within 30 days of submittal of the as-built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation and Maintenance Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
9. This permit does not:
 - a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the Agency in writing:
 - a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.
13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.
14. If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, stone tools, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section (DHR), at (850)245-6333, as well as the appropriate permitting agency office. Project activities shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and the proper authorities notified in accordance with section 872.05, F.S. For project activities subject to prior consultation with the DHR and as an alternative to the above requirements, the permittee may follow procedures for unanticipated discoveries as set forth within a cultural resources assessment survey determined complete and sufficient by DHR and included as a specific permit condition herein.

15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.
16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.
17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.
18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

Special Conditions for Individual Environmental Resource Permits, 62-330.350, F.A.C.

1. The construction phase of this permit shall expire on the shown on Page 2.
2. Operation and maintenance of the stormwater management system shall be the responsibility of Shingle Creek Mitigation Group, LP and UMAM, LLC. The permittee shall notify the Agency in writing within 30 days of any conveyance or division of ownership or control of the property or the system, and the new owner must request transfer of the permit in accordance with Rule 62-330.340, F.A.C.
3. Submit an executed recorded copy of the Access Easement granted to the South Florida Water Management District must be provided to the District's ERB staff within 30 days of permit issuance.
4. (a) In accordance with the schedule attached as Exhibit No. 2 (see Application No. 070321-21) and prior to the release of any credits from the bank, the permittee shall submit to the District, for review and approval in accordance with Exhibit No. 2 (see Application No. 070321-21) , two (2) copies of the following:
 1. Final executed draft in recordable form of conservation easement.
 2. Site map of conservation easement
 3. Signed and sealed survey by professional surveyor with legal description
 4. Certified appraisal of the market value of property
 5. Title insurance commitment and owner's title policy
- (b) Within 30 days of District approval of the above listed items, the permittee shall record a conservation easement for the 534.95 acres bank property for which the release of credits is sought and submit two (2) certified copies to the district. The conservation easement shall be granted to the District and FDEP and shall contain the activity restrictions set forth in section 704.06(1) F.S. The recorded conservation easement shall be in conformance with the draft conservation easement attached as Exhibit No. 2. The District must approve any amendments to the conservation easement.
- (c) Prior to recordation of the conservation easement for the bank project, the bank sponsor shall procure waivers of surface exploration rights for the bank site. the waiver form shall be subject to the approval of the District prior to recordation of the conservation easment.
5. All contractors must be provided with a copy of the staff report and permit conditions prior to the commencement of construction. The permittee is responsible for ensuring that all contractors adhere to the project details and methods indicated on the attached permit Exhibits and described herein.
6. The permittee shall, every two years, adjust the amount of financial responsibility provided for the implementation and long term management of the bank. The cost adjustment, along with supporting documentation, shall be submitted to the District for review and approval. Any significant change in the cost estimate (>10%) may result in a modification to required deposits into the construction and implementation fund. The amount of financial responsibility provided for construction and implementation shall be adjusted as follows:
 - (A) The permittees shall, every two (2) years, adjust the amount of financial responsibility provided for construction and implementation and for the long-term management of the bank. Every two (2) years, the permittees shall submit to the District a cost adjustment statement accompanied by supporting, verifiable documentation based upon a third party performing the work at the fair market value of the

services. Mitigation implementation and long term management costs shall be listed separately. The cost adjustment statements shall include inflation as well as changes in the cost to carry out the construction and implementation (i.e., initial exotic species removal and control, planting, structure installation, consultant fees, monitoring activities and reports) and long term management (i.e., nuisance/exotic species control, maintenance of fences, consultant fees, monitoring activities and reports, and any other costs associated with long-term management) activities required for compliance with this permit.

(B) If the value of the construction and implementation performance bond is less than the total amount of the current implementation cost estimate, or if the annual interest generated by the long-term management trust fund is less than the currently estimated annual costs of long-term management, the permittees shall upon District approval of the cost adjustment statement, increase the value of the financial mechanism(s) to reflect the new estimate within 60 days.

(C) If the value of the implementation performance bond is greater than the total amount of the current construction and implementation cost estimate, or if the annual interest generated by the long-term management trust fund is greater than the currently estimated annual costs of long-term management, the permittees may reduce the value of the financial assurance mechanism(s) to reflect the new estimate upon receiving District approval of the cost adjustment statement.

(D) The permittees shall adjust the amount of the implementation performance bond and/or long-term management trust fund at times other than the cost adjustment period when the costs associated with compliance with the permit conditions exceed the current amount of financial responsibility and such financial assurances are deemed necessary to ensure compliance with the permit conditions.

(E) Upon completion of an activity, the permittee may request a reduction in the required amount of the implementation performance bond to the amount specified in the most recent required cost estimate for the remaining phases of construction (Exhibit 2 ((see Application No. 070321-21) or the most recent cost adjustment).

7. The permittees shall maintain in perpetuity all of the physical components of the mitigation bank, including fences, access gate(s), signage and other physical components necessary for the continued operation, maintenance and long-term management of this mitigation bank as permitted. This permit does not authorize any construction or earthwork activities except for those explicitly described within the staff report.
8. Any future changes in land use or treatment of wetland and/or upland areas may require a permit modification and additional review by District environmental/engineering staff. Prior to the permittee instituting any future changes not authorized by this permit, the permittee shall notify the District of such intentions for a determination of any necessary permit modifications.
9. This application authorizes a total of 71.95 credits for the preservation of the property which includes recording a conservation easement over 534.96 acres, establishment of financial assurances in accordance with the special conditions and attached exhibits, removal and control of nuisance and exotic species and the implementation of a land management plan as described in the staff report and the special conditions of this application. The applicant may submit a request to modify this permit to perform additional activities, including hydrologic enhancement, which may result in the realization of additional credits. The future modification(s) will be based on the potential for additional vegetative improvement as well as hydrologic enhancement/restoration of the mitigation bank site. The potential hydrologic improvements will likely include the construction of control structures and berms where uncontrolled runoff currently occurs into the creek and/or into Oren Brown Canal. In order for the

applicant to demonstrate the amount of hydrologic, vegetative and ecological improvement that may occur, a comprehensive and quantifiable baseline conditions report as well as measurable success criteria must be submitted. Although the information submitted thus far relies on performance based success criteria, the analysis must also include a comparison of current hydrologic and vegetative conditions to potential future conditions in order to demonstrate the potential lift. The vegetative components of the baseline report must include, but are not limited to: - Established transects and quadrats with permanent photostations - List and percent cover of all species contained within each transect and quadrat - Percent cover of OBL, FACW, FAC and UPL species within each transect and quadrat - Quantitative description and list of canopy trees including percent cover and DBH - Nuisance and exotic vegetation coverage within each monitoring area - Wildlife observations The hydrologic elements of the baseline report must include but are not limited to: - An analysis of both the current and proposed condition in sufficient detail to support the proposed enhancement credit for the hydroperiod of each mitigation polygon - Hydrologic measurements including depth and duration of saturation/inundation. - Construction details of all structures and proposed earthwork The success criteria for the project must include: - Specific quantifiable goals of the proposed enhancement activities - Specify a reference wetland for each habitat type - A detailed planting plan for each polygon - UMAM data sheets for each polygon - Specific success criteria for each polygon. The documentation of the factors listed above will be utilized to determine the full number of potential credits that are available to the bank. The vegetative elements, in particular, are critical components of the current mitigation plan for preservation only as they will document the potential for future enhancement credit over and above the preservation element. At this time, the District has not made a determination as to the potential number of credits that may be generated as a result of future modifications to the permit.

10. The mitigation plan includes the removal of feral pigs from the property. The control of feral pigs shall be the responsibility of the applicant and shall in no way be interpreted to allow for hunting of native species on the property. In addition, the management and results of this activity shall be reported to the District in the annual monitoring reports.
11. A maintenance program shall be implemented in accordance with Exhibit No. 2 (see Application No. 070321-21) for the mitigation bank on a regular basis to ensure the integrity and viability of those areas as permitted. Coverage of exotic and nuisance species shall not exceed 1% total areal coverage after 5 years. Maintenance shall be conducted in perpetuity to ensure that the mitigation bank is maintained free from Category 1 exotic vegetation (as defined by the Florida Exotic Pest Plant Council at the time of permit issuance) immediately following a maintenance activity. In addition, the permittee shall manage the conservation areas such that nuisance plant species do not exceed 10% of areal cover.
12. The permittee shall be responsible for the successful completion of the mitigation bank, including the monitoring and maintenance of the bank for the duration of the mitigation plan, in accordance with the attached exhibits.
13. The work schedule shown in Exhibit 2 (see Application No. 070321-21) shall be implemented regarding the release of credits for sale within the mitigation bank.
14. A mitigation program for the Shingle Creek Mitigation Bank shall be implemented in accordance with the attached Exhibits. The permittee shall preserve 534.96 acres .
15. The District reserves the right to require remedial measures to be taken by the permittee if monitoring or other information demonstrates that adverse impacts to onsite or offsite wetlands, upland conservation areas or buffers, or other surface waters have occurred due to project related activities.

16. The mitigation bank credit ledger shall reflect a total of 71.95 credits which includes 63.67 forested credits and 8.28 herbaceous credits. The credits shall be released in accordance with the credit release schedule outlined below:

20% (12.73 forested credits, 1.65 herbaceous credits) Submit conservation easement and financial assurance documentation

20% (12.73 forested credits, 1.65 herbaceous credits) Installation of perimeter fencing, removal of interior fencing and signage

5% (3.18 forested credits, 0.41 herbaceous credits) Removal and control of feral pigs

45% (28.65 forested credits, 3.72 herbaceous credits) Nuisance and exotic vegetation removal and control

10% (6.37 forested credits, 0.82 herbaceous credits) Reserve (Successful completion of five year monitoring program)

17. A monitoring program shall be implemented in accordance with Exhibit No. 2 (see Application No. 070321-21). Short-term monitoring reports must be submitted annually and must be conducted in accordance with the approved Monitoring Plan.

The short term reports must include all of the information identified in the monitoring section of the approved mitigation plan and information sufficient to demonstrate whether the success criteria are being achieved.

Once the bank has achieved success, long-term (perpetual) monitoring reports must be submitted annually, by January 31st for the previous year. All reports must include the information identified in the monitoring section of the approved mitigation plan, must demonstrate how the bank is continuing to meet (or not meet) the goals and objectives of the mitigation bank plan, and must include a log and aerial showing the location of all maintenance activities undertaken during the previous year and scheduled for the following year. These activities include, but are not limited to, floral and faunal exotic and nuisance treatment/control, and any other management activities performed, or scheduled to be performed, on the mitigation bank property.

18. Project implementation, maintenance/monitoring and long term management shall be accomplished in accordance with the attached Exhibits and in accordance with the Special Conditions outlined herein. Additionally, issuance of this permit is based on the District's reliance on information submitted and commitments made by the permittees that the proposed mitigation design presented in Exhibits will be achieved and that the targeted success criteria outlined in the staff report and in Exhibit 2 will be met. If at any time, the District determines that the targeted success criteria have not or are not being met for any phase and/or that the milestone events identified in the credit release schedule contained in Exhibit 2 have not been satisfactorily accomplished, then no mitigation credits shall be withdrawn or released, including for other activities, until it is demonstrated that the targeted success criteria and/or milestone events have been achieved.

19. The permittee acknowledges, that pursuant to Rule 40E-4.101(2), F.A.C., a notice of Environmental Resource or Surface Water Management Permit may be recorded in the county public records. Pursuant to the specific language of the rule, this notice shall not be considered an encumbrance upon the property.

20. Prior to the release of any credits, and within 30 days of permit issuance, the permittee shall provide the District with documentation that a trust fund in the amount of \$386,444.40 has been established for the long term management of the Shingle Creek Mitigation Bank.
21. In conformance with the work schedule in Exhibit 2 (see Application No. 070321-21), the permittee shall provide an original letter of credit in the amount of \$245,080.00 to ensure the permittee's financial ability and commitment to complete the proposed mitigation, monitoring and maintenance plan. The financial assurance shall be in substantial conformance with Exhibit No. 2 (see Application No. 070321-21). The financial assurance shall be in effect for the entire period of the mitigation and monitoring program. Notification to the District by the financial institution or surety that the financial assurance will not be renewed or is no longer in effect shall constitute non-compliance with the permit.
22. Activities associated with the implementation of the mitigation, monitoring and maintenance plan(s) shall be completed in accordance with the work schedule attached as Exhibit 2 (see Application No. 070321-21). Any deviation from these time frames will require prior approval from the District's Environmental Resource Compliance staff. Such requests must be made in writing and shall include (1) reason for the change, (2) proposed start/finish and/or completion dates; and (3) progress report on the status of the project development or mitigation effort.
23. For the 29.27 acre parcel addition authorized under Application 210525-6295:
- A) Prior to the commencement of construction, and in accordance with the work schedule herein, the permittee shall submit for review and approval, one copy of the following as a package for review by District real estate staff:
1. Project map identifying conservation areas
 2. Legal description of conservation areas
 3. Signed amended conservation easement form
 4. Sealed boundary survey of conservation area(s) by professional Land surveyor
 5. Title insurance commitment for the conservation easement naming the District as beneficiary using approved valuation. See Exhibit 3.3.1.
 6. Data in accordance with paragraph E (below).
- B) The real estate information referenced in paragraph (A) above shall be reviewed by the District in accordance with the District's real estate review requirements. The easement shall be granted free of mortgages, liens, easements or other encumbrances or interests which the District staff states are contrary to the intent of the easement. The easement shall not be recorded until such approval is received.
- C) Once the Draft Amended Conservation Easement form is approved by the District, the permittee may commence with the Mitigation Plan. Upon completion of Phase 1 of the planting plan as outlined in the Mitigation Plan attached as Exhibit 3.0.1., the permittee shall record the Amended Conservation Easement over the real property designated as conservation/preservation areas on Exhibit 3.2.1, adding the 29.27 acre parcel constituting the additional conservation easement area and removing the 17.94 acre parcel constituting the removed conservation easement area. This Exhibit shall not be modified without a permit modification.
- D) In the event the conservation easement real estate information reveals encumbrances or interests in the easement which the District staff states are contrary to the intent of the easement, the permittee shall be required to provide release or subordination of such encumbrances or interests. If such are not

obtained, permittee shall be required to apply for a modification to the permit for alternative acceptable mitigation.

E) A CD or DVD containing the easement data supplied in a digital ESRI Geodatabase (mdb), ESRI Shapefile (shp) or AutoCAD Drawing Interchange (dxf) file format using Florida State Plane coordinate system, East Zone (3601), Datum NAD83, HARN with the map units in feet, shall be submitted.

F) Upon recordation of the amended conservation easement in the public records of Osceola County, the permittee shall submit one certified copy of the recorded conservation easements for the preservation/mitigation areas, and title insurance policy, via ePermitting or to the Environmental Resource Compliance staff in the local District service center.

24. A monitoring program shall be implemented for the mitigation bank in accordance with the updated Exhibit 3.0.1., with annual reports submitted to District staff.

25. For the 29.27 acre addition authorized under Application 210525-6295, the planting and mitigation plan shall be conducted in accordance with Exhibit 3.0.1.

Project Work Schedule for Permit No. 49-01937-M

The following activities are requirements of this Permit and shall be completed in accordance with the Project Work Schedule below. Please refer to General Conditions, Special Conditions and/or Specific Conditions for more information. Any deviation from these time frames will require prior approval from the District's Environmental Resources Bureau and may require a modification to this permit. Such requests must be made in writing and shall include: (1) reason for the change, (2) proposed start/finish and/or completion dates, and (3) progress report on the status of the project.

Condition No.	Date Added	Description (Application Number)	Due Date	Date Satisfied
SC 11	05/30/2024	Scmb Remove Cattle Lease	04/15/2008	04/20/2016
SC 11	05/30/2024	Scmb Install Perimeter Fencing	07/01/2009	01/11/2017
SC 11	05/30/2024	Scmb Install Signage	07/01/2009	01/11/2017
SC 11	05/30/2024	Scmb Submit Baseline Monitoring Report	12/31/2027	07/17/2017
SC 3	05/30/2024	Application 210525-6295 Submit Recorded Access Easement granted to the SFWMD	Within 30 days of permit issuance	
SC 4	05/30/2024	Submit Recorded Conservation Easement	04/15/2009	04/08/2016
SC 6	05/30/2024	Submit Cost Adjustment Supporting Documentation 2	02/15/2024	05/16/2024
SC 6	05/30/2024	Submit Cost Adjustment Supporting Documentation 3	08/15/2024	
SC 16	05/30/2024	Scmb Submit Monitoring Report 1	12/18/2018	10/23/2019
SC 16	05/30/2024	Scmb Submit Monitoring Report 2	03/19/2022	01/29/2021
SC 16	05/30/2024	Scmb Submit Monitoring Report 3	02/22/2022	02/03/2022
SC 16	05/30/2024	Scmb Submit Monitoring Report 4	02/22/2023	05/02/2023
SC 16	05/30/2024	Scmb Submit Monitoring Report 5	02/22/2024	02/07/2024
SC 16	05/30/2024	Scmb Submit Monitoring Report 6	02/22/2025	
SC 16	05/30/2024	Scmb Submit Monitoring Report 7	02/22/2026	
SC 16	05/30/2024	Scmb Submit Monitoring Report 8	02/22/2027	
SC 20	07/26/2025	Submit Perpetual Management Trust Fund Documentation	04/15/2008	04/12/2016
SC 21	08/26/2023	Submit Construction and Implementation Performance Bond	04/15/2008	04/12/2016
SC 23	05/30/2024	Application 210525-6295: Submit Real Estate Package For CE	Within 30 days of Phase 1 Completion	
SC 24	05/30/2024	Submit 29 Acre Addition Monitoring Report 1	1 year after Time Zero report, and then Annually for 5 years	

SC 24	05/30/2024	Submit 29 Acre Addition Monitoring Report 2	1 year after previous submission	
SC 24	05/30/2024	Submit 29 Acre Addition Monitoring Report 3	1 year after previous submission	
SC 24	05/30/2024	Submit 29 Acre Addition Monitoring Report 4	1 year after previous submission	
SC 24	05/30/2024	Submit 29 Acre Addition Monitoring Report 5	1 year after previous submission	
SC 25	05/30/2024	Application 210525-6295: Submit Time Zero Report for Planted Areas	Within 30 days after Planting Complete Date	

GC = General Condition

SC = Special Condition

Distribution List

Steven Green, Mitigation Resources LLC

Osceola County Engineer

US Army Corps of Engineers

Exhibits

The following exhibits to this permit are incorporated by reference. The exhibits can be viewed by clicking on the links below or by visiting the District's ePermitting website at <http://my.sfwmd.gov/ePermitting> and searching under this application number 220222-33299.

[Exhibit No. 1.0 Location Map](#)

[Exhibit No. 3.0.1 Mitigation Plan - 29 Acre Addition](#)

[Exhibit No. 3.1.1 Financial Assurance Update - 29 Acre Addition](#)

[Exhibit No. 3.2.1 Draft Conservation Easement Amendment](#)

[Exhibit No. 3.3.1 Title Insurance Commitment - 29 Acre Addition](#)

[Exhibit No. 3.4.1 UMAM and Credit Adjustment - 29 Acre Addition](#)

[Exhibit No. 4.0 Access Easement \(SFWMD\)](#)

[Exhibit No. 4.1 Access Easement \(Recorded\)](#)

[Exhibit No. 5.0 Permit History](#)

[Exhibit No. 6.0 Mitigation Bank Ledger](#)

NOTICE OF RIGHTS

As required by Chapter 120, Florida Statutes, the following provides notice of the opportunities which may be available for administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, or judicial review pursuant to Section 120.68, Florida Statutes, when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Some of the legal proceedings detailed below may not be applicable or appropriate for your situation. You may wish to consult an attorney regarding your legal rights.

RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Florida Statutes. Persons seeking a hearing on a District decision which affects or may affect their substantial interests shall file a petition for hearing in accordance with the filing instructions set forth herein within 21 days of receipt of written notice of the decision unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Florida Statutes; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Florida Statutes. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, posting, or publication that the District has taken or intends to take final agency action. Any person who receives written notice of a District decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action that materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional point of entry pursuant to Rule 28-106.111, Florida Administrative Code.

Any person to whom an emergency order is directed pursuant to Section 373.119(2), Florida Statutes, shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The District may grant the request for good cause. Requests for extension of time must be filed with the District prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and whether the District and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

FILING INSTRUCTIONS

A petition for administrative hearing must be filed with the Office of the District Clerk. Filings with the Office of the District Clerk may be made by mail, hand-delivery, or e-mail. Filings by facsimile will not be accepted. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Office of the District Clerk at the District's headquarters in West Palm Beach, Florida. The District's normal business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Any document received by the Office of the District Clerk after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day.

Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33406.

- Filings by hand-delivery must be delivered to the Office of the District Clerk. Delivery of a petition to the District's security desk does not constitute filing. It will be necessary to request that the District's security officer contact the Office of the District Clerk. An employee of the District's Clerk's office will receive and process the petition.
- Filings by e-mail must be transmitted to the Office of the District Clerk at clerk@sfwmd.gov. The filing date for a document transmitted by electronic mail shall be the date the Office of the District Clerk receives the complete document.

INITIATION OF ADMINISTRATIVE HEARING

Pursuant to Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Rules 28-106.201 and 28-106.301, Florida Administrative Code, initiation of an administrative hearing shall be made by written petition to the District in legible form and on 8 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, District file number or any other District identification number, if known.
2. The name, address, any email address, any facsimile number, and telephone number of the petitioner, petitioner's attorney or qualified representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the District's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the District's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the District's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the District to take with respect to the District's proposed action.

MEDIATION

The procedures for pursuing mediation are set forth in Section 120.573, Florida Statutes, and Rules 28-106.111 and 28-106.401–.405, Florida Administrative Code. The District is not proposing mediation for this agency action under Section 120.573, Florida Statutes, at this time.

RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Section 120.68, Florida Statutes, and in accordance with Florida Rule of Appellate Procedure 9.110, a party who is adversely affected by final District action may seek judicial review of the District's final decision by filing a notice of appeal with the Office of the District Clerk in accordance with the filing instructions set forth herein within 30 days of rendition of the order to be reviewed, and by filing a copy of the notice with the appropriate district court of appeals via the Florida Courts E-Filing Portal.

May 28th, 2025

Thank you for your review on May 20th, 2025. The following is the response to comments from Ryan.Altizer@kissimmee.gov regarding **LUPA-25-0002** as per document **LUPA-25-0002 30-25-29-00U0-0080-0000** dated 5/9/2025.

1. Please provide the permit modifications and documents associated with SFWMD Application 220222-33299.

I've included the permit modification related to SFWMD Application 220222-33299. Note that this specific permit is actually for a credit release as the SFWMD requires a permit modification each time the mitigation bank releases/sells a credit. The specific permit in which the 18 acres was approved for removal is 210525-6295_Permit_Revision_20240430 (previously uploaded), but the approval of the removal of this parcel from the mitigation bank is also referenced in subsequent permits, including the requested SFWMD Application 220222-33299 (see page 4 under "Permit Modification History", line item beginning with "On July 27th, 2024...").

Please let me know if you need any additional information.

2. The 8.8-acres proposed for the rezoning from AC (Agricultural Conservation) to IB (Industrial Business) would align with the proposed Future Land Use of IN (Industrial Business).

As discussed during the May 20th review, we're looking at rezoning and changing the land use for the entire the 18 acres. I believe the confusion on this stems from the PDF Osceola 18-acre Industrial Site Floodplain Analysis page 8, in which our engineer created an example to show one possible configuration purely for illustrative purposes. At this time, we are seeking rezoning and a land use change for the entire parcel with the understanding that some portion of the parcel will be utilized for flood mitigation, but we are not in a site planning stage to determine where that flood mitigation would be.

3. Are the 77.8 acres to the west of the proposed changes that are tied to the same Parcel ID (30-25-29-00U0-0080-0000) effected in any way with these changes?

No. That acreage is a part of now and will remain a part of the Shingle Creek Mitigation Bank. It will in no way be affected by these changes.

Thank you for your responses and please feel free to reach out to me with any questions!

Mark Serrahn
The Landon Companies & UMAM LLC | Birmingham, MI
(810) 730-2596 | mserrahn@landoncompanies.com

May 28th, 2025

Thank you for your review on May 20th, 2025. The following is the response to comments from ashley.cornelison@kissimmee.gov regarding **LUPA-25-0002** as per **LUPA-25-0002 - Long Range Planning Comments_v1** dated 5/12/2025 by Ashley Cornelison.

1. Please submit a topography survey showing the wetland areas.

A topographic map of the wetlands data layer from Osceola County is included on page 3 of this document. This data layer predates the construction of Hoagland Blvd. The South Florida Water Management District determined that (i) Hoagland Blvd. has diverted surface water flow away from the Property and (ii) the Property is trending toward becoming a non-wetland and therefore has no wetland value in terms of UMAM credit scoring. As a result, SFWMD modified the Shingle Creek Mitigation Bank Permit to allow the removal of the Property.

SFWMD did not require of UMAM LLC, nor undertake on its own, a wetland analysis of the Property for the permit modification. As part of the removal agreement SFWMD deducted the 2.47 credits that had been allocated to the Property in the original 2007 permit (pre-Hoagland Blvd.) and required that an expansion in the mitigation bank be added to keep the overall credit value unchanged.

- The history, process, and reasoning for the SFWMD determination explained in detail in the August 15, 2024 memo by Steve Green of ESA Environmental Consultants (Wetland Status and Permit Mod Memo_20240819_v1), previously uploaded.
- SFWMD Permit Modification 210525-6295_Permit_Revision_20240430 for the Shingle Creek Mitigation Bank (which removed the 18 acres from the mitigation bank), uploaded.

2. The acreage to the south of this property should be designated Conservation (CONS). The exact area to be designated CONS shall be determined when the topography survey is provided.

As discussed during the May 20th review, we're looking at rezoning and changing the land use for the entire the 18 acres. I believe the confusion on this stems from the PDF Osceola 18-acre Industrial Site Floodplain Analysis page 8, in which our engineer created an example to show one possible configuration purely for illustrative purposes. That example (i) provided a "worst case" in terms of acreage used for flood compensation and retention and (ii) allocated the pond to the south. The expected achievable pond area is smaller than shown on the drawing and its location will be determined by an actual site development plan (both of which will be determined in a permitting process).

Finally, while we do not believe that any of the Property will be impacted by regulated wetlands (for the reasons discussed above), we can mitigate any wetland impacts with credits generated from the Shingle Creek Mitigation Bank or several other regional wetland mitigation banks.

Other Comments RE Additional Properties

The western portion of this parcel along with the other two parcels are a part of the Shingle Creek Mitigation Bank. We would not object to the city's offer to amend the land use and zoning of these areas.

Thank you for your responses and please feel free to reach out to me with any questions!

Mark Serrahn
The Landon Companies & UMAM LLC | Birmingham, MI
(810) 730-2596 | mserrahn@landoncompanies.com

Environmental Evaluation:

Environmental Evaluation

This application (210525-6295) is to authorize the removal of a 17.94 acre parcel from the mitigation bank and to add a 29.27 acre parcel to the bank. The locations of the removal and addition parcels are shown in Exhibit 3.0.1. The parcel removal results in the reduction of total potential credits for the bank by 2.47 forested credits. The ledger has been updated to reflect the 17.94 acre removal, and the total number of released credits has been corrected to account for errors in the credit releases from Applications 150709-20 and 170330-12. The credit releases that have previously occurred were based on percentages of the total number of potential credits, and have been adjusted to reflect the new total potential credits following the parcel removals in Applications 150709-20, 170330-12, and 210525-6295. See Exhibit 3.4.1 for the UMAM scoring for the parcel addition and the ledger correction calculations. The updated ledger can be found in Exhibit 6.0. The closing balance on the ledger is 8.59 forested credits and -0.91 herbaceous credits.

The new parcel has the potential to gain 2.47 forested credits as shown in the table below, but no credits are currently released for the new addition.

Mitigation Plan

The proposed mitigation plan and success criteria for the 29.27 acre parcel addition can be found in Exhibit 3.0.1. The plan includes treatment of nuisance and exotic vegetation, planting of basin swamp trees and groundcover species, removal of interior fencing, and installation of external fencing. The addition parcel will be incorporated into the annual monitoring plan that is currently implemented for the existing bank area.

The financial assurance mechanism is also being updated to account for the acreage change, see Exhibit 3.1.1. The updated cost estimates can be found in the ePermitting file. A conservation easement will be recorded over the addition parcel, and a title insurance commitment is required. See Exhibit 3.2.1 for the draft conservation easement, and Exhibit 3.3.1 for the title commitment.

All special conditions, work schedules, and exhibits as found in Permit No. 49-01937-M continue to apply unless otherwise modified by the District. See Exhibit 5.0.



DATE: September 9, 2024

TO: Mr. Daniel Aronoff (UMAM LLC)

FROM: Kevin K. Albrecht, PE (Albrecht Engineering Group)

SUBJECT: Osceola 18-acre Industrial Site – Preliminary Floodplain Analysis

Introduction

This technical memorandum summarized the data collection, analytical methods, and findings of a preliminary floodplain compensation analysis to estimate impacts and compensation required for the potential future development of a roughly 18-acre undeveloped site, located in the City of Kissimmee. More specifically, the site is located along the west side of Hogland Boulevard, roughly 4,000 feet north of Old Tampa Highway, as shown on **Figure 1**.

The intent of this analysis is to utilize readily available data to develop a preliminary estimate of the existing floodplain storage volume within the parcel and estimate the potential developable area outside of the required floodplain compensation area, using volumetric (cup for cup) compensation.

Data Collection

This analysis was conducted using readily available (desktop) datasets to characterize the existing topography, 100-year flood stages, and seasonal high-water levels (SHWLs). The following sections further describe each data source:

Topography – The existing topographic conditions on the site were based on the 2018 LiDAR data obtained from National Oceanic and Atmospheric Agency’s (NOAA) Digital Coast Data Access Viewer ([NOAA: Data Access Viewer](#)). The resulting Digital Elevation Model (DEM) and contours are shown in **Figure 2**. This data is based on the North American Vertical Datum of 1988 (NAVD 1988), which is used throughout this analysis. It should be noted that this data does not depict the topographic changes that resulted from construction of Hogland Boulevard or the industrial development south of this parcel. However, the data is sufficient to characterize the existing floodplain storage volume within the site.

100-Year Flood Stages – The Federal Emergency Management Agency (FEMA) flood mapping data was collected for the Site. The effective FEMA flood mapping data (**Figure 3**) shows 100-year peak flood stages ranging from 66.0 just north of the site to 65.0 just south of the site. However, Osceola County recently completed the Shingle Creek Watershed Model which provides a significant improvement in the hydraulic level of detail and computational technology used to model the watershed over the prior study used to develop the FEMA maps. Based on the incorporation of additional detail and more recent data, the Shingle Creek Watershed Model is considered the best available data to estimate 100-year flood stages for the site. **Figure 4** shows the 100-year peak stages estimated adjacent to the site by the Shingle Creek Model range from 63.58 just north of the site to 63.37 just south of the site.

Seasonal High-Water Levels (SHWLs) – Estimating the SHWL on the site is critical to determine the lowest elevation that any floodplain compensation area can effectively store flood waters. For this analysis, the control elevation of the wet detention pond located on the south side of this site was used to estimate the SHWL. According to the permitted design plans approved under SFWMD ERP 49-00813-P-03, the pond control elevation was set at elevation 60.0 (NGVD 1929) which translates to ~59.1 (NAVD 1988). However, the lowest elevation on the site is elevation 60.0 so the bottom of any proposed floodplain compensation area is set to 60.0 as that is the lowest elevation that surface water can be diverted into the floodplain compensation area.

Existing Floodplain Storage Volume Estimate

The data outlined above was used to develop a preliminary estimate of existing floodplain storage volume within the site. **Table 1** shows the detailed calculations and a resulting site floodplain storage volume of 31.4 acre-feet.

Table 1: Existing Site Flood Storage Volume

Existing Flood Storage				
Elevation (NAVD 88)	Area (Acres)	Incremental Volume (ac-ft)	Cumulative Volume (ac-ft)	Description
60	0.15	0.0	0.0	Estimated SHWL/Lowest Elevation
61	2.83	1.5	1.5	
62	11.8	7.3	8.8	
63	16.5	14.2	23.0	
63.5	17.25	8.4	31.4	Shingle Creek 100-yr Flood Stage

Proposed Concept

A preliminary grading concept of the site was developed to estimate the area needed to store 31.4 acre-feet of floodplain compensation volume between the SHWL of 60.0 and 100-year flood stage of 63.5. The remaining portion of the site can be used for future development. It should be noted that the development area includes the stormwater attenuation and treatment pond as well as any required buffers. **Table 2** shows the detailed calculations for the required floodplain compensation area. Based on these calculations, the floodplain compensation area would use 9.2 acres of the 18-acre site, leaving 8.8 acres for future development, stormwater management areas, and setbacks. **Figure 5** shows the portions of the site needed for floodplain compensation and the remaining developable area.

Table 2: Proposed Floodplain Compensation Area Volume Calculations

Proposed Floodplain Compensation Volume			
Elevation (NAVD 88)	Area (Acres)	Incremental Volume (ac-ft)	Cumulative Volume (ac-ft)
60	8.77	0.0	0.0
61	8.89	8.8	8.8
62	9.01	8.9	17.8
63	9.13	9.1	26.8
63.5	9.19	4.6	31.4

Recommendations

This analysis is intended to provide a preliminary estimate of floodplain compensation requirements based on readily available data. The following are recommendations should more detailed development planning occur to further refine these estimates:

- Detailed Topographic Survey – Prior to detailed design a topographic survey of the site will be required. The floodplain compensation requirements would then be refined based on the site survey.
- Geotechnical Investigation/Soil Borings - Prior to detailed design a geotechnical analysis will be required. This analysis will obtain soil borings at various locations within the site and provide an estimated SHWL at each boring. This data will help refine the estimated SHWL.
- Environmental High-Water Marks/Water Level Monitoring (Piezometers) – Prior to detailed design a survey high water marks will be required. The high-water marks will be identified by a wetland scientist and the elevation of each mark will be collected by a surveyor. Alternatively, water level monitoring can be conducted using piezometers to develop a longer-term record of water levels on the site. This data will help refine the estimated SHWL.
- Future Design Refinements – Based on the data collection described above, it may be possible to lower the bottom of the floodplain compensation area, reduce its footprint, and expand the developable area. This analysis limited the bottom elevation to 60.0 since the low elevation on the parcel is ~60.0 so it is assumed flood waters can not be diverted into the floodplain compensation area below 60.0. However, if the data collection above agrees with a SHWL of 59.1 and the survey shows ground elevations at or below 59.1, the bottom of the floodplain compensation area could be lowered with a reduced footprint.
- No-Rise Analysis – Based on the size of the floodplain/contributing drainage basin vs the site, it is possible that full volumetric compensation of impacted floodplain volume would not be required. To determine the actual floodplain compensation volume required, the Shingle Creek model could be used to test various fill/compensation scenarios to ensure adjacent off-site flood stages do not increase for the range of design storms.



Digitally signed by
Kevin K Albrecht
Date: 2024.09.12
12:32:48 -04'00'

This item has been digitally signed and sealed by Kevin K. Albrecht, PE on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Figure 1: Project Location

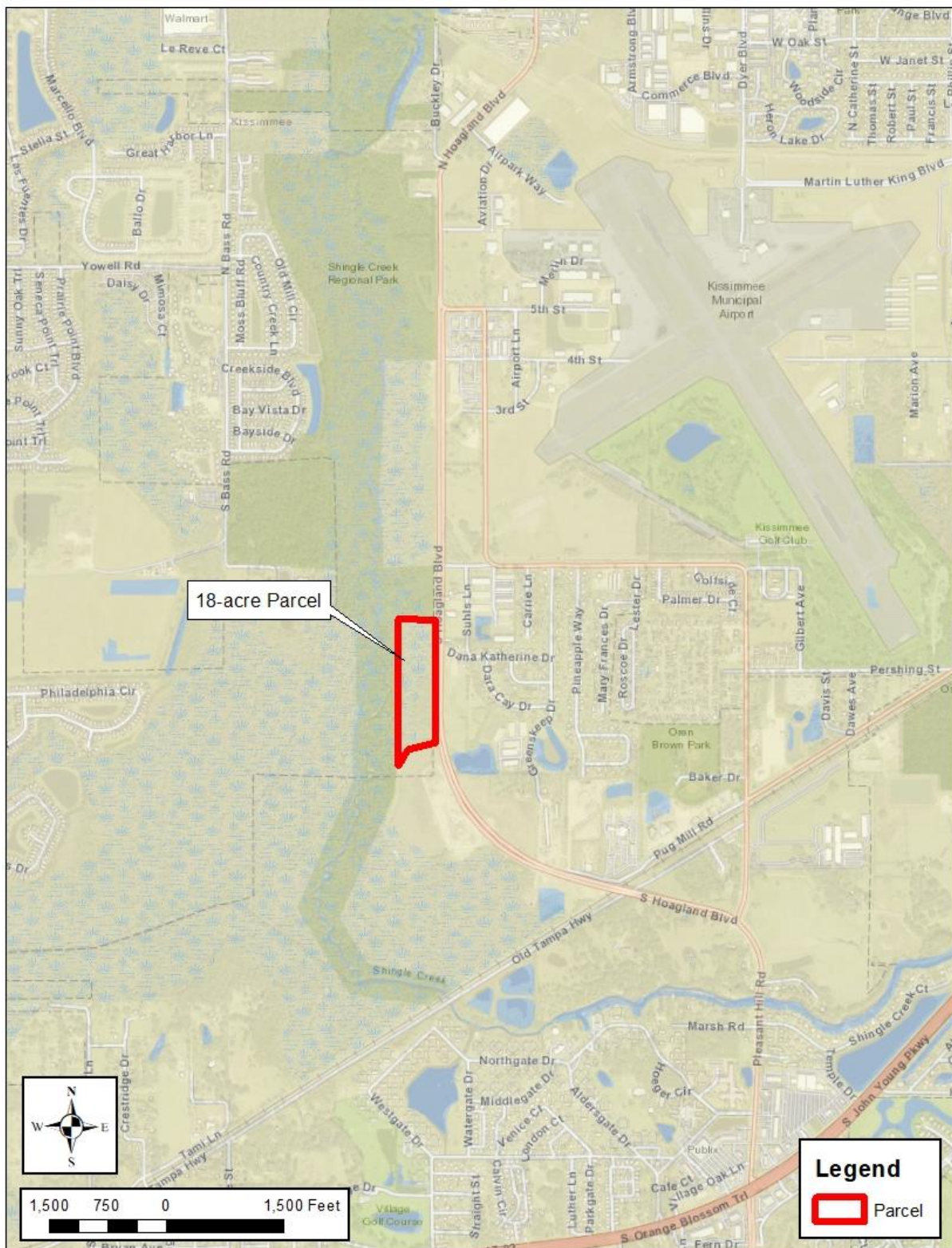


Figure 2: Topography

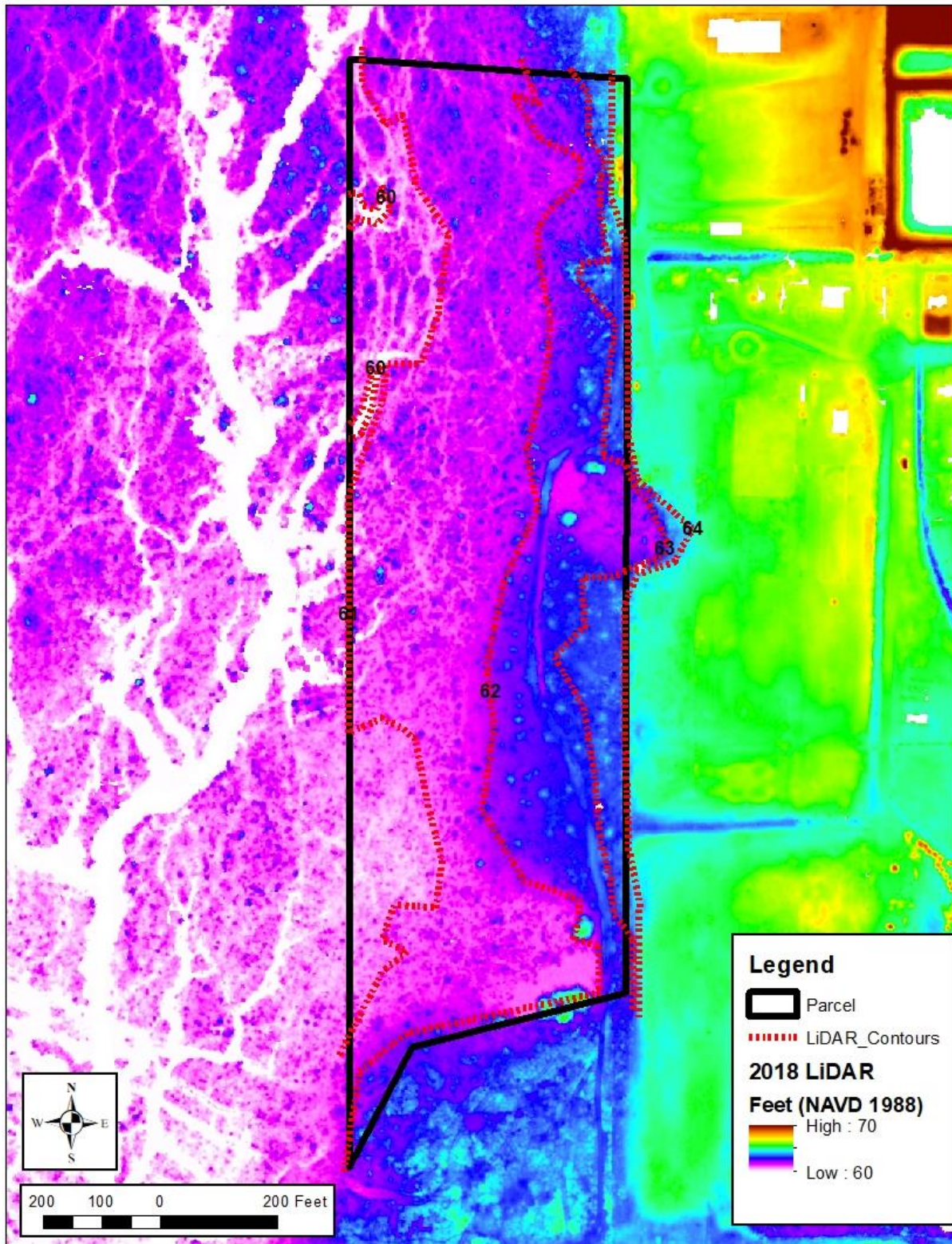


Figure 3: Effective FEMA Floodplain Map

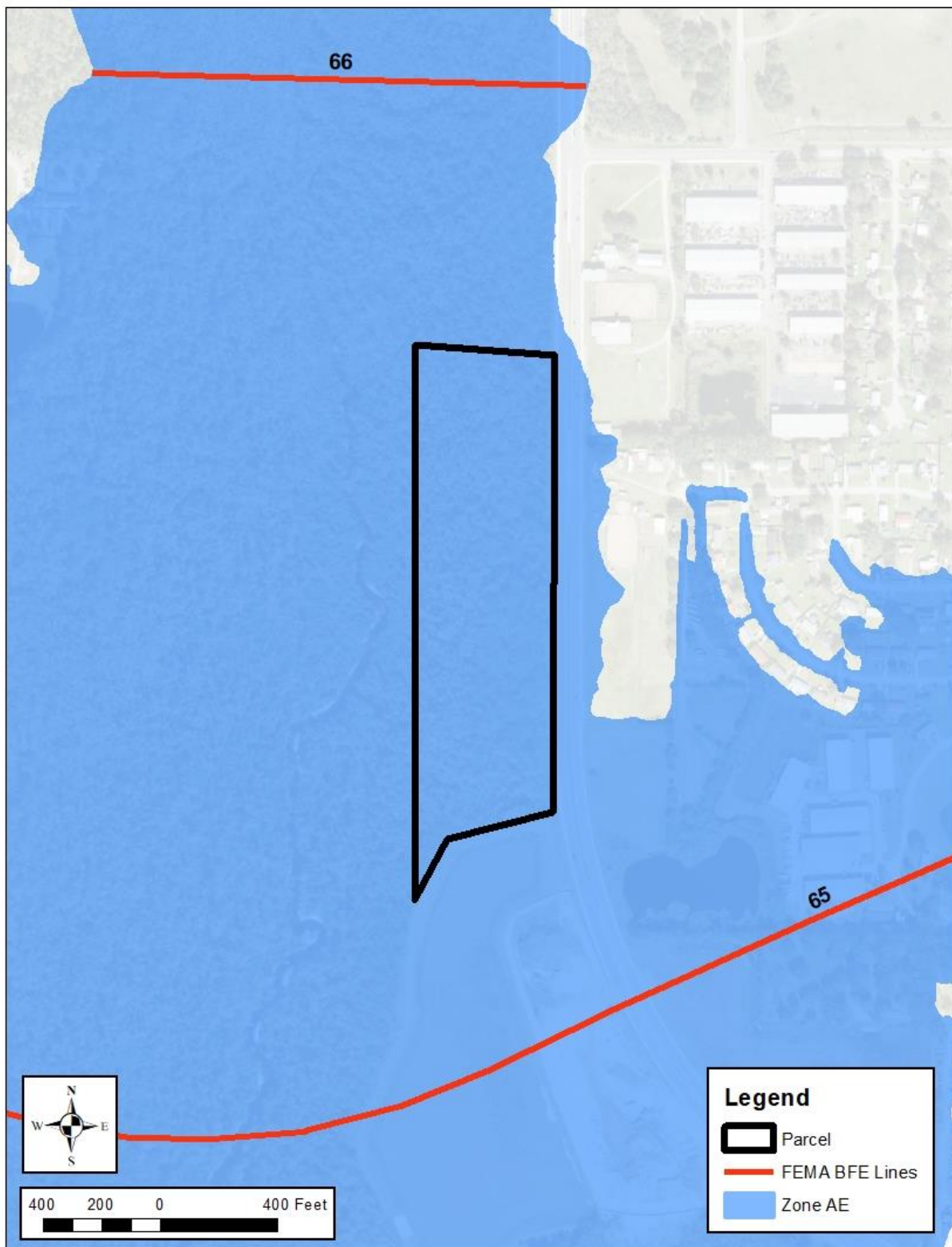


Figure 4: Shingle Creek Watershed Model 100-year Flood Stages

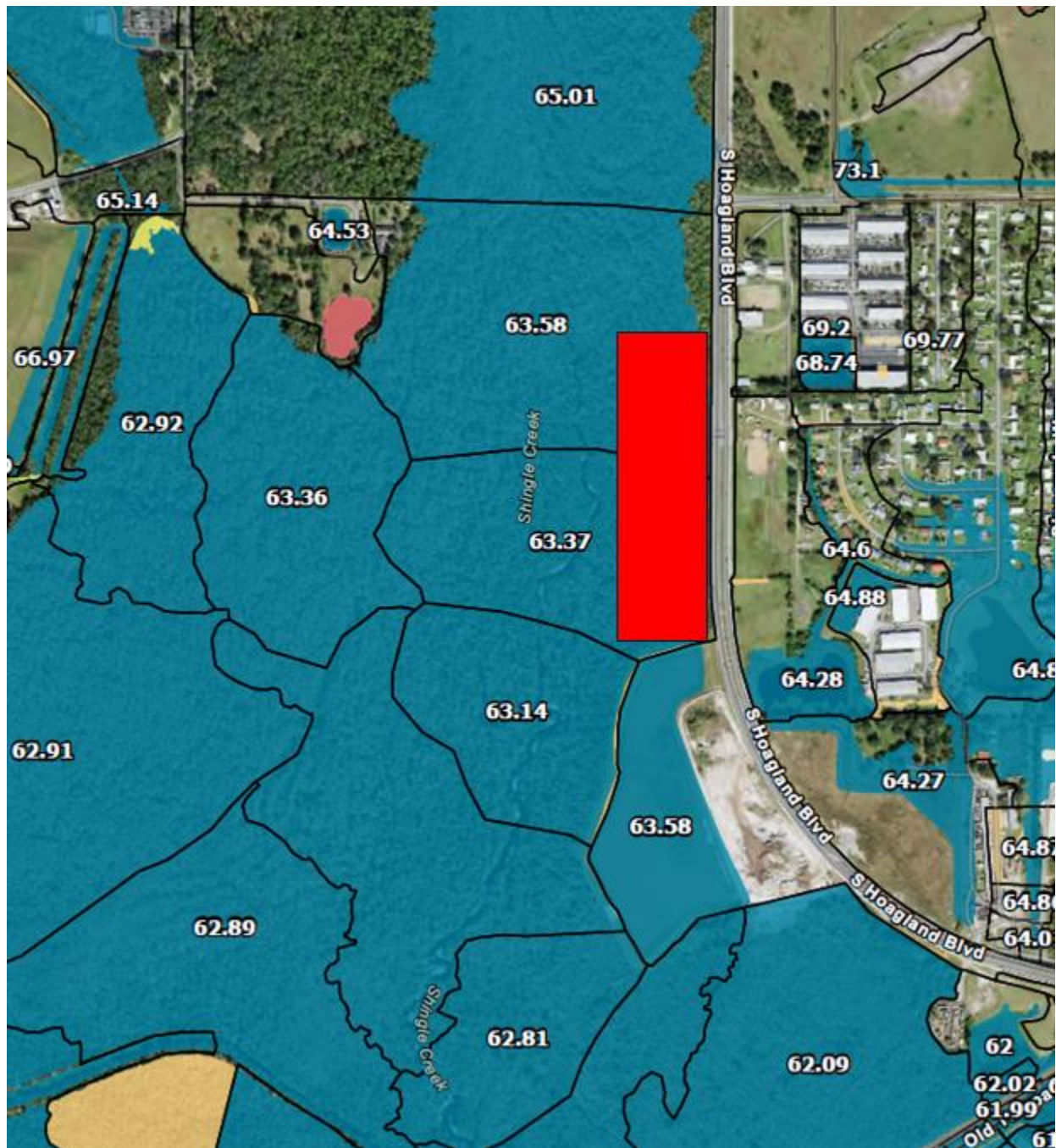
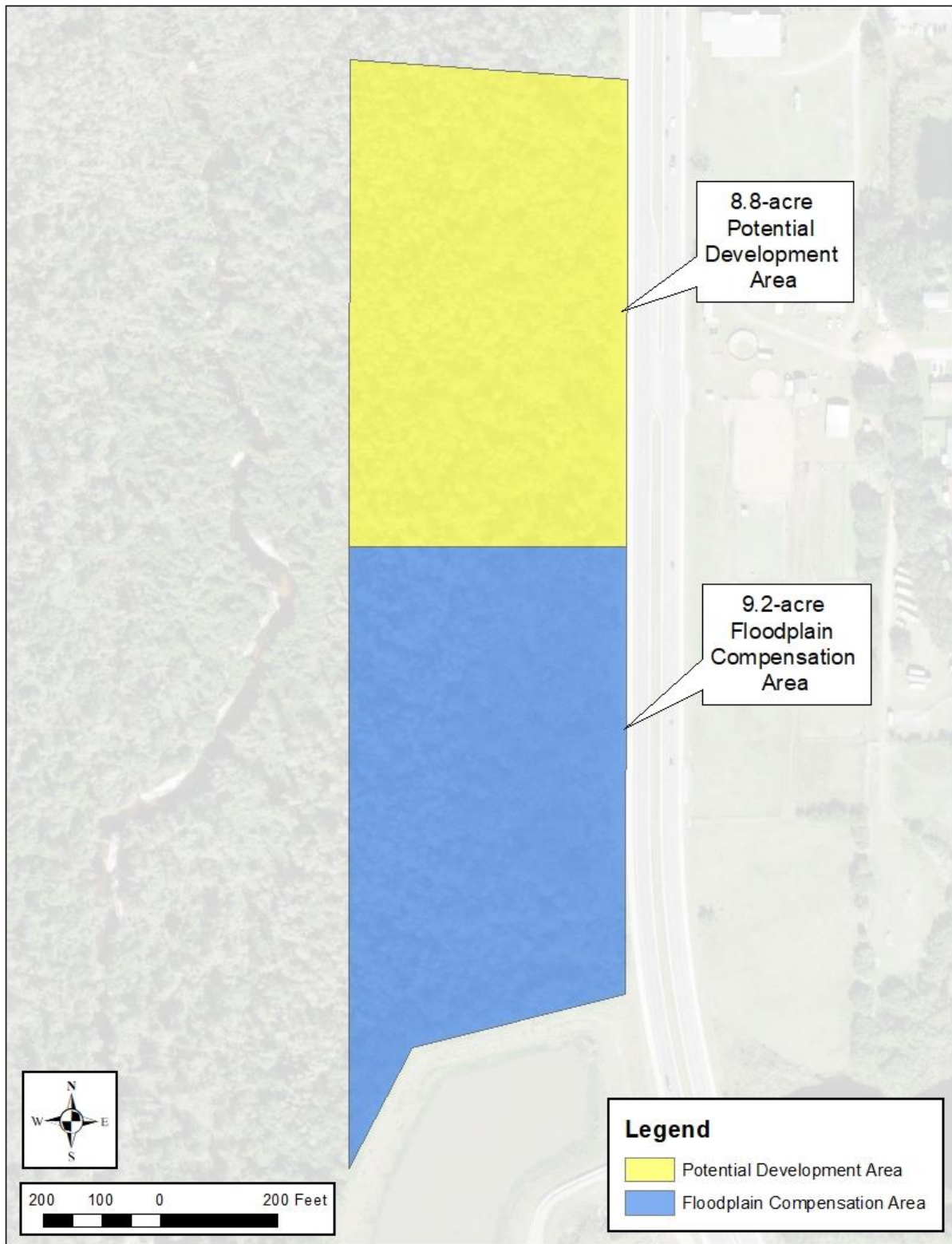


Figure 5: Proposed Concept





memorandum

date August 15, 2024
to Daniel Aronoff, UMAM LLC
cc Mark Serrahn, UMAM LLC
from Steven Green, ESA, Julie Sullivan, ESA
subject Shingle Creek Mitigation Bank Outparcel Wetland Trend

Compliance Summary

On October 23, 2019, the South Florida Water Management District (SFWMD) and Environmental Science Associates (ESA) conducted a site inspection of the Shingle Creek Mitigation Bank (SCMB). During the site inspection, SFWMD staff determined among other things that portions of the SCMB exhibited signs of hydrologic stress including treefall and soil subsidence. The portions of the SCMB that exhibited hydrologic stress were the two outparcels along the eastern side of Shingle Creek totaling approximately 18 acres along Hoagland Boulevard. on the eastern portion of parcel 30-25-29-00U0-0080-0000 s depicted on the attached Exhibit A (the “Parcel”) On December 5, 2019, the SFWMD issued a non-compliance letter detailing the observations of the site inspection and requested a remedial action plan.

In response to this non-compliance letter, ESA developed a remedial action plan which among other things proposed the removal of the Parcel due concerns over the long-term viability of the wetlands within this parcel. Hydrology for wetland communities within the SCMB and larger Shingle Creek drainage basin is dictated by the US Army Corps of Engineers (USACE) regulation schedule for the S-61 Lock on the southern end of Lake Tohopekaliga. The current regulation schedule for the S-61 Lock has been in place since 1982 and is primarily being managed for flood control. This schedule holds water elevations between 52’ and 55’ NGVD (51.05’ and 54.05’ NAVD88) with peak stages between November and March (opposite of the typical Central Florida wet season). Within the boundaries of the SCMB, Shingle Creek occurs at an elevation of approximately 54’ NAVD88, while the adjacent wetland systems are approximately six (6) feet above this elevation and are thus deprived of seasonal surface water flooding from Shingle Creek, outside of major storm events.

The effects of the artificially lowered tailwater are compounded by modified upstream inputs. Much of the basin upstream of the SCMB, particularly in Orange County, is developed and the creek channelized leading to brief high velocity peak flows as opposed to slowly moving sheet flow typical of floodplains and basin swamps. Combined with the artificially lowered tailwater, these modified high velocity discharges have led to scouring of Shingle Creek and the natural rivulets that drain the adjacent floodplain. This results in a topography that fails to hold surface water for time periods sufficient for optimal wetland function and has resulted in hydrologic stress

on the Parcel. Areas immediately adjacent to Shingle Creek, such as the Parcel, are generally the most impacted by this hydrologic manipulation.

The remedial action plan, which included the removal of the Parcel from the SCMB in exchange for the additions to the SCMB of another parcel, was formalized on April 1, 2021 and included in a SFWMD permit Modification. This permit modification was finalized on May 30, 2024, under SFWMD Application No. 220222-33299. The condition for removal of the Parcel is addressed in Special Conditions section 23 therein.

Exhibit A



Osceola County Property Appraiser

Katrina S. Scarborough, CFA, CCF, MCF

Basic Search

Advanced Search

Sales Search

Search Results

Parcel Result

Map

Help

Parcel Result

Parcel: 30252900U000800000

TRIM Notice Property Record Card Map Image Tax Collector Map View E-Mail Parcel NEW Bird's Eye View

Owner Information	
Owner Name	UMAM LLC
Mailing Address	5607 GLENRIDGE DR NE STE 200
	ATLANTA, GA 30342
Physical Address	OLD TAMPA HWY, KISSIMMEE FL 34746
Description	NO AG ACREAGE-VAC
Tax District	200 - KISSIMMEE

Tax Values		View Tax Estimate	
Current Values		Certified Values	
Current Value represents working appraised values as of 06/03/2024, which are subject to change prior to certification		Certified Value represents certified values that appeared on the tax roll as of 10/04/2023	
Land	\$19,200	Land	\$47,900
AG Benefit	\$0	AG Benefit	\$0
Extra Features	\$0	Extra Features	\$0
Buildings	\$0	Buildings	\$0
Appraised(Just)	\$19,200	Appraised(just)	\$47,900
Assessed(estimated)	\$19,200	Assessed*	\$47,900
Exemption(estimated)	\$0	Exemption	\$0
Taxable(estimated)	\$19,200	Taxable	\$47,900
* Assessed Values Reflect Adjustments for Agricultural Classification and/or the Save Our Homes Cap		* Assessed Values Reflect Adjustments for Agricultural Classification and/or the Save Our Homes Cap	

Sales Information				
Seq	ORB-Pg	Price	Date	Deed Type
0	4923-0197	\$100	2016-02-26	Quit Claim Deed (QC)
1	4923-0187	\$100	2016-02-26	Quit Claim Deed (QC)
2	4726-0470	\$100	2015-01-22	Certificate of Title (CT)
3	3419-2911	\$6,361,900	2007-02-16	Warranty Deed (WD)
4	3059-2142	\$100	2002-05-28	Corrective Deed (CD)
5	2254-0454	\$807,900	2002-05-28	Warranty Deed (WD)
6	1120-0177	\$0	1993-04-16	Personal Representative Deed (PR)
7	1120-0176	\$0	1993-04-15	Personal Representative Deed (PR)

Land Information - Total Acreage: 95.80				
Land Description	Units	Depth	Land Type	Land Value
CONSERVATION	95.80	0.00	AC	\$19,200

Legal Description	
SW 1/4 LESS NW 1/4 OF NW 1/4 OF SW 1/4 & LESS NE 1/4 OF NW 1/4 OF SW 1/4 & LESS BEG N 1/4 COR OF SEC 31, E 615.20 FT, S 295.16 FT, E 724.25 FT TO PT ON E LINE OF W 1/2 OF NE 1/4, S 808.04 FT, N 82 DEG W 120.96 FT, N 16 DEG W 177.52 FT, N 30 DEG W 459.91 FT, N 71 DEG W 504.82 FT, N 71 DEG W 272.83 FT, N 79 DEG W 219.07 FT, S 54 DEG W 24.72 FT, S 8 DEG W 194.08 FT, S 3 DEG E 351.76 FT, S 64 DEG W 119.31 FT, N 28 DEG W 743.69 FT, N 74.25 FT, N 6 DEG E 141.85 FT, N 13 DEG E 119.47 FT, N 27 DEG E 245.96 FT, N 76 DEG E 370.10 FT TO PT ONE LINE OF SW 1/4, S 428.93 FT TO POB LYING WITHIN SEC 30 ORD #97-03 LESS BEG AT CENTER OF 30/25/29, S 667.51 FT, N 89 DEG W 475.06 FT, S 1902.17 FT, S 13 DEG W 102.59 FT, S 6 DEG W 141.85 FT, S 74.25 FT, S 24 DEG W 1751.49 FT, S 31 DEG E 685.54 FT, S 80 DEG E 1301.48 FT TO NLY RW CSX RR, S 58 DEG W 86.83 FT, W 18.86 FT, S 58 DEG W 384.87 FT, S 11.80 FT, S 58 DEG W 104.06 FT, N 82 DEG W 1014.55 FT, N 31 DEG W 1297.38 FT, N 24 DEG E 1852.84 FT, N 2008.26 FT, N 89 DEG W 341.79 FT TO SE COR OF NE 1/4 OF NW 1/4 OF SW 1/4 OF 30-25-29 N 663.74 FT, S 89 DEG E 1360.53 FT TO POB & LESS COM AT S 1/2 COR OF 30-25-29, N 581.59 FT TO POB; & POC, CONC E, RAD 2144.50 FT, CENT ANG 04 DEG, NLY ALONG CURVE 166.21 FT, N 1245.01 FT, S 89 DEG E 6.47 FT, S 1410.95 FT TO	

NUMBER
407-742-5000

EMAIL
info@property-appraiser.org

ADDRESS
Property Appraiser's Office
2505 E Irlo Bronson Memorial Hwy
Kissimmee, FL 34744

[View Map](#)

Business Hours

HOURS OF OPERATION

Monday - Friday : 8am to 5pm
Closed Saturday and Sunday

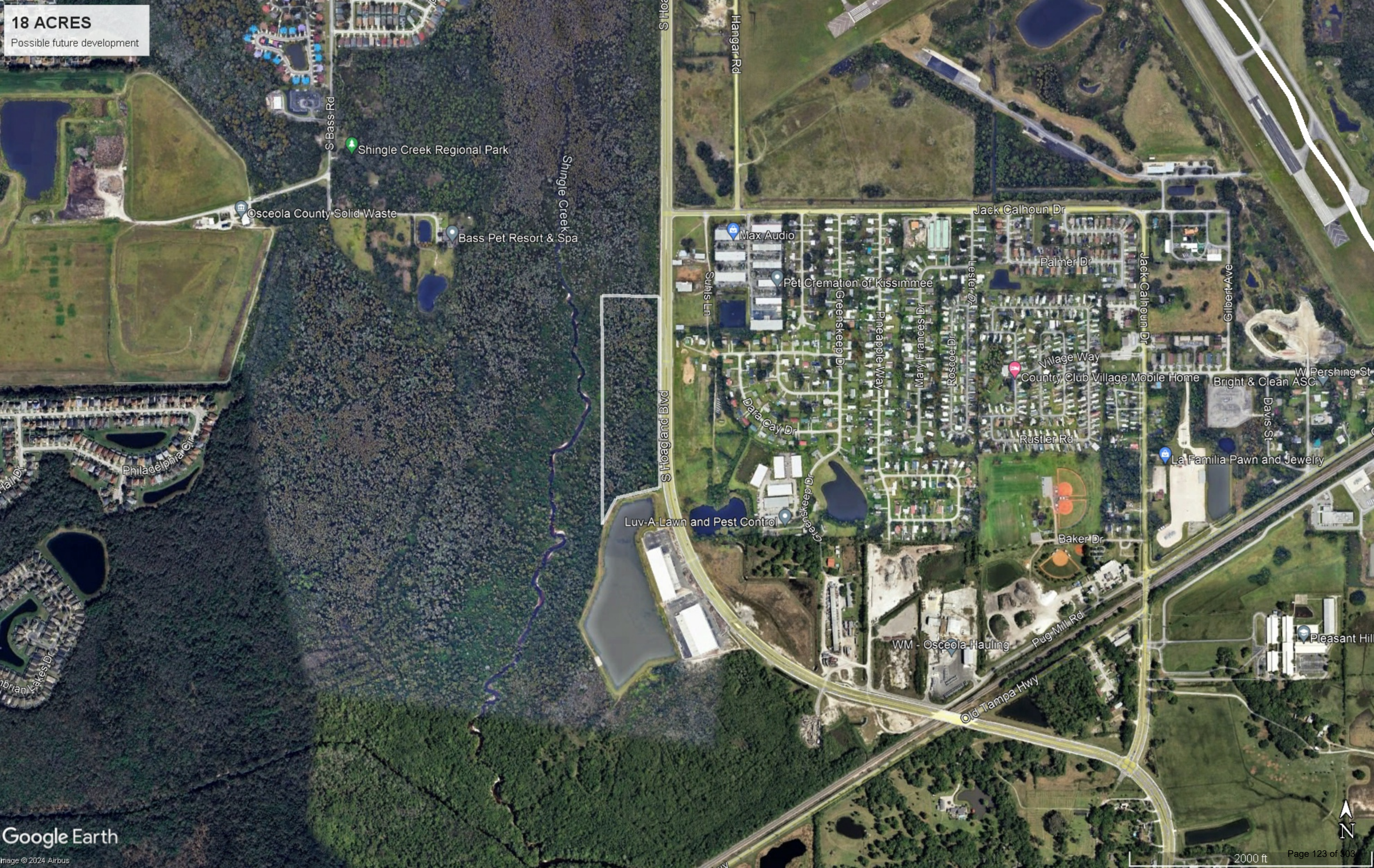


About the Property Appraiser

- Katrina S. Scarborough CFA, CCF, MCF
- Accessibility
- Career Opportunities
- Departments
- Holiday Schedule

Other County Agencies

- Board of County Commissioners
- Clerk of the Courts
- Sheriff's Office
- Supervisor of Elections
- Tax Collector



18 ACRES

Possible future development

Shingle Creek Regional Park

Osceola County Solid Waste

Bass Pet Resort & Spa

Max Audio

Pet Cremation of Kissimmee

Jack Calhoun Dr

Palmer Dr

Village Way

Country Club Village Mobile Home

Bright & Clean ASC

La Familia Pawn and Jewelry

Pleasant Hill

WM - Osceola Hauling

Luv-A-Lawn and Pest Control

Baker Dr

Pug Mill Rd

Old Tampa Hwy

S Hoagland Blvd

Hangar Rd

Sunlit Ln

Daria Cay Dr

Greenskeep Dr

Greenskeep Dr

Pineapple Way

Mary Frances Dr

Roscoe Dr

Lester Dr

Jack Calhoun Dr

Gilbert Ave

Davis St

W Pershing St



South Florida Water Management District
Mitigation Bank Permit No. 49-01937-M
Date Issued: July 27, 2023

Corrected Copy April 30, 2024

Permittee: UMAM, LLC
Shingle Creek Mitigation Group, LP

Project: Shingle Creek Mitigation Bank

Application No. 210525-6295

Location: Osceola County, See Exhibit 1

Your application for a Mitigation Bank Permit is approved. This action is taken based on Chapter 373, Part IV, of Florida Statutes (F.S.) and the rules in Chapter 62-330 and 62-342, Florida Administrative Code (F.A.C.). Unless otherwise stated, this permit constitutes certification of compliance with state water quality standards under section 401 of the Clean Water Act, 33 U.S.C. 1341, and a finding of consistency with the Florida Coastal Management Program. Please read this entire agency action thoroughly and understand its contents.

This permit is subject to:

- Not receiving a filed request for a Chapter 120, F.S., administrative hearing.
- The attached General Conditions for Environmental Resource Permits.
- The attached Special Conditions.
- All referenced Exhibits.

All documents are available online through the District's ePermitting site at www.sfwmd.gov/ePermitting.

If you object to these conditions, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance with the "Notice of Rights", we will assume that you concur with the District's action.

The District does not publish notices of action. If you wish to limit the time within which a person may request an administrative hearing regarding this action, you are encouraged to publish, at your own expense, a notice of agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Legal requirements and instructions for publishing a notice of agency action, as well as a noticing format that can be used, are available upon request. If you publish a notice of agency action, please send a copy of the affidavit of publication provided by the newspaper to the District's West Palm Beach office for retention in this file.

If you have any questions regarding your permit or need any other information, please call us at 1-800-432-2045 or email epermits@sfwmd.gov.

A handwritten signature in blue ink that reads "Lisa Prather".

Lisa Prather, PWS
Section Administrator

Permittees:

UMAM, LLC
205 Abbey St
Birmingham, MI 48009

Shingle Creek Mitigation Group, LP
612 East 11 Mile Road
Royal Oak, MI 48067

**South Florida Water Management District
Mitigation Bank Permit No. 49-01937-M**

Date Issued:	July 27, 2023	Expiration Date:	July 27, 2028
Project Name:	Shingle Creek Mitigation Bank		
Permittees:	UMAM, LLC 205 Abbey St Birmingham, MI 48009 Shingle Creek Mitigation Group, LP 612 East 11 Mile Road Royal Oak, MI 48067		
Operating Entity:	UMAM, LLC 205 Abbey St Birmingham, MI 48009 Shingle Creek Mitigation Group, LP 612 East 11 Mile Road Royal Oak, MI 48067		
Location:	Osceola County		
Permit Acres:	534.96 acres		
Special Drainage District:	N/A		
Water Body Classification:	CLASS III		
FDEP Water Body ID:	3169A		
Total Potential Credits:	0.00		
Conservation Easement to District:	Yes		
Sovereign Submerged Lands:	No		

Project Summary

The Environmental Resource Permit authorized construction and operation of a 534.96 acre mitigation bank project known as Shingle Creek Mitigation Bank in Osceola County.

Project Site Description

Shingle Creek Mitigation Bank (SCMB) is located southwest of Kissimmee, off of Old Tampa Highway, southeast of Poinciana Boulevard and encompasses portions of Shingle Creek in Sections 30 and 31, Township 25S, Range 29E and Sections 25 and 36, Township 25S, Range 28E in Osceola County. To the north of the project lies property in both public and private ownership. To the west the property borders Poinciana Boulevard, a residential development, County owned property and District owned Save Our

Rivers (SOR) lands. To the south the property borders Old Tampa Highway and undeveloped wetlands under private ownership. To the east, the property borders a residential development and an industrial park.

Current Authorization (Application No. 210525-6295)

This modification authorizes the removal of a 17.94 acre parcel from the mitigation bank and the addition of a 29.27 acre parcel to the mitigation bank. This exchange results in a total of 534.96 acres in the mitigation bank, and the removal of 2.47 forested credits from the ledger. This modification also corrects errors in the credit calculations from previous reductions in bank area via Applications 150709-20 and 170330-12. The new parcel has the potential to gain 2.47 forested credits but no credits are currently released for the new addition.

Refer to Exhibit 6.0 for the updated mitigation bank ledger.

Background

On December 21, 1999 a Noticed General Permit (No. 49-01018-P) was issued for a project known as Logging a Cypress Swamp.

Permit Modification History

On January 13, 2009, an ERP was issued to construct and operate a 619-acre mitigation bank. [Application No. 070321-21]

On October 28, 2013, a modification was issued for a five year permit extension. [Application No. 130925-9]

On April 8, 2016, a minor modification was issued for the proportional adjustment of mitigation bank credits and financial assurance to correspond to a 84.99 acre reduction in project acreage, as well as, the addition of a new permittee. [Application No. 150709-20]

On May 16, 2017, a minor modification was issued for an adjustment of mitigation bank credits to correspond with a 10.11 acre reduction in project acreage. [Application No. 170330-12]

On November 14, 2018, a minor modification was issued to modify the Work Schedule due dates. [Application No. 181109-2]

Please see Exhibit 5.0 for a list of authorizations that constitute this permit.

Ownership, Operation and Maintenance

Perpetual operation and maintenance of the stormwater management system will be the responsibility of Shingle Creek Mitigation Group, LP and UMAM, LLC. Upon conveyance or division of ownership or control of the property or the system, the permittee must notify the Agency in writing within 30 days, and the new owner must request transfer of the permit.

The Permittee has provided the existing Access Easement (Exhibit 4.1) recorded in Osceola County ORB 3759, PG 1912 for the access to the added parcel in the South East portion of the permitted area.

The applicant provided an additional draft Access Easement (Exhibit 4.0) that will grant the South Florida Water Management District ingress and egress to the Conservation Easement area. Within 30 days of permit issuance, a copy of the executed and recorded easement must be provided to the District's Environmental Resource Compliance staff.

Engineering Evaluation:

Water Quality

There are no construction activities planned for this project, therefore, no adverse water quality impacts are anticipated as a result of the proposed project since the pre-development condition is the same as the post-development condition with respect to the site's surface water flow. Also, removal of the feral pig population will result in less rutting and thus less soil erosion from the site, and removal of the cattle will result in water quality improvements due to decreased nutrient loading and fewer eroded cattle crossings in the area.

Water Quantity

There are no works planned for this phase of the mitigation bank. Therefore, the post-development discharge will be the same as the pre-development discharge.

Environmental Evaluation:

Environmental Evaluation

This application (210525-6295) is to authorize the removal of a 17.94 acre parcel from the mitigation bank and to add a 29.27 acre parcel to the bank. The locations of the removal and addition parcels are shown in Exhibit 3.0.1. The parcel removal results in the reduction of total potential credits for the bank by 2.47 forested credits. The ledger has been updated to reflect the 17.94 acre removal, and the total number of released credits has been corrected to account for errors in the credit releases from Applications 150709-20 and 170330-12. The credit releases that have previously occurred were based on percentages of the total number of potential credits, and have been adjusted to reflect the new total potential credits following the parcel removals in Applications 150709-20, 170330-12, and 210525-6295. See Exhibit 3.4.1 for the UMAM scoring for the parcel addition and the ledger correction calculations. The updated ledger can be found in Exhibit 6.0. The closing balance on the ledger is 8.59 forested credits and -0.91 herbaceous credits.

The new parcel has the potential to gain 2.47 forested credits as shown in the table below, but no credits are currently released for the new addition.

Mitigation Plan

The proposed mitigation plan and success criteria for the 29.27 acre parcel addition can be found in Exhibit 3.0.1. The plan includes treatment of nuisance and exotic vegetation, planting of basin swamp trees and groundcover species, removal of interior fencing, and installation of external fencing. The addition parcel will be incorporated into the annual monitoring plan that is currently implemented for the existing bank area.

The financial assurance mechanism is also being updated to account for the acreage change, see Exhibit 3.1.1. The updated cost estimates can be found in the ePermitting file. A conservation easement will be recorded over the addition parcel, and a title insurance commitment is required. See Exhibit 3.2.1 for the draft conservation easement, and Exhibit 3.3.1 for the title commitment.

All special conditions, work schedules, and exhibits as found in Permit No. 49-01937-M continue to apply unless otherwise modified by the District. See Exhibit 5.0.

Environmental Evaluation Tables:

Summary

Wetlands and Other
Surface Waters: 464.61 acres

Wetland and Other
Surface Water Impacts: 0 acres

Total Onsite Mitigation
Area: 536.08 acres

Is a conservation
easement proposed?:

Shingle Creek Mitigation Bank

UMAM Mitigation and Preservation

ID	Acres	Action	Existing Community Description	Proposed Community Description	Current or Without Preserve Score	With Project Score	Time Lag Years.	Risk	P. A. F.	UMAM Gain
SW1	0.7	Preservation	Rivers, Streams and Waterways	Rivers, Streams and Waterways	0.53	0.56	1	1	0.8	0.017
U1f	15.23	Preservation	Pine-Mesic Oak	Pine-Mesic Oak	0.05	0.7	1	1	0.8	7.920
U1h	9.24	Preservation	Pastures	Pastures	0.05	0.7	1	1	0.8	4.805
U2	21.2	Preservation	Pine Flatwoods	Pine Flatwoods	0.05	0.7	1	1	0.8	11.024
U3	25.8	Preservation	Pine Flatwoods	Pine Flatwoods	0.05	0.7	1	1	0.8	13.416
W1f	271.54	Preservation	Mixed Wetland Hardwoods	Mixed Wetland Hardwoods	0.5	0.6	1	1	0.8	21.723
W1h	43.5	Preservation	Vegetated Non- Forested Wetlands	Vegetated Non- Forested Wetlands	0.5	0.6	1	1	0.8	3.480
W2	63.2	Preservation	Mixed Wetland Hardwoods	Mixed Wetland Hardwoods	0.5	0.6	1	1	0.8	5.056
W3	56.4	Preservation	Mixed Wetland Hardwoods	Mixed Wetland Hardwoods	0.5	0.6	1	1	0.8	4.512
Total: 506.81										71.953

29.27 Acre Addition

UMAM Mitigation and Preservation

ID	Acres	Action	Existing Community Description	Proposed Community Description	Current or Without Preserve Score	With Project Score	Time Lag Years.	Risk	P. A. F.	UMAM Gain
W1	23.9	Restoration	Basin Swamp	Basin Swamp	0.5	0.7	16 - 20	1.5	1.0	1.897
W2	5.37	Enhancement	Basin Swamp	Basin Swamp	0.6	0.733	1	1	0.8	0.571
Total: 29.27										2.468

Related Concerns:**Historical/Archeological Resources**

No information has been received that indicates the presence of archaeological or historical resources or that the proposed activities could cause adverse impacts to archaeological or historical resources.

Water Use Permit Status

The applicant has indicated that dewatering is not required for this project. This permit does not release the permittee from obtaining all necessary Water Use authorization(s) prior to the commencement of activities which will require such authorization, including construction dewatering and irrigation, unless the work qualifies for a No-Notice Short-Term Dewatering permit pursuant to Chapter 40E-20.302(3) or is exempt pursuant to Section 40E-2.051, FAC.

General Conditions for Individual Environmental Resource Permits, 62-330.350, F.A.C.

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation, June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," (October 1, 2013), (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505>), incorporated by reference herein, indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C., and shall be submitted electronically or by mail to the Agency. However, for activities involving more than one acre of construction that also require a NPDES stormwater construction general permit, submittal of the Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities, DEP Form 62-621.300(4)(b), shall also serve as notice of commencement of construction under this chapter and, in such a case, submittal of Form 62-330.350(1) is not required.
5. Unless the permit is transferred under rule 62-330.340, F.A.C., or transferred to an operating entity under rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms, and conditions of the permit for the life of the project or activity.
6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex- "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit"[Form 62-330.310(3)]; or
 - b. For all other activities- "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
 - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
7. If the final operation and maintenance entity is a third party:
 - a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.4 of Volume I) as filed with the Florida Department of State, Division of Corporations, and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the

County in which the activity is located.

- b. Within 30 days of submittal of the as-built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation and Maintenance Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
9. This permit does not:
 - a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the Agency in writing:
 - a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.
13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.
14. If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, stone tools, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section (DHR), at (850)245-6333, as well as the appropriate permitting agency office. Project activities shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and the proper authorities notified in accordance with section 872.05, F.S. For project activities subject to prior consultation with the DHR and as an alternative to the above requirements, the permittee may follow procedures for unanticipated discoveries as set forth within a cultural resources assessment survey determined complete and sufficient by DHR and included as a specific permit condition herein.

15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.
16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.
17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.
18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

Special Conditions for Individual Environmental Resource Permits, 62-330.350, F.A.C.

1. The construction phase of this permit shall expire on the shown on Page 2.
2. Operation and maintenance of the stormwater management system shall be the responsibility of Shingle Creek Mitigation Group, LP and UMAM, LLC. The permittee shall notify the Agency in writing within 30 days of any conveyance or division of ownership or control of the property or the system, and the new owner must request transfer of the permit in accordance with Rule 62-330.340, F.A.C.
3. Submit an executed recorded copy of the Access Easement granted to the South Florida Water Management District must be provided to the District's ERB staff within 30 days of permit issuance.
4. (a) In accordance with the schedule attached as Exhibit No. 2 (see Application No. 070321-21) and prior to the release of any credits from the bank, the permittee shall submit to the District, for review and approval in accordance with Exhibit No. 2 (see Application No. 070321-21) , two (2) copies of the following:
 1. Final executed draft in recordable form of conservation easement.
 2. Site map of conservation easement
 3. Signed and sealed survey by professional surveyor with legal description
 4. Certified appraisal of the market value of property
 5. Title insurance commitment and owner's title policy
- (b) Within 30 days of District approval of the above listed items, the permittee shall record a conservation easement for the 534.95 acres bank property for which the release of credits is sought and submit two (2) certified copies to the district. The conservation easement shall be granted to the District and FDEP and shall contain the activity restrictions set forth in section 704.06(1) F.S. The recorded conservation easement shall be in conformance with the draft conservation easement attached as Exhibit No. 2. The District must approve any amendments to the conservation easement.
- (c) Prior to recordation of the conservation easement for the bank project, the bank sponsor shall procure waivers of surface exploration rights for the bank site. the waiver form shall be subject to the approval of the District prior to recordation of the conservation easment.
5. All contractors must be provided with a copy of the staff report and permit conditions prior to the commencement of construction. The permittee is responsible for ensuring that all contractors adhere to the project details and methods indicated on the attached permit Exhibits and described herein.
6. The permittee shall, every two years, adjust the amount of financial responsibility provided for the implementation and long term management of the bank. The cost adjustment, along with supporting documentation, shall be submitted to the District for review and approval. Any significant change in the cost estimate (>10%) may result in a modification to required deposits into the construction and implementation fund. The amount of financial responsibility provided for construction and implementation shall be adjusted as follows:
 - (A) The permittees shall, every two (2) years, adjust the amount of financial responsibility provided for construction and implementation and for the long-term management of the bank. Every two (2) years, the permittees shall submit to the District a cost adjustment statement accompanied by supporting, verifiable documentation based upon a third party performing the work at the fair market value of the

services. Mitigation implementation and long term management costs shall be listed separately. The cost adjustment statements shall include inflation as well as changes in the cost to carry out the construction and implementation (i.e., initial exotic species removal and control, planting, structure installation, consultant fees, monitoring activities and reports) and long term management (i.e., nuisance/exotic species control, maintenance of fences, consultant fees, monitoring activities and reports, and any other costs associated with long-term management) activities required for compliance with this permit.

(B) If the value of the construction and implementation performance bond is less than the total amount of the current implementation cost estimate, or if the annual interest generated by the long-term management trust fund is less than the currently estimated annual costs of long-term management, the permittees shall upon District approval of the cost adjustment statement, increase the value of the financial mechanism(s) to reflect the new estimate within 60 days.

(C) If the value of the implementation performance bond is greater than the total amount of the current construction and implementation cost estimate, or if the annual interest generated by the long-term management trust fund is greater than the currently estimated annual costs of long-term management, the permittees may reduce the value of the financial assurance mechanism(s) to reflect the new estimate upon receiving District approval of the cost adjustment statement.

(D) The permittees shall adjust the amount of the implementation performance bond and/or long-term management trust fund at times other than the cost adjustment period when the costs associated with compliance with the permit conditions exceed the current amount of financial responsibility and such financial assurances are deemed necessary to ensure compliance with the permit conditions.

(E) Upon completion of an activity, the permittee may request a reduction in the required amount of the implementation performance bond to the amount specified in the most recent required cost estimate for the remaining phases of construction (Exhibit 2 ((see Application No. 070321-21) or the most recent cost adjustment).

7. The permittees shall maintain in perpetuity all of the physical components of the mitigation bank, including fences, access gate(s), signage and other physical components necessary for the continued operation, maintenance and long-term management of this mitigation bank as permitted. This permit does not authorize any construction or earthwork activities except for those explicitly described within the staff report.
8. Any future changes in land use or treatment of wetland and/or upland areas may require a permit modification and additional review by District environmental/engineering staff. Prior to the permittee instituting any future changes not authorized by this permit, the permittee shall notify the District of such intentions for a determination of any necessary permit modifications.
9. This application authorizes a total of 71.95 credits for the preservation of the property which includes recording a conservation easement over 534.96 acres, establishment of financial assurances in accordance with the special conditions and attached exhibits, removal and control of nuisance and exotic species and the implementation of a land management plan as described in the staff report and the special conditions of this application. The applicant may submit a request to modify this permit to perform additional activities, including hydrologic enhancement, which may result in the realization of additional credits. The future modification(s) will be based on the potential for additional vegetative improvement as well as hydrologic enhancement/restoration of the mitigation bank site. The potential hydrologic improvements will likely include the construction of control structures and berms where uncontrolled runoff currently occurs into the creek and/or into Oren Brown Canal. In order for the

applicant to demonstrate the amount of hydrologic, vegetative and ecological improvement that may occur, a comprehensive and quantifiable baseline conditions report as well as measurable success criteria must be submitted. Although the information submitted thus far relies on performance based success criteria, the analysis must also include a comparison of current hydrologic and vegetative conditions to potential future conditions in order to demonstrate the potential lift. The vegetative components of the baseline report must include, but are not limited to: - Established transects and quadrats with permanent photostations - List and percent cover of all species contained within each transect and quadrat - Percent cover of OBL, FACW, FAC and UPL species within each transect and quadrat - Quantitative description and list of canopy trees including percent cover and DBH - Nuisance and exotic vegetation coverage within each monitoring area - Wildlife observations The hydrologic elements of the baseline report must include but are not limited to: - An analysis of both the current and proposed condition in sufficient detail to support the proposed enhancement credit for the hydroperiod of each mitigation polygon - Hydrologic measurements including depth and duration of saturation/inundation. - Construction details of all structures and proposed earthwork The success criteria for the project must include: - Specific quantifiable goals of the proposed enhancement activities - Specify a reference wetland for each habitat type - A detailed planting plan for each polygon - UMAM data sheets for each polygon - Specific success criteria for each polygon. The documentation of the factors listed above will be utilized to determine the full number of potential credits that are available to the bank. The vegetative elements, in particular, are critical components of the current mitigation plan for preservation only as they will document the potential for future enhancement credit over and above the preservation element. At this time, the District has not made a determination as to the potential number of credits that may be generated as a result of future modifications to the permit.

10. The mitigation plan includes the removal of feral pigs from the property. The control of feral pigs shall be the responsibility of the applicant and shall in no way be interpreted to allow for hunting of native species on the property. In addition, the management and results of this activity shall be reported to the District in the annual monitoring reports.
11. A maintenance program shall be implemented in accordance with Exhibit No. 2 (see Application No. 070321-21) for the mitigation bank on a regular basis to ensure the integrity and viability of those areas as permitted. Coverage of exotic and nuisance species shall not exceed 1% total areal coverage after 5 years. Maintenance shall be conducted in perpetuity to ensure that the mitigation bank is maintained free from Category 1 exotic vegetation (as defined by the Florida Exotic Pest Plant Council at the time of permit issuance) immediately following a maintenance activity. In addition, the permittee shall manage the conservation areas such that nuisance plant species do not exceed 10% of areal cover.
12. The permittee shall be responsible for the successful completion of the mitigation bank, including the monitoring and maintenance of the bank for the duration of the mitigation plan, in accordance with the attached exhibits.
13. The work schedule shown in Exhibit 2 (see Application No. 070321-21) shall be implemented regarding the release of credits for sale within the mitigation bank.
14. A mitigation program for the Shingle Creek Mitigation Bank shall be implemented in accordance with the attached Exhibits. The permittee shall preserve 534.96 acres .
15. The District reserves the right to require remedial measures to be taken by the permittee if monitoring or other information demonstrates that adverse impacts to onsite or offsite wetlands, upland conservation areas or buffers, or other surface waters have occurred due to project related activities.

16. The mitigation bank credit ledger shall reflect a total of 71.95 credits which includes 63.67 forested credits and 8.28 herbaceous credits. The credits shall be released in accordance with the credit release schedule outlined below:

20% (12.73 forested credits, 1.65 herbaceous credits) Submit conservation easement and financial assurance documentation

20% (12.73 forested credits, 1.65 herbaceous credits) Installation of perimeter fencing, removal of interior fencing and signage

5% (3.18 forested credits, 0.41 herbaceous credits) Removal and control of feral pigs

45% (28.65 forested credits, 3.72 herbaceous credits) Nuisance and exotic vegetation removal and control

10% (6.37 forested credits, 0.82 herbaceous credits) Reserve (Successful completion of five year monitoring program)

17. A monitoring program shall be implemented in accordance with Exhibit No. 2 (see Application No. 070321-21). Short-term monitoring reports must be submitted annually and must be conducted in accordance with the approved Monitoring Plan.

The short term reports must include all of the information identified in the monitoring section of the approved mitigation plan and information sufficient to demonstrate whether the success criteria are being achieved.

Once the bank has achieved success, long-term (perpetual) monitoring reports must be submitted annually, by January 31st for the previous year. All reports must include the information identified in the monitoring section of the approved mitigation plan, must demonstrate how the bank is continuing to meet (or not meet) the goals and objectives of the mitigation bank plan, and must include a log and aerial showing the location of all maintenance activities undertaken during the previous year and scheduled for the following year. These activities include, but are not limited to, floral and faunal exotic and nuisance treatment/control, and any other management activities performed, or scheduled to be performed, on the mitigation bank property.

18. Project implementation, maintenance/monitoring and long term management shall be accomplished in accordance with the attached Exhibits and in accordance with the Special Conditions outlined herein. Additionally, issuance of this permit is based on the District's reliance on information submitted and commitments made by the permittees that the proposed mitigation design presented in Exhibits will be achieved and that the targeted success criteria outlined in the staff report and in Exhibit 2 will be met. If at any time, the District determines that the targeted success criteria have not or are not being met for any phase and/or that the milestone events identified in the credit release schedule contained in Exhibit 2 have not been satisfactorily accomplished, then no mitigation credits shall be withdrawn or released, including for other activities, until it is demonstrated that the targeted success criteria and/or milestone events have been achieved.

19. The permittee acknowledges, that pursuant to Rule 40E-4.101(2), F.A.C., a notice of Environmental Resource or Surface Water Management Permit may be recorded in the county public records. Pursuant to the specific language of the rule, this notice shall not be considered an encumbrance upon the property.

20. Prior to the release of any credits, and within 30 days of permit issuance, the permittee shall provide the District with documentation that a trust fund in the amount of \$386,444.40 has been established for the long term management of the Shingle Creek Mitigation Bank.
21. In conformance with the work schedule in Exhibit 2 (see Application No. 070321-21), the permittee shall provide an original letter of credit in the amount of \$245,080.00 to ensure the permittee's financial ability and commitment to complete the proposed mitigation, monitoring and maintenance plan. The financial assurance shall be in substantial conformance with Exhibit No. 2 (see Application No. 070321-21). The financial assurance shall be in effect for the entire period of the mitigation and monitoring program. Notification to the District by the financial institution or surety that the financial assurance will not be renewed or is no longer in effect shall constitute non-compliance with the permit.
22. Activities associated with the implementation of the mitigation, monitoring and maintenance plan(s) shall be completed in accordance with the work schedule attached as Exhibit 2 (see Application No. 070321-21). Any deviation from these time frames will require prior approval from the District's Environmental Resource Compliance staff. Such requests must be made in writing and shall include (1) reason for the change, (2) proposed start/finish and/or completion dates; and (3) progress report on the status of the project development or mitigation effort.
23. For the 29.27 acre parcel addition authorized under Application 210525-6295:
- A) Prior to the commencement of construction, and in accordance with the work schedule herein, the permittee shall submit for review and approval, one copy of the following as a package for review by District real estate staff:
1. Project map identifying conservation areas
 2. Legal description of conservation areas
 3. Signed amended conservation easement form
 4. Sealed boundary survey of conservation area(s) by professional Land surveyor
 5. Title insurance commitment for the conservation easement naming the District as beneficiary using approved valuation. See Exhibit 3.3.1.
 6. Data in accordance with paragraph E (below).
- B) The real estate information referenced in paragraph (A) above shall be reviewed by the District in accordance with the District's real estate review requirements. The easement shall be granted free of mortgages, liens, easements or other encumbrances or interests which the District staff states are contrary to the intent of the easement. The easement shall not be recorded until such approval is received.
- C) Once the Draft Amended Conservation Easement form is approved by the District, the permittee may commence with the Mitigation Plan. Upon completion of Phase 1 of the planting plan as outlined in the Mitigation Plan attached as Exhibit 3.0.1., the permittee shall record the Amended Conservation Easement over the real property designated as conservation/preservation areas on Exhibit 3.2.1, adding the 29.27 acre parcel constituting the additional conservation easement area and removing the 17.94 acre parcel constituting the removed conservation easement area. This Exhibit shall not be modified without a permit modification.
- D) In the event the conservation easement real estate information reveals encumbrances or interests in the easement which the District staff states are contrary to the intent of the easement, the permittee shall be required to provide release or subordination of such encumbrances or interests. If such are not

obtained, permittee shall be required to apply for a modification to the permit for alternative acceptable mitigation.

E) A CD or DVD containing the easement data supplied in a digital ESRI Geodatabase (mdb), ESRI Shapefile (shp) or AutoCAD Drawing Interchange (dxf) file format using Florida State Plane coordinate system, East Zone (3601), Datum NAD83, HARN with the map units in feet, shall be submitted.

F) Upon recordation of the amended conservation easement in the public records of Osceola County, the permittee shall submit one certified copy of the recorded conservation easements for the preservation/mitigation areas, and title insurance policy, via ePermitting or to the Environmental Resource Compliance staff in the local District service center.

24. A monitoring program shall be implemented for the mitigation bank in accordance with the updated Exhibit 3.0.1., with annual reports submitted to District staff.

25. For the 29.27 acre addition authorized under Application 210525-6295, the planting and mitigation plan shall be conducted in accordance with Exhibit 3.0.1.

Project Work Schedule for Permit No. 49-01937-M

The following activities are requirements of this Permit and shall be completed in accordance with the Project Work Schedule below. Please refer to General Conditions, Special Conditions and/or Specific Conditions for more information. Any deviation from these time frames will require prior approval from the District's Environmental Resources Bureau and may require a modification to this permit. Such requests must be made in writing and shall include: (1) reason for the change, (2) proposed start/finish and/or completion dates, and (3) progress report on the status of the project.

Condition No.	Date Added	Description (Application Number)	Due Date	Date Satisfied
SC 11	04/30/2024	Scmb Submit Original Long Term Mgmt Trust Fund	04/15/2008	04/21/2016
SC 11	04/30/2024	Scmb Submit Original Letter Of Credit	04/15/2008	04/21/2016
SC 11	04/30/2024	Scmb Remove Cattle Lease	04/15/2008	04/20/2016
SC 11	04/30/2024	Scmb Install Perimeter Fencing	07/01/2009	01/11/2017
SC 11	04/30/2024	Scmb Install Signage	07/01/2009	01/11/2017
SC 11	04/30/2024	Scmb Submit Baseline Monitoring Report	12/31/2027	07/17/2017
GC 2	02/18/2020	Certification (200130-2665)	02/17/2021	03/06/2023
GC 7	01/13/2009	Conversion/Transfer (070321-21)	01/13/2010	
SC 3	04/30/2024	Submit Recorded Access Easement granted to the SFWMD	Within 30 days of permit issuance	
SC 16	04/30/2024	Scmb Submit Monitoring Report 1	12/18/2018	10/23/2019
SC 16	04/30/2024	Scmb Submit Monitoring Report 2	03/19/2022	01/29/2021
SC 16	04/30/2024	Scmb Submit Monitoring Report 3	02/22/2022	02/03/2022
SC 16	04/30/2024	Scmb Submit Monitoring Report 4	02/22/2023	05/02/2023
SC 16	04/30/2024	Scmb Submit Monitoring Report 5	02/22/2024	02/07/2024
SC 16	04/30/2024	Scmb Submit Monitoring Report 6	02/22/2025	
SC 16	04/30/2024	Scmb Submit Monitoring Report 7	02/22/2026	
SC 16	04/30/2024	Scmb Submit Monitoring Report 8	02/22/2027	
SC 17	01/13/2009	Submittal Of Doc In Association With Conservation Easement (070321-21)	07/22/2016	04/25/2018
SC 23	04/30/2024	Application 210525-6295: Submit Real Estate Package For CE	Within 30 days of Phase 1 Completion	
SC 25	04/30/2024	Application 210525-6295: Submit Time Zero Report for Planted Areas	Within 30 days after Planting Complete Date	

GC = General Condition

SC = Special Condition

Distribution List

Julie Sullivan, ESA

Osceola County Engineer

US Army Corps of Engineers

Exhibits

The following exhibits to this permit are incorporated by reference. The exhibits can be viewed by clicking on the links below or by visiting the District's ePermitting website at <http://my.sfwmd.gov/ePermitting> and searching under this application number 210525-6295.

[Exhibit No. 1.0 Location Map](#)

[Exhibit No. 3.0.1 Mitigation Plan - 29 Acre Addition](#)

[Exhibit No. 3.1.1 Financial Assurance Update - 29 Acre Addition](#)

[Exhibit No. 3.2.1 Draft Conservation Easement Amendment](#)

[Exhibit No. 3.3.1 Title Insurance Commitment - 29 Acre Addition](#)

[Exhibit No. 3.4.1 UMAM and Credit Adjustment - 29 Acre Addition](#)

[Exhibit No. 4.0 Access Easement \(SFWMD\)](#)

[Exhibit No. 4.1 Access Easement \(Recorded\)](#)

[Exhibit No. 5.0 Permit History](#)

[Exhibit No. 6.0 Mitigation Bank Ledger](#)

NOTICE OF RIGHTS

As required by Chapter 120, Florida Statutes, the following provides notice of the opportunities which may be available for administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, or judicial review pursuant to Section 120.68, Florida Statutes, when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Some of the legal proceedings detailed below may not be applicable or appropriate for your situation. You may wish to consult an attorney regarding your legal rights.

RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Florida Statutes. Persons seeking a hearing on a District decision which affects or may affect their substantial interests shall file a petition for hearing in accordance with the filing instructions set forth herein within 21 days of receipt of written notice of the decision unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Florida Statutes; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Florida Statutes. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, posting, or publication that the District has taken or intends to take final agency action. Any person who receives written notice of a District decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action that materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional point of entry pursuant to Rule 28-106.111, Florida Administrative Code.

Any person to whom an emergency order is directed pursuant to Section 373.119(2), Florida Statutes, shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The District may grant the request for good cause. Requests for extension of time must be filed with the District prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and whether the District and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

FILING INSTRUCTIONS

A petition for administrative hearing must be filed with the Office of the District Clerk. Filings with the Office of the District Clerk may be made by mail, hand-delivery, or e-mail. Filings by facsimile will not be accepted. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Office of the District Clerk at the District's headquarters in West Palm Beach, Florida. The District's normal business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Any document received by the Office of the District Clerk after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day.

Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33406.

- Filings by hand-delivery must be delivered to the Office of the District Clerk. Delivery of a petition to the District's security desk does not constitute filing. It will be necessary to request that the District's security officer contact the Office of the District Clerk. An employee of the District's Clerk's office will receive and process the petition.
- Filings by e-mail must be transmitted to the Office of the District Clerk at clerk@sfwmd.gov. The filing date for a document transmitted by electronic mail shall be the date the Office of the District Clerk receives the complete document.

INITIATION OF ADMINISTRATIVE HEARING

Pursuant to Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Rules 28-106.201 and 28-106.301, Florida Administrative Code, initiation of an administrative hearing shall be made by written petition to the District in legible form and on 8 1/2 by 11 inch white paper. All petitions shall contain:

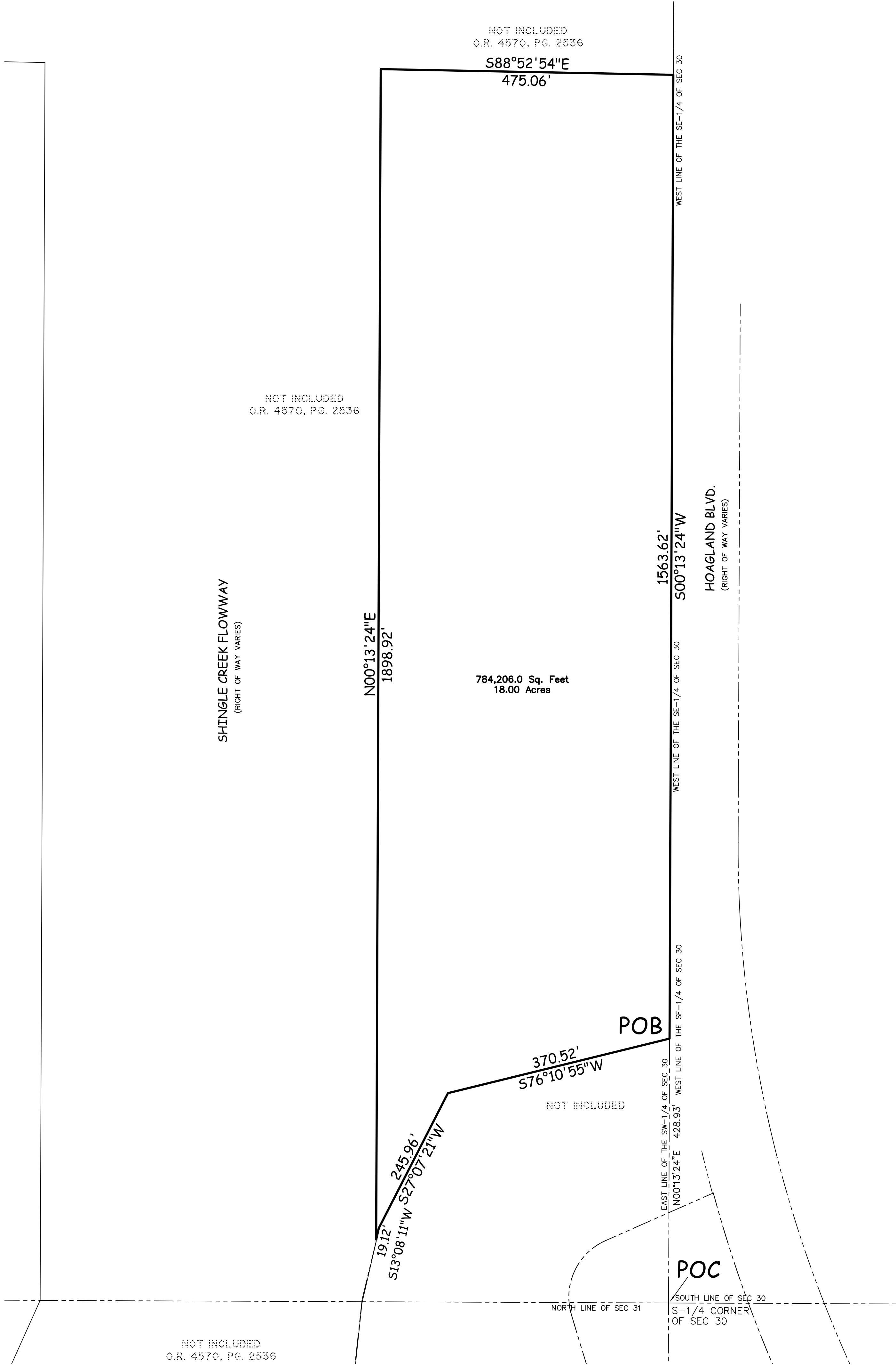
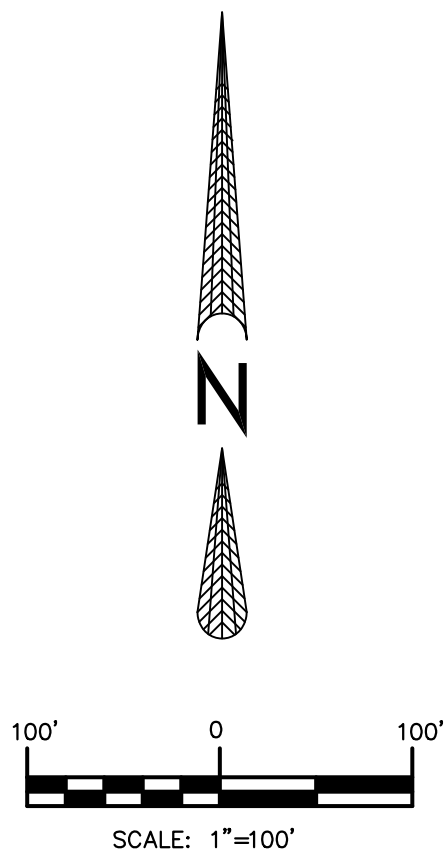
1. Identification of the action being contested, including the permit number, application number, District file number or any other District identification number, if known.
2. The name, address, any email address, any facsimile number, and telephone number of the petitioner, petitioner's attorney or qualified representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the District's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the District's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the District's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the District to take with respect to the District's proposed action.

MEDIATION

The procedures for pursuing mediation are set forth in Section 120.573, Florida Statutes, and Rules 28-106.111 and 28-106.401–.405, Florida Administrative Code. The District is not proposing mediation for this agency action under Section 120.573, Florida Statutes, at this time.

RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Section 120.68, Florida Statutes, and in accordance with Florida Rule of Appellate Procedure 9.110, a party who is adversely affected by final District action may seek judicial review of the District's final decision by filing a notice of appeal with the Office of the District Clerk in accordance with the filing instructions set forth herein within 30 days of rendition of the order to be reviewed, and by filing a copy of the notice with the appropriate district court of appeals via the Florida Courts E-Filing Portal.



SKETCH OF DESCRIPTION
OF LANDS SITUATED IN
SECTION 30, TOWNSHIP 24 SOUTH, RANGE 29 EAST
OSCEOLA COUNTY, FL.

PARCEL 0080

DESCRIPTION PREPARED:

A TRACT OF LAND SITUATED IN THE SOUTHEAST ONE-QUARTER (SE-1/4) OF SECTION 30, TOWNSHIP 25 SOUTH, RANGE 29 EAST, OSCEOLA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 30 THENCE N00°13'24"E ALONG THE WEST LINE OF SAID SE-1/4 LINE A DISTANCE OF 428.93 FEET TO THE POINT OF BEGINNING; THENCE S76°10'55"W A DISTANCE OF 370.52 FEET; THENCE S27°07'21"W A DISTANCE OF 245.96 FEET; THENCE S13°08'11"W A DISTANCE OF 19.12 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4570, PAGE 2536 OF THE PUBLIC RECORDS OF SAID OSCEOLA COUNTY; THENCE N00°13'24"E ALONG THE EAST LINE OF SAID TRACT A DISTANCE OF 1898.92 FEET; THENCE S88°52'54"E ALONG SAID TRACT A DISTANCE OF 475.06 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF HOAGLAND BOULEVARD; THENCE S00°13'24"W A DISTANCE OF 1563.62 FEET TO THE SAID POINT OF BEGINNING.

CONTAINING 18.00 ACRES MORE OR LESS OR LESS.

- LEGEND:**
- ▲ = SET PK NAIL AND DISC (LB 7970)
 - = SET 5/8" IRON ROD&CAP (LB 7970)
 - = SET 4x4 CONCRETE MONUMENT
 - = FOUND NAIL AND DISC
 - = FOUND 3/8" IRON AND CAP
 - = FOUND 5/8" IRON AND CAP (FIRC)
 - = FOUND 3-5" CONCRETE MONUMENT (FCM)
 - = FOUND 1" IRON PIPE (FIP)
 - = FOUND DRILL & X-CUT
 - ↑ = BACK OF CURB
 - (C) = CALCULATED
 - Δ = CENTRAL ANGLE
 - C = CHORD LENGTH
 - C# = CHORD BEARING
 - CBW = CONCRETE BLOCK STRUCTURE
 - CBW = CONCRETE BLOCK WALL
 - C/L = CENTERLINE OF RIGHT-OF-WAY
 - CMP = CORRUGATED METAL PIPE
 - CONC. = CONCRETE
 - DUE = DRAINAGE & UTILITY EASEMENT
 - EL = ELEVATION
 - EOP = EDGE OF PAVEMENT
 - EROP = ELLIPTICAL REINFORCED CONCRETE PIPE
 - GOV = GOVERNMENT LOT
 - L = ARC LENGTH
 - LB = LICENSED BUSINESS
 - LS = LICENSED BUSINESS
 - (M) = MEASURED
 - MES = MITERED END SECTION
 - N.G.V.D. = NATIONAL GEODETIC VERTICAL DATUM (1929)
 - OR = OFFICIAL RECORDS
 - P.B. = PLAT BOOK
 - P.G. = PAGE
 - P.K. = PARKER KAYLON
 - POB = POINT OF BEGINNING
 - POC = POINT OF COMMENCEMENT
 - PRM = PERMANENT REFERENCE MONUMENT
 - R = RADIUS
 - (R) = RECORD
 - R/W = RIGHT-OF-WAY
 - RCP = REINFORCE CONCRETE PIPE
 - SEC = SECTION NUMBER
 - SFWD = SOUTH FLORIDA WATER MANAGEMENT DISTRICT

SURVEYOR'S NOTES:

- PREPARED AS A SKETCH OF DESCRIPTION. *** NOT A SURVEY ***
- MAP IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS OR FREEDOM OF ENCUMBRANCES AND WAS PREPARED WITHOUT BENEFIT OF ABSTRACT OF TITLE AND ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.
- PARCEL MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD. (RECORDED, UNRECORDED, WRITTEN AND UNWRITTEN).
- IMPROVEMENTS OTHER THAN THOSE SHOWN NOT LOCATED.
- MAP BASED ON DESCRIPTION PROVIDED BY THE CLIENT.
- THIS SURVEY WAS NOT INTENDED TO DELINEATE OR DEFINE ANY WETLANDS, ENVIRONMENTALLY SENSITIVE AREAS, WILDLIFE HABITATS OR JURISDICTIONAL LINES OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, COMMISSION OR OTHER ENTITY.
- PARCEL LIES IN FLOOD ZONE "AE", A FLOOD HAZARD AREA AS SHOWN ON FEDERAL INSURANCE RATE MAP COMMUNITY PANEL 12097C0065G, DATED 06/13/2013.
- ALL BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF THE SOUTHEAST (SE-1/4) OF SECTION 30 AS BEARING N00°13'24"E ASSUMED.
- SOME TOPOGRAPHIC FEATURES OR SYMBOLS MAY BE EXAGGERATED IN SCALE FOR CLARITY. THE CENTER OF THE SYMBOL OF SUCH FEATURES IS THE CORRECT LOCATION.
- DIMENSIONS OF IMPROVEMENTS SHOWN SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.

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STATE OF FLORIDA
COUNTY OF OSCEOLA
TOWNSHIP 24 SOUTH
RANGE 29 EAST
SECTION 30
PARCEL 0080
DATE: 12/16/21
DRAWN BY: RAE
CHECKED BY: CE-MEE
FIELD BOOK/PAGE: FILE

REVISIONS	DATE

PREPARED FOR:
UNAM, LLC
5607 GLENVIEW BLVD, SUITE 200
ATLANTA, GA 30342

ELLIS SURVEYS LLC
Land Surveying & Planning
P.O. Box 160952
Altamonte Springs, FL 32716
Florida Licensed Business LB-7970
P. 407-884-1111
www.ellisurveys.com



PROJECT NO.: 21-101E-0080
SCALE: 1"=100'
DRAWN BY: RAE
CHECKED BY: CE-MEE
DATE DRAWN: 12/16/21
FIELD BOOK/PAGE: FILE



memorandum

date August 15, 2024
to Daniel Aronoff, UMAM LLC
cc Mark Serrahn, UMAM LLC
from Steven Green, ESA, Julie Sullivan, ESA
subject Shingle Creek Mitigation Bank Outparcel Wetland Trend

Compliance Summary

On October 23, 2019, the South Florida Water Management District (SFWMD) and Environmental Science Associates (ESA) conducted a site inspection of the Shingle Creek Mitigation Bank (SCMB). During the site inspection, SFWMD staff determined among other things that portions of the SCMB exhibited signs of hydrologic stress including treefall and soil subsidence. The portions of the SCMB that exhibited hydrologic stress were the two outparcels along the eastern side of Shingle Creek totaling approximately 18 acres along Hoagland Boulevard. on the eastern portion of parcel 30-25-29-00U0-0080-0000 s depicted on the attached Exhibit A (the “Parcel”) On December 5, 2019, the SFWMD issued a non-compliance letter detailing the observations of the site inspection and requested a remedial action plan.

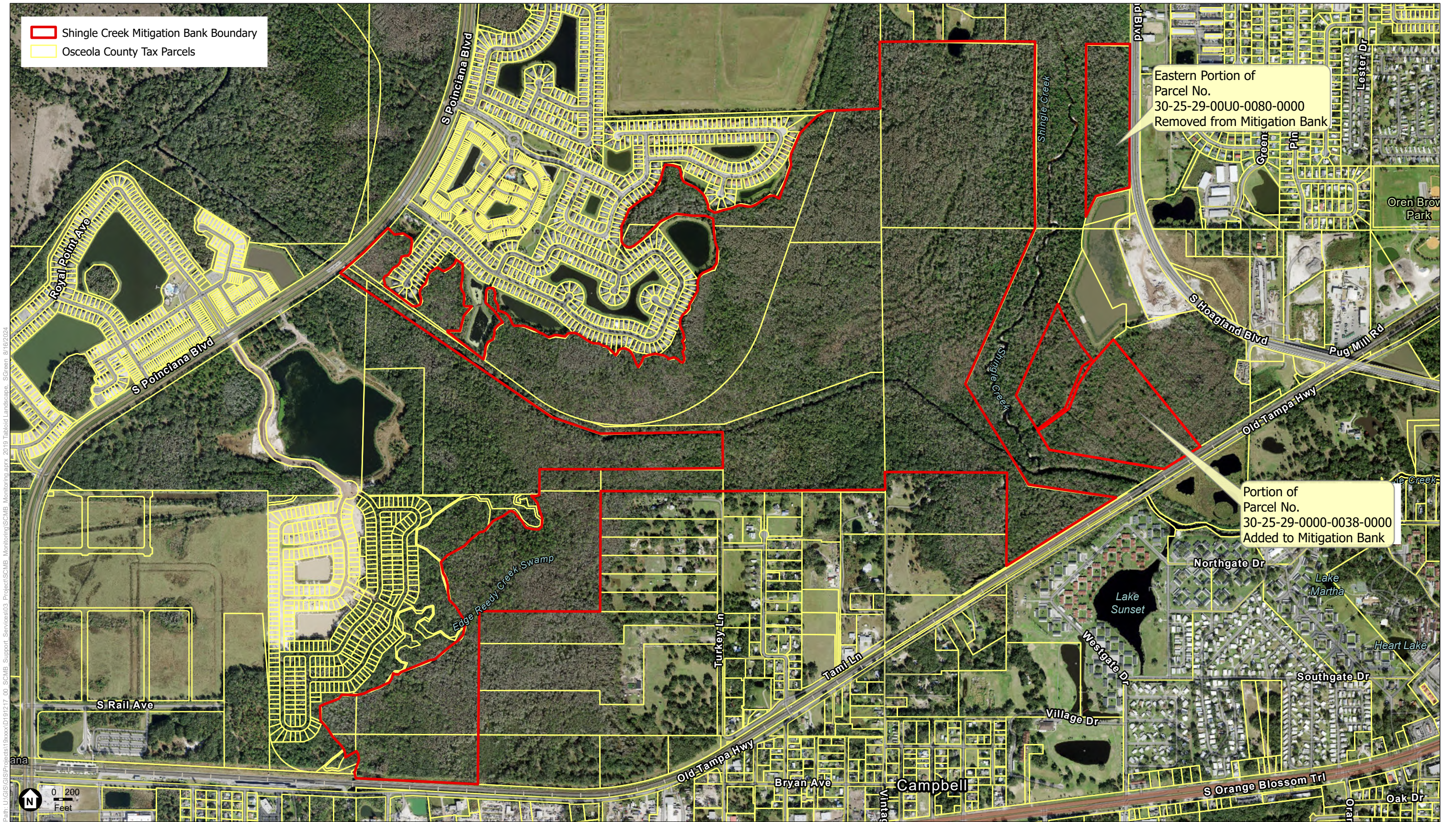
In response to this non-compliance letter, ESA developed a remedial action plan which among other things proposed the removal of the Parcel due concerns over the long-term viability of the wetlands within this parcel. Hydrology for wetland communities within the SCMB and larger Shingle Creek drainage basin is dictated by the US Army Corps of Engineers (USACE) regulation schedule for the S-61 Lock on the southern end of Lake Tohopekaliga. The current regulation schedule for the S-61 Lock has been in place since 1982 and is primarily being managed for flood control. This schedule holds water elevations between 52’ and 55’ NGVD (51.05’ and 54.05’ NAVD88) with peak stages between November and March (opposite of the typical Central Florida wet season). Within the boundaries of the SCMB, Shingle Creek occurs at an elevation of approximately 54’ NAVD88, while the adjacent wetland systems are approximately six (6) feet above this elevation and are thus deprived of seasonal surface water flooding from Shingle Creek, outside of major storm events.

The effects of the artificially lowered tailwater are compounded by modified upstream inputs. Much of the basin upstream of the SCMB, particularly in Orange County, is developed and the creek channelized leading to brief high velocity peak flows as opposed to slowly moving sheet flow typical of floodplains and basin swamps. Combined with the artificially lowered tailwater, these modified high velocity discharges have led to scouring of Shingle Creek and the natural rivulets that drain the adjacent floodplain. This results in a topography that fails to hold surface water for time periods sufficient for optimal wetland function and has resulted in hydrologic stress

on the Parcel. Areas immediately adjacent to Shingle Creek, such as the Parcel, are generally the most impacted by this hydrologic manipulation.

The remedial action plan, which included the removal of the Parcel from the SCMB in exchange for the additions to the SCMB of another parcel, was formalized on April 1, 2021 and included in a SFWMD permit Modification. This permit modification was finalized on May 30, 2024, under SFWMD Application No. 220222-33299. The condition for removal of the Parcel is addressed in Special Conditions section 23 therein.

Exhibit A



Shingle Creek Mitigation Bank

Exhibit A
Mitigation Bank Boundary and Tax Parcels
Osceola County, FL



ITEM 5.C

Public Hearing - Proposed Ordinance #26-07 - Amending the Zoning Map designation from Agricultural Conservation (AC) to Industrial Business (IB): Hoagland Rd. Zoning Map Amendment - ZMA-25-0004

AN ORDINANCE AMENDING ORDINANCE NO. 3129 KNOWN AS THE CITY OF KISSIMMEE LAND DEVELOPMENT CODE, REZONING THE PROPERTY HEREINAFTER DESCRIBED, REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

Request

Recommendation of approval of a Zoning Map Amendment to change the Zoning Map designation from Agricultural Conservation (AC) to Industrial Business (IB) on approximately 18.00 acres of land on Parcel ID: 30-25-29-00U0-0080-0000.

Explanation

Currently this parcel is vacant. This Zoning Map Amendment is associated with the portion of the parcel east of Shingle Creek, along Hoagland Blvd. This project is directly tied to LUPA-25-0002 and also associated with LUPA-25-0009 and ZMA-25-0012. In 2019, South Florida Water Management District (SFWMD) and Environmental Science Associates (ESA) conducted a site inspection of the Shingle Creek Mitigation Bank. The inspection found that there was hydrological stress on the outparcels along Hoagland Blvd, including the roughly 18 acres on parcel 30-25-29-00U0-0080-0000, reducing the wetlands in this area. Due to this, 17.94 acres were removed from the mitigation bank and 29.27 acres were added to the mitigation bank from another area. The applicant is now looking to extend the industrial corridor along Hoagland, and in doing so is proposing to add 157.31 acres of Conservation Future Land Use through LUPA-25-0009 and 79.51 acres of Agricultural Conservation zoning through ZMA-25-0012.

This property would help to increase the industrial center in the southwest quadrant of the City near the airport. This helps to ensure traffic, infrastructure and other industrial impacts are kept in specific areas that are meant for these types of uses. The property sits within the Conservation Overlay District, which will help to ensure any proposed developments will not have an adverse effect on the surrounding environments and to Shingle Creek. The Overlay requires any development within the district to conduct conservation impact reports. These reports will include an analysis of the property and techniques appropriate for protecting any important environmental characteristics of the property.

This Zoning Map Amendment to Industrial Business (IB) zoning will provide consistency and compatibility with the parcel's proposed future land use designation of Industrial Business (IN). The intent of the Industrial Business Zoning is for properties suitable for industrial development, but where proximity to residential or commercial zones makes it desirable to limit the manner and extent of industrial operations. It is intended to permit the normal operation of a variety of industrial and related uses under such conditions of operation as will protect nearby development. Various commercial uses which are compatible with typical industrial uses shall also be allowed according to the provisions of this section. It is intended for use in suitable areas which have been assigned an Industrial Business (IN) future land use designation by the comprehensive plan.

FINDINGS AND REASONS

1. Compliance with Land Development Code Section 14-4-4(N), IB, Industrial Business District.
This district is intended for properties suitable for industrial development, but where proximity

to residential or commercial zones makes it desirable to limit the manner and extent of industrial operations. It is intended to permit the normal operation of a variety of industrial and related uses under such conditions of operation as will protect nearby development. Various commercial uses which are compatible with typical industrial uses shall also be allowed according to the provisions of this section. It is intended for use in suitable areas which have been assigned an Industrial Business (IN) future land use designation by the comprehensive plan.

2. Compliance with Land Development Code Section 14-3-26, Comprehensive Plan text and Map Amendments, in regards to the submittal and review procedures and criteria to support an amendment.
3. Compliance with Comprehensive Plan Policy 1.1.3.2 in maintaining the major centers for industrial activity with this land use included in the airport and airport environs within the southwest quadrant of the City.
4. Compliance with Land Development Code 14-4-7.B, Conservation Overlay District, which is intended to protect the integrity of environmentally sensitive areas including wetlands, surface waters, floodplains, and special wildlife and plant habitats. This is to be achieved by requiring the preparation and implementation of an acceptable conservation impact report in conjunction with any development proposal submitted for a use permitted in the underlying zoning district. This report will include an analysis of the property and techniques appropriate for protecting any important environmental characteristics of the property.

Recommendation

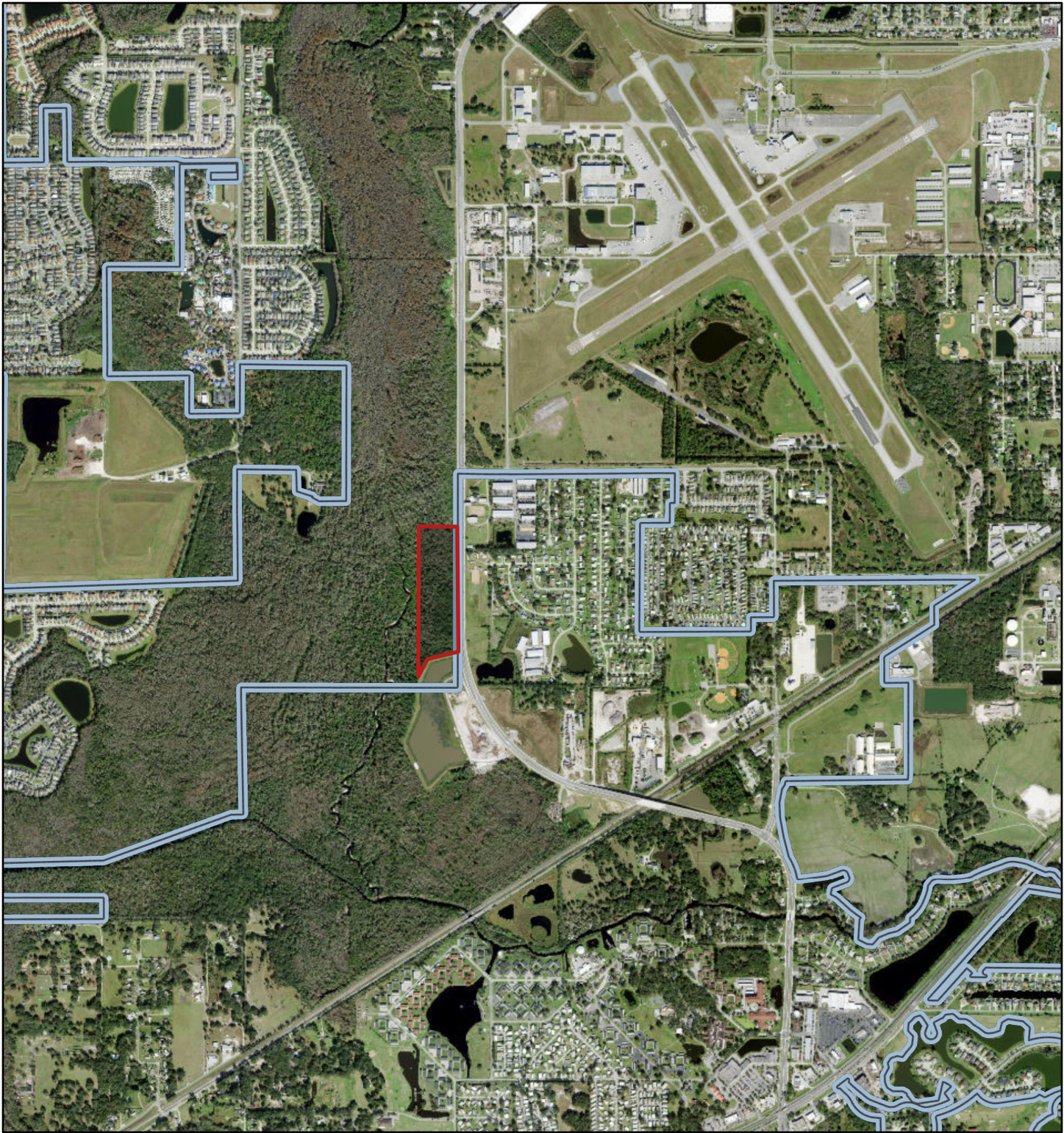
REQUESTED PLANNING ADVISORY BOARD ACTION:

Approve

The Development Review Committee (DRC) recommended approval on May 20, 2025.

Attachment(s):

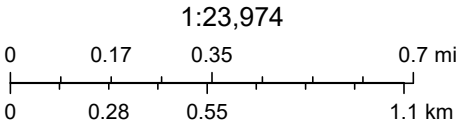
1. ZMA-25-0004 Aerial Map
2. ZMA-25-0004 Vicinity Map
3. ZMA-25-0004 Site Data Table
4. ZMA-25-0007 201 E Dankin St Proposed Ord 26-07
5. ZMA-25-0004 PAB Ad
6. ZMA-25-0004 DRC Comments
7. ZMA-25-0002 Supporting Docs



February 9, 2026

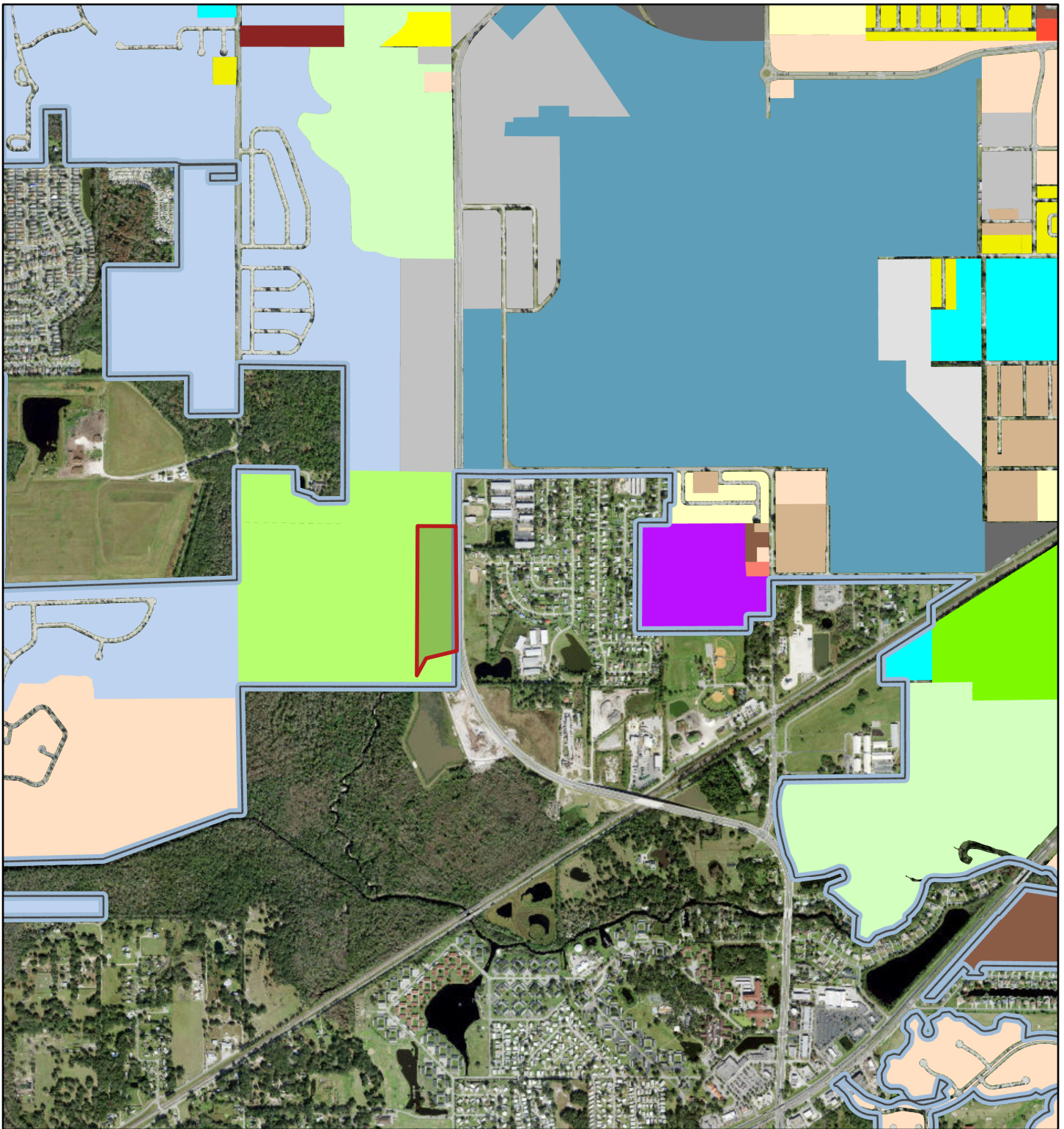
- Road Centerlines
- City Limits
- CITY
- COUNTY
- World Imagery

- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations
- 4.8m Resolution Metadata



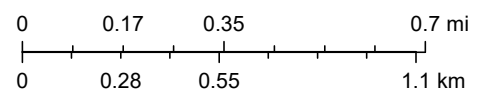
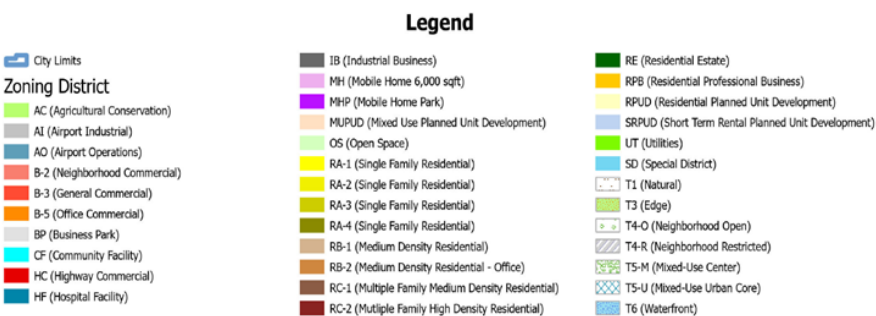
State of Florida, Earthstar Geographics

ZMA-25-0004
Hoagland Blvd Rezoning
Parcel ID: 30-25-29-00U0-0080-0000



February 9, 2026

1:23,974



State of Florida, Earthstar Geographics

Hoagland Rd. Zoning Map Amendment, ZMA-25-0004
Parcel IDs #30-25-29-00U0-0080-0000;
Site Data Tables

Site Data	
Size	+/- 18.00 acres
Future Land Use Designation	Single-Family Low Density Residential (SF-LDR)
Proposed Future Land Use Designation	Industrial Business (IN) - City
Zoning District Designation	Agricultural Conservation (AC) – City
Proposed Zoning District Designation	Industrial Business (IB) – City
Existing Overlay District	Conservation Overlay (CO) and the Multimodal Transportation District (MMTD)
Existing Use(s)	Vacant
Proposed Use(s)	N/A
Adjacent Land Use	
North	Single-Family Low Density Residential (SF-LDR) - City
South	Single-Family Low Density Residential (SF-LDR) - City
East	Industrial - County
West	Single-Family Low Density Residential (SF-LDR) - City
Adjacent Zoning	
North	Agricultural (AC) - City
South	Agricultural (AC) - City
East	Industrial General (IG) - County
West	Agricultural (AC) - City
Zoning History	N/A
Past/Current Project Tracking	LUPA-25-0002, ZMA-25-0012 and LUPA-25-0009

Comprehensive Plan Summary	
Policy 1.2.4.3: Industrial Business (IN): This land use is intended to accommodate a mixture of typical industrial uses and more intense non-industrial uses. Development and redevelopment projects within this future land use designation may be built with an intensity of up to 0.50 FAR. This designation shall be applied to areas appropriate for typical industrial uses or mixed-use development consisting of light-industrial uses and compatible commercial uses. The Land Development Code shall establish the specific permitted uses and applicable restrictions which shall be applied to areas with the Industrial Business land use designation	
Potential Zoning Districts	IB, AI and BP
	Form-based Districts: T5-U

	Planned Unit Development District – MUPUD and PUD
--	---

<i>Zoning District Standards District Summary</i>
Land Development Code Section 14-4-4(N), IB, Industrial Business District. This district is intended for properties suitable for industrial development, but where proximity to residential or commercial zones makes it desirable to limit the manner and extent of industrial operations. It is intended to permit the normal operation of a variety of industrial and related uses under such conditions of operation as will protect nearby development. Various commercial uses which are compatible with typical industrial uses shall also be allowed according to the provisions of this section. It is intended for use in suitable areas which have been assigned an Industrial Business (IN) future land use designation by the comprehensive plan.

<i>Comprehensive Plan Future Land Use & Zoning Comparisons</i>		
	<i>Existing Future Land Use & Zoning</i>	<i>Requested Future Land Use & Zoning</i>
Uses	Single-Family Low Density Residential (SF-LDR)	Industrial Business (IN)
	Single-Family Residential (RA-1)	Industrial Business (IB)
	Single-Family House	N/A

<i>Public Facilities Analysis</i>	
Transportation	
Adjacent street	Hoagland Blvd
Street Quality of Service (QOS)	N/A – Compliance
Sanitary Sewer	
Is volume less than 98% capacity?	N/A – Compliance
Potable Water	
Is volume less than 98% capacity?	N/A – Compliance
Is water pressure at least 40lbs per square inch?	N/A – Compliance
Solid Waste	
Is volume less than 5.1lbs per person per calendar day?	N/A – Compliance
Recreation	
Is active recreation area at least 2 acres per 1,000 population?	N/A – Compliance
Is urban open space area at least 2 acres per 1,000 population?	N/A – Compliance
Is total recreation area at least 4 acres per 1,000 population?	N/A – Compliance
Drainage	

Is off-site discharge; runoff velocities; roadway drainage; pavement; retention; and flood storage LOS standards met?	N/A- Compliance
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PROPOSED ORDINANCE NO. 26-07
ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE NO. 3130
KNOWN AS THE CITY OF KISSIMMEE LAND
DEVELOPMENT CODE, REZONING THE PROPERTY
HEREINAFTER DESCRIBED, REPEALING ALL
ORDINANCES IN CONFLICT HERewith AND PROVIDING
AN EFFECTIVE DATE.**

BE IT ORDAINED BY THE CITY COMMISSION THAT ORDINANCE NO. 3130 KNOWN AS THE CITY OF KISSIMMEE LAND DEVELOPMENT CODE IS HEREBY AMENDED TO READ AS FOLLOWS:

WHEREAS, the subject proposal incorporates one (1) parcel generally located at or near, the southern intersection of Hoagland Blvd and Jack Calhoun Dr. within the City of Kissimmee, Florida, containing approximately 18.00 acres of land; and

WHEREAS, the subject property, is presently designated as (AC) Agricultural Conservation with a Future Land Use of (SF-LDR) Single-Family – Low Density Residential; and

WHEREAS, the proposed zoning map amendment (rezoning) is in compliance with Comprehensive Plan Future Land Use Policy 1.2.9.2; and

WHEREAS, the proposed rezoning is consistent with the City's Comprehensive Land Development Plan, and is generally consistent with the purpose and intent of the Land Development Code; and

WHEREAS, the proposed rezoning amendment is compatible with adjacent zoning districts and promotes the public health, safety and welfare as required by the City Code 14-3-27.C; and

WHEREAS, the Planning Advisory Board, sitting as the Local Planning Agency as required by Fla. Stat. § 163.3147, reviewed the application at its March 18, 2026, after proper notice and hearing.

SECTION 1. Ordinance No. 3130, known as the City of Kissimmee Land Development Code, is hereby amended so as to rezone the following described properties to-wit:

FROM: Agricultural Conservation (AC) – City

TO: Industrial Business (IB) – City

The subject property is located at: Parcel IDs: 30-25-29-00U0-0080-0000

Legal Description:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 30 THENCE N00°13'24"E ALONG THE WEST LINE OF SAID SE-1/4 LINE A DISTANCE OF 428.93 FEET TO THE POINT OF BEGINNING; THENCE S76°10'55"W A DISTANCE OF 370.52 FEET; THENCE S27°07'21"W A DISTANCE OF 245.96 FEET; THENCE S13°08'11"W A DISTANCE OF 19.12 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4570, PAGE 2536 OF THE PUBLIC RECORDS OF SAID OSCEOLA COUNTY; THENCE N00°13'24"E ALONG THE EAST LINE OF SAID TRACT A DISTANCE OF 1898.92; THENCE S88°52'54"E ALONG SAID TRACT A DISTANCE OF 475.06 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT OF WAYLINE OF HOAGLAND BOULEVARD; THENCE S00°13'24"W A DISTANCE OF 1563.62 FEET TO THE SAID POINT OF BEGINNING.

CONTAINING 18.00 ACRES MORE OR LESS

A map of the area is included with this ordinance.

SECTION 2. Upon the effective date of this ordinance, the City Manager shall promptly cause the rezoning as provided in Section 1 herein to be entered onto the official zoning map of the City of Kissimmee.

SECTION 3. Except as hereby amended said City of Kissimmee Land Development Code Ordinance No. 3130 as heretofore amended shall remain in full force and effect.

SECTION 4. This Ordinance shall take effect 10 days after its passage.

BE IT ORDAINED, by the City Commission of the City of Kissimmee, this XXX day of XXXX, 2026.

Mayor - Commissioner

ATTEST:

City Clerk

Approved as to form and legality:

City Attorney

1:23,974



CITY OF KISSIMMEE PLANNING ADVISORY BOARD

This is to inform you that the City of Kissimmee Planning Advisory Board will make a recommendation to the City Commission concerning a request to amend the official Zoning Map, the City of Kissimmee Land Development Code Ordinance No. 3130 for the property described herein:

FROM: **Agricultural Conservation (AC) – City**

TO: **Industrial Business (IB) – City**

The subject properties are located at **Parcel ID: 30-25-29-00U0-0080-0000**.

Legal Description:

A TRACT OF LAND SITUATED IN THE SOUTHEAST ONE-QUARTER (SE-1/4) OF SECTION 30, TOWNSHIP 25 SOUTH, RANGE 29 EAST, OSCEOLA COUNTY, FLORIDA BEING MORE PARTICULARLY AS DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 30 THENCE N00°13'24"E ALONG THE WEST LINE OF SAID SE-1/4 LINE A DISTANCE OF 428.93 FEET TO THE POINT OF BEGINNING; THENCE S76°10'55"W A DISTANCE OF 370.52 FEET; THENCE S27°07'21"W A DISTANCE OF 245.96 FEET; THENCE S13°08'11"W A DISTANCE OF 19.12 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4570, PAGE 2536 OF THE PUBLIC RECORDS OF SAID OSCEOLA COUNTY; THENCE N00°13'24"E ALONG THE EAST LINE OF SAID TRACT A DISTANCE OF 1898.92; THENCE S88°52'54"E ALONG SAID TRACT A DISTANCE OF 475.06 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT OF WAYLINE OF HOAGLAND BOULEVARD; THENCE S00°13'24"W A DISTANCE OF 1563.62 FEET TO THE SAID POINT OF BEGINNING.

CONTAINING 18.00 ACRES MORE OR LESS

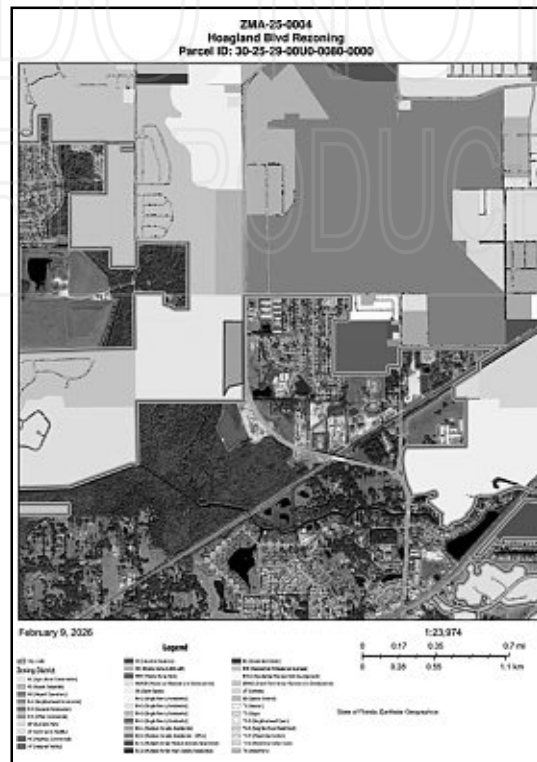
PROPOSED ORDINANCE #26-07: AN ORDINANCE AMENDING ORDINANCE NO. 3130 KNOWN AS THE CITY OF KISSIMMEE LAND DEVELOPMENT CODE, REZONING THE PROPERTY HEREINAFTER DESCRIBED, REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

The Planning Advisory Board will hold a meeting to consider their recommendation on said request on **Wednesday, March 18, 2026** at 6:00 p.m. in the Commission Chambers of City Hall, 101 Church Street, Kissimmee, FL, 34741.

Any interested party wanting to be heard on this issue may submit testimony to be read into the official record to CityClerkEmail@kissimmee.gov prior to the start of the meeting or may be heard by participating in person. Any questions may be directed to the Development Services Department at (407) 518-2140 or planning@kissimmee.gov.

Reference # ZMA-25-0004
30-25-29-00U0-0080-0000

PLANNING ADVISORY BOARD
KISSIMMEE, FLORIDA



In accordance with [Florida Statutes](#) 286.26, persons needing assistance to participate in any of these proceedings should contact the Office of the City Clerk (407) 518-2308 prior to the meeting. (FS286.26)

In accordance with [Florida Statutes](#) 286.0105: Any person wishing to appeal any decision made by the Planning Advisory Board with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is made.

THE FOLLOWING SHALL BE USED AS AN ADDENDUM TO ANY PLAN, FILE, OR OTHER DOCUMENT REVIEWED IN ENERGОВ & BLUEBEAM

ADDRESS: 30-25-29-00U0-0080-0000
PERMIT NUMBER: ZMA-25-0004
PROJECT NAME: Hoagland 18 Acres
REVIEW VERSION NUMBER: V.1

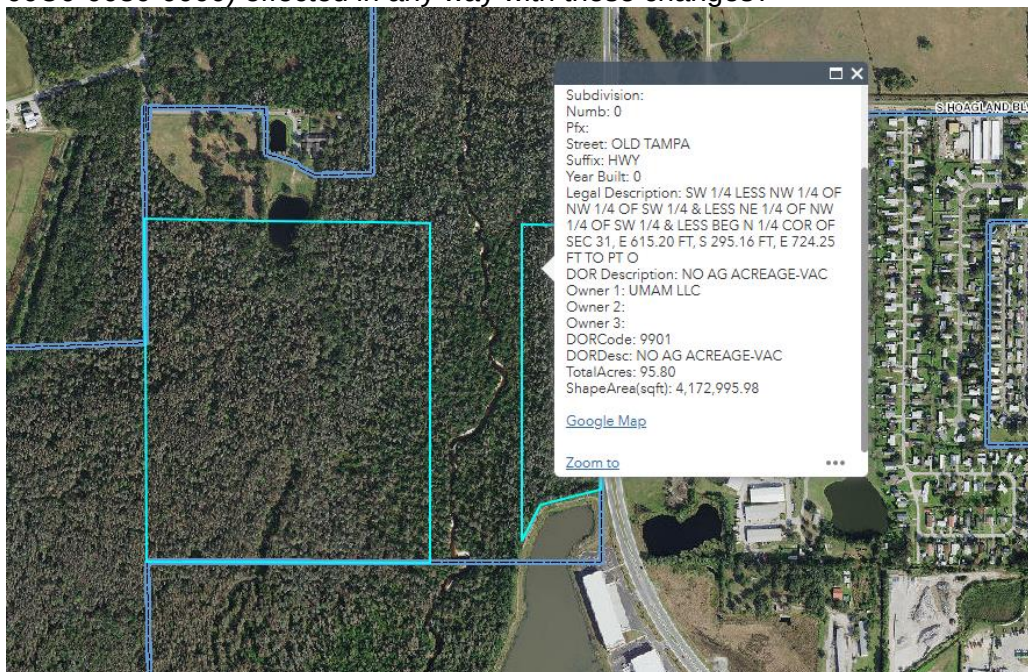
DATE: 5/9/2025

**Review Status:
REVISE & RESUBMIT.**

PLANNING DIVISION - Ryan Altizer - 407.518.2107 – Ryan.Altizer@kissimmee.gov

Comments/Conditions:

1. Please provide the permit modifications and documents associated with SFWMD Application 220222-33299.
2. The 8.8-acres proposed for the rezoning from AC (Agricultural Conservation) to IB (Industrial Business) would align with the proposed Future Land Use of IN (Industrial Business).
3. Are the 77.8 acres to the west of the proposed changes that are tied to the same Parcel ID (30-25-29-00U0-0080-0000) effected in any way with these changes?



If you have any questions regarding the comments/conditions above, please use the contact information provided.

Please login to the Citizen Self Service portal at www.kissimmee.gov.energov to upload a response to comments.

Additional comments may be forth coming as a result of revisions to the plans, any new changes in the information provided, future plan review up to plan approval and permitting and/or with submittal of supporting documentation. When submitting, please provide a response to comments outlining where and how the comments have been addressed.



THE FOLLOWING SHALL BE USED AS AN ADDENDUM TO ANY PLAN, FILE, OR OTHER DOCUMENT REVIEWED IN ENERGОВ & BLUEBEAM

**ADDRESS: 30-25-29-00U0-0080-0000
PERMIT NUMBER: ZMA-25-0004
PROJECT NAME: Hoagland 18 Acres
REVIEW VERSION NUMBER: V.2**

DATE: 6/20/2025

**Review Status:
REVISE & RESUBMIT.**

PLANNING DIVISION - Ryan Altizer - 407.518.2107 – Ryan.Altizer@kissimmee.gov

Comments/Conditions:

1. This Zoning Map Amendment (ZMA) is linked to LUPA-25-0002. Per Long Planning's comments, please submit a topography survey showing the wetland areas. The delineation of the Land Use and Zoning for this parcel are dependent on that survey.
2. For this ZMA to be approved and moved forward, LUPA-25-0002 has to be reviewed and approved.

If you have any questions regarding the comments/conditions above, please use the contact information provided.

Please login to the Citizen Self Service portal at www.kissimmee.gov.energov to upload a response to comments.

Additional comments may be forthcoming as a result of revisions to the plans, any new changes in the information provided, future plan review up to plan approval and permitting and/or with submittal of supporting documentation. When submitting, please provide a response to comments outlining where and how the comments have been addressed.



THE FOLLOWING SHALL BE USED AS AN ADDENDUM TO ANY PLAN, FILE, OR OTHER DOCUMENT REVIEWED IN ENERGОВ & BLUEBEAM

**ADDRESS: 30-25-29-00U0-0080-0000
PERMIT NUMBER: ZMA-25-0004
PROJECT NAME: Hoagland 18 Acres
REVIEW VERSION NUMBER: V.3**

DATE: 7/24/2025

**Review Status:
REVISE & RESUBMIT.**

PLANNING DIVISION - Ryan Altizer - 407.518.2107 – Ryan.Altizer@kissimmee.gov

Comments/Conditions:

1. This Zoning Map Amendment (ZMA) is linked to LUPA-25-0002. Per Long Planning's comments and Planning's last review, please submit a topography survey showing the wetland areas. The delineation of the Land Use and Zoning, and the conceptual Site Plans, for this parcel are dependent on that survey.
2. For this ZMA to be approved and moved forward, LUPA-25-0002 has to be reviewed and approved.

If you have any questions regarding the comments/conditions above, please use the contact information provided.

Please login to the Citizen Self Service portal at www.kissimmee.gov.energov to upload a response to comments.

Additional comments may be forth coming as a result of revisions to the plans, any new changes in the information provided, future plan review up to plan approval and permitting and/or with submittal of supporting documentation. When submitting, please provide a response to comments outlining where and how the comments have been addressed.



South Florida Water Management District
Mitigation Bank Permit No. 49-01937-M
Date Issued: July 27, 2023

Corrected Copy April 30, 2024

Permittee: UMAM, LLC
Shingle Creek Mitigation Group, LP

Project: Shingle Creek Mitigation Bank

Application No. 210525-6295

Location: Osceola County, See Exhibit 1

Your application for a Mitigation Bank Permit is approved. This action is taken based on Chapter 373, Part IV, of Florida Statutes (F.S.) and the rules in Chapter 62-330 and 62-342, Florida Administrative Code (F.A.C.). Unless otherwise stated, this permit constitutes certification of compliance with state water quality standards under section 401 of the Clean Water Act, 33 U.S.C. 1341, and a finding of consistency with the Florida Coastal Management Program. Please read this entire agency action thoroughly and understand its contents.

This permit is subject to:

- Not receiving a filed request for a Chapter 120, F.S., administrative hearing.
- The attached General Conditions for Environmental Resource Permits.
- The attached Special Conditions.
- All referenced Exhibits.

All documents are available online through the District's ePermitting site at www.sfwmd.gov/ePermitting.

If you object to these conditions, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance with the "Notice of Rights", we will assume that you concur with the District's action.

The District does not publish notices of action. If you wish to limit the time within which a person may request an administrative hearing regarding this action, you are encouraged to publish, at your own expense, a notice of agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Legal requirements and instructions for publishing a notice of agency action, as well as a noticing format that can be used, are available upon request. If you publish a notice of agency action, please send a copy of the affidavit of publication provided by the newspaper to the District's West Palm Beach office for retention in this file.

If you have any questions regarding your permit or need any other information, please call us at 1-800-432-2045 or email epermits@sfwmd.gov.

A handwritten signature in blue ink that reads "Lisa Prather".

Lisa Prather, PWS
Section Administrator

Permittees:

UMAM, LLC
205 Abbey St
Birmingham, MI 48009

Shingle Creek Mitigation Group, LP
612 East 11 Mile Road
Royal Oak, MI 48067

**South Florida Water Management District
Mitigation Bank Permit No. 49-01937-M**

Date Issued:	July 27, 2023	Expiration Date:	July 27, 2028
Project Name:	Shingle Creek Mitigation Bank		
Permittees:	UMAM, LLC 205 Abbey St Birmingham, MI 48009 Shingle Creek Mitigation Group, LP 612 East 11 Mile Road Royal Oak, MI 48067		
Operating Entity:	UMAM, LLC 205 Abbey St Birmingham, MI 48009 Shingle Creek Mitigation Group, LP 612 East 11 Mile Road Royal Oak, MI 48067		
Location:	Osceola County		
Permit Acres:	534.96 acres		
Special Drainage District:	N/A		
Water Body Classification:	CLASS III		
FDEP Water Body ID:	3169A		
Total Potential Credits:	0.00		
Conservation Easement to District:	Yes		
Sovereign Submerged Lands:	No		

Project Summary

The Environmental Resource Permit authorized construction and operation of a 534.96 acre mitigation bank project known as Shingle Creek Mitigation Bank in Osceola County.

Project Site Description

Shingle Creek Mitigation Bank (SCMB) is located southwest of Kissimmee, off of Old Tampa Highway, southeast of Poinciana Boulevard and encompasses portions of Shingle Creek in Sections 30 and 31, Township 25S, Range 29E and Sections 25 and 36, Township 25S, Range 28E in Osceola County. To the north of the project lies property in both public and private ownership. To the west the property borders Poinciana Boulevard, a residential development, County owned property and District owned Save Our

Rivers (SOR) lands. To the south the property borders Old Tampa Highway and undeveloped wetlands under private ownership. To the east, the property borders a residential development and an industrial park.

Current Authorization (Application No. 210525-6295)

This modification authorizes the removal of a 17.94 acre parcel from the mitigation bank and the addition of a 29.27 acre parcel to the mitigation bank. This exchange results in a total of 534.96 acres in the mitigation bank, and the removal of 2.47 forested credits from the ledger. This modification also corrects errors in the credit calculations from previous reductions in bank area via Applications 150709-20 and 170330-12. The new parcel has the potential to gain 2.47 forested credits but no credits are currently released for the new addition.

Refer to Exhibit 6.0 for the updated mitigation bank ledger.

Background

On December 21, 1999 a Noticed General Permit (No. 49-01018-P) was issued for a project known as Logging a Cypress Swamp.

Permit Modification History

On January 13, 2009, an ERP was issued to construct and operate a 619-acre mitigation bank. [Application No. 070321-21]

On October 28, 2013, a modification was issued for a five year permit extension. [Application No. 130925-9]

On April 8, 2016, a minor modification was issued for the proportional adjustment of mitigation bank credits and financial assurance to correspond to a 84.99 acre reduction in project acreage, as well as, the addition of a new permittee. [Application No. 150709-20]

On May 16, 2017, a minor modification was issued for an adjustment of mitigation bank credits to correspond with a 10.11 acre reduction in project acreage. [Application No. 170330-12]

On November 14, 2018, a minor modification was issued to modify the Work Schedule due dates. [Application No. 181109-2]

Please see Exhibit 5.0 for a list of authorizations that constitute this permit.

Ownership, Operation and Maintenance

Perpetual operation and maintenance of the stormwater management system will be the responsibility of Shingle Creek Mitigation Group, LP and UMAM, LLC. Upon conveyance or division of ownership or control of the property or the system, the permittee must notify the Agency in writing within 30 days, and the new owner must request transfer of the permit.

The Permittee has provided the existing Access Easment (Exhibit 4.1) recorded in Osceola County ORB 3759, PG 1912 for the access to the added parcel in the South East portion of the permitted area.

The applicant provided an additional draft Access Easement (Exhibit 4.0) that will grant the South Florida Water Management District ingress and egress to the Conservation Easement area. Within 30 days of permit issuance, a copy of the executed and recorded easement must be provided to the District's Environmental Resource Compliance staff.

Engineering Evaluation:

Water Quality

There are no construction activities planned for this project, therefore, no adverse water quality impacts are anticipated as a result of the proposed project since the pre-development condition is the same as the post-development condition with respect to the site's surface water flow. Also, removal of the feral pig population will result in less rutting and thus less soil erosion from the site, and removal of the cattle will result in water quality improvements due to decreased nutrient loading and fewer eroded cattle crossings in the area.

Water Quantity

There are no works planned for this phase of the mitigation bank. Therefore, the post-development discharge will be the same as the pre-development discharge.

Environmental Evaluation:

Environmental Evaluation

This application (210525-6295) is to authorize the removal of a 17.94 acre parcel from the mitigation bank and to add a 29.27 acre parcel to the bank. The locations of the removal and addition parcels are shown in Exhibit 3.0.1. The parcel removal results in the reduction of total potential credits for the bank by 2.47 forested credits. The ledger has been updated to reflect the 17.94 acre removal, and the total number of released credits has been corrected to account for errors in the credit releases from Applications 150709-20 and 170330-12. The credit releases that have previously occurred were based on percentages of the total number of potential credits, and have been adjusted to reflect the new total potential credits following the parcel removals in Applications 150709-20, 170330-12, and 210525-6295. See Exhibit 3.4.1 for the UMAM scoring for the parcel addition and the ledger correction calculations. The updated ledger can be found in Exhibit 6.0. The closing balance on the ledger is 8.59 forested credits and -0.91 herbaceous credits.

The new parcel has the potential to gain 2.47 forested credits as shown in the table below, but no credits are currently released for the new addition.

Mitigation Plan

The proposed mitigation plan and success criteria for the 29.27 acre parcel addition can be found in Exhibit 3.0.1. The plan includes treatment of nuisance and exotic vegetation, planting of basin swamp trees and groundcover species, removal of interior fencing, and installation of external fencing. The addition parcel will be incorporated into the annual monitoring plan that is currently implemented for the existing bank area.

The financial assurance mechanism is also being updated to account for the acreage change, see Exhibit 3.1.1. The updated cost estimates can be found in the ePermitting file. A conservation easement will be recorded over the addition parcel, and a title insurance commitment is required. See Exhibit 3.2.1 for the draft conservation easement, and Exhibit 3.3.1 for the title commitment.

All special conditions, work schedules, and exhibits as found in Permit No. 49-01937-M continue to apply unless otherwise modified by the District. See Exhibit 5.0.

Environmental Evaluation Tables:

Summary

Wetlands and Other
Surface Waters: 464.61 acres

Wetland and Other
Surface Water Impacts: 0 acres

Total Onsite Mitigation
Area: 536.08 acres

Is a conservation
easement proposed?:

Shingle Creek Mitigation Bank

UMAM Mitigation and Preservation

ID	Acres	Action	Existing Community Description	Proposed Community Description	Current or Without Preserve Score	With Project Score	Time Lag Years.	Risk	P. A. F.	UMAM Gain
SW1	0.7	Preservation	Rivers, Streams and Waterways	Rivers, Streams and Waterways	0.53	0.56	1	1	0.8	0.017
U1f	15.23	Preservation	Pine-Mesic Oak	Pine-Mesic Oak	0.05	0.7	1	1	0.8	7.920
U1h	9.24	Preservation	Pastures	Pastures	0.05	0.7	1	1	0.8	4.805
U2	21.2	Preservation	Pine Flatwoods	Pine Flatwoods	0.05	0.7	1	1	0.8	11.024
U3	25.8	Preservation	Pine Flatwoods	Pine Flatwoods	0.05	0.7	1	1	0.8	13.416
W1f	271.54	Preservation	Mixed Wetland Hardwoods	Mixed Wetland Hardwoods	0.5	0.6	1	1	0.8	21.723
W1h	43.5	Preservation	Vegetated Non- Forested Wetlands	Vegetated Non- Forested Wetlands	0.5	0.6	1	1	0.8	3.480
W2	63.2	Preservation	Mixed Wetland Hardwoods	Mixed Wetland Hardwoods	0.5	0.6	1	1	0.8	5.056
W3	56.4	Preservation	Mixed Wetland Hardwoods	Mixed Wetland Hardwoods	0.5	0.6	1	1	0.8	4.512
Total: 506.81										71.953

29.27 Acre Addition

UMAM Mitigation and Preservation

ID	Acres	Action	Existing Community Description	Proposed Community Description	Current or Without Preserve Score	With Project Score	Time Lag Years.	Risk	P. A. F.	UMAM Gain
W1	23.9	Restoration	Basin Swamp	Basin Swamp	0.5	0.7	16 - 20	1.5	1.0	1.897
W2	5.37	Enhancement	Basin Swamp	Basin Swamp	0.6	0.733	1	1	0.8	0.571
Total: 29.27										2.468

Related Concerns:**Historical/Archeological Resources**

No information has been received that indicates the presence of archaeological or historical resources or that the proposed activities could cause adverse impacts to archaeological or historical resources.

Water Use Permit Status

The applicant has indicated that dewatering is not required for this project. This permit does not release the permittee from obtaining all necessary Water Use authorization(s) prior to the commencement of activities which will require such authorization, including construction dewatering and irrigation, unless the work qualifies for a No-Notice Short-Term Dewatering permit pursuant to Chapter 40E-20.302(3) or is exempt pursuant to Section 40E-2.051, FAC.

General Conditions for Individual Environmental Resource Permits, 62-330.350, F.A.C.

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation, June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," (October 1, 2013), (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505>), incorporated by reference herein, indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C., and shall be submitted electronically or by mail to the Agency. However, for activities involving more than one acre of construction that also require a NPDES stormwater construction general permit, submittal of the Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities, DEP Form 62-621.300(4)(b), shall also serve as notice of commencement of construction under this chapter and, in such a case, submittal of Form 62-330.350(1) is not required.
5. Unless the permit is transferred under rule 62-330.340, F.A.C., or transferred to an operating entity under rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms, and conditions of the permit for the life of the project or activity.
6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex- "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit"[Form 62-330.310(3)]; or
 - b. For all other activities- "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
 - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
7. If the final operation and maintenance entity is a third party:
 - a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.4 of Volume I) as filed with the Florida Department of State, Division of Corporations, and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the

County in which the activity is located.

- b. Within 30 days of submittal of the as-built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation and Maintenance Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
9. This permit does not:
 - a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the Agency in writing:
 - a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.
13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.
14. If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, stone tools, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section (DHR), at (850)245-6333, as well as the appropriate permitting agency office. Project activities shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and the proper authorities notified in accordance with section 872.05, F.S. For project activities subject to prior consultation with the DHR and as an alternative to the above requirements, the permittee may follow procedures for unanticipated discoveries as set forth within a cultural resources assessment survey determined complete and sufficient by DHR and included as a specific permit condition herein.

15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.
16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.
17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.
18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

Special Conditions for Individual Environmental Resource Permits, 62-330.350, F.A.C.

1. The construction phase of this permit shall expire on the shown on Page 2.
2. Operation and maintenance of the stormwater management system shall be the responsibility of Shingle Creek Mitigation Group, LP and UMAM, LLC. The permittee shall notify the Agency in writing within 30 days of any conveyance or division of ownership or control of the property or the system, and the new owner must request transfer of the permit in accordance with Rule 62-330.340, F.A.C.
3. Submit an executed recorded copy of the Access Easement granted to the South Florida Water Management District must be provided to the District's ERB staff within 30 days of permit issuance.
4. (a) In accordance with the schedule attached as Exhibit No. 2 (see Application No. 070321-21) and prior to the release of any credits from the bank, the permittee shall submit to the District, for review and approval in accordance with Exhibit No. 2 (see Application No. 070321-21) , two (2) copies of the following:
 1. Final executed draft in recordable form of conservation easement.
 2. Site map of conservation easement
 3. Signed and sealed survey by professional surveyor with legal description
 4. Certified appraisal of the market value of property
 5. Title insurance commitment and owner's title policy
- (b) Within 30 days of District approval of the above listed items, the permittee shall record a conservation easement for the 534.95 acres bank property for which the release of credits is sought and submit two (2) certified copies to the district. The conservation easement shall be granted to the District and FDEP and shall contain the activity restrictions set forth in section 704.06(1) F.S. The recorded conservation easement shall be in conformance with the draft conservation easement attached as Exhibit No. 2. The District must approve any amendments to the conservation easement.
- (c) Prior to recordation of the conservation easement for the bank project, the bank sponsor shall procure waivers of surface exploration rights for the bank site. the waiver form shall be subject to the approval of the District prior to recordation of the conservation easment.
5. All contractors must be provided with a copy of the staff report and permit conditions prior to the commencement of construction. The permittee is responsible for ensuring that all contractors adhere to the project details and methods indicated on the attached permit Exhibits and described herein.
6. The permittee shall, every two years, adjust the amount of financial responsibility provided for the implementation and long term management of the bank. The cost adjustment, along with supporting documentation, shall be submitted to the District for review and approval. Any significant change in the cost estimate (>10%) may result in a modification to required deposits into the construction and implementation fund. The amount of financial responsibility provided for construction and implementation shall be adjusted as follows:
 - (A) The permittees shall, every two (2) years, adjust the amount of financial responsibility provided for construction and implementation and for the long-term management of the bank. Every two (2) years, the permittees shall submit to the District a cost adjustment statement accompanied by supporting, verifiable documentation based upon a third party performing the work at the fair market value of the

services. Mitigation implementation and long term management costs shall be listed separately. The cost adjustment statements shall include inflation as well as changes in the cost to carry out the construction and implementation (i.e., initial exotic species removal and control, planting, structure installation, consultant fees, monitoring activities and reports) and long term management (i.e., nuisance/exotic species control, maintenance of fences, consultant fees, monitoring activities and reports, and any other costs associated with long-term management) activities required for compliance with this permit.

(B) If the value of the construction and implementation performance bond is less than the total amount of the current implementation cost estimate, or if the annual interest generated by the long-term management trust fund is less than the currently estimated annual costs of long-term management, the permittees shall upon District approval of the cost adjustment statement, increase the value of the financial mechanism(s) to reflect the new estimate within 60 days.

(C) If the value of the implementation performance bond is greater than the total amount of the current construction and implementation cost estimate, or if the annual interest generated by the long-term management trust fund is greater than the currently estimated annual costs of long-term management, the permittees may reduce the value of the financial assurance mechanism(s) to reflect the new estimate upon receiving District approval of the cost adjustment statement.

(D) The permittees shall adjust the amount of the implementation performance bond and/or long-term management trust fund at times other than the cost adjustment period when the costs associated with compliance with the permit conditions exceed the current amount of financial responsibility and such financial assurances are deemed necessary to ensure compliance with the permit conditions.

(E) Upon completion of an activity, the permittee may request a reduction in the required amount of the implementation performance bond to the amount specified in the most recent required cost estimate for the remaining phases of construction (Exhibit 2 ((see Application No. 070321-21) or the most recent cost adjustment).

7. The permittees shall maintain in perpetuity all of the physical components of the mitigation bank, including fences, access gate(s), signage and other physical components necessary for the continued operation, maintenance and long-term management of this mitigation bank as permitted. This permit does not authorize any construction or earthwork activities except for those explicitly described within the staff report.
8. Any future changes in land use or treatment of wetland and/or upland areas may require a permit modification and additional review by District environmental/engineering staff. Prior to the permittee instituting any future changes not authorized by this permit, the permittee shall notify the District of such intentions for a determination of any necessary permit modifications.
9. This application authorizes a total of 71.95 credits for the preservation of the property which includes recording a conservation easement over 534.96 acres, establishment of financial assurances in accordance with the special conditions and attached exhibits, removal and control of nuisance and exotic species and the implementation of a land management plan as described in the staff report and the special conditions of this application. The applicant may submit a request to modify this permit to perform additional activities, including hydrologic enhancement, which may result in the realization of additional credits. The future modification(s) will be based on the potential for additional vegetative improvement as well as hydrologic enhancement/restoration of the mitigation bank site. The potential hydrologic improvements will likely include the construction of control structures and berms where uncontrolled runoff currently occurs into the creek and/or into Oren Brown Canal. In order for the

applicant to demonstrate the amount of hydrologic, vegetative and ecological improvement that may occur, a comprehensive and quantifiable baseline conditions report as well as measurable success criteria must be submitted. Although the information submitted thus far relies on performance based success criteria, the analysis must also include a comparison of current hydrologic and vegetative conditions to potential future conditions in order to demonstrate the potential lift. The vegetative components of the baseline report must include, but are not limited to: - Established transects and quadrats with permanent photostations - List and percent cover of all species contained within each transect and quadrat - Percent cover of OBL, FACW, FAC and UPL species within each transect and quadrat - Quantitative description and list of canopy trees including percent cover and DBH - Nuisance and exotic vegetation coverage within each monitoring area - Wildlife observations The hydrologic elements of the baseline report must include but are not limited to: - An analysis of both the current and proposed condition in sufficient detail to support the proposed enhancement credit for the hydroperiod of each mitigation polygon - Hydrologic measurements including depth and duration of saturation/inundation. - Construction details of all structures and proposed earthwork The success criteria for the project must include: - Specific quantifiable goals of the proposed enhancement activities - Specify a reference wetland for each habitat type - A detailed planting plan for each polygon - UMAM data sheets for each polygon - Specific success criteria for each polygon. The documentation of the factors listed above will be utilized to determine the full number of potential credits that are available to the bank. The vegetative elements, in particular, are critical components of the current mitigation plan for preservation only as they will document the potential for future enhancement credit over and above the preservation element. At this time, the District has not made a determination as to the potential number of credits that may be generated as a result of future modifications to the permit.

10. The mitigation plan includes the removal of feral pigs from the property. The control of feral pigs shall be the responsibility of the applicant and shall in no way be interpreted to allow for hunting of native species on the property. In addition, the management and results of this activity shall be reported to the District in the annual monitoring reports.
11. A maintenance program shall be implemented in accordance with Exhibit No. 2 (see Application No. 070321-21) for the mitigation bank on a regular basis to ensure the integrity and viability of those areas as permitted. Coverage of exotic and nuisance species shall not exceed 1% total areal coverage after 5 years. Maintenance shall be conducted in perpetuity to ensure that the mitigation bank is maintained free from Category 1 exotic vegetation (as defined by the Florida Exotic Pest Plant Council at the time of permit issuance) immediately following a maintenance activity. In addition, the permittee shall manage the conservation areas such that nuisance plant species do not exceed 10% of areal cover.
12. The permittee shall be responsible for the successful completion of the mitigation bank, including the monitoring and maintenance of the bank for the duration of the mitigation plan, in accordance with the attached exhibits.
13. The work schedule shown in Exhibit 2 (see Application No. 070321-21) shall be implemented regarding the release of credits for sale within the mitigation bank.
14. A mitigation program for the Shingle Creek Mitigation Bank shall be implemented in accordance with the attached Exhibits. The permittee shall preserve 534.96 acres .
15. The District reserves the right to require remedial measures to be taken by the permittee if monitoring or other information demonstrates that adverse impacts to onsite or offsite wetlands, upland conservation areas or buffers, or other surface waters have occurred due to project related activities.

16. The mitigation bank credit ledger shall reflect a total of 71.95 credits which includes 63.67 forested credits and 8.28 herbaceous credits. The credits shall be released in accordance with the credit release schedule outlined below:

20% (12.73 forested credits, 1.65 herbaceous credits) Submit conservation easement and financial assurance documentation

20% (12.73 forested credits, 1.65 herbaceous credits) Installation of perimeter fencing, removal of interior fencing and signage

5% (3.18 forested credits, 0.41 herbaceous credits) Removal and control of feral pigs

45% (28.65 forested credits, 3.72 herbaceous credits) Nuisance and exotic vegetation removal and control

10% (6.37 forested credits, 0.82 herbaceous credits) Reserve (Successful completion of five year monitoring program)

17. A monitoring program shall be implemented in accordance with Exhibit No. 2 (see Application No. 070321-21). Short-term monitoring reports must be submitted annually and must be conducted in accordance with the approved Monitoring Plan.

The short term reports must include all of the information identified in the monitoring section of the approved mitigation plan and information sufficient to demonstrate whether the success criteria are being achieved.

Once the bank has achieved success, long-term (perpetual) monitoring reports must be submitted annually, by January 31st for the previous year. All reports must include the information identified in the monitoring section of the approved mitigation plan, must demonstrate how the bank is continuing to meet (or not meet) the goals and objectives of the mitigation bank plan, and must include a log and aerial showing the location of all maintenance activities undertaken during the previous year and scheduled for the following year. These activities include, but are not limited to, floral and faunal exotic and nuisance treatment/control, and any other management activities performed, or scheduled to be performed, on the mitigation bank property.

18. Project implementation, maintenance/monitoring and long term management shall be accomplished in accordance with the attached Exhibits and in accordance with the Special Conditions outlined herein. Additionally, issuance of this permit is based on the District's reliance on information submitted and commitments made by the permittees that the proposed mitigation design presented in Exhibits will be achieved and that the targeted success criteria outlined in the staff report and in Exhibit 2 will be met. If at any time, the District determines that the targeted success criteria have not or are not being met for any phase and/or that the milestone events identified in the credit release schedule contained in Exhibit 2 have not been satisfactorily accomplished, then no mitigation credits shall be withdrawn or released, including for other activities, until it is demonstrated that the targeted success criteria and/or milestone events have been achieved.

19. The permittee acknowledges, that pursuant to Rule 40E-4.101(2), F.A.C., a notice of Environmental Resource or Surface Water Management Permit may be recorded in the county public records. Pursuant to the specific language of the rule, this notice shall not be considered an encumbrance upon the property.

20. Prior to the release of any credits, and within 30 days of permit issuance, the permittee shall provide the District with documentation that a trust fund in the amount of \$386,444.40 has been established for the long term management of the Shingle Creek Mitigation Bank.
21. In conformance with the work schedule in Exhibit 2 (see Application No. 070321-21), the permittee shall provide an original letter of credit in the amount of \$245,080.00 to ensure the permittee's financial ability and commitment to complete the proposed mitigation, monitoring and maintenance plan. The financial assurance shall be in substantial conformance with Exhibit No. 2 (see Application No. 070321-21). The financial assurance shall be in effect for the entire period of the mitigation and monitoring program. Notification to the District by the financial institution or surety that the financial assurance will not be renewed or is no longer in effect shall constitute non-compliance with the permit.
22. Activities associated with the implementation of the mitigation, monitoring and maintenance plan(s) shall be completed in accordance with the work schedule attached as Exhibit 2 (see Application No. 070321-21). Any deviation from these time frames will require prior approval from the District's Environmental Resource Compliance staff. Such requests must be made in writing and shall include (1) reason for the change, (2) proposed start/finish and/or completion dates; and (3) progress report on the status of the project development or mitigation effort.
23. For the 29.27 acre parcel addition authorized under Application 210525-6295:
- A) Prior to the commencement of construction, and in accordance with the work schedule herein, the permittee shall submit for review and approval, one copy of the following as a package for review by District real estate staff:
1. Project map identifying conservation areas
 2. Legal description of conservation areas
 3. Signed amended conservation easement form
 4. Sealed boundary survey of conservation area(s) by professional Land surveyor
 5. Title insurance commitment for the conservation easement naming the District as beneficiary using approved valuation. See Exhibit 3.3.1.
 6. Data in accordance with paragraph E (below).
- B) The real estate information referenced in paragraph (A) above shall be reviewed by the District in accordance with the District's real estate review requirements. The easement shall be granted free of mortgages, liens, easements or other encumbrances or interests which the District staff states are contrary to the intent of the easement. The easement shall not be recorded until such approval is received.
- C) Once the Draft Amended Conservation Easement form is approved by the District, the permittee may commence with the Mitigation Plan. Upon completion of Phase 1 of the planting plan as outlined in the Mitigation Plan attached as Exhibit 3.0.1., the permittee shall record the Amended Conservation Easement over the real property designated as conservation/preservation areas on Exhibit 3.2.1, adding the 29.27 acre parcel constituting the additional conservation easement area and removing the 17.94 acre parcel constituting the removed conservation easement area. This Exhibit shall not be modified without a permit modification.
- D) In the event the conservation easement real estate information reveals encumbrances or interests in the easement which the District staff states are contrary to the intent of the easement, the permittee shall be required to provide release or subordination of such encumbrances or interests. If such are not

obtained, permittee shall be required to apply for a modification to the permit for alternative acceptable mitigation.

E) A CD or DVD containing the easement data supplied in a digital ESRI Geodatabase (mdb), ESRI Shapefile (shp) or AutoCAD Drawing Interchange (dxf) file format using Florida State Plane coordinate system, East Zone (3601), Datum NAD83, HARN with the map units in feet, shall be submitted.

F) Upon recordation of the amended conservation easement in the public records of Osceola County, the permittee shall submit one certified copy of the recorded conservation easements for the preservation/mitigation areas, and title insurance policy, via ePermitting or to the Environmental Resource Compliance staff in the local District service center.

24. A monitoring program shall be implemented for the mitigation bank in accordance with the updated Exhibit 3.0.1., with annual reports submitted to District staff.

25. For the 29.27 acre addition authorized under Application 210525-6295, the planting and mitigation plan shall be conducted in accordance with Exhibit 3.0.1.

Project Work Schedule for Permit No. 49-01937-M

The following activities are requirements of this Permit and shall be completed in accordance with the Project Work Schedule below. Please refer to General Conditions, Special Conditions and/or Specific Conditions for more information. Any deviation from these time frames will require prior approval from the District's Environmental Resources Bureau and may require a modification to this permit. Such requests must be made in writing and shall include: (1) reason for the change, (2) proposed start/finish and/or completion dates, and (3) progress report on the status of the project.

Condition No.	Date Added	Description (Application Number)	Due Date	Date Satisfied
SC 11	04/30/2024	Scmb Submit Original Long Term Mgmt Trust Fund	04/15/2008	04/21/2016
SC 11	04/30/2024	Scmb Submit Original Letter Of Credit	04/15/2008	04/21/2016
SC 11	04/30/2024	Scmb Remove Cattle Lease	04/15/2008	04/20/2016
SC 11	04/30/2024	Scmb Install Perimeter Fencing	07/01/2009	01/11/2017
SC 11	04/30/2024	Scmb Install Signage	07/01/2009	01/11/2017
SC 11	04/30/2024	Scmb Submit Baseline Monitoring Report	12/31/2027	07/17/2017
GC 2	02/18/2020	Certification (200130-2665)	02/17/2021	03/06/2023
GC 7	01/13/2009	Conversion/Transfer (070321-21)	01/13/2010	
SC 3	04/30/2024	Submit Recorded Access Easement granted to the SFWMD	Within 30 days of permit issuance	
SC 16	04/30/2024	Scmb Submit Monitoring Report 1	12/18/2018	10/23/2019
SC 16	04/30/2024	Scmb Submit Monitoring Report 2	03/19/2022	01/29/2021
SC 16	04/30/2024	Scmb Submit Monitoring Report 3	02/22/2022	02/03/2022
SC 16	04/30/2024	Scmb Submit Monitoring Report 4	02/22/2023	05/02/2023
SC 16	04/30/2024	Scmb Submit Monitoring Report 5	02/22/2024	02/07/2024
SC 16	04/30/2024	Scmb Submit Monitoring Report 6	02/22/2025	
SC 16	04/30/2024	Scmb Submit Monitoring Report 7	02/22/2026	
SC 16	04/30/2024	Scmb Submit Monitoring Report 8	02/22/2027	
SC 17	01/13/2009	Submittal Of Doc In Association With Conservation Easement (070321-21)	07/22/2016	04/25/2018
SC 23	04/30/2024	Application 210525-6295: Submit Real Estate Package For CE	Within 30 days of Phase 1 Completion	
SC 25	04/30/2024	Application 210525-6295: Submit Time Zero Report for Planted Areas	Within 30 days after Planting Complete Date	

GC = General Condition

SC = Special Condition

Distribution List

Julie Sullivan, ESA

Osceola County Engineer

US Army Corps of Engineers

Exhibits

The following exhibits to this permit are incorporated by reference. The exhibits can be viewed by clicking on the links below or by visiting the District's ePermitting website at <http://my.sfwmd.gov/ePermitting> and searching under this application number 210525-6295.

[Exhibit No. 1.0 Location Map](#)

[Exhibit No. 3.0.1 Mitigation Plan - 29 Acre Addition](#)

[Exhibit No. 3.1.1 Financial Assurance Update - 29 Acre Addition](#)

[Exhibit No. 3.2.1 Draft Conservation Easement Amendment](#)

[Exhibit No. 3.3.1 Title Insurance Commitment - 29 Acre Addition](#)

[Exhibit No. 3.4.1 UMAM and Credit Adjustment - 29 Acre Addition](#)

[Exhibit No. 4.0 Access Easement \(SFWMD\)](#)

[Exhibit No. 4.1 Access Easement \(Recorded\)](#)

[Exhibit No. 5.0 Permit History](#)

[Exhibit No. 6.0 Mitigation Bank Ledger](#)

NOTICE OF RIGHTS

As required by Chapter 120, Florida Statutes, the following provides notice of the opportunities which may be available for administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, or judicial review pursuant to Section 120.68, Florida Statutes, when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Some of the legal proceedings detailed below may not be applicable or appropriate for your situation. You may wish to consult an attorney regarding your legal rights.

RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Florida Statutes. Persons seeking a hearing on a District decision which affects or may affect their substantial interests shall file a petition for hearing in accordance with the filing instructions set forth herein within 21 days of receipt of written notice of the decision unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Florida Statutes; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Florida Statutes. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, posting, or publication that the District has taken or intends to take final agency action. Any person who receives written notice of a District decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action that materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional point of entry pursuant to Rule 28-106.111, Florida Administrative Code.

Any person to whom an emergency order is directed pursuant to Section 373.119(2), Florida Statutes, shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The District may grant the request for good cause. Requests for extension of time must be filed with the District prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and whether the District and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

FILING INSTRUCTIONS

A petition for administrative hearing must be filed with the Office of the District Clerk. Filings with the Office of the District Clerk may be made by mail, hand-delivery, or e-mail. Filings by facsimile will not be accepted. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Office of the District Clerk at the District's headquarters in West Palm Beach, Florida. The District's normal business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Any document received by the Office of the District Clerk after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day.

Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33406.

- Filings by hand-delivery must be delivered to the Office of the District Clerk. Delivery of a petition to the District's security desk does not constitute filing. It will be necessary to request that the District's security officer contact the Office of the District Clerk. An employee of the District's Clerk's office will receive and process the petition.
- Filings by e-mail must be transmitted to the Office of the District Clerk at clerk@sfwmd.gov. The filing date for a document transmitted by electronic mail shall be the date the Office of the District Clerk receives the complete document.

INITIATION OF ADMINISTRATIVE HEARING

Pursuant to Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Rules 28-106.201 and 28-106.301, Florida Administrative Code, initiation of an administrative hearing shall be made by written petition to the District in legible form and on 8 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, District file number or any other District identification number, if known.
2. The name, address, any email address, any facsimile number, and telephone number of the petitioner, petitioner's attorney or qualified representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the District's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the District's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the District's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the District to take with respect to the District's proposed action.

MEDIATION

The procedures for pursuing mediation are set forth in Section 120.573, Florida Statutes, and Rules 28-106.111 and 28-106.401–.405, Florida Administrative Code. The District is not proposing mediation for this agency action under Section 120.573, Florida Statutes, at this time.

RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Section 120.68, Florida Statutes, and in accordance with Florida Rule of Appellate Procedure 9.110, a party who is adversely affected by final District action may seek judicial review of the District's final decision by filing a notice of appeal with the Office of the District Clerk in accordance with the filing instructions set forth herein within 30 days of rendition of the order to be reviewed, and by filing a copy of the notice with the appropriate district court of appeals via the Florida Courts E-Filing Portal.



South Florida Water Management District
Mitigation Bank Permit No. 49-01937-M
Date Issued: October 28, 2013
Modified On: May 30, 2024

Permittee: UMAM, LLC
Shingle Creek Mitigation Group, LP

Project: Shingle Creek Mitigation Bank

Application No. 220222-33299

Location: Osceola County, See Exhibit 1

Your application for a Mitigation Bank Permit is approved. This action is taken based on Chapter 373, Part IV, of Florida Statutes (F.S.) and the rules in Chapter 62-330 and 62-342, Florida Administrative Code (F.A.C.). Unless otherwise stated, this permit constitutes certification of compliance with state water quality standards under section 401 of the Clean Water Act, 33 U.S.C. 1341, and a finding of consistency with the Florida Coastal Management Program. Please read this entire agency action thoroughly and understand its contents.

This permit is subject to:

- Not receiving a filed request for a Chapter 120, F.S., administrative hearing.
- The attached General Conditions for Environmental Resource Permits.
- The attached Special Conditions.
- All referenced Exhibits.

All documents are available online through the District's ePermitting site at www.sfwmd.gov/ePermitting.

If you object to these conditions, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance with the "Notice of Rights", we will assume that you concur with the District's action.

The District does not publish notices of action. If you wish to limit the time within which a person may request an administrative hearing regarding this action, you are encouraged to publish, at your own expense, a notice of agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Legal requirements and instructions for publishing a notice of agency action, as well as a noticing format that can be used, are available upon request. If you publish a notice of agency action, please send a copy of the affidavit of publication provided by the newspaper to the District's West Palm Beach office for retention in this file.

If you have any questions regarding your permit or need any other information, please call us at 1-800-432-2045 or email epermits@sfwmd.gov.

A handwritten signature in black ink, reading "Richard Lott".

Richard Lott, P.G., P.E.
Section Leader, Engineer

Permittees:

UMAM, LLC
205 Abbey St
Birmingham, MI 48009

Shingle Creek Mitigation Group, LP
612 East 11 Mile Road
Royal Oak, MI 48067

**South Florida Water Management District
Mitigation Bank Permit No. 49-01937-M**

Date Issued: October 28, 2013

Expiration Date: October 28, 2018

Modified On: May 30, 2024

Project Name: Shingle Creek Mitigation Bank

Permittees: UMAM, LLC
205 Abbey St
Birmingham, MI 48009

Shingle Creek Mitigation Group, LP
612 East 11 Mile Road
Royal Oak, MI 48067

Operating Entity: UMAM, LLC
205 Abbey St
Birmingham, MI 48009

Shingle Creek Mitigation Group, LP
612 East 11 Mile Road
Royal Oak, MI 48067

Location: Osceola County

Permit Acres: 534.96 acres

Special Drainage District: N/A

Water Body Classification: CLASS III
CLASS III

FDEP Water Body ID: 3169A
3169B

Total Potential Credits: 0.00

Conservation Easement to District: Yes

Sovereign Submerged Lands: No

Project Summary

The Environmental Resource Permit authorized construction and operation of a 534.96 acre mitigation bank project known as Shingle Creek Mitigation Bank in Osceola County.

Project Site Description

Shingle Creek Mitigation Bank (SCMB) is located southwest of Kissimmee, off of Old Tampa Highway, southeast of Poinciana Boulevard and encompasses portions of Shingle Creek in Sections 30 and 31, Township 25S, Range 29E and Sections 25 and 36, Township 25S, Range 28E in Osceola County. To the north of the project lies property in both public and private ownership. To the west the property borders Poinciana Boulevard, a residential development, County owned property and District owned Save Our Rivers (SOR) lands. To the south the property borders Old Tampa Highway and undeveloped wetlands under private ownership. To the east, the property borders a residential development and an industrial park.

Current Authorization (Application No. 220222-33299)

This modification authorizes the release of 5.90 forested and 1.05 herbaceous credits associated with the second interim release for nuisance and exotic vegetation control.

Refer to Exhibit 6.0 for the updated mitigation bank ledger.

Background

On December 21, 1999 a Noticed General Permit (No. 49-01018-P) was issued for a project known as Logging a Cypress Swamp.

Permit Modification History

On January 13, 2009, an ERP was issued to construct and operate a 619-acre mitigation bank. [Application No. 070321-21]

On October 28, 2013, a modification was issued for a five year permit extension. [Application No. 130925-9]

On April 8, 2016, a minor modification was issued for the proportional adjustment of mitigation bank credits and financial assurance to correspond to a 84.99 acre reduction in project acreage, as well as, the addition of a new permittee. [Application No. 150709-20]

On May 16, 2017, a minor modification was issued for an adjustment of mitigation bank credits to correspond with a 10.11 acre reduction in project acreage. [Application No. 170330-12]

On November 14, 2018, a minor modification was issued to modify the Work Schedule due dates. [Application No. 181109-2]

On July 27, 2023, a major modification was issued to remove a 17.94 acre parcel from the mitigation bank and add a 29.27 acre parcel. The ledger was adjusted to account for the swap and previous calculation errors. [Application No. 210525-6295]

Please see Exhibit 5.0 for a list of authorizations that constitute this permit.

Ownership, Operation and Maintenance

Perpetual operation and maintenance of the stormwater management system will be the responsibility of Shingle Creek Mitigation Group, LP and UMAM, LLC. Upon conveyance or division of ownership or control of the property or the system, the permittee must notify the Agency in writing within 30 days, and the new owner must request transfer of the permit.

The Permittee has provided the existing Access Easment (Exhibit 4.1) recorded in Osceola County ORB 3759, PG 1912 for the access to the added parcel in the South East portion of the permitted area.

The applicant provided an additional draft Access Easement (Exhibit 4.0) that will grant the South Florida Water Management District ingress and egress to the Conservation Easement area. Within 30 days of permit issuance, a copy of the executed and recorded easement must be provided to the District's Environmental Resource Compliance staff.

Environmental Evaluation:

Application (210525-6295) is to authorize the removal of a 17.94 acre parcel from the mitigation bank and to add a 29.27 acre parcel to the bank. The locations of the removal and addition parcels are shown in Exhibit 3.0.1. The parcel removal results in the reduction of total potential credits for the bank by 2.47 forested credits. The ledger has been updated to reflect the 17.94 acre removal, and the total number of released credits has been corrected to account for errors in the credit releases from Applications 150709-20 and 170330-12. The credit releases that have previously occurred were based on percentages of the total number of potential credits, and have been adjusted to reflect the new total potential credits following the parcel removals in Applications 150709-20, 170330-12, and 210525-6295. See Exhibit 3.4.1 for the UMAM scoring for the parcel addition and the ledger correction calculations. The updated ledger can be found in Exhibit 6.0.

The new parcel has the potential to gain 2.47 forested credits as shown in the table below, but no credits are currently released for the new addition.

Mitigation Plan

The proposed mitigation plan and success criteria for the 29.27 acre parcel addition can be found in Exhibit 3.0.1. The plan includes treatment of nuisance and exotic vegetation, planting of basin swamp trees and groundcover species, removal of interior fencing, and installation of external fencing. The addition parcel will be incorporated into the annual monitoring plan that is currently implemented for the existing bank area.

The financial assurance mechanism is also being updated to account for the acreage change, see Exhibit 3.1.1. The updated cost estimates can be found in the ePermitting file. A conservation easement will be recorded over the addition parcel, and a title insurance commitment is required. See Exhibit 3.2.1 for the draft conservation easement, and Exhibit 3.3.1 for the title commitment.

All special conditions, work schedules, and exhibits as found in Permit No. 49-01937-M continue to apply unless otherwise modified by the District. See Exhibit 5.0.

Environmental Evaluation Tables:

Summary

Wetlands and Other
Surface Waters: 464.61 acres

Wetland and Other
Surface Water Impacts: 0 acres

Total Onsite Mitigation
Area: 536.08 acres

Is a conservation
easement proposed?: Yes

Shingle Creek Mitigation Bank

UMAM Mitigation and Preservation

ID	Acres	Action	Existing Community Description	Proposed Community Description	Current or Without Preserve Score	With Project Score	Time Lag Years.	Risk	P. A. F.	UMAM Gain
SW1	0.7	Preservation	Rivers, Streams and Waterways	Rivers, Streams and Waterways	0.53	0.56	1	1	0.8	0.017
U1f	15.23	Preservation	Pine-Mesic Oak	Pine-Mesic Oak	0.05	0.7	1	1	0.8	7.920
U1h	9.24	Preservation	Pastures	Pastures	0.05	0.7	1	1	0.8	4.805
U2	21.2	Preservation	Pine Flatwoods	Pine Flatwoods	0.05	0.7	1	1	0.8	11.024
U3	25.8	Preservation	Pine Flatwoods	Pine Flatwoods	0.05	0.7	1	1	0.8	13.416
W1f	271.54	Preservation	Mixed Wetland Hardwoods	Mixed Wetland Hardwoods	0.5	0.6	1	1	0.8	21.723
W1h	43.5	Preservation	Vegetated Non- Forested Wetlands	Vegetated Non- Forested Wetlands	0.5	0.6	1	1	0.8	3.480
W2	63.2	Preservation	Mixed Wetland Hardwoods	Mixed Wetland Hardwoods	0.5	0.6	1	1	0.8	5.056
W3	56.4	Preservation	Mixed Wetland Hardwoods	Mixed Wetland Hardwoods	0.5	0.6	1	1	0.8	4.512
Total: 506.81										71.953

29.27 Acre Addition

UMAM Mitigation and Preservation

ID	Acres	Action	Existing Community Description	Proposed Community Description	Current or Without Preserve Score	With Project Score	Time Lag Years.	Risk	P. A. F.	UMAM Gain
W1	23.9	Restoration	Basin Swamp	Basin Swamp	0.5	0.7	16 - 20	1.5	1.0	1.897
W2	5.37	Enhancement	Basin Swamp	Basin Swamp	0.6	0.733	1	1	0.8	0.571
Total: 29.27										2.468

Related Concerns:**Historical/Archeological Resources**

No information has been received that indicates the presence of archaeological or historical resources or that the proposed activities could cause adverse impacts to archaeological or historical resources.

Water Use Permit Status

The applicant has indicated that dewatering is not required for this project. This permit does not release the permittee from obtaining all necessary Water Use authorization(s) prior to the commencement of activities which will require such authorization, including construction dewatering and irrigation, unless the work qualifies for a No-Notice Short-Term Dewatering permit pursuant to Chapter 40E-20.302(3) or is exempt pursuant to Section 40E-2.051, FAC.

General Conditions for Individual Environmental Resource Permits, 62-330.350, F.A.C.

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation, June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," (October 1, 2013), (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505>), incorporated by reference herein, indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C., and shall be submitted electronically or by mail to the Agency. However, for activities involving more than one acre of construction that also require a NPDES stormwater construction general permit, submittal of the Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities, DEP Form 62-621.300(4)(b), shall also serve as notice of commencement of construction under this chapter and, in such a case, submittal of Form 62-330.350(1) is not required.
5. Unless the permit is transferred under rule 62-330.340, F.A.C., or transferred to an operating entity under rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms, and conditions of the permit for the life of the project or activity.
6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex- "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit"[Form 62-330.310(3)]; or
 - b. For all other activities- "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
 - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
7. If the final operation and maintenance entity is a third party:
 - a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.4 of Volume I) as filed with the Florida Department of State, Division of Corporations, and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the

County in which the activity is located.

- b. Within 30 days of submittal of the as-built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation and Maintenance Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
9. This permit does not:
 - a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the Agency in writing:
 - a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.
13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.
14. If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, stone tools, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section (DHR), at (850)245-6333, as well as the appropriate permitting agency office. Project activities shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and the proper authorities notified in accordance with section 872.05, F.S. For project activities subject to prior consultation with the DHR and as an alternative to the above requirements, the permittee may follow procedures for unanticipated discoveries as set forth within a cultural resources assessment survey determined complete and sufficient by DHR and included as a specific permit condition herein.

15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.
16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.
17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.
18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

Special Conditions for Individual Environmental Resource Permits, 62-330.350, F.A.C.

1. The construction phase of this permit shall expire on the shown on Page 2.
2. Operation and maintenance of the stormwater management system shall be the responsibility of Shingle Creek Mitigation Group, LP and UMAM, LLC. The permittee shall notify the Agency in writing within 30 days of any conveyance or division of ownership or control of the property or the system, and the new owner must request transfer of the permit in accordance with Rule 62-330.340, F.A.C.
3. Submit an executed recorded copy of the Access Easement granted to the South Florida Water Management District must be provided to the District's ERB staff within 30 days of permit issuance.
4. (a) In accordance with the schedule attached as Exhibit No. 2 (see Application No. 070321-21) and prior to the release of any credits from the bank, the permittee shall submit to the District, for review and approval in accordance with Exhibit No. 2 (see Application No. 070321-21) , two (2) copies of the following:
 1. Final executed draft in recordable form of conservation easement.
 2. Site map of conservation easement
 3. Signed and sealed survey by professional surveyor with legal description
 4. Certified appraisal of the market value of property
 5. Title insurance commitment and owner's title policy
- (b) Within 30 days of District approval of the above listed items, the permittee shall record a conservation easement for the 534.95 acres bank property for which the release of credits is sought and submit two (2) certified copies to the district. The conservation easement shall be granted to the District and FDEP and shall contain the activity restrictions set forth in section 704.06(1) F.S. The recorded conservation easement shall be in conformance with the draft conservation easement attached as Exhibit No. 2. The District must approve any amendments to the conservation easement.
- (c) Prior to recordation of the conservation easement for the bank project, the bank sponsor shall procure waivers of surface exploration rights for the bank site. the waiver form shall be subject to the approval of the District prior to recordation of the conservation easment.
5. All contractors must be provided with a copy of the staff report and permit conditions prior to the commencement of construction. The permittee is responsible for ensuring that all contractors adhere to the project details and methods indicated on the attached permit Exhibits and described herein.
6. The permittee shall, every two years, adjust the amount of financial responsibility provided for the implementation and long term management of the bank. The cost adjustment, along with supporting documentation, shall be submitted to the District for review and approval. Any significant change in the cost estimate (>10%) may result in a modification to required deposits into the construction and implementation fund. The amount of financial responsibility provided for construction and implementation shall be adjusted as follows:
 - (A) The permittees shall, every two (2) years, adjust the amount of financial responsibility provided for construction and implementation and for the long-term management of the bank. Every two (2) years, the permittees shall submit to the District a cost adjustment statement accompanied by supporting, verifiable documentation based upon a third party performing the work at the fair market value of the

services. Mitigation implementation and long term management costs shall be listed separately. The cost adjustment statements shall include inflation as well as changes in the cost to carry out the construction and implementation (i.e., initial exotic species removal and control, planting, structure installation, consultant fees, monitoring activities and reports) and long term management (i.e., nuisance/exotic species control, maintenance of fences, consultant fees, monitoring activities and reports, and any other costs associated with long-term management) activities required for compliance with this permit.

(B) If the value of the construction and implementation performance bond is less than the total amount of the current implementation cost estimate, or if the annual interest generated by the long-term management trust fund is less than the currently estimated annual costs of long-term management, the permittees shall upon District approval of the cost adjustment statement, increase the value of the financial mechanism(s) to reflect the new estimate within 60 days.

(C) If the value of the implementation performance bond is greater than the total amount of the current construction and implementation cost estimate, or if the annual interest generated by the long-term management trust fund is greater than the currently estimated annual costs of long-term management, the permittees may reduce the value of the financial assurance mechanism(s) to reflect the new estimate upon receiving District approval of the cost adjustment statement.

(D) The permittees shall adjust the amount of the implementation performance bond and/or long-term management trust fund at times other than the cost adjustment period when the costs associated with compliance with the permit conditions exceed the current amount of financial responsibility and such financial assurances are deemed necessary to ensure compliance with the permit conditions.

(E) Upon completion of an activity, the permittee may request a reduction in the required amount of the implementation performance bond to the amount specified in the most recent required cost estimate for the remaining phases of construction (Exhibit 2 ((see Application No. 070321-21) or the most recent cost adjustment).

7. The permittees shall maintain in perpetuity all of the physical components of the mitigation bank, including fences, access gate(s), signage and other physical components necessary for the continued operation, maintenance and long-term management of this mitigation bank as permitted. This permit does not authorize any construction or earthwork activities except for those explicitly described within the staff report.
8. Any future changes in land use or treatment of wetland and/or upland areas may require a permit modification and additional review by District environmental/engineering staff. Prior to the permittee instituting any future changes not authorized by this permit, the permittee shall notify the District of such intentions for a determination of any necessary permit modifications.
9. This application authorizes a total of 71.95 credits for the preservation of the property which includes recording a conservation easement over 534.96 acres, establishment of financial assurances in accordance with the special conditions and attached exhibits, removal and control of nuisance and exotic species and the implementation of a land management plan as described in the staff report and the special conditions of this application. The applicant may submit a request to modify this permit to perform additional activities, including hydrologic enhancement, which may result in the realization of additional credits. The future modification(s) will be based on the potential for additional vegetative improvement as well as hydrologic enhancement/restoration of the mitigation bank site. The potential hydrologic improvements will likely include the construction of control structures and berms where uncontrolled runoff currently occurs into the creek and/or into Oren Brown Canal. In order for the

applicant to demonstrate the amount of hydrologic, vegetative and ecological improvement that may occur, a comprehensive and quantifiable baseline conditions report as well as measurable success criteria must be submitted. Although the information submitted thus far relies on performance based success criteria, the analysis must also include a comparison of current hydrologic and vegetative conditions to potential future conditions in order to demonstrate the potential lift. The vegetative components of the baseline report must include, but are not limited to: - Established transects and quadrats with permanent photostations - List and percent cover of all species contained within each transect and quadrat - Percent cover of OBL, FACW, FAC and UPL species within each transect and quadrat - Quantitative description and list of canopy trees including percent cover and DBH - Nuisance and exotic vegetation coverage within each monitoring area - Wildlife observations The hydrologic elements of the baseline report must include but are not limited to: - An analysis of both the current and proposed condition in sufficient detail to support the proposed enhancement credit for the hydroperiod of each mitigation polygon - Hydrologic measurements including depth and duration of saturation/inundation. - Construction details of all structures and proposed earthwork The success criteria for the project must include: - Specific quantifiable goals of the proposed enhancement activities - Specify a reference wetland for each habitat type - A detailed planting plan for each polygon - UMAM data sheets for each polygon - Specific success criteria for each polygon. The documentation of the factors listed above will be utilized to determine the full number of potential credits that are available to the bank. The vegetative elements, in particular, are critical components of the current mitigation plan for preservation only as they will document the potential for future enhancement credit over and above the preservation element. At this time, the District has not made a determination as to the potential number of credits that may be generated as a result of future modifications to the permit.

10. The mitigation plan includes the removal of feral pigs from the property. The control of feral pigs shall be the responsibility of the applicant and shall in no way be interpreted to allow for hunting of native species on the property. In addition, the management and results of this activity shall be reported to the District in the annual monitoring reports.
11. A maintenance program shall be implemented in accordance with Exhibit No. 2 (see Application No. 070321-21) for the mitigation bank on a regular basis to ensure the integrity and viability of those areas as permitted. Coverage of exotic and nuisance species shall not exceed 1% total areal coverage after 5 years. Maintenance shall be conducted in perpetuity to ensure that the mitigation bank is maintained free from Category 1 exotic vegetation (as defined by the Florida Exotic Pest Plant Council at the time of permit issuance) immediately following a maintenance activity. In addition, the permittee shall manage the conservation areas such that nuisance plant species do not exceed 10% of areal cover.
12. The permittee shall be responsible for the successful completion of the mitigation bank, including the monitoring and maintenance of the bank for the duration of the mitigation plan, in accordance with the attached exhibits.
13. The work schedule shown in Exhibit 2 (see Application No. 070321-21) shall be implemented regarding the release of credits for sale within the mitigation bank.
14. A mitigation program for the Shingle Creek Mitigation Bank shall be implemented in accordance with the attached Exhibits. The permittee shall preserve 534.96 acres .
15. The District reserves the right to require remedial measures to be taken by the permittee if monitoring or other information demonstrates that adverse impacts to onsite or offsite wetlands, upland conservation areas or buffers, or other surface waters have occurred due to project related activities.

16. The mitigation bank credit ledger shall reflect a total of 71.95 credits which includes 63.67 forested credits and 8.28 herbaceous credits. The credits shall be released in accordance with the credit release schedule outlined below:

20% (12.73 forested credits, 1.65 herbaceous credits) Submit conservation easement and financial assurance documentation

20% (12.73 forested credits, 1.65 herbaceous credits) Installation of perimeter fencing, removal of interior fencing and signage

5% (3.18 forested credits, 0.41 herbaceous credits) Removal and control of feral pigs

45% (28.65 forested credits, 3.72 herbaceous credits) Nuisance and exotic vegetation removal and control

10% (6.37 forested credits, 0.82 herbaceous credits) Reserve (Successful completion of five year monitoring program)

17. A monitoring program shall be implemented in accordance with Exhibit No. 2 (see Application No. 070321-21). Short-term monitoring reports must be submitted annually and must be conducted in accordance with the approved Monitoring Plan.

The short term reports must include all of the information identified in the monitoring section of the approved mitigation plan and information sufficient to demonstrate whether the success criteria are being achieved.

Once the bank has achieved success, long-term (perpetual) monitoring reports must be submitted annually, by January 31st for the previous year. All reports must include the information identified in the monitoring section of the approved mitigation plan, must demonstrate how the bank is continuing to meet (or not meet) the goals and objectives of the mitigation bank plan, and must include a log and aerial showing the location of all maintenance activities undertaken during the previous year and scheduled for the following year. These activities include, but are not limited to, floral and faunal exotic and nuisance treatment/control, and any other management activities performed, or scheduled to be performed, on the mitigation bank property.

18. Project implementation, maintenance/monitoring and long term management shall be accomplished in accordance with the attached Exhibits and in accordance with the Special Conditions outlined herein. Additionally, issuance of this permit is based on the District's reliance on information submitted and commitments made by the permittees that the proposed mitigation design presented in Exhibits will be achieved and that the targeted success criteria outlined in the staff report and in Exhibit 2 will be met. If at any time, the District determines that the targeted success criteria have not or are not being met for any phase and/or that the milestone events identified in the credit release schedule contained in Exhibit 2 have not been satisfactorily accomplished, then no mitigation credits shall be withdrawn or released, including for other activities, until it is demonstrated that the targeted success criteria and/or milestone events have been achieved.

19. The permittee acknowledges, that pursuant to Rule 40E-4.101(2), F.A.C., a notice of Environmental Resource or Surface Water Management Permit may be recorded in the county public records. Pursuant to the specific language of the rule, this notice shall not be considered an encumbrance upon the property.

20. Prior to the release of any credits, and within 30 days of permit issuance, the permittee shall provide the District with documentation that a trust fund in the amount of \$386,444.40 has been established for the long term management of the Shingle Creek Mitigation Bank.
21. In conformance with the work schedule in Exhibit 2 (see Application No. 070321-21), the permittee shall provide an original letter of credit in the amount of \$245,080.00 to ensure the permittee's financial ability and commitment to complete the proposed mitigation, monitoring and maintenance plan. The financial assurance shall be in substantial conformance with Exhibit No. 2 (see Application No. 070321-21). The financial assurance shall be in effect for the entire period of the mitigation and monitoring program. Notification to the District by the financial institution or surety that the financial assurance will not be renewed or is no longer in effect shall constitute non-compliance with the permit.
22. Activities associated with the implementation of the mitigation, monitoring and maintenance plan(s) shall be completed in accordance with the work schedule attached as Exhibit 2 (see Application No. 070321-21). Any deviation from these time frames will require prior approval from the District's Environmental Resource Compliance staff. Such requests must be made in writing and shall include (1) reason for the change, (2) proposed start/finish and/or completion dates; and (3) progress report on the status of the project development or mitigation effort.
23. For the 29.27 acre parcel addition authorized under Application 210525-6295:
- A) Prior to the commencement of construction, and in accordance with the work schedule herein, the permittee shall submit for review and approval, one copy of the following as a package for review by District real estate staff:
1. Project map identifying conservation areas
 2. Legal description of conservation areas
 3. Signed amended conservation easement form
 4. Sealed boundary survey of conservation area(s) by professional Land surveyor
 5. Title insurance commitment for the conservation easement naming the District as beneficiary using approved valuation. See Exhibit 3.3.1.
 6. Data in accordance with paragraph E (below).
- B) The real estate information referenced in paragraph (A) above shall be reviewed by the District in accordance with the District's real estate review requirements. The easement shall be granted free of mortgages, liens, easements or other encumbrances or interests which the District staff states are contrary to the intent of the easement. The easement shall not be recorded until such approval is received.
- C) Once the Draft Amended Conservation Easement form is approved by the District, the permittee may commence with the Mitigation Plan. Upon completion of Phase 1 of the planting plan as outlined in the Mitigation Plan attached as Exhibit 3.0.1., the permittee shall record the Amended Conservation Easement over the real property designated as conservation/preservation areas on Exhibit 3.2.1, adding the 29.27 acre parcel constituting the additional conservation easement area and removing the 17.94 acre parcel constituting the removed conservation easement area. This Exhibit shall not be modified without a permit modification.
- D) In the event the conservation easement real estate information reveals encumbrances or interests in the easement which the District staff states are contrary to the intent of the easement, the permittee shall be required to provide release or subordination of such encumbrances or interests. If such are not

obtained, permittee shall be required to apply for a modification to the permit for alternative acceptable mitigation.

E) A CD or DVD containing the easement data supplied in a digital ESRI Geodatabase (mdb), ESRI Shapefile (shp) or AutoCAD Drawing Interchange (dxf) file format using Florida State Plane coordinate system, East Zone (3601), Datum NAD83, HARN with the map units in feet, shall be submitted.

F) Upon recordation of the amended conservation easement in the public records of Osceola County, the permittee shall submit one certified copy of the recorded conservation easements for the preservation/mitigation areas, and title insurance policy, via ePermitting or to the Environmental Resource Compliance staff in the local District service center.

24. A monitoring program shall be implemented for the mitigation bank in accordance with the updated Exhibit 3.0.1., with annual reports submitted to District staff.

25. For the 29.27 acre addition authorized under Application 210525-6295, the planting and mitigation plan shall be conducted in accordance with Exhibit 3.0.1.

Project Work Schedule for Permit No. 49-01937-M

The following activities are requirements of this Permit and shall be completed in accordance with the Project Work Schedule below. Please refer to General Conditions, Special Conditions and/or Specific Conditions for more information. Any deviation from these time frames will require prior approval from the District's Environmental Resources Bureau and may require a modification to this permit. Such requests must be made in writing and shall include: (1) reason for the change, (2) proposed start/finish and/or completion dates, and (3) progress report on the status of the project.

Condition No.	Date Added	Description (Application Number)	Due Date	Date Satisfied
SC 11	05/30/2024	Scmb Remove Cattle Lease	04/15/2008	04/20/2016
SC 11	05/30/2024	Scmb Install Perimeter Fencing	07/01/2009	01/11/2017
SC 11	05/30/2024	Scmb Install Signage	07/01/2009	01/11/2017
SC 11	05/30/2024	Scmb Submit Baseline Monitoring Report	12/31/2027	07/17/2017
SC 3	05/30/2024	Application 210525-6295 Submit Recorded Access Easement granted to the SFWMD	Within 30 days of permit issuance	
SC 4	05/30/2024	Submit Recorded Conservation Easement	04/15/2009	04/08/2016
SC 6	05/30/2024	Submit Cost Adjustment Supporting Documentation 2	02/15/2024	05/16/2024
SC 6	05/30/2024	Submit Cost Adjustment Supporting Documentation 3	08/15/2024	
SC 16	05/30/2024	Scmb Submit Monitoring Report 1	12/18/2018	10/23/2019
SC 16	05/30/2024	Scmb Submit Monitoring Report 2	03/19/2022	01/29/2021
SC 16	05/30/2024	Scmb Submit Monitoring Report 3	02/22/2022	02/03/2022
SC 16	05/30/2024	Scmb Submit Monitoring Report 4	02/22/2023	05/02/2023
SC 16	05/30/2024	Scmb Submit Monitoring Report 5	02/22/2024	02/07/2024
SC 16	05/30/2024	Scmb Submit Monitoring Report 6	02/22/2025	
SC 16	05/30/2024	Scmb Submit Monitoring Report 7	02/22/2026	
SC 16	05/30/2024	Scmb Submit Monitoring Report 8	02/22/2027	
SC 20	07/26/2025	Submit Perpetual Management Trust Fund Documentation	04/15/2008	04/12/2016
SC 21	08/26/2023	Submit Construction and Implementation Performance Bond	04/15/2008	04/12/2016
SC 23	05/30/2024	Application 210525-6295: Submit Real Estate Package For CE	Within 30 days of Phase 1 Completion	
SC 24	05/30/2024	Submit 29 Acre Addition Monitoring Report 1	1 year after Time Zero report, and then Annually for 5 years	

SC 24	05/30/2024	Submit 29 Acre Addition Monitoring Report 2	1 year after previous submission	
SC 24	05/30/2024	Submit 29 Acre Addition Monitoring Report 3	1 year after previous submission	
SC 24	05/30/2024	Submit 29 Acre Addition Monitoring Report 4	1 year after previous submission	
SC 24	05/30/2024	Submit 29 Acre Addition Monitoring Report 5	1 year after previous submission	
SC 25	05/30/2024	Application 210525-6295: Submit Time Zero Report for Planted Areas	Within 30 days after Planting Complete Date	

GC = General Condition

SC = Special Condition

Distribution List

Steven Green, Mitigation Resources LLC

Osceola County Engineer

US Army Corps of Engineers

Exhibits

The following exhibits to this permit are incorporated by reference. The exhibits can be viewed by clicking on the links below or by visiting the District's ePermitting website at <http://my.sfwmd.gov/ePermitting> and searching under this application number 220222-33299.

[Exhibit No. 1.0 Location Map](#)

[Exhibit No. 3.0.1 Mitigation Plan - 29 Acre Addition](#)

[Exhibit No. 3.1.1 Financial Assurance Update - 29 Acre Addition](#)

[Exhibit No. 3.2.1 Draft Conservation Easement Amendment](#)

[Exhibit No. 3.3.1 Title Insurance Commitment - 29 Acre Addition](#)

[Exhibit No. 3.4.1 UMAM and Credit Adjustment - 29 Acre Addition](#)

[Exhibit No. 4.0 Access Easement \(SFWMD\)](#)

[Exhibit No. 4.1 Access Easement \(Recorded\)](#)

[Exhibit No. 5.0 Permit History](#)

[Exhibit No. 6.0 Mitigation Bank Ledger](#)

NOTICE OF RIGHTS

As required by Chapter 120, Florida Statutes, the following provides notice of the opportunities which may be available for administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, or judicial review pursuant to Section 120.68, Florida Statutes, when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Some of the legal proceedings detailed below may not be applicable or appropriate for your situation. You may wish to consult an attorney regarding your legal rights.

RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Florida Statutes. Persons seeking a hearing on a District decision which affects or may affect their substantial interests shall file a petition for hearing in accordance with the filing instructions set forth herein within 21 days of receipt of written notice of the decision unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Florida Statutes; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Florida Statutes. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, posting, or publication that the District has taken or intends to take final agency action. Any person who receives written notice of a District decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action that materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional point of entry pursuant to Rule 28-106.111, Florida Administrative Code.

Any person to whom an emergency order is directed pursuant to Section 373.119(2), Florida Statutes, shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The District may grant the request for good cause. Requests for extension of time must be filed with the District prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and whether the District and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

FILING INSTRUCTIONS

A petition for administrative hearing must be filed with the Office of the District Clerk. Filings with the Office of the District Clerk may be made by mail, hand-delivery, or e-mail. Filings by facsimile will not be accepted. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Office of the District Clerk at the District's headquarters in West Palm Beach, Florida. The District's normal business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Any document received by the Office of the District Clerk after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day.

Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33406.

- Filings by hand-delivery must be delivered to the Office of the District Clerk. Delivery of a petition to the District's security desk does not constitute filing. It will be necessary to request that the District's security officer contact the Office of the District Clerk. An employee of the District's Clerk's office will receive and process the petition.
- Filings by e-mail must be transmitted to the Office of the District Clerk at clerk@sfwmd.gov. The filing date for a document transmitted by electronic mail shall be the date the Office of the District Clerk receives the complete document.

INITIATION OF ADMINISTRATIVE HEARING

Pursuant to Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Rules 28-106.201 and 28-106.301, Florida Administrative Code, initiation of an administrative hearing shall be made by written petition to the District in legible form and on 8 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, District file number or any other District identification number, if known.
2. The name, address, any email address, any facsimile number, and telephone number of the petitioner, petitioner's attorney or qualified representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the District's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the District's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the District's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the District to take with respect to the District's proposed action.

MEDIATION

The procedures for pursuing mediation are set forth in Section 120.573, Florida Statutes, and Rules 28-106.111 and 28-106.401–.405, Florida Administrative Code. The District is not proposing mediation for this agency action under Section 120.573, Florida Statutes, at this time.

RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Section 120.68, Florida Statutes, and in accordance with Florida Rule of Appellate Procedure 9.110, a party who is adversely affected by final District action may seek judicial review of the District's final decision by filing a notice of appeal with the Office of the District Clerk in accordance with the filing instructions set forth herein within 30 days of rendition of the order to be reviewed, and by filing a copy of the notice with the appropriate district court of appeals via the Florida Courts E-Filing Portal.

May 28th, 2025

Thank you for your review on May 20th, 2025. The following is the response to comments from Ryan.Altizer@kissimmee.gov regarding **LUPA-25-0002** as per document **LUPA-25-0002 30-25-29-00U0-0080-0000** dated 5/9/2025.

1. Please provide the permit modifications and documents associated with SFWMD Application 220222-33299.

I've included the permit modification related to SFWMD Application 220222-33299. Note that this specific permit is actually for a credit release as the SFWMD requires a permit modification each time the mitigation bank releases/sells a credit. The specific permit in which the 18 acres was approved for removal is 210525-6295_Permit_Revision_20240430 (previously uploaded), but the approval of the removal of this parcel from the mitigation bank is also referenced in subsequent permits, including the requested SFWMD Application 220222-33299 (see page 4 under "Permit Modification History", line item beginning with "On July 27th, 2024...").

Please let me know if you need any additional information.

2. The 8.8-acres proposed for the rezoning from AC (Agricultural Conservation) to IB (Industrial Business) would align with the proposed Future Land Use of IN (Industrial Business).

As discussed during the May 20th review, we're looking at rezoning and changing the land use for the entire the 18 acres. I believe the confusion on this stems from the PDF Osceola 18-acre Industrial Site Floodplain Analysis page 8, in which our engineer created an example to show one possible configuration purely for illustrative purposes. At this time, we are seeking rezoning and a land use change for the entire parcel with the understanding that some portion of the parcel will be utilized for flood mitigation, but we are not in a site planning stage to determine where that flood mitigation would be.

3. Are the 77.8 acres to the west of the proposed changes that are tied to the same Parcel ID (30-25-29-00U0-0080-0000) effected in any way with these changes?

No. That acreage is a part of now and will remain a part of the Shingle Creek Mitigation Bank. It will in no way be affected by these changes.

Thank you for your responses and please feel free to reach out to me with any questions!

Mark Serrahn
The Landon Companies & UMAM LLC | Birmingham, MI
(810) 730-2596 | mserrahn@landoncompanies.com

May 28th, 2025

Thank you for your review on May 20th, 2025. The following is the response to comments from ashley.cornelison@kissimmee.gov regarding **LUPA-25-0002** as per **LUPA-25-0002 - Long Range Planning Comments_v1** dated 5/12/2025 by Ashley Cornelison.

1. Please submit a topography survey showing the wetland areas.

A topographic map of the wetlands data layer from Osceola County is included on page 3 of this document. This data layer predates the construction of Hoagland Blvd. The South Florida Water Management District determined that (i) Hoagland Blvd. has diverted surface water flow away from the Property and (ii) the Property is trending toward becoming a non-wetland and therefore has no wetland value in terms of UMAM credit scoring. As a result, SFWMD modified the Shingle Creek Mitigation Bank Permit to allow the removal of the Property.

SFWMD did not require of UMAM LLC, nor undertake on its own, a wetland analysis of the Property for the permit modification. As part of the removal agreement SFWMD deducted the 2.47 credits that had been allocated to the Property in the original 2007 permit (pre-Hoagland Blvd.) and required that an expansion in the mitigation bank be added to keep the overall credit value unchanged.

- The history, process, and reasoning for the SFWMD determination explained in detail in the August 15, 2024 memo by Steve Green of ESA Environmental Consultants (Wetland Status and Permit Mod Memo_20240819_v1), previously uploaded.
- SFWMD Permit Modification 210525-6295_Permit_Revision_20240430 for the Shingle Creek Mitigation Bank (which removed the 18 acres from the mitigation bank), uploaded.

2. The acreage to the south of this property should be designated Conservation (CONS). The exact area to be designated CONS shall be determined when the topography survey is provided.

As discussed during the May 20th review, we're looking at rezoning and changing the land use for the entire the 18 acres. I believe the confusion on this stems from the PDF Osceola 18-acre Industrial Site Floodplain Analysis page 8, in which our engineer created an example to show one possible configuration purely for illustrative purposes. That example (i) provided a "worst case" in terms of acreage used for flood compensation and retention and (ii) allocated the pond to the south. The expected achievable pond area is smaller than shown on the drawing and its location will be determined by an actual site development plan (both of which will be determined in a permitting process).

Finally, while we do not believe that any of the Property will be impacted by regulated wetlands (for the reasons discussed above), we can mitigate any wetland impacts with credits generated from the Shingle Creek Mitigation Bank or several other regional wetland mitigation banks.

Other Comments RE Additional Properties

The western portion of this parcel along with the other two parcels are a part of the Shingle Creek Mitigation Bank. We would not object to the city's offer to amend the land use and zoning of these areas.

Thank you for your responses and please feel free to reach out to me with any questions!

Mark Serrahn
The Landon Companies & UMAM LLC | Birmingham, MI
(810) 730-2596 | mserrahn@landoncompanies.com

Environmental Evaluation:

Environmental Evaluation

This application (210525-6295) is to authorize the removal of a 17.94 acre parcel from the mitigation bank and to add a 29.27 acre parcel to the bank. The locations of the removal and addition parcels are shown in Exhibit 3.0.1. The parcel removal results in the reduction of total potential credits for the bank by 2.47 forested credits. The ledger has been updated to reflect the 17.94 acre removal, and the total number of released credits has been corrected to account for errors in the credit releases from Applications 150709-20 and 170330-12. The credit releases that have previously occurred were based on percentages of the total number of potential credits, and have been adjusted to reflect the new total potential credits following the parcel removals in Applications 150709-20, 170330-12, and 210525-6295. See Exhibit 3.4.1 for the UMAM scoring for the parcel addition and the ledger correction calculations. The updated ledger can be found in Exhibit 6.0. The closing balance on the ledger is 8.59 forested credits and -0.91 herbaceous credits.

The new parcel has the potential to gain 2.47 forested credits as shown in the table below, but no credits are currently released for the new addition.

Mitigation Plan

The proposed mitigation plan and success criteria for the 29.27 acre parcel addition can be found in Exhibit 3.0.1. The plan includes treatment of nuisance and exotic vegetation, planting of basin swamp trees and groundcover species, removal of interior fencing, and installation of external fencing. The addition parcel will be incorporated into the annual monitoring plan that is currently implemented for the existing bank area.

The financial assurance mechanism is also being updated to account for the acreage change, see Exhibit 3.1.1. The updated cost estimates can be found in the ePermitting file. A conservation easement will be recorded over the addition parcel, and a title insurance commitment is required. See Exhibit 3.2.1 for the draft conservation easement, and Exhibit 3.3.1 for the title commitment.

All special conditions, work schedules, and exhibits as found in Permit No. 49-01937-M continue to apply unless otherwise modified by the District. See Exhibit 5.0.



DATE: September 9, 2024

TO: Mr. Daniel Aronoff (UMAM LLC)

FROM: Kevin K. Albrecht, PE (Albrecht Engineering Group)

SUBJECT: Osceola 18-acre Industrial Site – Preliminary Floodplain Analysis

Introduction

This technical memorandum summarizes the data collection, analytical methods, and findings of a preliminary floodplain compensation analysis to estimate impacts and compensation required for the potential future development of a roughly 18-acre undeveloped site, located in the City of Kissimmee. More specifically, the site is located along the west side of Hogland Boulevard, roughly 4,000 feet north of Old Tampa Highway, as shown on **Figure 1**.

The intent of this analysis is to utilize readily available data to develop a preliminary estimate of the existing floodplain storage volume within the parcel and estimate the potential developable area outside of the required floodplain compensation area, using volumetric (cup for cup) compensation.

Data Collection

This analysis was conducted using readily available (desktop) datasets to characterize the existing topography, 100-year flood stages, and seasonal high-water levels (SHWLs). The following sections further describe each data source:

Topography – The existing topographic conditions on the site were based on the 2018 LiDAR data obtained from National Oceanic and Atmospheric Agency’s (NOAA) Digital Coast Data Access Viewer ([NOAA: Data Access Viewer](#)). The resulting Digital Elevation Model (DEM) and contours are shown in **Figure 2**. This data is based on the North American Vertical Datum of 1988 (NAVD 1988), which is used throughout this analysis. It should be noted that this data does not depict the topographic changes that resulted from construction of Hogland Boulevard or the industrial development south of this parcel. However, the data is sufficient to characterize the existing floodplain storage volume within the site.

100-Year Flood Stages – The Federal Emergency Management Agency (FEMA) flood mapping data was collected for the Site. The effective FEMA flood mapping data (**Figure 3**) shows 100-year peak flood stages ranging from 66.0 just north of the site to 65.0 just south of the site. However, Osceola County recently completed the Shingle Creek Watershed Model which provides a significant improvement in the hydraulic level of detail and computational technology used to model the watershed over the prior study used to develop the FEMA maps. Based on the incorporation of additional detail and more recent data, the Shingle Creek Watershed Model is considered the best available data to estimate 100-year flood stages for the site. **Figure 4** shows the 100-year peak stages estimated adjacent to the site by the Shingle Creek Model range from 63.58 just north of the site to 63.37 just south of the site.

Seasonal High-Water Levels (SHWLs) – Estimating the SHWL on the site is critical to determine the lowest elevation that any floodplain compensation area can effectively store flood waters. For this analysis, the control elevation of the wet detention pond located on the south side of this site was used to estimate the SHWL. According to the permitted design plans approved under SFWMD ERP 49-00813-P-03, the pond control elevation was set at elevation 60.0 (NGVD 1929) which translates to ~59.1 (NAVD 1988). However, the lowest elevation on the site is elevation 60.0 so the bottom of any proposed floodplain compensation area is set to 60.0 as that is the lowest elevation that surface water can be diverted into the floodplain compensation area.

Existing Floodplain Storage Volume Estimate

The data outlined above was used to develop a preliminary estimate of existing floodplain storage volume within the site. **Table 1** shows the detailed calculations and a resulting site floodplain storage volume of 31.4 acre-feet.

Table 1: Existing Site Flood Storage Volume

Existing Flood Storage				
Elevation (NAVD 88)	Area (Acres)	Incremental Volume (ac-ft)	Cumulative Volume (ac-ft)	Description
60	0.15	0.0	0.0	Estimated SHWL/Lowest Elevation
61	2.83	1.5	1.5	
62	11.8	7.3	8.8	
63	16.5	14.2	23.0	
63.5	17.25	8.4	31.4	Shingle Creek 100-yr Flood Stage

Proposed Concept

A preliminary grading concept of the site was developed to estimate the area needed to store 31.4 acre-feet of floodplain compensation volume between the SHWL of 60.0 and 100-year flood stage of 63.5. The remaining portion of the site can be used for future development. It should be noted that the development area includes the stormwater attenuation and treatment pond as well as any required buffers. **Table 2** shows the detailed calculations for the required floodplain compensation area. Based on these calculations, the floodplain compensation area would use 9.2 acres of the 18-acre site, leaving 8.8 acres for future development, stormwater management areas, and setbacks. **Figure 5** shows the portions of the site needed for floodplain compensation and the remaining developable area.

Table 2: Proposed Floodplain Compensation Area Volume Calculations

Proposed Floodplain Compensation Volume			
Elevation (NAVD 88)	Area (Acres)	Incremental Volume (ac-ft)	Cumulative Volume (ac-ft)
60	8.77	0.0	0.0
61	8.89	8.8	8.8
62	9.01	8.9	17.8
63	9.13	9.1	26.8
63.5	9.19	4.6	31.4

Recommendations

This analysis is intended to provide a preliminary estimate of floodplain compensation requirements based on readily available data. The following are recommendations should more detailed development planning occur to further refine these estimates:

- Detailed Topographic Survey – Prior to detailed design a topographic survey of the site will be required. The floodplain compensation requirements would then be refined based on the site survey.
- Geotechnical Investigation/Soil Borings - Prior to detailed design a geotechnical analysis will be required. This analysis will obtain soil borings at various locations within the site and provide an estimated SHWL at each boring. This data will help refine the estimated SHWL.
- Environmental High-Water Marks/Water Level Monitoring (Piezometers) – Prior to detailed design a survey high water marks will be required. The high-water marks will be identified by a wetland scientist and the elevation of each mark will be collected by a surveyor. Alternatively, water level monitoring can be conducted using piezometers to develop a longer-term record of water levels on the site. This data will help refine the estimated SHWL.
- Future Design Refinements – Based on the data collection described above, it may be possible to lower the bottom of the floodplain compensation area, reduce its footprint, and expand the developable area. This analysis limited the bottom elevation to 60.0 since the low elevation on the parcel is ~60.0 so it is assumed flood waters can not be diverted into the floodplain compensation area below 60.0. However, if the data collection above agrees with a SHWL of 59.1 and the survey shows ground elevations at or below 59.1, the bottom of the floodplain compensation area could be lowered with a reduced footprint.
- No-Rise Analysis – Based on the size of the floodplain/contributing drainage basin vs the site, it is possible that full volumetric compensation of impacted floodplain volume would not be required. To determine the actual floodplain compensation volume required, the Shingle Creek model could be used to test various fill/compensation scenarios to ensure adjacent off-site flood stages do not increase for the range of design storms.



Digitally signed by
Kevin K Albrecht
Date: 2024.09.12
12:32:48 -04'00'

This item has been digitally signed and sealed by Kevin K. Albrecht, PE on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Figure 1: Project Location

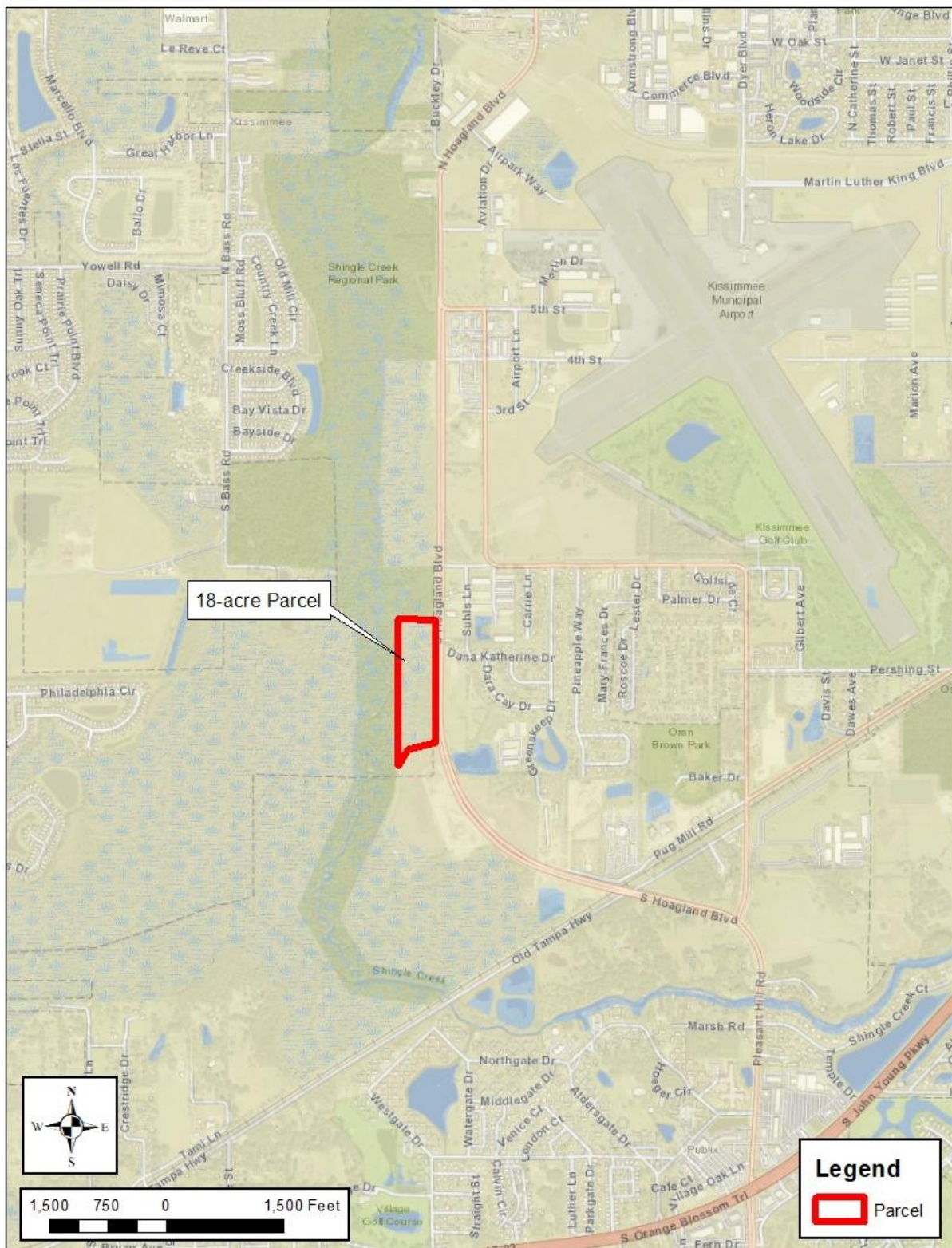


Figure 2: Topography

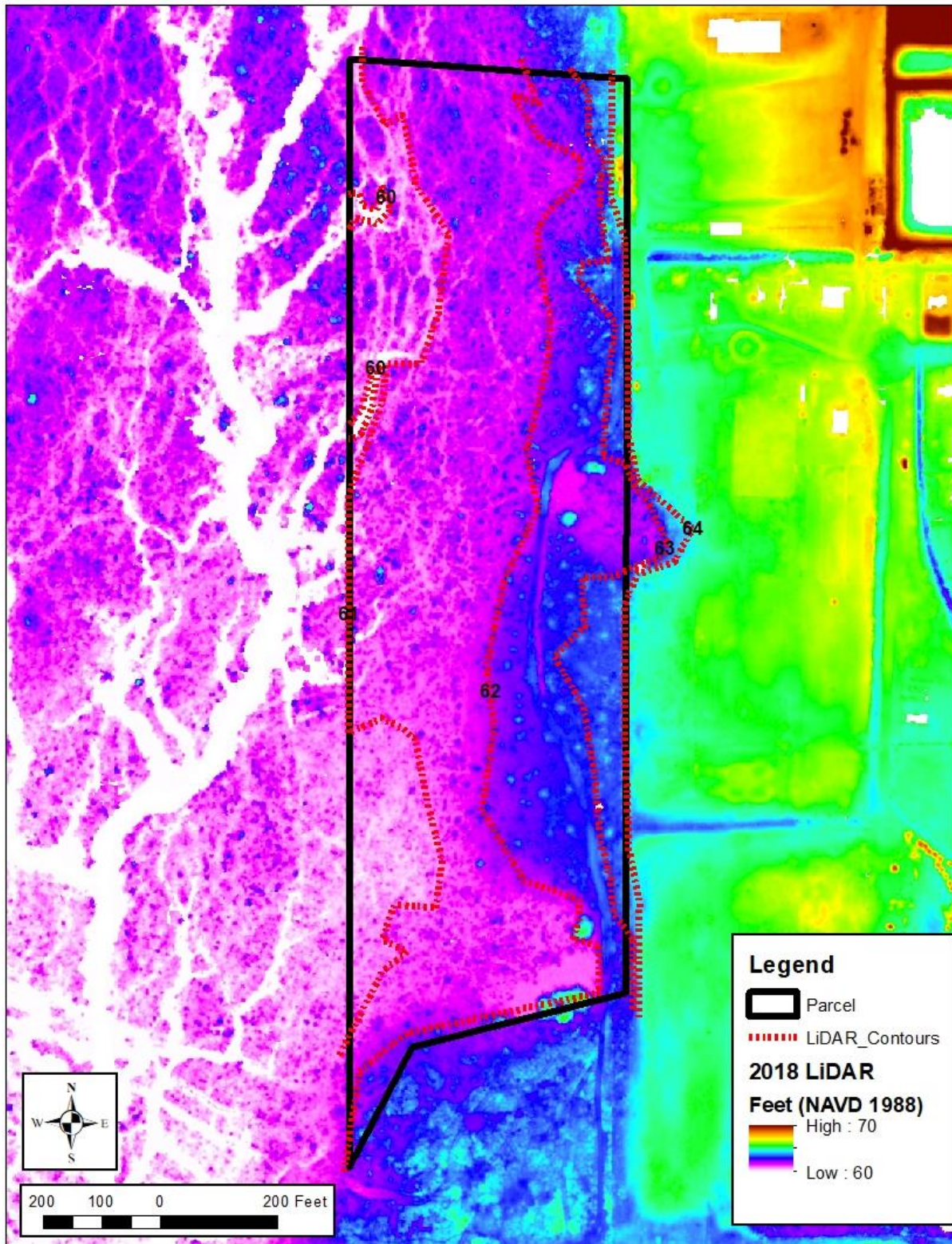


Figure 3: Effective FEMA Floodplain Map

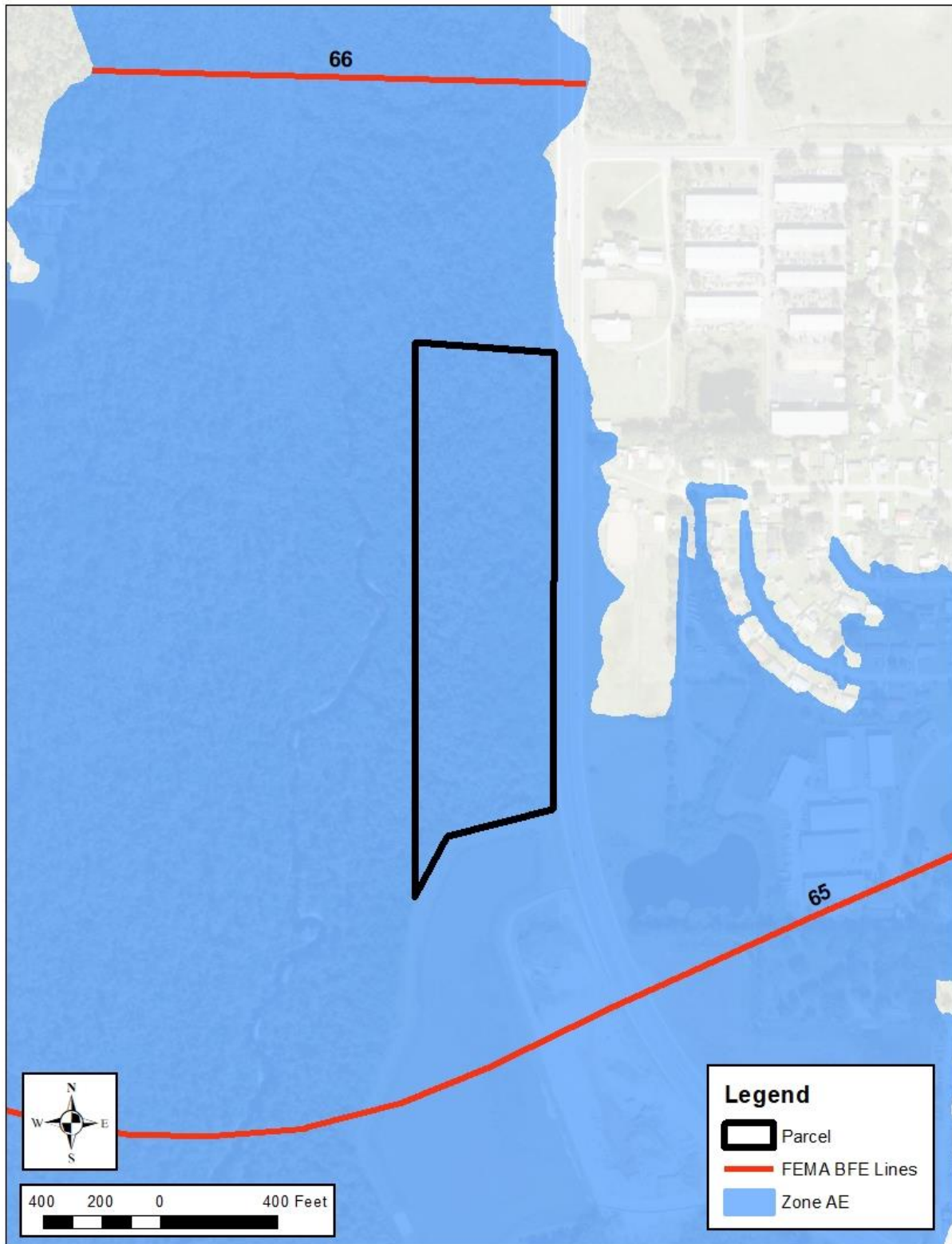
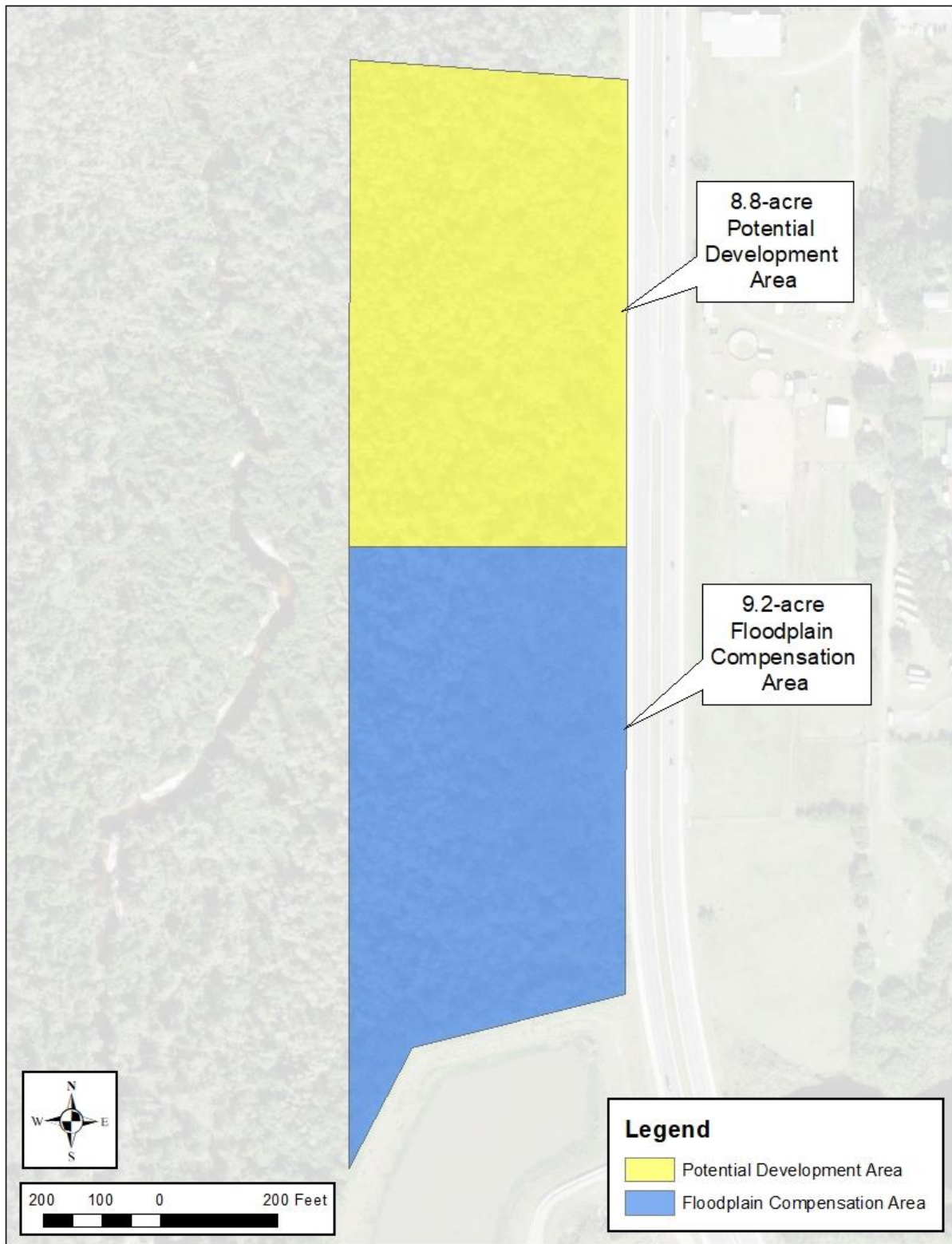


Figure 5: Proposed Concept





memorandum

date August 15, 2024
to Daniel Aronoff, UMAM LLC
cc Mark Serrahn, UMAM LLC
from Steven Green, ESA, Julie Sullivan, ESA
subject Shingle Creek Mitigation Bank Outparcel Wetland Trend

Compliance Summary

On October 23, 2019, the South Florida Water Management District (SFWMD) and Environmental Science Associates (ESA) conducted a site inspection of the Shingle Creek Mitigation Bank (SCMB). During the site inspection, SFWMD staff determined among other things that portions of the SCMB exhibited signs of hydrologic stress including treefall and soil subsidence. The portions of the SCMB that exhibited hydrologic stress were the two outparcels along the eastern side of Shingle Creek totaling approximately 18 acres along Hoagland Boulevard. on the eastern portion of parcel 30-25-29-00U0-0080-0000 s depicted on the attached Exhibit A (the “Parcel”) On December 5, 2019, the SFWMD issued a non-compliance letter detailing the observations of the site inspection and requested a remedial action plan.

In response to this non-compliance letter, ESA developed a remedial action plan which among other things proposed the removal of the Parcel due concerns over the long-term viability of the wetlands within this parcel. Hydrology for wetland communities within the SCMB and larger Shingle Creek drainage basin is dictated by the US Army Corps of Engineers (USACE) regulation schedule for the S-61 Lock on the southern end of Lake Tohopekaliga. The current regulation schedule for the S-61 Lock has been in place since 1982 and is primarily being managed for flood control. This schedule holds water elevations between 52’ and 55’ NGVD (51.05’ and 54.05’ NAVD88) with peak stages between November and March (opposite of the typical Central Florida wet season). Within the boundaries of the SCMB, Shingle Creek occurs at an elevation of approximately 54’ NAVD88, while the adjacent wetland systems are approximately six (6) feet above this elevation and are thus deprived of seasonal surface water flooding from Shingle Creek, outside of major storm events.

The effects of the artificially lowered tailwater are compounded by modified upstream inputs. Much of the basin upstream of the SCMB, particularly in Orange County, is developed and the creek channelized leading to brief high velocity peak flows as opposed to slowly moving sheet flow typical of floodplains and basin swamps. Combined with the artificially lowered tailwater, these modified high velocity discharges have led to scouring of Shingle Creek and the natural rivulets that drain the adjacent floodplain. This results in a topography that fails to hold surface water for time periods sufficient for optimal wetland function and has resulted in hydrologic stress

on the Parcel. Areas immediately adjacent to Shingle Creek, such as the Parcel, are generally the most impacted by this hydrologic manipulation.

The remedial action plan, which included the removal of the Parcel from the SCMB in exchange for the additions to the SCMB of another parcel, was formalized on April 1, 2021 and included in a SFWMD permit Modification. This permit modification was finalized on May 30, 2024, under SFWMD Application No. 220222-33299. The condition for removal of the Parcel is addressed in Special Conditions section 23 therein.

Exhibit A



Osceola County Property Appraiser

Katrina S. Scarborough, CFA, CCF, MCF

Basic Search

Advanced Search

Sales Search

Search Results

Parcel Result

Map

Help

Parcel Result

Parcel: 30252900U000800000

TRIM Notice Property Record Card Map Image Tax Collector Map View E-Mail Parcel NEW Bird's Eye View

Owner Information

Owner Name

UMAM LLC

Mailing Address

5607 GLENRIDGE DR NE STE 200

ATLANTA, GA 30342

Physical Address

OLD TAMPA HWY, KISSIMMEE FL 34746

Description

NO AG ACREAGE-VAC

Tax District

200 - KISSIMMEE

Tax Values

View Tax Estimate

Current Values

Certified Values

Current Value represents working appraised values as of 06/03/2024, which are subject to change prior to certification

Certified Value represents certified values that appeared on the tax roll as of 10/04/2023

Land

\$19,200

AG Benefit

\$0

Extra Features

\$0

Buildings

\$0

Appraised(Just)

\$19,200

Assessed(estimated)

\$19,200

Exemption(estimated)

\$0

Taxable(estimated)

\$19,200

Land

\$47,900

AG Benefit

\$0

Extra Features

\$0

Buildings

\$0

Appraised(just)

\$47,900

Assessed*

\$47,900

Exemption

\$0

Taxable

\$47,900

* Assessed Values Reflect Adjustments for Agricultural Classification and/or the Save Our Homes Cap

* Assessed Values Reflect Adjustments for Agricultural Classification and/or the Save Our Homes Cap

Sales Information

Seq	ORB-Pg	Price	Date	Deed Type
0	4923-0197	\$100	2016-02-26	Quit Claim Deed (QC)
1	4923-0187	\$100	2016-02-26	Quit Claim Deed (QC)
2	4726-0470	\$100	2015-01-22	Certificate of Title (CT)
3	3419-2911	\$6,361,900	2007-02-16	Warranty Deed (WD)
4	3059-2142	\$100	2002-05-28	Corrective Deed (CD)
5	2254-0454	\$807,900	2002-05-28	Warranty Deed (WD)
6	1120-0177	\$0	1993-04-16	Personal Representative Deed (PR)
7	1120-0176	\$0	1993-04-15	Personal Representative Deed (PR)

Land Information - Total Acreage: 95.80

Land Description	Units	Depth	Land Type	Land Value
CONSERVATION	95.80	0.00	AC	\$19,200

Legal Description

Legal Description

SW 1/4 LESS NW 1/4 OF NW 1/4 OF SW 1/4 & LESS NE 1/4 OF NW 1/4 OF SW 1/4 & LESS BEG N 1/4 COR OF SEC 31, E 615.20 FT, S 295.16 FT, E 724.25 FT TO PT ON E LINE OF W 1/2 OF NE 1/4, S 808.04 FT, N 82 DEG W 120.96 FT, N 16 DEG W 177.52 FT, N 30 DEG W 459.91 FT, N 71 DEG W 504.82 FT, N 71 DEG W 272.83 FT, N 79 DEG W 219.07 FT, S 54 DEG W 24.72 FT, S 8 DEG W 194.08 FT, S 3 DEG E 351.76 FT, S 64 DEG W 119.31 FT, N 28 DEG W 743.69 FT, N 74.25 FT, N 6 DEG E 141.85 FT, N 13 DEG E 119.47 FT, N 27 DEG E 245.96 FT, N 76 DEG E 370.10 FT TO PT ONE LINE OF SW 1/4, S 428.93 FT TO POB LYING WITHIN SEC 30 ORD #97-03 LESS BEG AT CENTER OF 30/25/29, S 667.51 FT, N 89 DEG W 475.06 FT, S 1902.17 FT, S 13 DEG W 102.59 FT, S 6 DEG W 141.85 FT, S 74.25 FT, S 24 DEG W 1751.49 FT, S 31 DEG E 685.54 FT, S 80 DEG E 1301.48 FT TO NLY RW CSX RR, S 58 DEG W 86.83 FT, W 18.86 FT, S 58 DEG W 384.87 FT, S 11.80 FT, S 58 DEG W 104.06 FT, N 82 DEG W 1014.55 FT, N 31 DEG W 1297.38 FT, N 24 DEG E 1852.84 FT, N 2008.26 FT, N 89 DEG W 341.79 FT TO SE COR OF NE 1/4 OF NW 1/4 OF SW 1/4 OF 30-25-29 N 663.74 FT, S 89 DEG E 1360.53 FT TO POB & LESS COM AT S 1/2 COR OF 30-25-29, N 581.59 FT TO POB; & POC, CONC E, RAD 2144.50 FT, CENT ANG 04 DEG, NLY ALONG CURVE 166.21 FT, N 1245.01 FT, S 89 DEG E 6.47 FT, S 1410.95 FT TO

NUMBER

407-742-5000

EMAIL

info@property-appraiser.org

ADDRESS

Property Appraiser's Office

2505 E Irlo Bronson Memorial Hwy

Kissimmee, FL 34744

[View Map](#)

Business Hours

HOURS OF OPERATION

Monday - Friday : 8am to 5pm
Closed Saturday and Sunday

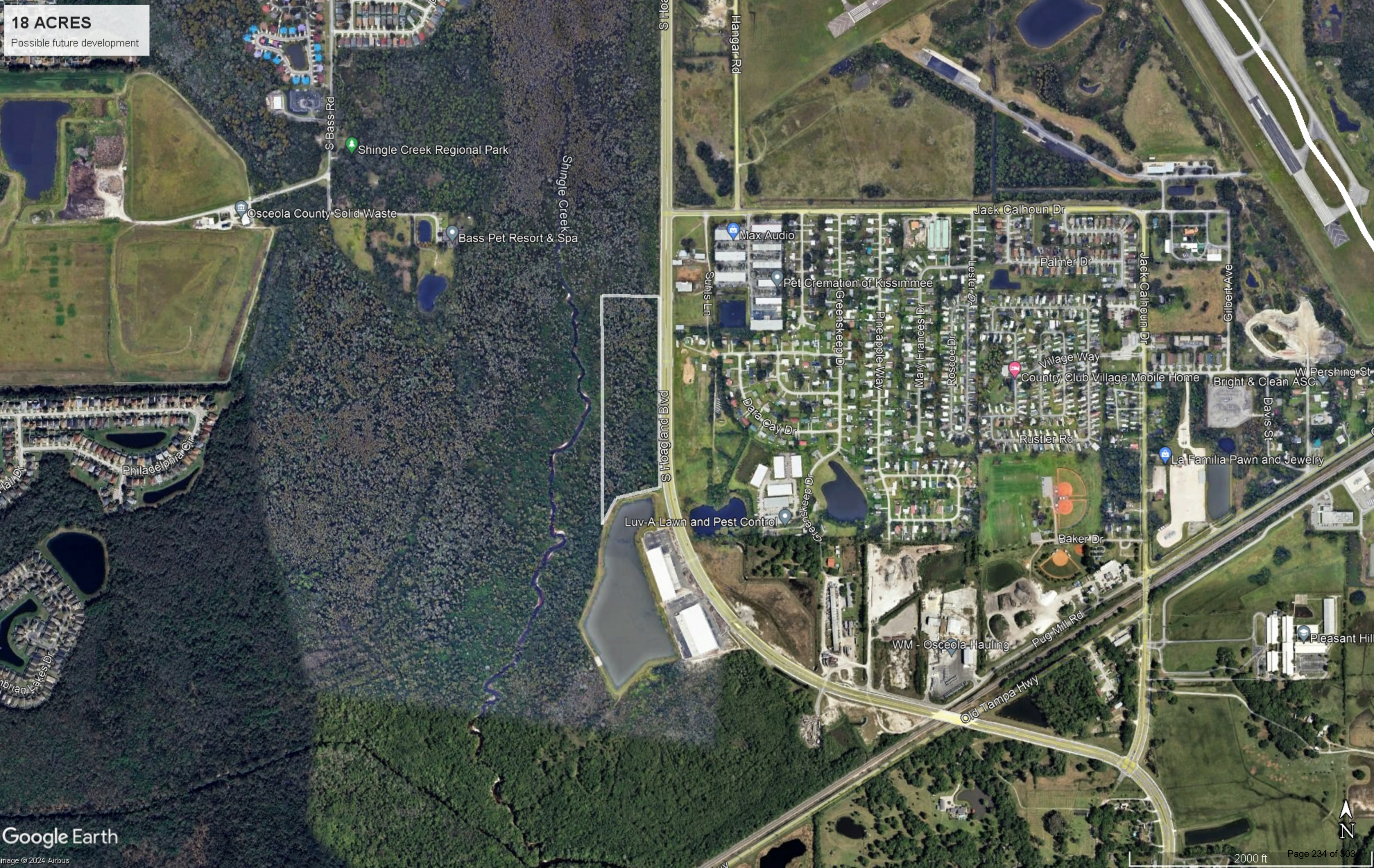


About the Property Appraiser

- Katrina S. Scarborough CFA, CCF, MCF
- Accessibility
- Career Opportunities
- Departments
- Holiday Schedule

Other County Agencies

- Board of County Commissioners
- Clerk of the Courts
- Sheriff's Office
- Supervisor of Elections
- Tax Collector



18 ACRES
Possible future development

Shingle Creek Regional Park

Osceola County Solid Waste

Bass Pet Resort & Spa

Shingle Creek Blvd

Hangar Rd

Max Audio

Pet Cremation of Kissimmee

Greenskeep Dr

Pineapple Way

Mary Frances Dr

Roscoe Dr

Leister Dr

Jack Calhoun Dr

Palmer Dr

Village Way

Country Club Village Mobile Home

Bright & Clean ASC

W Pershing St

Davis St

La Familia Pawn and Jewelry

Rustler Rd

Baker Dr

Pug Mill Rd

Old Tampa Hwy

WM - Osceola Hauling

Luv-A-Lawn and Pest Control

Philadelphia Cir

Shingle Creek Blvd

2000 ft

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South Florida Water Management District
Mitigation Bank Permit No. 49-01937-M
Date Issued: July 27, 2023

Corrected Copy April 30, 2024

Permittee: UMAM, LLC
Shingle Creek Mitigation Group, LP

Project: Shingle Creek Mitigation Bank

Application No. 210525-6295

Location: Osceola County, See Exhibit 1

Your application for a Mitigation Bank Permit is approved. This action is taken based on Chapter 373, Part IV, of Florida Statutes (F.S.) and the rules in Chapter 62-330 and 62-342, Florida Administrative Code (F.A.C.). Unless otherwise stated, this permit constitutes certification of compliance with state water quality standards under section 401 of the Clean Water Act, 33 U.S.C. 1341, and a finding of consistency with the Florida Coastal Management Program. Please read this entire agency action thoroughly and understand its contents.

This permit is subject to:

- Not receiving a filed request for a Chapter 120, F.S., administrative hearing.
- The attached General Conditions for Environmental Resource Permits.
- The attached Special Conditions.
- All referenced Exhibits.

All documents are available online through the District's ePermitting site at www.sfwmd.gov/ePermitting.

If you object to these conditions, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance with the "Notice of Rights", we will assume that you concur with the District's action.

The District does not publish notices of action. If you wish to limit the time within which a person may request an administrative hearing regarding this action, you are encouraged to publish, at your own expense, a notice of agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Legal requirements and instructions for publishing a notice of agency action, as well as a noticing format that can be used, are available upon request. If you publish a notice of agency action, please send a copy of the affidavit of publication provided by the newspaper to the District's West Palm Beach office for retention in this file.

If you have any questions regarding your permit or need any other information, please call us at 1-800-432-2045 or email epermits@sfwmd.gov.

A handwritten signature in blue ink that reads "Lisa Prather".

Lisa Prather, PWS
Section Administrator

Permittees:

UMAM, LLC
205 Abbey St
Birmingham, MI 48009

Shingle Creek Mitigation Group, LP
612 East 11 Mile Road
Royal Oak, MI 48067

**South Florida Water Management District
Mitigation Bank Permit No. 49-01937-M**

Date Issued:	July 27, 2023	Expiration Date:	July 27, 2028
Project Name:	Shingle Creek Mitigation Bank		
Permittees:	UMAM, LLC 205 Abbey St Birmingham, MI 48009 Shingle Creek Mitigation Group, LP 612 East 11 Mile Road Royal Oak, MI 48067		
Operating Entity:	UMAM, LLC 205 Abbey St Birmingham, MI 48009 Shingle Creek Mitigation Group, LP 612 East 11 Mile Road Royal Oak, MI 48067		
Location:	Osceola County		
Permit Acres:	534.96 acres		
Special Drainage District:	N/A		
Water Body Classification:	CLASS III		
FDEP Water Body ID:	3169A		
Total Potential Credits:	0.00		
Conservation Easement to District:	Yes		
Sovereign Submerged Lands:	No		

Project Summary

The Environmental Resource Permit authorized construction and operation of a 534.96 acre mitigation bank project known as Shingle Creek Mitigation Bank in Osceola County.

Project Site Description

Shingle Creek Mitigation Bank (SCMB) is located southwest of Kissimmee, off of Old Tampa Highway, southeast of Poinciana Boulevard and encompasses portions of Shingle Creek in Sections 30 and 31, Township 25S, Range 29E and Sections 25 and 36, Township 25S, Range 28E in Osceola County. To the north of the project lies property in both public and private ownership. To the west the property borders Poinciana Boulevard, a residential development, County owned property and District owned Save Our

Rivers (SOR) lands. To the south the property borders Old Tampa Highway and undeveloped wetlands under private ownership. To the east, the property borders a residential development and an industrial park.

Current Authorization (Application No. 210525-6295)

This modification authorizes the removal of a 17.94 acre parcel from the mitigation bank and the addition of a 29.27 acre parcel to the mitigation bank. This exchange results in a total of 534.96 acres in the mitigation bank, and the removal of 2.47 forested credits from the ledger. This modification also corrects errors in the credit calculations from previous reductions in bank area via Applications 150709-20 and 170330-12. The new parcel has the potential to gain 2.47 forested credits but no credits are currently released for the new addition.

Refer to Exhibit 6.0 for the updated mitigation bank ledger.

Background

On December 21, 1999 a Noticed General Permit (No. 49-01018-P) was issued for a project known as Logging a Cypress Swamp.

Permit Modification History

On January 13, 2009, an ERP was issued to construct and operate a 619-acre mitigation bank. [Application No. 070321-21]

On October 28, 2013, a modification was issued for a five year permit extension. [Application No. 130925-9]

On April 8, 2016, a minor modification was issued for the proportional adjustment of mitigation bank credits and financial assurance to correspond to a 84.99 acre reduction in project acreage, as well as, the addition of a new permittee. [Application No. 150709-20]

On May 16, 2017, a minor modification was issued for an adjustment of mitigation bank credits to correspond with a 10.11 acre reduction in project acreage. [Application No. 170330-12]

On November 14, 2018, a minor modification was issued to modify the Work Schedule due dates. [Application No. 181109-2]

Please see Exhibit 5.0 for a list of authorizations that constitute this permit.

Ownership, Operation and Maintenance

Perpetual operation and maintenance of the stormwater management system will be the responsibility of Shingle Creek Mitigation Group, LP and UMAM, LLC. Upon conveyance or division of ownership or control of the property or the system, the permittee must notify the Agency in writing within 30 days, and the new owner must request transfer of the permit.

The Permittee has provided the existing Access Easment (Exhibit 4.1) recorded in Osceola County ORB 3759, PG 1912 for the access to the added parcel in the South East portion of the permitted area.

The applicant provided an additional draft Access Easement (Exhibit 4.0) that will grant the South Florida Water Management District ingress and egress to the Conservation Easement area. Within 30 days of permit issuance, a copy of the executed and recorded easement must be provided to the District's Environmental Resource Compliance staff.

Engineering Evaluation:

Water Quality

There are no construction activities planned for this project, therefore, no adverse water quality impacts are anticipated as a result of the proposed project since the pre-development condition is the same as the post-development condition with respect to the site's surface water flow. Also, removal of the feral pig population will result in less rutting and thus less soil erosion from the site, and removal of the cattle will result in water quality improvements due to decreased nutrient loading and fewer eroded cattle crossings in the area.

Water Quantity

There are no works planned for this phase of the mitigation bank. Therefore, the post-development discharge will be the same as the pre-development discharge.

Environmental Evaluation:

Environmental Evaluation

This application (210525-6295) is to authorize the removal of a 17.94 acre parcel from the mitigation bank and to add a 29.27 acre parcel to the bank. The locations of the removal and addition parcels are shown in Exhibit 3.0.1. The parcel removal results in the reduction of total potential credits for the bank by 2.47 forested credits. The ledger has been updated to reflect the 17.94 acre removal, and the total number of released credits has been corrected to account for errors in the credit releases from Applications 150709-20 and 170330-12. The credit releases that have previously occurred were based on percentages of the total number of potential credits, and have been adjusted to reflect the new total potential credits following the parcel removals in Applications 150709-20, 170330-12, and 210525-6295. See Exhibit 3.4.1 for the UMAM scoring for the parcel addition and the ledger correction calculations. The updated ledger can be found in Exhibit 6.0. The closing balance on the ledger is 8.59 forested credits and -0.91 herbaceous credits.

The new parcel has the potential to gain 2.47 forested credits as shown in the table below, but no credits are currently released for the new addition.

Mitigation Plan

The proposed mitigation plan and success criteria for the 29.27 acre parcel addition can be found in Exhibit 3.0.1. The plan includes treatment of nuisance and exotic vegetation, planting of basin swamp trees and groundcover species, removal of interior fencing, and installation of external fencing. The addition parcel will be incorporated into the annual monitoring plan that is currently implemented for the existing bank area.

The financial assurance mechanism is also being updated to account for the acreage change, see Exhibit 3.1.1. The updated cost estimates can be found in the ePermitting file. A conservation easement will be recorded over the addition parcel, and a title insurance commitment is required. See Exhibit 3.2.1 for the draft conservation easement, and Exhibit 3.3.1 for the title commitment.

All special conditions, work schedules, and exhibits as found in Permit No. 49-01937-M continue to apply unless otherwise modified by the District. See Exhibit 5.0.

Environmental Evaluation Tables:

Summary

Wetlands and Other
Surface Waters: 464.61 acres

Wetland and Other
Surface Water Impacts: 0 acres

Total Onsite Mitigation
Area: 536.08 acres

Is a conservation
easement proposed?:

Shingle Creek Mitigation Bank

UMAM Mitigation and Preservation

ID	Acres	Action	Existing Community Description	Proposed Community Description	Current or Without Preserve Score	With Project Score	Time Lag Years.	Risk	P. A. F.	UMAM Gain
SW1	0.7	Preservation	Rivers, Streams and Waterways	Rivers, Streams and Waterways	0.53	0.56	1	1	0.8	0.017
U1f	15.23	Preservation	Pine-Mesic Oak	Pine-Mesic Oak	0.05	0.7	1	1	0.8	7.920
U1h	9.24	Preservation	Pastures	Pastures	0.05	0.7	1	1	0.8	4.805
U2	21.2	Preservation	Pine Flatwoods	Pine Flatwoods	0.05	0.7	1	1	0.8	11.024
U3	25.8	Preservation	Pine Flatwoods	Pine Flatwoods	0.05	0.7	1	1	0.8	13.416
W1f	271.54	Preservation	Mixed Wetland Hardwoods	Mixed Wetland Hardwoods	0.5	0.6	1	1	0.8	21.723
W1h	43.5	Preservation	Vegetated Non- Forested Wetlands	Vegetated Non- Forested Wetlands	0.5	0.6	1	1	0.8	3.480
W2	63.2	Preservation	Mixed Wetland Hardwoods	Mixed Wetland Hardwoods	0.5	0.6	1	1	0.8	5.056
W3	56.4	Preservation	Mixed Wetland Hardwoods	Mixed Wetland Hardwoods	0.5	0.6	1	1	0.8	4.512
Total: 506.81										71.953

29.27 Acre Addition

UMAM Mitigation and Preservation

ID	Acres	Action	Existing Community Description	Proposed Community Description	Current or Without Preserve Score	With Project Score	Time Lag Years.	Risk	P. A. F.	UMAM Gain
W1	23.9	Restoration	Basin Swamp	Basin Swamp	0.5	0.7	16 - 20	1.5	1.0	1.897
W2	5.37	Enhancement	Basin Swamp	Basin Swamp	0.6	0.733	1	1	0.8	0.571
Total: 29.27										2.468

Related Concerns:**Historical/Archeological Resources**

No information has been received that indicates the presence of archaeological or historical resources or that the proposed activities could cause adverse impacts to archaeological or historical resources.

Water Use Permit Status

The applicant has indicated that dewatering is not required for this project. This permit does not release the permittee from obtaining all necessary Water Use authorization(s) prior to the commencement of activities which will require such authorization, including construction dewatering and irrigation, unless the work qualifies for a No-Notice Short-Term Dewatering permit pursuant to Chapter 40E-20.302(3) or is exempt pursuant to Section 40E-2.051, FAC.

General Conditions for Individual Environmental Resource Permits, 62-330.350, F.A.C.

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation, June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," (October 1, 2013), (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505>), incorporated by reference herein, indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C., and shall be submitted electronically or by mail to the Agency. However, for activities involving more than one acre of construction that also require a NPDES stormwater construction general permit, submittal of the Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities, DEP Form 62-621.300(4)(b), shall also serve as notice of commencement of construction under this chapter and, in such a case, submittal of Form 62-330.350(1) is not required.
5. Unless the permit is transferred under rule 62-330.340, F.A.C., or transferred to an operating entity under rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms, and conditions of the permit for the life of the project or activity.
6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex- "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit"[Form 62-330.310(3)]; or
 - b. For all other activities- "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
 - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
7. If the final operation and maintenance entity is a third party:
 - a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.4 of Volume I) as filed with the Florida Department of State, Division of Corporations, and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the

County in which the activity is located.

- b. Within 30 days of submittal of the as-built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation and Maintenance Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
9. This permit does not:
 - a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the Agency in writing:
 - a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.
13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.
14. If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, stone tools, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section (DHR), at (850)245-6333, as well as the appropriate permitting agency office. Project activities shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and the proper authorities notified in accordance with section 872.05, F.S. For project activities subject to prior consultation with the DHR and as an alternative to the above requirements, the permittee may follow procedures for unanticipated discoveries as set forth within a cultural resources assessment survey determined complete and sufficient by DHR and included as a specific permit condition herein.

15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.
16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.
17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.
18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

Special Conditions for Individual Environmental Resource Permits, 62-330.350, F.A.C.

1. The construction phase of this permit shall expire on the shown on Page 2.
2. Operation and maintenance of the stormwater management system shall be the responsibility of Shingle Creek Mitigation Group, LP and UMAM, LLC. The permittee shall notify the Agency in writing within 30 days of any conveyance or division of ownership or control of the property or the system, and the new owner must request transfer of the permit in accordance with Rule 62-330.340, F.A.C.
3. Submit an executed recorded copy of the Access Easement granted to the South Florida Water Management District must be provided to the District's ERB staff within 30 days of permit issuance.
4. (a) In accordance with the schedule attached as Exhibit No. 2 (see Application No. 070321-21) and prior to the release of any credits from the bank, the permittee shall submit to the District, for review and approval in accordance with Exhibit No. 2 (see Application No. 070321-21) , two (2) copies of the following:
 1. Final executed draft in recordable form of conservation easement.
 2. Site map of conservation easement
 3. Signed and sealed survey by professional surveyor with legal description
 4. Certified appraisal of the market value of property
 5. Title insurance commitment and owner's title policy
- (b) Within 30 days of District approval of the above listed items, the permittee shall record a conservation easement for the 534.95 acres bank property for which the release of credits is sought and submit two (2) certified copies to the district. The conservation easement shall be granted to the District and FDEP and shall contain the activity restrictions set forth in section 704.06(1) F.S. The recorded conservation easement shall be in conformance with the draft conservation easement attached as Exhibit No. 2. The District must approve any amendments to the conservation easement.
- (c) Prior to recordation of the conservation easement for the bank project, the bank sponsor shall procure waivers of surface exploration rights for the bank site. the waiver form shall be subject to the approval of the District prior to recordation of the conservation easment.
5. All contractors must be provided with a copy of the staff report and permit conditions prior to the commencement of construction. The permittee is responsible for ensuring that all contractors adhere to the project details and methods indicated on the attached permit Exhibits and described herein.
6. The permittee shall, every two years, adjust the amount of financial responsibility provided for the implementation and long term management of the bank. The cost adjustment, along with supporting documentation, shall be submitted to the District for review and approval. Any significant change in the cost estimate (>10%) may result in a modification to required deposits into the construction and implementation fund. The amount of financial responsibility provided for construction and implementation shall be adjusted as follows:
 - (A) The permittees shall, every two (2) years, adjust the amount of financial responsibility provided for construction and implementation and for the long-term management of the bank. Every two (2) years, the permittees shall submit to the District a cost adjustment statement accompanied by supporting, verifiable documentation based upon a third party performing the work at the fair market value of the

services. Mitigation implementation and long term management costs shall be listed separately. The cost adjustment statements shall include inflation as well as changes in the cost to carry out the construction and implementation (i.e., initial exotic species removal and control, planting, structure installation, consultant fees, monitoring activities and reports) and long term management (i.e., nuisance/exotic species control, maintenance of fences, consultant fees, monitoring activities and reports, and any other costs associated with long-term management) activities required for compliance with this permit.

(B) If the value of the construction and implementation performance bond is less than the total amount of the current implementation cost estimate, or if the annual interest generated by the long-term management trust fund is less than the currently estimated annual costs of long-term management, the permittees shall upon District approval of the cost adjustment statement, increase the value of the financial mechanism(s) to reflect the new estimate within 60 days.

(C) If the value of the implementation performance bond is greater than the total amount of the current construction and implementation cost estimate, or if the annual interest generated by the long-term management trust fund is greater than the currently estimated annual costs of long-term management, the permittees may reduce the value of the financial assurance mechanism(s) to reflect the new estimate upon receiving District approval of the cost adjustment statement.

(D) The permittees shall adjust the amount of the implementation performance bond and/or long-term management trust fund at times other than the cost adjustment period when the costs associated with compliance with the permit conditions exceed the current amount of financial responsibility and such financial assurances are deemed necessary to ensure compliance with the permit conditions.

(E) Upon completion of an activity, the permittee may request a reduction in the required amount of the implementation performance bond to the amount specified in the most recent required cost estimate for the remaining phases of construction (Exhibit 2 ((see Application No. 070321-21) or the most recent cost adjustment).

7. The permittees shall maintain in perpetuity all of the physical components of the mitigation bank, including fences, access gate(s), signage and other physical components necessary for the continued operation, maintenance and long-term management of this mitigation bank as permitted. This permit does not authorize any construction or earthwork activities except for those explicitly described within the staff report.
8. Any future changes in land use or treatment of wetland and/or upland areas may require a permit modification and additional review by District environmental/engineering staff. Prior to the permittee instituting any future changes not authorized by this permit, the permittee shall notify the District of such intentions for a determination of any necessary permit modifications.
9. This application authorizes a total of 71.95 credits for the preservation of the property which includes recording a conservation easement over 534.96 acres, establishment of financial assurances in accordance with the special conditions and attached exhibits, removal and control of nuisance and exotic species and the implementation of a land management plan as described in the staff report and the special conditions of this application. The applicant may submit a request to modify this permit to perform additional activities, including hydrologic enhancement, which may result in the realization of additional credits. The future modification(s) will be based on the potential for additional vegetative improvement as well as hydrologic enhancement/restoration of the mitigation bank site. The potential hydrologic improvements will likely include the construction of control structures and berms where uncontrolled runoff currently occurs into the creek and/or into Oren Brown Canal. In order for the

applicant to demonstrate the amount of hydrologic, vegetative and ecological improvement that may occur, a comprehensive and quantifiable baseline conditions report as well as measurable success criteria must be submitted. Although the information submitted thus far relies on performance based success criteria, the analysis must also include a comparison of current hydrologic and vegetative conditions to potential future conditions in order to demonstrate the potential lift. The vegetative components of the baseline report must include, but are not limited to: - Established transects and quadrats with permanent photostations - List and percent cover of all species contained within each transect and quadrat - Percent cover of OBL, FACW, FAC and UPL species within each transect and quadrat - Quantitative description and list of canopy trees including percent cover and DBH - Nuisance and exotic vegetation coverage within each monitoring area - Wildlife observations The hydrologic elements of the baseline report must include but are not limited to: - An analysis of both the current and proposed condition in sufficient detail to support the proposed enhancement credit for the hydroperiod of each mitigation polygon - Hydrologic measurements including depth and duration of saturation/inundation. - Construction details of all structures and proposed earthwork The success criteria for the project must include: - Specific quantifiable goals of the proposed enhancement activities - Specify a reference wetland for each habitat type - A detailed planting plan for each polygon - UMAM data sheets for each polygon - Specific success criteria for each polygon. The documentation of the factors listed above will be utilized to determine the full number of potential credits that are available to the bank. The vegetative elements, in particular, are critical components of the current mitigation plan for preservation only as they will document the potential for future enhancement credit over and above the preservation element. At this time, the District has not made a determination as to the potential number of credits that may be generated as a result of future modifications to the permit.

10. The mitigation plan includes the removal of feral pigs from the property. The control of feral pigs shall be the responsibility of the applicant and shall in no way be interpreted to allow for hunting of native species on the property. In addition, the management and results of this activity shall be reported to the District in the annual monitoring reports.
11. A maintenance program shall be implemented in accordance with Exhibit No. 2 (see Application No. 070321-21) for the mitigation bank on a regular basis to ensure the integrity and viability of those areas as permitted. Coverage of exotic and nuisance species shall not exceed 1% total areal coverage after 5 years. Maintenance shall be conducted in perpetuity to ensure that the mitigation bank is maintained free from Category 1 exotic vegetation (as defined by the Florida Exotic Pest Plant Council at the time of permit issuance) immediately following a maintenance activity. In addition, the permittee shall manage the conservation areas such that nuisance plant species do not exceed 10% of areal cover.
12. The permittee shall be responsible for the successful completion of the mitigation bank, including the monitoring and maintenance of the bank for the duration of the mitigation plan, in accordance with the attached exhibits.
13. The work schedule shown in Exhibit 2 (see Application No. 070321-21) shall be implemented regarding the release of credits for sale within the mitigation bank.
14. A mitigation program for the Shingle Creek Mitigation Bank shall be implemented in accordance with the attached Exhibits. The permittee shall preserve 534.96 acres .
15. The District reserves the right to require remedial measures to be taken by the permittee if monitoring or other information demonstrates that adverse impacts to onsite or offsite wetlands, upland conservation areas or buffers, or other surface waters have occurred due to project related activities.

16. The mitigation bank credit ledger shall reflect a total of 71.95 credits which includes 63.67 forested credits and 8.28 herbaceous credits. The credits shall be released in accordance with the credit release schedule outlined below:

20% (12.73 forested credits, 1.65 herbaceous credits) Submit conservation easement and financial assurance documentation

20% (12.73 forested credits, 1.65 herbaceous credits) Installation of perimeter fencing, removal of interior fencing and signage

5% (3.18 forested credits, 0.41 herbaceous credits) Removal and control of feral pigs

45% (28.65 forested credits, 3.72 herbaceous credits) Nuisance and exotic vegetation removal and control

10% (6.37 forested credits, 0.82 herbaceous credits) Reserve (Successful completion of five year monitoring program)

17. A monitoring program shall be implemented in accordance with Exhibit No. 2 (see Application No. 070321-21). Short-term monitoring reports must be submitted annually and must be conducted in accordance with the approved Monitoring Plan.

The short term reports must include all of the information identified in the monitoring section of the approved mitigation plan and information sufficient to demonstrate whether the success criteria are being achieved.

Once the bank has achieved success, long-term (perpetual) monitoring reports must be submitted annually, by January 31st for the previous year. All reports must include the information identified in the monitoring section of the approved mitigation plan, must demonstrate how the bank is continuing to meet (or not meet) the goals and objectives of the mitigation bank plan, and must include a log and aerial showing the location of all maintenance activities undertaken during the previous year and scheduled for the following year. These activities include, but are not limited to, floral and faunal exotic and nuisance treatment/control, and any other management activities performed, or scheduled to be performed, on the mitigation bank property.

18. Project implementation, maintenance/monitoring and long term management shall be accomplished in accordance with the attached Exhibits and in accordance with the Special Conditions outlined herein. Additionally, issuance of this permit is based on the District's reliance on information submitted and commitments made by the permittees that the proposed mitigation design presented in Exhibits will be achieved and that the targeted success criteria outlined in the staff report and in Exhibit 2 will be met. If at any time, the District determines that the targeted success criteria have not or are not being met for any phase and/or that the milestone events identified in the credit release schedule contained in Exhibit 2 have not been satisfactorily accomplished, then no mitigation credits shall be withdrawn or released, including for other activities, until it is demonstrated that the targeted success criteria and/or milestone events have been achieved.

19. The permittee acknowledges, that pursuant to Rule 40E-4.101(2), F.A.C., a notice of Environmental Resource or Surface Water Management Permit may be recorded in the county public records. Pursuant to the specific language of the rule, this notice shall not be considered an encumbrance upon the property.

20. Prior to the release of any credits, and within 30 days of permit issuance, the permittee shall provide the District with documentation that a trust fund in the amount of \$386,444.40 has been established for the long term management of the Shingle Creek Mitigation Bank.
21. In conformance with the work schedule in Exhibit 2 (see Application No. 070321-21), the permittee shall provide an original letter of credit in the amount of \$245,080.00 to ensure the permittee's financial ability and commitment to complete the proposed mitigation, monitoring and maintenance plan. The financial assurance shall be in substantial conformance with Exhibit No. 2 (see Application No. 070321-21). The financial assurance shall be in effect for the entire period of the mitigation and monitoring program. Notification to the District by the financial institution or surety that the financial assurance will not be renewed or is no longer in effect shall constitute non-compliance with the permit.
22. Activities associated with the implementation of the mitigation, monitoring and maintenance plan(s) shall be completed in accordance with the work schedule attached as Exhibit 2 (see Application No. 070321-21). Any deviation from these time frames will require prior approval from the District's Environmental Resource Compliance staff. Such requests must be made in writing and shall include (1) reason for the change, (2) proposed start/finish and/or completion dates; and (3) progress report on the status of the project development or mitigation effort.
23. For the 29.27 acre parcel addition authorized under Application 210525-6295:
- A) Prior to the commencement of construction, and in accordance with the work schedule herein, the permittee shall submit for review and approval, one copy of the following as a package for review by District real estate staff:
1. Project map identifying conservation areas
 2. Legal description of conservation areas
 3. Signed amended conservation easement form
 4. Sealed boundary survey of conservation area(s) by professional Land surveyor
 5. Title insurance commitment for the conservation easement naming the District as beneficiary using approved valuation. See Exhibit 3.3.1.
 6. Data in accordance with paragraph E (below).
- B) The real estate information referenced in paragraph (A) above shall be reviewed by the District in accordance with the District's real estate review requirements. The easement shall be granted free of mortgages, liens, easements or other encumbrances or interests which the District staff states are contrary to the intent of the easement. The easement shall not be recorded until such approval is received.
- C) Once the Draft Amended Conservation Easement form is approved by the District, the permittee may commence with the Mitigation Plan. Upon completion of Phase 1 of the planting plan as outlined in the Mitigation Plan attached as Exhibit 3.0.1., the permittee shall record the Amended Conservation Easement over the real property designated as conservation/preservation areas on Exhibit 3.2.1, adding the 29.27 acre parcel constituting the additional conservation easement area and removing the 17.94 acre parcel constituting the removed conservation easement area. This Exhibit shall not be modified without a permit modification.
- D) In the event the conservation easement real estate information reveals encumbrances or interests in the easement which the District staff states are contrary to the intent of the easement, the permittee shall be required to provide release or subordination of such encumbrances or interests. If such are not

obtained, permittee shall be required to apply for a modification to the permit for alternative acceptable mitigation.

E) A CD or DVD containing the easement data supplied in a digital ESRI Geodatabase (mdb), ESRI Shapefile (shp) or AutoCAD Drawing Interchange (dxf) file format using Florida State Plane coordinate system, East Zone (3601), Datum NAD83, HARN with the map units in feet, shall be submitted.

F) Upon recordation of the amended conservation easement in the public records of Osceola County, the permittee shall submit one certified copy of the recorded conservation easements for the preservation/mitigation areas, and title insurance policy, via ePermitting or to the Environmental Resource Compliance staff in the local District service center.

24. A monitoring program shall be implemented for the mitigation bank in accordance with the updated Exhibit 3.0.1., with annual reports submitted to District staff.

25. For the 29.27 acre addition authorized under Application 210525-6295, the planting and mitigation plan shall be conducted in accordance with Exhibit 3.0.1.

Project Work Schedule for Permit No. 49-01937-M

The following activities are requirements of this Permit and shall be completed in accordance with the Project Work Schedule below. Please refer to General Conditions, Special Conditions and/or Specific Conditions for more information. Any deviation from these time frames will require prior approval from the District's Environmental Resources Bureau and may require a modification to this permit. Such requests must be made in writing and shall include: (1) reason for the change, (2) proposed start/finish and/or completion dates, and (3) progress report on the status of the project.

Condition No.	Date Added	Description (Application Number)	Due Date	Date Satisfied
SC 11	04/30/2024	Scmb Submit Original Long Term Mgmt Trust Fund	04/15/2008	04/21/2016
SC 11	04/30/2024	Scmb Submit Original Letter Of Credit	04/15/2008	04/21/2016
SC 11	04/30/2024	Scmb Remove Cattle Lease	04/15/2008	04/20/2016
SC 11	04/30/2024	Scmb Install Perimeter Fencing	07/01/2009	01/11/2017
SC 11	04/30/2024	Scmb Install Signage	07/01/2009	01/11/2017
SC 11	04/30/2024	Scmb Submit Baseline Monitoring Report	12/31/2027	07/17/2017
GC 2	02/18/2020	Certification (200130-2665)	02/17/2021	03/06/2023
GC 7	01/13/2009	Conversion/Transfer (070321-21)	01/13/2010	
SC 3	04/30/2024	Submit Recorded Access Easement granted to the SFWMD	Within 30 days of permit issuance	
SC 16	04/30/2024	Scmb Submit Monitoring Report 1	12/18/2018	10/23/2019
SC 16	04/30/2024	Scmb Submit Monitoring Report 2	03/19/2022	01/29/2021
SC 16	04/30/2024	Scmb Submit Monitoring Report 3	02/22/2022	02/03/2022
SC 16	04/30/2024	Scmb Submit Monitoring Report 4	02/22/2023	05/02/2023
SC 16	04/30/2024	Scmb Submit Monitoring Report 5	02/22/2024	02/07/2024
SC 16	04/30/2024	Scmb Submit Monitoring Report 6	02/22/2025	
SC 16	04/30/2024	Scmb Submit Monitoring Report 7	02/22/2026	
SC 16	04/30/2024	Scmb Submit Monitoring Report 8	02/22/2027	
SC 17	01/13/2009	Submittal Of Doc In Association With Conservation Easement (070321-21)	07/22/2016	04/25/2018
SC 23	04/30/2024	Application 210525-6295: Submit Real Estate Package For CE	Within 30 days of Phase 1 Completion	
SC 25	04/30/2024	Application 210525-6295: Submit Time Zero Report for Planted Areas	Within 30 days after Planting Complete Date	

GC = General Condition

SC = Special Condition

Distribution List

Julie Sullivan, ESA

Osceola County Engineer

US Army Corps of Engineers

Exhibits

The following exhibits to this permit are incorporated by reference. The exhibits can be viewed by clicking on the links below or by visiting the District's ePermitting website at <http://my.sfwmd.gov/ePermitting> and searching under this application number 210525-6295.

[Exhibit No. 1.0 Location Map](#)

[Exhibit No. 3.0.1 Mitigation Plan - 29 Acre Addition](#)

[Exhibit No. 3.1.1 Financial Assurance Update - 29 Acre Addition](#)

[Exhibit No. 3.2.1 Draft Conservation Easement Amendment](#)

[Exhibit No. 3.3.1 Title Insurance Commitment - 29 Acre Addition](#)

[Exhibit No. 3.4.1 UMAM and Credit Adjustment - 29 Acre Addition](#)

[Exhibit No. 4.0 Access Easement \(SFWMD\)](#)

[Exhibit No. 4.1 Access Easement \(Recorded\)](#)

[Exhibit No. 5.0 Permit History](#)

[Exhibit No. 6.0 Mitigation Bank Ledger](#)

NOTICE OF RIGHTS

As required by Chapter 120, Florida Statutes, the following provides notice of the opportunities which may be available for administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, or judicial review pursuant to Section 120.68, Florida Statutes, when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Some of the legal proceedings detailed below may not be applicable or appropriate for your situation. You may wish to consult an attorney regarding your legal rights.

RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Florida Statutes. Persons seeking a hearing on a District decision which affects or may affect their substantial interests shall file a petition for hearing in accordance with the filing instructions set forth herein within 21 days of receipt of written notice of the decision unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Florida Statutes; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Florida Statutes. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, posting, or publication that the District has taken or intends to take final agency action. Any person who receives written notice of a District decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action that materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional point of entry pursuant to Rule 28-106.111, Florida Administrative Code.

Any person to whom an emergency order is directed pursuant to Section 373.119(2), Florida Statutes, shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The District may grant the request for good cause. Requests for extension of time must be filed with the District prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and whether the District and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

FILING INSTRUCTIONS

A petition for administrative hearing must be filed with the Office of the District Clerk. Filings with the Office of the District Clerk may be made by mail, hand-delivery, or e-mail. Filings by facsimile will not be accepted. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Office of the District Clerk at the District's headquarters in West Palm Beach, Florida. The District's normal business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Any document received by the Office of the District Clerk after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day.

Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33406.

- Filings by hand-delivery must be delivered to the Office of the District Clerk. Delivery of a petition to the District's security desk does not constitute filing. It will be necessary to request that the District's security officer contact the Office of the District Clerk. An employee of the District's Clerk's office will receive and process the petition.
- Filings by e-mail must be transmitted to the Office of the District Clerk at clerk@sfwmd.gov. The filing date for a document transmitted by electronic mail shall be the date the Office of the District Clerk receives the complete document.

INITIATION OF ADMINISTRATIVE HEARING

Pursuant to Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Rules 28-106.201 and 28-106.301, Florida Administrative Code, initiation of an administrative hearing shall be made by written petition to the District in legible form and on 8 1/2 by 11 inch white paper. All petitions shall contain:

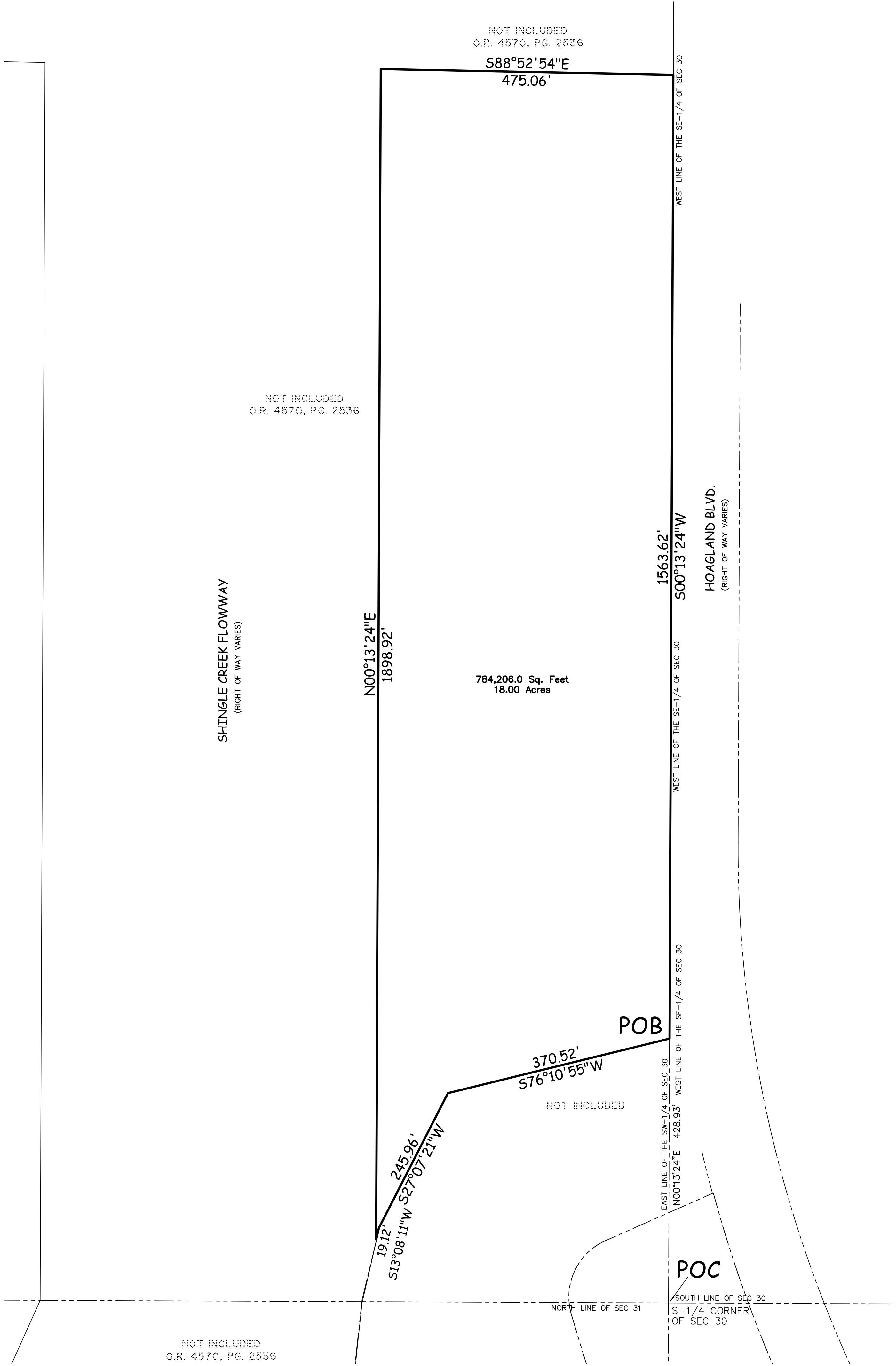
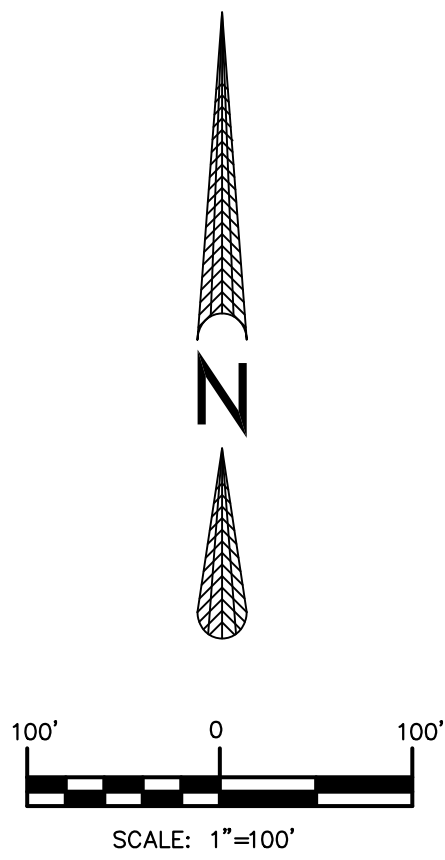
1. Identification of the action being contested, including the permit number, application number, District file number or any other District identification number, if known.
2. The name, address, any email address, any facsimile number, and telephone number of the petitioner, petitioner's attorney or qualified representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the District's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the District's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the District's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the District to take with respect to the District's proposed action.

MEDIATION

The procedures for pursuing mediation are set forth in Section 120.573, Florida Statutes, and Rules 28-106.111 and 28-106.401–.405, Florida Administrative Code. The District is not proposing mediation for this agency action under Section 120.573, Florida Statutes, at this time.

RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Section 120.68, Florida Statutes, and in accordance with Florida Rule of Appellate Procedure 9.110, a party who is adversely affected by final District action may seek judicial review of the District's final decision by filing a notice of appeal with the Office of the District Clerk in accordance with the filing instructions set forth herein within 30 days of rendition of the order to be reviewed, and by filing a copy of the notice with the appropriate district court of appeals via the Florida Courts E-Filing Portal.



SKETCH OF DESCRIPTION
OF LANDS SITUATED IN
SECTION 30, TOWNSHIP 24 SOUTH, RANGE 29 EAST
OSCEOLA COUNTY, FL.
PARCEL 0080

DESCRIPTION PREPARED:

A TRACT OF LAND SITUATED IN THE SOUTHEAST ONE-QUARTER (SE-1/4) OF SECTION 30, TOWNSHIP 25 SOUTH, RANGE 29 EAST, OSCEOLA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 30 THENCE N00°13'24"E ALONG THE WEST LINE OF SAID SE-1/4 LINE A DISTANCE OF 428.93 FEET TO THE POINT OF BEGINNING; THENCE S76°10'55"W A DISTANCE OF 370.52 FEET; THENCE S27°07'21"W A DISTANCE OF 245.96 FEET; THENCE S13°08'11"W A DISTANCE OF 19.12 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4570, PAGE 2536 OF THE PUBLIC RECORDS OF SAID OSCEOLA COUNTY; THENCE N00°13'24"E ALONG THE EAST LINE OF SAID TRACT A DISTANCE OF 1898.92 FEET; THENCE S88°52'54"E ALONG SAID TRACT A DISTANCE OF 475.06 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF HOAGLAND BOULEVARD; THENCE S00°13'24"W A DISTANCE OF 1563.62 FEET TO THE SAID POINT OF BEGINNING.

CONTAINING 18.00 ACRES MORE OR LESS OR LESS.

LEGEND:

- ▲ = SET PK NAIL AND DISC (LB 7970)
- = SET 5/8" IRON ROD&CAP (LB 7970)
- = SET 4x4 CONCRETE MONUMENT
- = FOUND NAIL AND DISC
- = FOUND 3/8" IRON AND CAP
- = FOUND 5/8" IRON AND CAP (FIRC)
- = FOUND 3-5" CONCRETE MONUMENT (FCM)
- = FOUND 1" IRON PIPE (FIP)
- = FOUND DRILL & X-CUT
- BOC = BACK OF CURB
- (C) = CALCULATED
- Δ = CENTRAL ANGLE
- C = CHORD LENGTH
- C# = CURVE NUMBER
- CB = CHORD BEARING
- CBW = CONCRETE BLOCK STRUCTURE
- CBW = CONCRETE BLOCK WALL
- C/L = CENTERLINE OF RIGHT-OF-WAY
- CMP = CORRUGATED METAL PIPE
- CONC. = CONCRETE
- DUE = DRAINAGE & UTILITY EASEMENT
- EL = ELEVATION
- EOP = EDGE OF PAVEMENT
- EROP = ELLIPTICAL REINFORCED CONCRETE PIPE
- GOV = GOVERNMENT LOT
- L = ARC LENGTH
- LB = LICENSED BUSINESS
- LS = LICENSED BUSINESS
- (M) = MEASURED
- MES = MITERED END SECTION
- N.G.V.D. = NATIONAL GEODETIC VERTICAL DATUM (1929)
- OR = OFFICIAL RECORDS
- P.B. = PLAT BOOK
- P.G. = PAGE
- P.K. = PARKER KAYLON
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- PRM = PERMANENT REFERENCE MONUMENT
- R = RADIUS
- (R) = RECORD
- R/W = RIGHT-OF-WAY
- RCP = REINFORCE CONCRETE PIPE
- SEC = SECTION NUMBER
- SFWD = SOUTH FLORIDA WATER MANAGEMENT DISTRICT

SURVEYOR'S NOTES:

- PREPARED AS A SKETCH OF DESCRIPTION. *** NOT A SURVEY ***
- MAP IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS OR FREEDOM OF ENCUMBRANCES AND WAS PREPARED WITHOUT BENEFIT OF ABSTRACT OF TITLE AND ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.
- PARCEL MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD. (RECORDED, UNRECORDED, WRITTEN AND UNWRITTEN).
- IMPROVEMENTS OTHER THAN THOSE SHOWN NOT LOCATED.
- MAP BASED ON DESCRIPTION PROVIDED BY THE CLIENT.
- THIS SURVEY WAS NOT INTENDED TO DELINEATE OR DEFINE ANY WETLANDS, ENVIRONMENTALLY SENSITIVE AREAS, WILDLIFE HABITATS OR JURISDICTIONAL LINES OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, COMMISSION OR OTHER ENTITY.
- PARCEL LIES IN FLOOD ZONE "AE", A FLOOD HAZARD AREA AS SHOWN ON FEDERAL INSURANCE RATE MAP COMMUNITY PANEL 12097C0065G, DATED 06/13/2013.
- ALL BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF THE SOUTHEAST (SE-1/4) OF SECTION 30 AS BEARING N00°13'24"E ASSUMED.
- SOME TOPOGRAPHIC FEATURES OR SYMBOLS MAY BE EXAGGERATED IN SCALE FOR CLARITY. THE CENTER OF THE SYMBOL OF SUCH FEATURES IS THE CORRECT LOCATION.
- DIMENSIONS OF IMPROVEMENTS SHOWN SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.

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STATE OF FLORIDA
COUNTY OF OSCEOLA
TOWNSHIP 24 SOUTH
RANGE 29 EAST
SECTION 30
PARCEL 0080
DATE: 12/16/21
DRAWN BY: RAE
CHECKED BY: CE-MEE
FIELD BOOK/PAGE: FILE

REVISIONS	DATE

PREPARED FOR:
UNAM, LLC
5607 GLENVIEW BLVD. SUITE 200
ATLANTA, GA 30342

ELLIS SURVEYS LLC
Land Surveying & Planning
P.O. Box 160952
Altamonte Springs, FL 32716
Florida Licensed Business LB-7970
P. 407-884-1111
www.ellisurveys.com



PROJECT NO.: 21-101E-0080
SCALE: 1"=100'
DRAWN BY: RAE
CHECKED BY: CE-MEE
DATE DRAWN: 12/16/21
FIELD BOOK/PAGE: FILE



memorandum

date August 15, 2024
to Daniel Aronoff, UMAM LLC
cc Mark Serrahn, UMAM LLC
from Steven Green, ESA, Julie Sullivan, ESA
subject Shingle Creek Mitigation Bank Outparcel Wetland Trend

Compliance Summary

On October 23, 2019, the South Florida Water Management District (SFWMD) and Environmental Science Associates (ESA) conducted a site inspection of the Shingle Creek Mitigation Bank (SCMB). During the site inspection, SFWMD staff determined among other things that portions of the SCMB exhibited signs of hydrologic stress including treefall and soil subsidence. The portions of the SCMB that exhibited hydrologic stress were the two outparcels along the eastern side of Shingle Creek totaling approximately 18 acres along Hoagland Boulevard. on the eastern portion of parcel 30-25-29-00U0-0080-0000 s depicted on the attached Exhibit A (the “Parcel”) On December 5, 2019, the SFWMD issued a non-compliance letter detailing the observations of the site inspection and requested a remedial action plan.

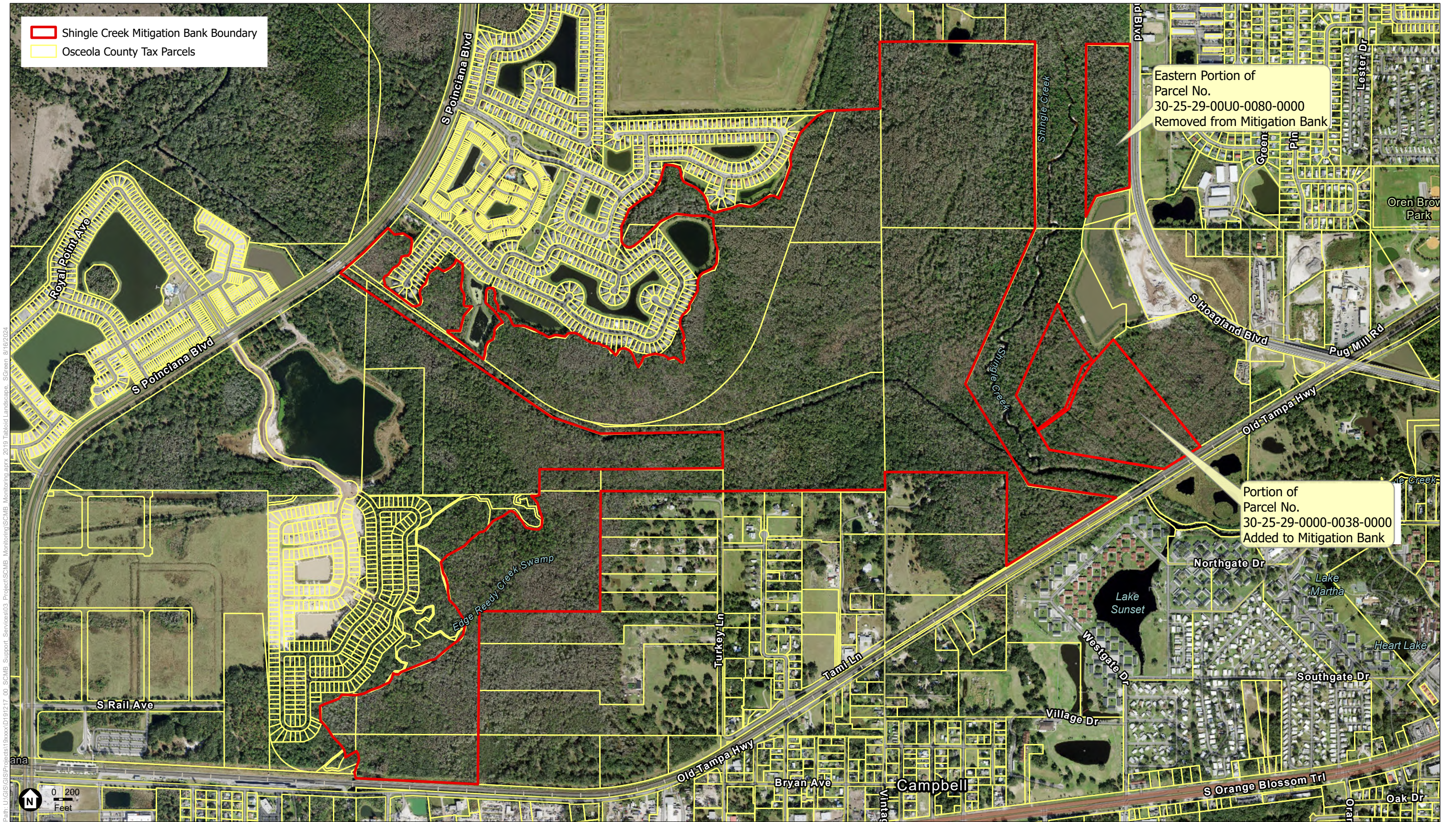
In response to this non-compliance letter, ESA developed a remedial action plan which among other things proposed the removal of the Parcel due concerns over the long-term viability of the wetlands within this parcel. Hydrology for wetland communities within the SCMB and larger Shingle Creek drainage basin is dictated by the US Army Corps of Engineers (USACE) regulation schedule for the S-61 Lock on the southern end of Lake Tohopekaliga. The current regulation schedule for the S-61 Lock has been in place since 1982 and is primarily being managed for flood control. This schedule holds water elevations between 52’ and 55’ NGVD (51.05’ and 54.05’ NAVD88) with peak stages between November and March (opposite of the typical Central Florida wet season). Within the boundaries of the SCMB, Shingle Creek occurs at an elevation of approximately 54’ NAVD88, while the adjacent wetland systems are approximately six (6) feet above this elevation and are thus deprived of seasonal surface water flooding from Shingle Creek, outside of major storm events.

The effects of the artificially lowered tailwater are compounded by modified upstream inputs. Much of the basin upstream of the SCMB, particularly in Orange County, is developed and the creek channelized leading to brief high velocity peak flows as opposed to slowly moving sheet flow typical of floodplains and basin swamps. Combined with the artificially lowered tailwater, these modified high velocity discharges have led to scouring of Shingle Creek and the natural rivulets that drain the adjacent floodplain. This results in a topography that fails to hold surface water for time periods sufficient for optimal wetland function and has resulted in hydrologic stress

on the Parcel. Areas immediately adjacent to Shingle Creek, such as the Parcel, are generally the most impacted by this hydrologic manipulation.

The remedial action plan, which included the removal of the Parcel from the SCMB in exchange for the additions to the SCMB of another parcel, was formalized on April 1, 2021 and included in a SFWMD permit Modification. This permit modification was finalized on May 30, 2024, under SFWMD Application No. 220222-33299. The condition for removal of the Parcel is addressed in Special Conditions section 23 therein.

Exhibit A



Shingle Creek Mitigation Bank

Exhibit A
Mitigation Bank Boundary and Tax Parcels
Osceola County, FL

ITEM 5.D

Public Hearing - Proposed Ordinance #26-08 - Amending the Future Land Use Map designation from Single-Family Low Density Residential (SF-LDR) to Conservation (CONS): Hoagland Rd. Future Land Use Map Amendment - LUPA-25-0009

AN ORDINANCE AMENDING ORDINANCE NO. 3130 KNOWN AS THE ORDINANCE ADOPTING THE COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY OF KISSIMMEE, FLORIDA, UNDER THE AUTHORITY OF FLORIDA STATUTE 163.3184; DIRECTING THE CITY MANAGER TO AMEND THE COMPREHENSIVE LAND USE PLAN AS HEREIN PROVIDED AFTER THE PASSAGE OF THIS ORDINANCE; PROVIDING FOR A PUBLIC HEARING AS REQUIRED BY LAW; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

Request

Recommendation of approval of a Future Land Use Map Amendment to change the Future Land Use Map designation from Single-Family Low Density Residential (SF-LDR) to Conservation (CONS) on approximately 157.31 acres of land on Parcel IDs: 30-25-29-00U0-0080-0000, 25-25-28-00U0-0110-0000 and 36-25-28-00U0-0010-0000.

Explanation

Currently, these parcels are vacant. This Future Land Use Map Amendment is associated the portion of parcel ID: 30-25-29-00U0-0080-0000 west of Shingle Creek and Parcel IDs: 25-25-28-00U0-0110-0000 and 36-25-28-00U0-0010-0000. This project is directly tied to ZMA-25-0012 and also associated with LUPA-25-0002 and ZMA-25-0004. In 1998/1999, Parcel ID: 36-25-28-00U0-0010-0000 was rezoned to the Cumbrian Lakes Resort Planned Unit Development (PUD). In 1999 Parcel ID: 25-25-28-00U0-0110-0000 was rezoned to the Liberty Village Short-term Rental PUD (SRPUD) from Agricultural zoning through Ordinance 99-22. Both of these Planned Unit Developments were rezoned through a Preliminary Plat associated with the PUD rezonings.

The change in the future land use map amendments to change 157.31 acres of land from Single-Family Low Density Residential to Conservation is consistent with the Policies and objectives seen in Goal 5 of the Comprehensive Plan, but most noticeably in Objectives 5.1.2 (Water Quality), 5.1.3 (Water Quantity), 5.1.4 (Maintenance of Floodplains) and 5.1.5 (Protect and Preserve Wetlands). The Future Land Use Map Amendments would help to prevent any new development on these parcels which help to preserve the wetlands and natural resources of the area. The properties also sit within the Conservation Overlay District.

The proposed future land use of Conservation (CONS) is compatible with the proposed zoning of the Agricultural and Conservation (AC) District. Lands designated for Conservation (CONS) are those lands that, because of their environmental quality or sensitivity, are intended for protection and are not intended for development activities, and therefore have no allowable FAR. These lands may include wetlands, wildlife habitats, and/or watershed protection areas. The CONS designation shall be applied to portions of major natural resource areas and environmentally sensitive corridors which the City deems appropriate and feasible to protect in order to help implement natural resource conservation goals, objectives, and policies stipulated in the Comprehensive Plan. The designation shall be primarily assigned to publicly owned and restricted privately owned properties designation.

FINDINGS AND REASONS

1. Compliance with Comprehensive Plan Policy 1.2.8.2: Conservation (CONS): Lands designated for Conservation (CONS) are those lands that, because of their environmental quality or sensitivity, are intended for protection and are not intended for development activities, and therefore have no allowable FAR. These lands may include wetlands, wildlife habitats, and/or watershed protection areas.
2. Compliance with Land Development Code Section 14-3-26, Comprehensive Plan text and Map Amendments, in regards to the submittal and review procedures and criteria to support an amendment.
3. Compliance with Comprehensive Plan Objective 5.1.2: Water Quality and its subsequent Policies: The water quality regulations established by the South Florida Water Management District (SFWMD) shall be enforced by the City, in order to protect the quality of current and projected future water sources and surface water run-off.
4. Compliance with Comprehensive Plan Objective 5.1.3: Water Quantity and its subsequent Policies: The City shall continue to maintain its adopted level of service standard in order to conserve the availability of current and future water sources.
5. Compliance with Comprehensive Plan Objective 5.1.4: Maintenance of Flood Plains and its subsequent Policies: The City shall continue to preserve floodways and prohibit their reduction in the available storage to the floodplain in order to protect and maintain their flood-carrying and flood storage capacity.
6. Compliance with Comprehensive Plan Objective 5.1.5: Protect and Preserve Wetlands and its subsequent Policies: The City's wetlands shall continue to be protected and preserved from physical and hydrologic alterations.
7. Compliance with Land Development Code 14-4-7.B, Conservation Overlay District, which is intended to protect the integrity of environmentally sensitive areas including wetlands, surface waters, floodplains, and special wildlife and plant habitats. This is to be achieved by requiring the preparation and implementation of an acceptable conservation impact report in conjunction with any development proposal submitted for a use permitted in the underlying zoning district. This report will include an analysis of the property and techniques appropriate for protecting any important environmental characteristics of the property.

Recommendation

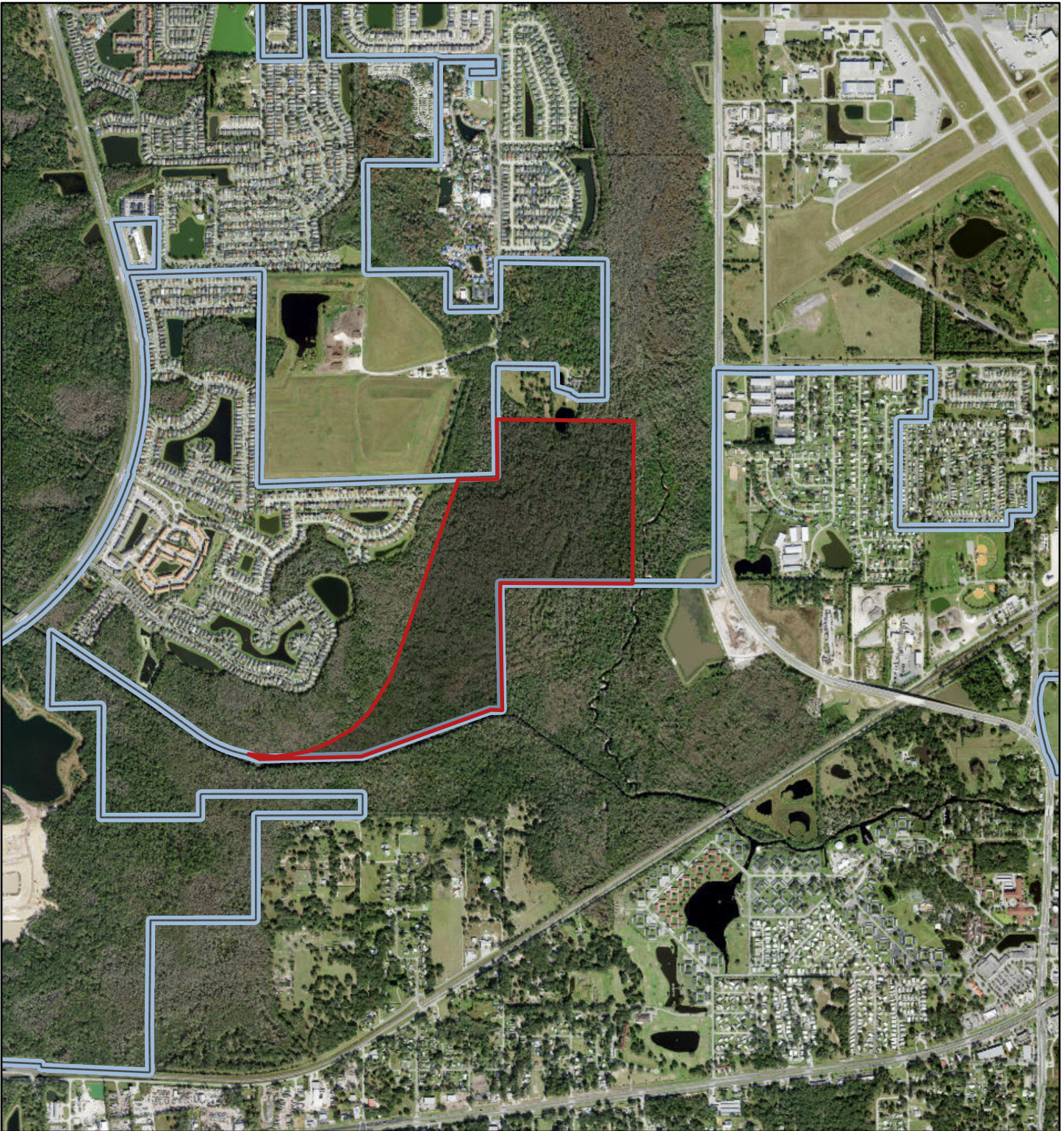
REQUESTED PLANNING ADVISORY BOARD ACTION:

Approve

The Development Review Committee (DRC) recommended approval on February 3, 2026.

Attachment(s):

1. LUPA-25-0009 Aerial Map
2. LUPA-25-0009 Vicinity Map
3. LUPA-25-0009 Site Data Table
4. LUPA-25-0009 Hoagland Road Proposed Ord 26-08
5. LUPA-25-0009 PAB Ad
6. LUPA-25-0009 DRC Comments
7. LUPA-25-0009 Supporting Docs



February 9, 2026

— Road Centerlines

City Limits

CITY

COUNTY

World Imagery

Low Resolution 15m Imagery

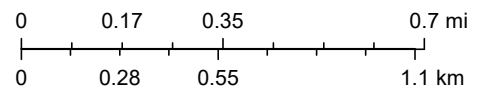
High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

4.8m Resolution Metadata

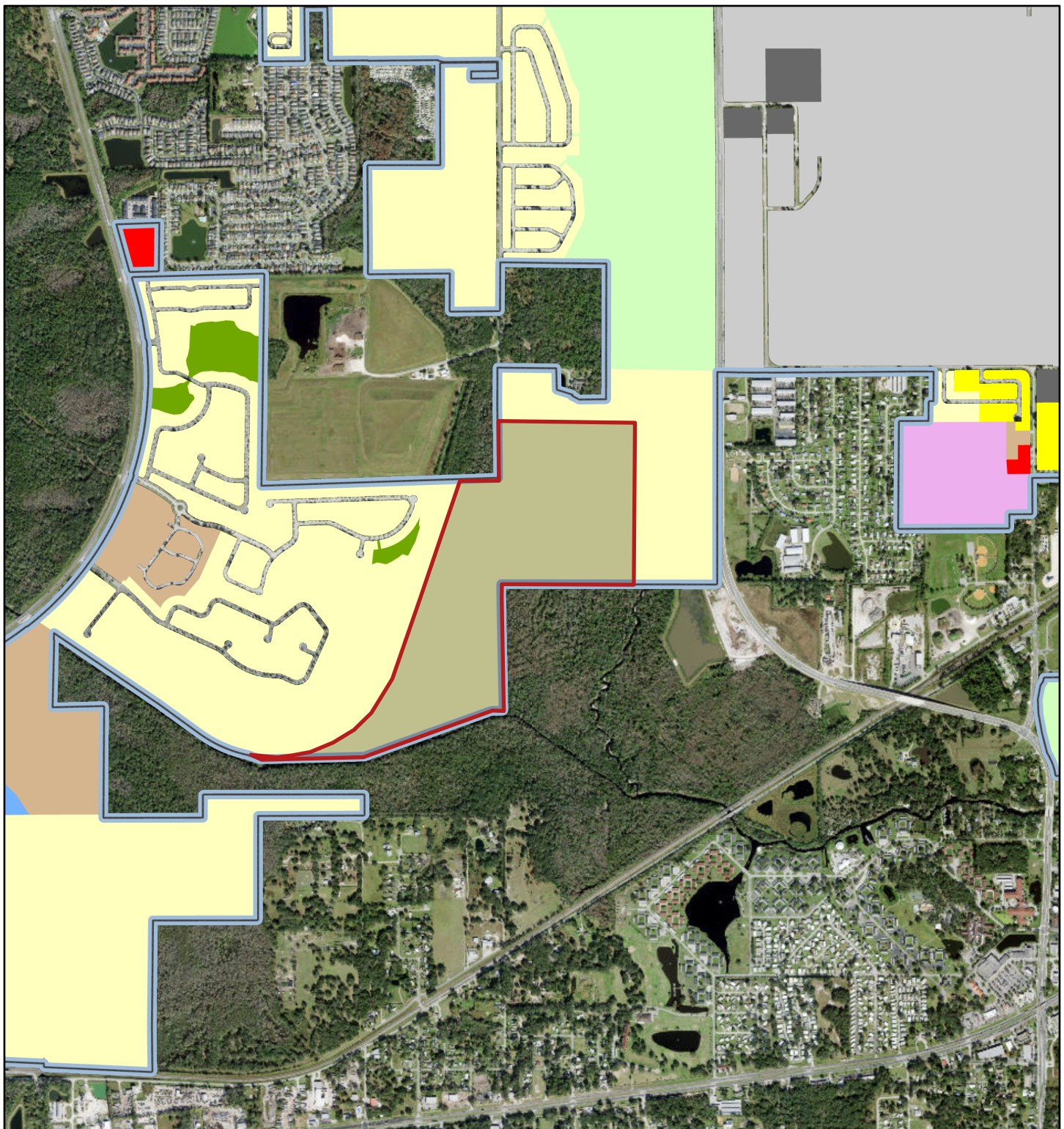
1:23,974



State of Florida, Earthstar Geographics

Hoagland Blvd Future Land Use Amendment

Parcel IDs: 25-25-28-00U0-0110-0000, 36-25-28-00U0-0010-0000 and 30-25-29-00U0-0080-0000



February 9, 2026

— Road Centerlines

City Limits

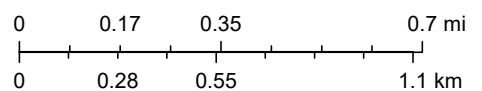
 CITY

 COUNTY

Future Land Use

-  SF-LDR (Single Family Low Density Residential)
-  SF-MDR (Single Family Medium Density Residential)
-  MH-MDR (Mobile Home Medium Density Residential)
-  MF-MDR (Multiple Family Medium Density Residential)
-  MF-HDR (Multiple Family High Density Residential)
-  OR (Office Residential)
-  CG (Commercial General)
-  Industrial Business (N)
-  Airport Expansion (AE)
-  INST (Institutional)
-  UT (Utilities)
-  Conservation (CONS)
-  Recreation (REC)
-  MU-D (Downtown)
-  MU-V (Vine Street)
-  MU-FR (Flora Ridge)
-  MU-T (Tapestry)
-  MU-FB (Frank Brown)

1:23,974



Hoagland Rd. Future Land Use Map Amendment, LUPA-25-0009
Parcel IDs #30-25-29-00U0-0080-0000, 25-25-28-00U0-0110-0000 and 36-25-28-00U0-0010-0000;

Site Data Tables

Site Data	
Size	+/- 157.31 acres
Future Land Use Designation	Single-Family Low Density Residential (SF-LDR)
Proposed Future Land Use Designation	Conservation (CONS)
Zoning District Designation	Short-Term Rental Planned Unit Development (SRPUD), Mixed-Use Planned Unit Development (MUPUD) – City and Agricultural Conservation (AC) – City
Proposed Zoning District Designation	Agricultural Conservation (AC) – City
Existing Overlay District	Conservation Overlay (CO) and the Multimodal Transportation District (MMTD)
Existing Use(s)	Vacant
Proposed Use(s)	N/A
Adjacent Land Use	
North	Institutional - County
South	Low Density Residential - County
East	Single-Family Low Density Residential (SF-LDR) – City and Low Density Residential - County
West	Single-Family Low Density Residential (SF-LDR) - City
Adjacent Zoning	
North	Institutional (IN) - County
South	Agricultural (AC) - County
East	Agricultural Conservation (AC) – City
West	Short-Term Rental Planned Unit Development (SRPUD) and Mixed-Use Planned Unit Development (MUPUD) – City
Zoning History	In 1998/1999 Parcel ID: 36-25-28-00U0-0010-0000 was rezoned to the Cumbrian Lakes Resort PUD and in 1999 Parcel ID: 25-25-28-00U0-0110-0000 was rezoned to the Liberty Village SRPUD.
Past/Current Project Tracking	N/A

Comprehensive Plan Summary
Policy 1.2.8.2: Conservation (CONS): Lands designated for Conservation (CONS) are those lands that, because of their environmental quality or sensitivity, are intended for protection and are not intended for development activities, and therefore have no allowable FAR. These lands may include wetlands, wildlife habitats, and/or watershed protection areas.

Potential Zoning Districts	AC and OS
	Form-based Districts: T1

<i>Zoning District Standards District Summary</i>
Land Development Code Section 14-4-4(A), AC, Agricultural and Conservation District. This district is primarily intended to allow the use of appropriate areas for agricultural production, the preservation of open spaces, and the conservation and management of soil, water, air, game and other natural resources and amenities. Areas zoned AC are also intended to provide for the development of large lot single family estate development which is compatible with adjacent agricultural activities, when appropriate.

<i>Comprehensive Plan Future Land Use & Zoning Comparisons</i>		
	<i>Existing Future Land Use & Zoning</i>	<i>Requested Future Land Use & Zoning</i>
Uses	Single-Family Low Density Residential (SF-LDR)	Conservation (CONS)
	Short-Term Rental Planned Unit Development (SRPUD), Mixed-Use Planned Unit Development (MUPUD) – City and Agricultural Conservation (AC) – City	Agricultural Conservation (AC) – City
	Vacant	N/A

<i>Public Facilities Analysis</i>	
Transportation	
Adjacent street	Hoagland Blvd
Street Quality of Service (QOS)	N/A – Compliance
Sanitary Sewer	
Is volume less than 98% capacity?	N/A – Compliance
Potable Water	
Is volume less than 98% capacity?	N/A – Compliance
Is water pressure at least 40lbs per square inch?	N/A – Compliance
Solid Waste	
Is volume less than 5.1lbs per person per calendar day?	N/A – Compliance
Recreation	
Is active recreation area at least 2 acres per 1,000 population?	N/A – Compliance
Is urban open space area at least 2	N/A – Compliance

acres per 1,000 population?	
Is total recreation area at least 4 acres per 1,000 population?	N/A – Compliance
Drainage	
Is off-site discharge; runoff velocities; roadway drainage; pavement; retention; and flood storage LOS standards met?	N/A- Compliance

PROPOSED ORDINANCE NO. 26-08
ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE NO. 3050
KNOWN AS THE ORDINANCE ADOPTING THE
COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY
OF KISSIMMEE, FLORIDA, UNDER THE AUTHORITY OF
FLORIDA STATUTE 163.3184; DIRECTING THE CITY
MANAGER TO AMEND THE COMPREHENSIVE LAND USE
PLAN AS HEREIN PROVIDED AFTER THE PASSAGE OF
THIS ORDINANCE; PROVIDING FOR A PUBLIC HEARING
AS REQUIRED BY LAW; REPEALING ALL ORDINANCES IN
CONFLICT HERewith; AND PROVIDING AN EFFECTIVE
DATE.**

WHEREAS, the City of Kissimmee, Florida ("City") adopted Ordinance No. 3050 pursuant to the Local Government Comprehensive Planning Act of 1975, as amended; and

WHEREAS, City advertised the Comprehensive Plan amendment as required by Fla. Stat. § 166.041 and § 163.3184 for two (2) public hearings prior to adoption of this ordinance; and

WHEREAS, adjacent and affect property owners were properly notified as required by City Code and Florida Statutes; and

WHEREAS, the City Commission received the recommendation of the Planning Advisory Board (the Local Planning Agency "LPA").

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KISSIMMEE, FLORIDA, IN LAWFUL SESSION, ASSEMBLED, AS FOLLOWS:

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KISSIMMEE, FLORIDA, IN LAWFUL SESSION, ASSEMBLED, AS FOLLOWS:

SECTION 1. Amend the Land Use Plan as to the following area:

FROM: SF-LDR (Single-Family – Low Density Residential) – City

TO: CONS (Conservation) - City

The subject properties are located at Parcel IDs# 30-25-29-00U0-0080-0000, 25-25-28-00U0-0110-0000 and 36-25-28-00U0-0010-0000

Legal Descriptions:

Parcel 1: 30-25-29-00U0-0080-0000

SW 1/4 LESS NW 1/4 OF NW 1/4 OF SW 1/4 & LESS NE 1/4 OF NW 1/4 OF SW 1/4 & LESS BEG N 1/4 COR OF SEC 31, E 615.20 FT, S 295.16 FT, E 724.25 FT TO PT ON E LINE OF W 1/2 OF NE 1/4, S 808.04 FT, N 82 DEG W 120.96 FT, N 16 DEG W 177.52

FT, N 30 DEG W 459.91 FT, N 71 DEG W 504.82 FT, N 77 DEG W 272.83 FT, N 79 DEG W 219.07 FT, S 54 DEG W 24.72 FT, S 8 DEG W 194.08 FT, S 3 DEG E 351.76 FT, S 64 DEG W 119.31 FT, N 28 DEG W 743.69 FT, N 74.25 FT, N 6 DEG E 141.85 FT, N 13 DEG E 119.47 FT, N 27 DEG E 245.96 FT, N 76 DEG E 370.10 FT TO PT ONE LINE OF SW 1/4, S 428.93 FT TO POB LYING WITHIN SEC 30 ORD #97-03 LESS BEG AT CENTER OF 30/25/29, S 667.51 FT, N 89 DEG W 475.06 FT, S 1902.17 FT, S 13 DEG W 102.59 FT, S 6 DEG W 141.85 FT, S 74.25 FT, S 24 DEG W 1751.49 FT, S 31 DEG E 685.54 FT, S 80 DEG E 1301.48 FT TO NLY RW CSX RR, S 58 DEG W 86.83 FT, W 18.86 FT, S 58 DEG W 384.87 FT, S 11.80 FT, S 58 DEG W 104.06 FT, N 82 DEG W 1014.55 FT, N 31 DEG W 1297.38 FT, N 24 DEG E 1852.84 FT, N 2008.26 FT, N 89 DEG W 341.79 FT TO SE COR OF NE 1/4 OF NW 1/4 OF SW 1/4 OF 30-25-29 N 663.74 FT, S 89 DEG E 1360.53 FT TO POB & LESS COM AT S 1/2 COR OF 30-25-29, N 581.59 FT TO POB; & POC, CONC E, RAD 2144.50 FT, CENT ANG 04 DEG, NLY ALONG CURVE 166.21 FT, N 1245.01 FT, S 89 DEG E 6.47 FT, S 1410.95 FT TO

Together with Parcel 2: 25-25-28-00U0-0110-0000

S 1/2 OF S 1/2 LYING E OF POINCIANA BLVD LESS EAGLE POINT PH 3 PB 10 PG 189-191 & LESS THAT PORTION OF THE FOLLOWING LYING WITHIN 25-25-28: BEG AT SE COR OF TRACT J EAGLE POINT PH 3 PB 10 PG 189, S 24 DEG W 618.21 FT, S 40 DEG W 290.69 FT, S 33 DEG W 148.44 FT TO NON-TANG CURVE, CURVE LEFT, RAD 100 FT, CENT ANG 50 DEG, ALONG CURVE 88.70 FT, S 48 DEG W 213.68 FT TO NON-TANG CURVE, CURVE LEFT, RAD 5000 FT, CENT ANG 07 DEG, ALONG CURVE 616.17 FT, N 53 DEG W 499.87 FT TO ELY R/W OF POIN BLVD & NON-TANG CURVE, CURVE LEFT, RAD 3900 FT, CENT ANG 15 DEG, ALONG CURVE 1031.12 FT, N 88 DEG E 520.40 FT, S 65 DEG E 795.94 FT TO POB & LESS BEG AT SELY COR OF TRACT 4 EAGLE POINTE PB 10 PG 1-3, E 2523.46 FT, S 19 DEG W 2486.02 FT TO POC, CURVE RIGHT, RAD 1600 FT, CENT ANG 106 DEG, (CH BEARING S 72 DEG W 2571.82 FT), ALONG CURVE 2987.13 FT, N 53 DEG W 2455.03 FT TO ELY R/W POIN BLVD & NON-TANG CURVE, CURVE LEFT, RAD 3900 FT, CENT ANG 13 DEG, (CH BEARING N 43 DEG E 891.48 FT), ALONG CURVE 893.44 FT, S 53 DEG E 499.87 TO POC, CURVE RIGHT, RAD 5000 FT, CENT ANG 07 DEG, (CH BEARING S 50 DEG E 615.78 FT), ALONG CURVE 616.17 FT, N 48 DEG E 213.68 FT TO POC, CURVE RIGHT, RAD 100 FT, CENT ANG 50 DEG, (CH BEARING N 74 DEG E 85.82 FT), ALONG CURVE 88.70 FT, N 33 DEG E 148.44 FT, N 40 DEG E 290.69 FT, N 24 DEG E 844.71 FT, S 65 DEG E 408.52 FT, N 535.65 FT TO POB LYING WITHIN 25/25/28 & LESS BEG AT SE COR LOT 281 EAGLE POINTE PH 4 PB 11 PG 119-120, S 45 DEG E 44.01 FT, S 65 DEG E 102.50 FT, S 69 DEG E 115.98 FT, S 33 DEG E 110 FT, S 58 DEG W 23.12 FT TO POC, CONC SLY, RAD 545 FT, CENT ANG 05 DEG, (CH BEARING S 53 DEG W 52.86 FT), ALONG CURVE 52.88 FT, S 38 DEG E 204.62 FT, S 64 DEG W 83.33 FT, S 23 DEG W 73.10 FT, S 7 DEG W 77.84 FT, S 80 DEG W 34.68 FT, S 12 DEG W 141.71 FT, S 02 DEG E 107.58 FT, S 24 DEG W 149.23 FT, N 65 DEG W 814.33 FT, N 24 DEG E 650 FT, N 65 DEG W 122.92 FT, N 24 DEG E 194.71 FT TO PT ON SLY LINE TRACT 4, S 65 DEG E 408.52 FT TO POB & LESS COM AT SW COR OF TRACT 4 EAGLE POINTE PB 10 PG 1-3 BEING POC ON ELY RW POINCIANA BLVD, CONC NWLY, RAD 3900 FT, CENT ANG 17 DEG (CH BEARING S 26 DEG W 1211.10 FT), ALONG CURVE 1266.02 FT TO POB; S 53 DEG E 452.77 FT TO POC, CONC WLY, RAD 25 FT, CENT ANG 92 DEG, (CH BEARING S 7 DEG E 36.05 FT) ALONG CURVE 40.26 FT, S 56 DEG E 50.23 FT TO NON-TANG CURVE, CONC SELY, RAD 45 FT, CENT ANG 87 DEG, (CH BEARING N 82 DEG E 62.37 FT), ALONG CURVE 68.90 FT, S 53 DEG E 63.74 FT TO

POC, CONC SWLY, RAD 970 FT, CENT ANG 01 DEG, (CH BEARING S 53 DEG E 18.10 FT), ALONG CURVE 18.10 FT, S 38 DEG W 121.74 FT, S 58 DEG E 49.25 FT, S 47 DEG E 48.04 FT, S 44 DEG E 49.02 FT, S 44 DEG E 308.12 FT, S 65 DEG E 122.57 FT, N 25 DEG E 110.06 FT TO NON-TANG CURVE, CONC NLY, RAD 530.07 FT, CENT ANG 00 DEG, (CH BEARING S 64 DEG E 7.51 FT), ALONG CURVE 7.51 FT, S 65 DEG E 33.93 FT, S 24 DEG W 110 FT, S 65 DEG E 660 FT, S 57 DEG E 47.45 FT, S 56 DEG E 45.53 FT, S 49 DEG E 45.53 FT, S 46 DEG E 53.22 FT, N 42 DEG E 175 FT TO POC, CONC SWLY, RAD 822 FT, CENT ANG 02 DEG, (CH BEARING S 49 DEG 37.97 FT), ALONG CURVE 37.97 FT, N 39 DEG E 141.44 FT, N 10 DEG E 52.35 FT, N 5 DEG W 51.98 FT, N 23 DEG W 51.98 FT, N 41 DEG W 51.98 FT, N 59 DEG W 51.98 FT, N 77 DEG W 51.98 FT, S 84 DEG W 51.98 FT, S 65 DEG W 51.98 FT, S 47 DEG W 54.13 FT, N 65 DEG W 280.39 FT, E 85.37 FT, N 72 DEG E 75.18 FT, N 54 DEG E 75.36 FT, N 44 DEG W 175 FT TO NON-TANG CURVE, CONC NLY, RAD 70 FT, CENT ANG 68 DEG, (CH BEARING S 80 DEG W 79.08 FT), ALONG CURVE 84.04 FT, N 65 DEG W 212.21 FT TO POC, CONC SLY, RAD 130 FT, CENT ANG 08 DEG, (CH BEARING N 69 DEG W 18.37 FT), ALONG CURVE 18.38 FT, N 16 DEG E 112.73 FT, S 33 DEG W 148.25 FT TO POC, CONC SWLY, RAD 100 FT, CENT ANG 50 DEG, (CH BEARING S 74 DEG W 85.82 FT), ALONG CURVE 88.70 FT, S 48 DEG W 213.68 FT TO POC, CONC SWLY, RAD 5000 FT, CENT ANG 07 DEG (CH BEARING N 50 DEG W 617.24 FT), ALONG CURVE 617.64 FT, N 53 DEG W 498.39 FT TO POB LYING WITHIN 36/25/28

and

Together with Parcel 3: 36-25-28-00U0-0010-0000

N 1/2 LESS THAT PORTION LYING S OF OREN BROWN DRAINAGE CANAL AND LESS THAT PORTION LYING 100 FT NWLY OF OREN BROWN CANAL AND LESS BEG AT SE COR OF TRACT J, EAGLE POINT PH 3 PB 10 PG 189, S 24 DEG W 618.21 FT, S 40 DEG W 290.69 FT, S 33 DEG W 148.44 FT TO NON-TAN CURVE, CURVE LEFT, RAD 100 FT, CENT ANG 50 DEG, ALONG CURVE 88.70 FT, S 48 DEG W 213.68 FT TO NON-TAN CURVE, CURVE LEFT, RAD 5000 FT, CENT ANG 07 DEG, ALONG CURVE 616.17 FT, N 53 DEG W 499.87 FT TO ELY R/W OF POINCIANA BLVD & NON-TAN CURVE, CURVE LEFT, RAD 3900 FT, CENT ANG 15 DEG, ALONG CURVE 1031.12 FT, N 88 DEG E 520.40 FT, S 65 DEG E 795.94 FT TO POB ORD #2171 AND LESS BEG AT SELY COR OF TRACT 4, EAGLE POINTE PB 10 PG 1-3, E 2523.46 FT, S 19 DEG W 2486.02 FT TO POC, CURVE RIGHT, RAD 1600 FT, CENT ANG 106 DEG (CH BEARING S 72 DEG W 2571.82 FT), ALONG CURVE 2987.13 FT, N 53 DEG W 2455.03 FT TO ELY R/W POIN BLVD & NON-TAN CURVE, CURVE LEFT, RAD 3900 FT, CENT ANG 13 DEG, (CH BEARING N 43 DEG E 891.48 FT), ALONG CURVE 893.44 FT, S 53 DEG E 499.87 FT TO POC, CURVE RIGHT, RAD 5000 FT, CENT ANG 7 DEG, (CH BEARING S 50 DEG E 615.78 FT), ALONG CURVE 616.17 FT, N 48 DEG E 213.68 FT TO POC, CURVE RIGHT, RAD 100 FT, CENT ANG 50 DEG, (CH BEARING N 74 DEG E 85.82 FT), ALONG CURVE 88.70 FT, N 33 DEG E 148.44 FT, N 40 DEG E 290.69 FT, N 24 DEG E 844.71 FT, S 65 DEG E 408.52 FT, N 535.65 FT TO POB LYING WITHIN 36/25/28 & LESS BEG AT SE COR LOT 281, EAGLE POINTE PH 4 PB 11 PGS 119-120, S 45 DEG E 44.01 FT, S 65 DEG E 102.50 FT, S 69 DEG E 115.98 FT, S 38 DEG E 110 FT, S 58 DEG W 23.12 FT TO POC, CONC SLY, RAD 545 FT, CENT ANG 5 DEG (CH BEARING S 53 DEG W 52.86 FT), ALONG CURVE 52.88 FT, S 38 DEG E 204.62 FT, S 64 DEG W 83.33 FT, S 23 DEG W 73.10 FT, S 7 DEG W 77.84 FT, S 80 DEG W 34.68 FT, S 12 DEG W 141.71 FT, S 02 DEG E 107.58 FT, S 24 DEG W 149.23 FT, N 65 DEG

W 814.33 FT, N 24 DEG E 650 FT, N 65 DEG W 122.92 FT, N 24 DEG E 194.71 FT TO
PT ON SLY LINE TRACT 4, S 65 DEG E 408.52 FT TO POB LYING IN 36/25/28
A map of the area is included with this ordinance.

SECTION 2. That a copy of said Land Use Plan Amendment is filed in the office of the Development Services Department of the City of Kissimmee as a matter of permanent record of the City, and that matters and contents therein are made a part of this ordinance by reference as fully and completely as if set forth herein, and such copy shall remain on file in said office, available for public inspection.

SECTION 3. That the City Manager, after passage of this Ordinance, is hereby directed to indicate the changes adopted in this Ordinance and to reflect the same on the Comprehensive Land Use Plan Map of the City of Kissimmee.

SECTION 4. That all ordinances in conflict herewith are hereby repealed.

SECTION 5. This ordinance shall take effect 10 days after its passage.

BE IT ORDAINED, by the City Commission of the City of Kissimmee, this XX day of XXXX, 2026.

Mayor - Commissioner

ATTEST:

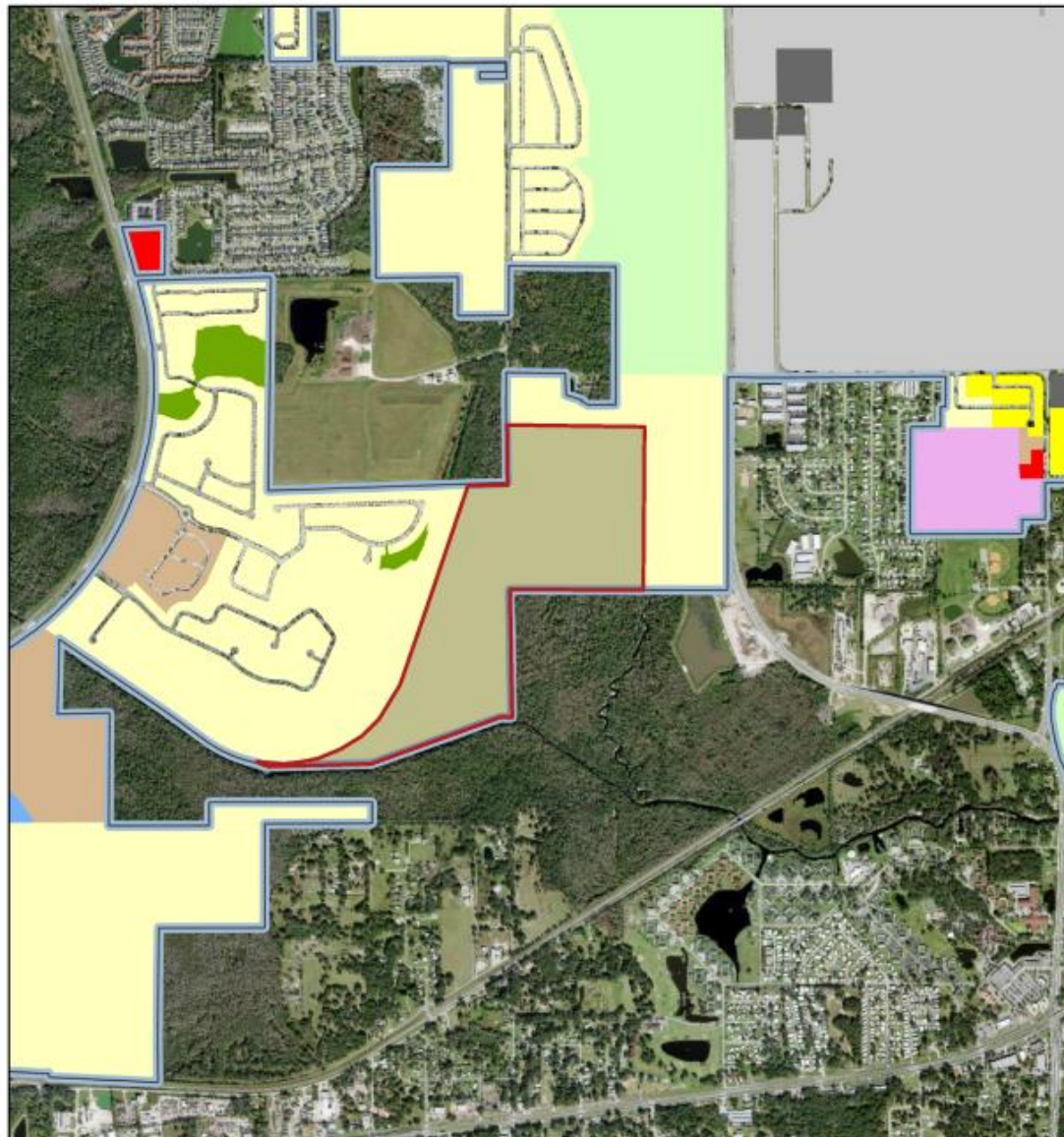
City Clerk

Approved as to form and legality:

City Attorney

Hoagland Blvd Future Land Use Amendment

Parcel IDs: 25-25-28-00U0-0110-0000, 36-25-28-00U0-0010-0000 and 30-25-29-00U0-0080-0000



February 9, 2026

— Road Centerlines

City Limits

CITY

COUNTY

Future Land Use

Future Land Use

- MFLDZ Single Family Low Density Residential
- MFLDC Single Family Medium Density Residential
- MFLDH Single Family High Density Residential
- MFLDM Mid-Density Multi-Family Medium Density Residential
- MFLDF Multi-Family High Density Residential
- DR Office/Research/Development
- CO Commercial General
- I Industrial Business (I-1)
- A Airport Expansion (A2)
- BRT Institutional
- UP Urban Core
- C Conservation (CDE)
- R Recreation (RCC)
- MUO Open Space
- MULF Low Intensity
- MULH High Intensity
- MUT Technology
- MUPP Public Facility

1:23,974

A number line with two scales. The top scale is labeled in miles (mi) and has markings at 0, 0.17, 0.35, and 0.7. The bottom scale is labeled in kilometers (km) and has markings at 0, 0.28, 0.55, and 1.1. Vertical tick marks connect the two scales at corresponding values: 0 mi corresponds to 0 km, 0.17 mi to 0.28 km, 0.35 mi to 0.55 km, and 0.7 mi to 1.1 km.

NOTICE OF PUBLIC HEARING
PLANNING ADVISORY BOARD

The City of Kissimmee proposes to change the use of land for the area described in this advertisement by adopting an ordinance with the following title:

An ordinance amending Ordinance No. 3050 known as the Ordinance Adopting the Comprehensive Development Plan for the City of Kissimmee, Florida, under the authority of Florida Statute 163.3184; Directing the City Manager to amend the Comprehensive Land Use Plan as herein provided after the passage of this ordinance; Providing for a public hearing as required by law; Repealing all ordinances in conflict herewith; and providing an effective date.

The Planning Advisory Board will hold a Public Hearing on this request, Wednesday, March 18, 2026 at 6:00 p.m., or as soon thereafter as possible, in the Commission Chambers of City Hall, located on the first floor of City Hall, 101 Church Street, Kissimmee, Florida 34741. The purpose of this Public Hearing is to make a recommendation to the City Commission concerning the request to amend Ordinance No. 3050. The proposed Ordinance would amend the 2025 Future Land Use Map of the Kissimmee Comprehensive Plan by changing the land use classification for the area described below as follows:

FROM: SF-LDR (Single-Family – Low Density Residential) – City
TO: CONS (Conservation)-City

The subject property is located at Parcel IDs: 30-25-29-00U-0080-0000, 25-25-28-00U-0110-0000 and 36-25-28-00U-0010-0000

Legal Descriptions:

Parcel 1: 30-25-29-00U-0080-0000
SW 1/4 LESS NW 1/4 OF NW 1/4 OF SW 1/4 & LESS NE 1/4 OF NW 1/4 OF SW 1/4 & LESS BEG N 1/4 COR OF SEC 31, E 615.20 FT, S 295.16 FT, E 724.25 FT TO PT ON E LINE OF W 1/2 OF NE 1/4, S 808.04 FT, N 82 DEG W 120.96 FT, N 16 DEG W 177.52 FT, N 30 DEG W 459.91 FT, N 71 DEG W 504.82 FT, N 77 DEG W 272.83 FT, N 79 DEG W 219.07 FT, S 54 DEG W 24.72 FT, S 8 DEG W 194.08 FT, S 3 DEG E 351.76 FT, S 64 DEG W 119.31 FT, N 28 DEG W 743.69 FT, N 74.25 FT, N 6 DEG E 141.85 FT, N 13 DEG E 119.47 FT, N 27 DEG E 245.96 FT, N 76 DEG E 370.10 FT TO PT ONE LINE OF SW 1/4, S 428.93 FT TO POB LYING WITHIN SEC 30 ORD #97-03 LESS BEG AT CENTER OF 30/25/29, S 667.51 FT, N 89 DEG W 475.06 FT, S 1902.17 FT, S 13 DEG W 102.59 FT, S 6 DEG W 141.85 FT, S 74.25 FT, S 24 DEG W 1751.49 FT, S 31 DEG E 685.54 FT, S 80 DEG E 1301.48 FT TO NLY R/W CSX RR, S 58 DEG W 86.83 FT, W 18.86 FT, S 58 DEG W 384.87 FT, S 11.80 FT, S 58 DEG W 104.06 FT, N 82 DEG W 1014.55 FT, N 31 DEG W 1297.38 FT, N 24 DEG E 1852.84 FT, N 2008.26 FT, N 89 DEG W 341.79 FT TO SE COR OF NE 1/4 OF NW 1/4 OF SW 1/4 OF 30-25-29 N 663.74 FT, S 89 DEG E 1360.53 FT TO POB & LESS COM AT S 1/2 COR OF 30-25-29, N 581.59 FT TO POB; & POC, CONC E, RAD 2144.50 FT, CENT ANG 04 DEG, NLY ALONG CURVE 166.21 FT, N 1245.01 FT, S 89 DEG E 6.47 FT, S 1410.95 FT TO

Together with Parcel 2: 25-25-28-00U-0110-0000
S 1/2 OF S 1/2 LYING E OF POINCIANA BLVD LESS EAGLE POINT PH 3 PB 10 PG 189-191 & LESS THAT PORTION OF THE FOLLOWING LYING WITHIN 25-25-28: BEG AT SE COR OF TRACT J EAGLE POINT PH 3 PB 10 PG 189, S 24 DEG W 618.21 FT, S 40 DEG W 290.69 FT, S 33 DEG W 148.44 FT TO NON-TANG CURVE, CURVE LEFT, RAD 100 FT, CENT ANG 50 DEG, ALONG CURVE 88.70 FT, S 48 DEG W 213.68 FT TO NON-TANG CURVE, CURVE LEFT, RAD 5000 FT, CENT ANG 07 DEG, ALONG CURVE 616.17 FT, N 53 DEG W 499.87 FT TO ELY R/W OF POIN BLVD & NON-TANG CURVE, CURVE LEFT, RAD 3900 FT, CENT ANG 15 DEG, ALONG CURVE 1031.12 FT, N 88 DEG E 520.40 FT, S 65 DEG E 795.94 FT TO POB & LESS BEG AT SELY COR OF TRACT 4 EAGLE POINTE PB 10 PG 1-3, E 2523.46 FT, S 19 DEG W 2486.02 FT TO POC, CURVE RIGHT, RAD 1600 FT, CENT ANG 106 DEG, (CH BEARING S 72 DEG W 2571.82 FT), ALONG CURVE 2987.13 FT, N 53 DEG W 2455.03 FT TO ELY R/W POIN BLVD & NON-TANG CURVE, CURVE LEFT, RAD 3900 FT, CENT ANG 13 DEG, (CH BEARING N 43 DEG E 891.48 FT), ALONG CURVE 893.44 FT, S 53 DEG E 499.87 FT TO POC, CURVE RIGHT, RAD 5000 FT, CENT ANG 07 DEG, (CH BEARING S 50 DEG E 615.78 FT), ALONG CURVE 616.17 FT, N 48 DEG E 213.68 FT TO POC, CURVE RIGHT, RAD 100 FT, CENT ANG 50 DEG, (CH BEARING N 74 DEG E 85.82 FT), ALONG CURVE 88.70 FT, N 33 DEG E 148.44 FT, N 40 DEG E 290.69 FT, N 24 DEG E 844.71 FT, S 65 DEG E 408.52 FT, N 535.65 FT TO POB LYING WITHIN 25/25/28 & LESS BEG AT SE COR LOT 281 EAGLE POINTE PH 4 PB 11 PG 119-120, S 45 DEG E 44.01 FT, S 65 DEG E 102.50 FT, S 69 DEG E 115.98 FT, S 33 DEG E 110 FT, S 58 DEG W 23.12 FT TO POC, CONC SLY, RAD 545 FT, CENT ANG 05 DEG, (CH BEARING S 53 DEG W 52.86 FT), ALONG CURVE 52.88 FT, S 38 DEG E 204.62 FT, S 64 DEG W 83.33 FT, S 23 DEG W 73.10 FT, S 7 DEG W 77.84 FT, S 80 DEG W 34.68 FT, S 12 DEG W 141.71 FT, S 02 DEG E 107.58 FT, S 24 DEG W 149.23 FT, N 65 DEG W 814.33 FT, N 24 DEG E 650 FT, N 65 DEG W 122.92 FT, N 24 DEG E 194.71 FT TO PT ON SLY LINE TRACT 4, S 65 DEG E 408.52 FT TO POB & LESS COM AT SW COR OF TRACT 4 EAGLE POINTE PB 10 PG 1-3 BEING POC ON ELY R/W POINCIANA BLVD, CONC NWLY, RAD 3900 FT, CENT ANG 17 DEG (CH BEARING S 26 DEG W 1211.10 FT), ALONG CURVE 1266.02 FT TO POB; S 53 DEG E 452.77 FT TO POC, CONC WLY, RAD 25 FT, CENT ANG 92 DEG, (CH BEARING S 7 DEG E 36.05 FT) ALONG CURVE 40.26 FT, S 56 DEG E 50.23 FT TO NON-TANG CURVE, CONC SELY, RAD 45 FT, CENT ANG 87 DEG, (CH BEARING N 82 DEG E 62.37 FT), ALONG CURVE 68.90 FT, S 53 DEG E 63.74 FT TO POC, CONC SWLY, RAD 970 FT, CENT ANG 01 DEG, (CH BEARING S 53 DEG E 18.10 FT), ALONG CURVE 18.10 FT, S 38 DEG W 121.74 FT, S 58 DEG E 49.25 FT, S 47 DEG E 48.04 FT, S 44 DEG E 49.02 FT, S 44 DEG E 308.12 FT, S 65 DEG E 122.57 FT, N 25 DEG E 110.06 FT TO NON-TANG CURVE, CONC NLY, RAD 530.07 FT, CENT ANG 00 DEG, (CH BEARING S 64 DEG E 7.51 FT), ALONG CURVE 7.51 FT, S 65 DEG E 33.93 FT, S 24 DEG W 110 FT, S 65 DEG E 680 FT, S 57 DEG E 47.45 FT, S 56 DEG E 45.53 FT, S 49 DEG E 45.53 FT, S 46 DEG E 53.22 FT, N 42 DEG E 175 FT TO POC, CONC SWLY, RAD 822 FT, CENT ANG 02 DEG, (CH BEARING S 49 DEG 37.97 FT), ALONG CURVE 37.97 FT, N 39 DEG E 141.44 FT, N 10 DEG E 52.35 FT, S 5 DEG W 51.98 FT, N 23 DEG W 51.98 FT, N 41 DEG W 51.98 FT, N 59 DEG W 51.98 FT, N 77 DEG W 51.98 FT, S 84 DEG W 51.98 FT, S 65 DEG W 51.98 FT, S 47 DEG W 54.13 FT, N 65 DEG W 280.39 FT, E 85.37 FT, N 72 DEG E 75.18 FT, N 54 DEG E 75.36 FT, N 44 DEG W 175 FT TO NON-TANG CURVE, CONC NLY, RAD 70 FT, CENT ANG 68 DEG, (CH BEARING S 80 DEG W 79.08 FT), ALONG CURVE 84.04 FT, N 65 DEG W 212.21 FT TO POC, CONC SLY, RAD 130 FT, CENT ANG 08 DEG, (CH BEARING N 69 DEG W 18.37 FT), ALONG CURVE 18.38 FT, N 16 DEG E 112.73 FT, S 33 DEG W 148.25

FT TO POC, CONC SWLY, RAD 100 FT, CENT ANG 50 DEG, (CH BEARING S 74 DEG W 85.82 FT), ALONG CURVE 88.70 FT, S 48 DEG W 213.68 FT TO POC, CONC SWLY, RAD 100 FT, CENT ANG 07 DEG (CH BEARING N 50 DEG W 617.24 FT), ALONG CURVE 617.64 FT, N 53 DEG W 498.39 FT TO POB LYING WITHIN 36/25/28

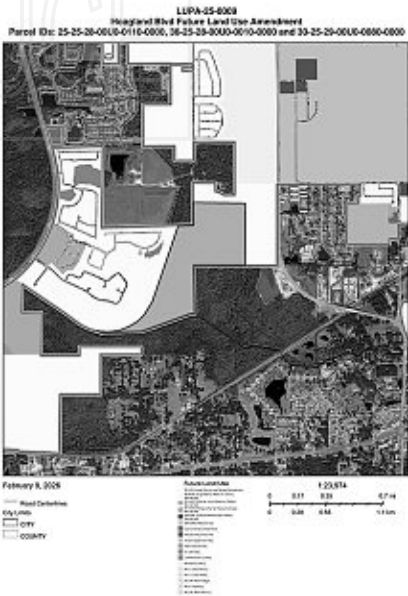
and
Together with Parcel 3: 36-25-28-00U-0010-0000
N 1/2 LESS THAT PORTION LYING S OF OREN BROWN DRAINAGE CANAL AND LESS THAT PORTION LYING 100 FT NWLY OF OREN BROWN CANAL AND LESS BEG AT SE COR OF TRACT J, EAGLE POINT PH 3 PB 10 PG 189, S 24 DEG W 618.21 FT, S 40 DEG W 290.69 FT, S 33 DEG W 148.44 FT TO NON-TANG CURVE, CURVE LEFT, RAD 100 FT, CENT ANG 50 DEG, ALONG CURVE 88.70 FT, S 48 DEG W 213.68 FT TO NON-TANG CURVE, CURVE LEFT, RAD 5000 FT, CENT ANG 07 DEG, ALONG CURVE 616.17 FT, N 53 DEG W 499.87 FT TO ELY R/W OF POINCIANA BLVD & NON-TANG CURVE, CURVE LEFT, RAD 3900 FT, CENT ANG 15 DEG, ALONG CURVE 1031.12 FT, N 88 DEG E 520.40 FT, S 65 DEG E 795.94 FT TO POB ORD #2171 AND LESS BEG AT SELY COR OF TRACT 4, EAGLE POINTE PB 10 PG 1-3, E 2523.46 FT, S 19 DEG W 2486.02 FT TO POC, CURVE RIGHT, RAD 1600 FT, CENT ANG 106 DEG (CH BEARING S 72 DEG W 2571.82 FT), ALONG CURVE 2987.13 FT, N 53 DEG W 2455.03 FT TO ELY R/W POIN BLVD & NON-TANG CURVE, CURVE LEFT, RAD 3900 FT, CENT ANG 13 DEG, (CH BEARING N 43 DEG E 891.48 FT), ALONG CURVE 893.44 FT, S 53 DEG E 499.87 FT TO POC, CURVE RIGHT, RAD 5000 FT, CENT ANG 7 DEG, (CH BEARING S 50 DEG E 615.78 FT), ALONG CURVE 616.17 FT, N 48 DEG E 213.68 FT TO POC, CURVE RIGHT, RAD 100 FT, CENT ANG 50 DEG, (CH BEARING N 74 DEG E 85.82 FT), ALONG CURVE 88.70 FT, N 33 DEG E 148.44 FT, N 40 DEG E 290.69 FT, N 24 DEG E 844.71 FT, S 65 DEG E 408.52 FT, N 535.65 FT TO POB LYING WITHIN 36/25/28 & LESS BEG AT SE COR LOT 281, EAGLE POINTE PH 4 PB 11 PGS 119-120, S 45 DEG E 44.01 FT, S 65 DEG E 102.50 FT, S 69 DEG E 115.98 FT, S 38 DEG E 110 FT, S 58 DEG W 23.12 FT TO POC, CONC SLY, RAD 545 FT, CENT ANG 5 DEG (CH BEARING S 53 DEG W 52.86 FT), ALONG CURVE 52.88 FT, S 38 DEG E 204.62 FT, S 64 DEG W 83.33 FT, S 23 DEG W 73.10 FT, S 7 DEG W 77.84 FT, S 80 DEG W 34.68 FT, S 12 DEG W 141.71 FT, S 02 DEG E 107.58 FT, S 24 DEG W 149.23 FT, N 65 DEG W 814.33 FT, N 24 DEG E 650 FT, N 65 DEG W 122.92 FT, N 24 DEG E 194.71 FT TO PT ON SLY LINE TRACT 4, S 65 DEG E 408.52 FT TO POB LYING IN 36/25/28

PROPOSED ORDINANCE# 26-08: AN ORDINANCE AMENDING ORDINANCE NO. 3050 KNOWN AS THE ORDINANCE ADOPTING THE COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY OF KISSIMMEE, FLORIDA, UNDER THE AUTHORITY OF FLORIDA STATUTE 163.3184; DIRECTING THE CITY MANAGER TO AMEND THE COMPREHENSIVE LAND USE PLAN AS HEREIN PROVIDED AFTER THE PASSAGE OF THIS ORDINANCE; PROVIDING FOR A PUBLIC HEARING AS REQUIRED BY LAW; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

The proposed amendment and the supporting documents, including a parcel description, may be inspected in the Development Services Department, City Hall, 101 Church Street, Kissimmee, Florida, between 8:00 a.m. and 5:00 p.m., Monday through Friday. Please direct any questions to the Development Services Department, (407) 518-2140 or planning@kissimmee.gov.

Any interested party wanting to be heard on this issue may submit testimony to be read into the official record to CityClerkEmail@kissimmee.gov prior to the start of the meeting or may be heard by participating in person.

Reference # LUPA-25-0009 PLANNING ADVISORY BOARD
30-25-29-00U-0080-0000, 25-25-28-00U-0110-0000
and 36-25-28-00U-0010-0000 KISSIMMEE, FLORIDA



In accordance with Florida Statutes 286.0105: any person wishing to appeal any decision made by the City Commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is made.

In accordance with Florida Statute 286.26, persons needing assistance to participate in any of these proceedings should contact the Office of the City Clerk (407) 518-2308 prior to the meeting. (FS286.26)



THE FOLLOWING SHALL BE USED AS AN ADDENDUM TO ANY PLAN, FILE, OR OTHER DOCUMENT REVIEWED IN ENERGОВ & BLUEBEAM

ADDRESS: 36-25-28-00U0-0010-0000 and 25-25-28-00U0-0110-0000
PERMIT NUMBER: LUPA-25-0009
REVIEW VERSION NUMBER: V.1

DATE: 1/29/2026

Review Status:
REVISE & RESUBMIT.

PLANNING DIVISION - Ryan Altizer - 407.518.2107 – Ryan.Altizer@kissimmee.gov

Comments/Conditions:

1. This Future Land Use Map Amendment (LUPA) is linked to rezoning ZMA-25-0012.
2. The proposed future land use designation of Conservation (CONS) is compatible with the proposed zoning of Agricultural (AG) per Land Development Code Section 14-4-4.A and Comprehensive Plan Policy 1.2.8.2.
3. Need more clarity on the association with ZMA-25-0004 and LUPA-25-0002 before we can move this to a public hearing.

If you have any questions regarding the comments/conditions above, please use the contact information provided.

Please login to the Citizen Self Service portal at www.kissimmee.gov.energov to upload a response to comments.

Additional comments may be forth coming as a result of revisions to the plans, any new changes in the information provided, future plan review up to plan approval and permitting and/or with submittal of supporting documentation. When submitting, please provide a response to comments outlining where and how the comments have been addressed.

DEVELOPMENT PROJECT COMMENT FORM



THE FOLLOWING SHALL BE USED AS AN ADDENDUM TO ANY PLAN, FILE, OR OTHER DOCUMENT REVIEWED IN ENERGОВ & BLUEBEAM

REVIEW DUE DATE: 1/28/2026
PROJECT: Umam Land Use
DRC NUMBER: LUPA-25-0009
REVIEW NUMBER: 1

Review Status:
APPROVED WITH CONDITIONS

ENGINEERING DEPARTMENT - Erika Allen - 407.518.2168 - Erika.Allen@kissimmee.gov
ADVISORY COMMENTS/CONDITIONS OF APPROVAL (No Responses Necessary):

GENERAL

- All applicable code requirements of the City of Kissimmee Code of Ordinances shall be adhered to for any proposed use(s) and its processes.
- If you have any questions regarding the comments/conditions above, please use the contact information provided above.

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THE FOLLOWING SHALL BE USED AS AN ADDENDUM TO ANY PLAN, FILE, OR OTHER DOCUMENT REVIEWED IN ENERGОВ & BLUEBEAM

**ADDRESS: 0 KISSIMMEE FL 34746
PLAN (DRC) NUMBER: LUPA-25-0009**

DATE: 1/27/2026

**Review Status:
APPROVED WITH COMMENTS.**

AVIATION - Ramon Senorans - 407.518.2546 - Ramon.Senorans@kissimmee.gov

Comments/Conditions (if applicable):

- 1. Proposed site is within 0.9 NM SW of the approach for Runway 06, departure end for Runway 24. Continuous loud aircraft noise is expected day and night for arriving and departing traffic when Runway 06/24 is in use, or during flight training activities performing circular traffic in the vicinity of the airport.**

If you have any questions regarding the comments/conditions above, please use the contact information provided.

Please login to the Citizen Self Service portal at www.kissimmee.gov.energov to upload a response to comments.

Additional comments may be forthcoming as a result of revisions to the plans, any new changes in the information provided, future plan review up to plan approval and permitting and/or with submittal of supporting documentation. When submitting, please provide a response to comments outlining where and how the comments have been addressed.

December 4, 2025

Ashley Cornelison
Senior Planner, City of Kissimmee
101 Church Street
Kissimmee, Florida 34741
407-518-2141
ashley.cornelison@kissimmee.gov

Re: Permission to Change Land Use and Zoning – UMAM LLC Parcels

Dear Ms. Cornelison:

UMAM LLC hereby gives permission to the City of Kissimmee to change the land use and zoning for the following parcels:

- 25-25-28-00U0-0110-0000
- 36-25-28-00U0-0010-0000
- The portion of 30-25-29-00U0-0080-0000 that is west of Shingle Creek

Specifically, UMAM LLC consents to changing the land use designation from Single Family Low Density Residential (SF-LDR) to Conservation (CONS), and the zoning from Planned Unit Developments (PUD) to Agricultural (AC), at no expense to UMAM LLC.

If you require any additional documentation or clarification, please contact Mark Serrahn at (810) 730-2596 (mserrahn@londoncompanies.com) at your convenience.

Sincerely,



Daniel J. Aronoff
UMAM LLC
5607 Glenridge Drive, NE, Suite 200
Atlanta, GA 30342
(248) 840-1476
aronoff@londoncompanies.com



Katrina S. Scarborough, CFA, CCF, MCF

Osceola County Property Appraiser

www.property-appraiser.org

Osceola County Government Center

2505 East Irlo Bronson Memorial Hwy, Kissimmee, FL 34744

Ph:(407) 742-5000 Fax:(407) 742-4900

Owner Information

Parcel ID: 25-25-28-00U0-0110-0000
Owner(S): UMAM LLC
Mailing Address: 5607 GLENRIDGE DR NE STE 200 ATLANTA GA 30342
Property Address: 0 KISSIMMEE FL 34746
Primary Use: NO AG ACREAGE-VAC (Code: 9901)
Tax District: 200 - KISSIMMEE

Legal Description

Legal Description: S 1/2 OF S 1/2 LYING E OF POINCIANA BLVD LESS EAGLE POINT PH 3 PB 10 PG 189-191 & LESS THAT PORTION OF THE FOLLOWING LYING WITHIN 25-25-28: BEG AT SE COR OF TRACT J EAGLE POINT PH 3 PB 10 PG 189, S 24 DEG W 618.21 FT, S 40 DEG W 290.69 FT, S 33 DEG W 148.44 FT TO NON-TANG CURVE, CURVE LEFT, RAD 100 FT, CENT ANG 50 DEG, ALONG CURVE 88.70 FT, S 48 DEG W 213.68 FT TO NON-TANG CURVE, CURVE LEFT, RAD 5000 FT, CENT ANG 07 DEG, ALONG CURVE 616.17 FT, N 53 DEG W 499.87 FT TO ELY R/W OF POIN BLVD & NON-TANG CURVE, CURVE LEFT, RAD 3900 FT, CENT ANG 15 DEG, ALONG CURVE 1031.12 FT, N 88 DEG E 520.40 FT, S 65 DEG E 795.94 FT TO POB & LESS BEG AT SELY COR OF TRACT 4 EAGLE POINTE PB 10 PG 1-3, E 2523.46 FT, S 19 DEG W 2486.02 FT TO POC, CURVE RIGHT, RAD 1600 FT, CENT ANG 106 DEG, (CH BEARING S 72 DEG W 2571.82 FT), ALONG CURVE 2987.13 FT, N 53 DEG W 2455.03 FT TO ELY R/W POIN BLVD & NON-TANG CURVE, CURVE LEFT, RAD 3900 FT, CENT ANG 13 DEG, (CH BEARING N 43 DEG E 891.48 FT), ALONG CURVE 893.44 FT, S 53 DEG E 499.87 TO POC, CURVE RIGHT, RAD 5000 FT, CENT ANG 07 DEG, (CH BEARING S 50 DEG E 615.78 FT), ALONG CURVE 616.17 FT, N 48 DEG E 213.68 FT TO POC, CURVE RIGHT, RAD 100 FT, CENT ANG 50 DEG, (CH BEARING N 74 DEG E 85.82 FT), ALONG CURVE 88.70 FT, N 33 DEG E 148.44 FT, N 40 DEG E 290.69 FT, N 24 DEG E 844.71 FT, S 65 DEG E 408.52 FT, N 535.65 FT TO POB LYING WITHIN 25/25/28 & LESS BEG AT SE COR LOT 281 EAGLE POINTE PH 4 PB 11 PG 119-120, S 45 DEG E 44.01 FT, S 65 DEG E 102.50 FT, S 69 DEG E 115.98 FT, S 33 DEG E 110 FT, S 58 DEG W 23.12 FT TO POC, CONC SLY, RAD 545 FT, CENT ANG 05 DEG, (CH BEARING S 53 DEG W 52.86 FT), ALONG CURVE 52.88 FT, S 38 DEG E 204.62 FT, S 64 DEG W 83.33 FT, S 23 DEG W 73.10 FT, S 7 DEG W 77.84 FT, S 80 DEG W 34.68 FT, S 12 DEG W 141.71 FT, S 02 DEG E 107.58 FT, S 24 DEG W 149.23 FT, N 65 DEG W 814.33 FT, N 24 DEG E 650 FT, N 65 DEG W 122.92 FT, N 24 DEG E 194.71 FT TO PT ON SLY LINE TRACT 4, S 65 DEG E 408.52 FT TO POB & LESS COM AT SW COR OF TRACT 4 EAGLE POINTE PB 10 PG 1-3 BEING POC ON ELY R/W POINCIANA BLVD, CONC NWLY, RAD 3900 FT, CENT ANG 17 DEG (CH BEARING S 26 DEG W 1211.10 FT), ALONG CURVE 1266.02 FT TO POB; S 53 DEG E 452.77 FT TO POC, CONC WLY, RAD 25 FT, CENT ANG 92 DEG, (CH BEARING S 7 DEG E 36.05 FT) ALONG CURVE 40.26 FT, S 56 DEG E 50.23 FT TO NON-TANG CURVE, CONC SELY, RAD 45 FT, CENT ANG 87 DEG, (CH BEARING N 82 DEG E 62.37 FT), ALONG CURVE 68.90 FT, S 53 DEG E 63.74 FT TO POC, CONC SWLY, RAD 970 FT, CENT ANG 01 DEG, (CH BEARING S 53 DEG E 18.10 FT), ALONG CURVE 18.10 FT, S 38 DEG W 121.74 FT, S 58 DEG E 49.25 FT, S 47 DEG E 48.04 FT, S 44 DEG E 49.02 FT, S 44 DEG E 308.12 FT, S 65 DEG E 122.57 FT, N 25 DEG E 110.06 FT TO NON-TANG CURVE, CONC NLY, RAD 530.07 FT, CENT ANG 00 DEG, (CH BEARING S 64 DEG E 7.51 FT), ALONG CURVE 7.51 FT, S 65 DEG E 33.93 FT, S 24 DEG W 110 FT, S 65 DEG E 660 FT, S 57 DEG E 47.45 FT, S 56 DEG E 45.53 FT, S 49 DEG E 45.53 FT, S 46 DEG E 53.22 FT, N 42 DEG E 175 FT TO POC, CONC SWLY, RAD 822 FT, CENT ANG 02 DEG, (CH BEARING S 49 DEG 37.97 FT), ALONG CURVE 37.97 FT, N 39 DEG E 141.44 FT, N 10 DEG E 52.35 FT, N 5 DEG W 51.98 FT, N 23 DEG W 51.98 FT, N 41 DEG W 51.98 FT, N 59 DEG W 51.98 FT, N 77 DEG W 51.98 FT, S 84 DEG W 51.98 FT, S 65 DEG W 51.98 FT, S 47 DEG W 54.13 FT, N 65 DEG W 280.39 FT, E 85.37 FT, N 72 DEG E 75.18 FT, N 54 DEG E 75.36 FT, N 44 DEG W 175 FT TO NON-TANG CURVE, CONC NLY, RAD 70 FT, CENT ANG 68 DEG, (CH BEARING S 80 DEG W 79.08 FT), ALONG CURVE 84.04 FT, N 65 DEG W 212.21 FT TO POC, CONC SLY, RAD 130 FT, CENT ANG 08 DEG, (CH BEARING N 69 DEG W 18.37 FT), ALONG CURVE 18.38 FT, N 16 DEG E 112.73 FT, S 33 DEG W 148.25 FT TO POC, CONC SWLY, RAD 100 FT, CENT ANG 50 DEG, (CH BEARING S 74 DEG W 85.82 FT), ALONG CURVE 88.70 FT, S 48 DEG W 213.68 FT TO POC, CONC SWLY, RAD 5000 FT, CENT ANG 07 DEG (CH BEARING N 50 DEG W 617.24 FT), ALONG CURVE 617.64 FT, N 53 DEG W 498.39 FT TO POB LYING WITHIN 36/25/28

Land (Total Records: 1) Total Acres: 24.614

Land	Units	Unit Type	Depth	Value
CONSERVATION	AC	24.61	0	\$4,922

Property Values (Total Records: 5)

Values Shown Below Represents Working Appraised Values As Of 12/18/2025, Which Are Subject To Change Prior To Certification

Tax Year	Land	+ Building(S)	+ Feature(S)	= Market	Assessed	- Exemption	= Taxable
2026	\$4,900	\$0	\$0	\$4,900	\$4,900	\$0	\$4,900

Values Shown Below Represents Certified Values That Appeared On The Tax Roll As Of 10/03/2025

Tax Year	Land	+ Building(S)	+ Feature(S)	= Market	Assessed	- Exemption	= Taxable
2025	\$4,900	\$0	\$0	\$4,900	\$4,900	\$0	\$4,900

Values Shown Below Represents Historic Values							
Tax Year	Land	+ Building(S)	+ Feature(S)	= Market	Assessed	- Exemption	= Taxable
2024	\$4,900	\$0	\$0	\$4,900	\$4,900	\$0	\$4,900
2023	\$12,300	\$0	\$0	\$12,300	\$12,300	\$0	\$12,300
2022	\$12,300	\$0	\$0	\$12,300	\$12,300	\$0	\$12,300

Exemptions (Total Exemption: 0)

No Records To Display.

Parcel Sales History						
Sale Date	Price	Book-Page	Seller(S)	Buyer(S)	Vacant / Improved	Deed Code
2016-02-26	\$100	4923-0197	SHINGLE CREEK PASTURES LLC	UMAM LLC	VACANT	QUIT CLAIM DEED
2016-02-26	\$100	4923-0187	SHINGLE CREEK MITIGATION	UMAM LLC	VACANT	QUIT CLAIM DEED
2015-01-22	\$100	4726-0470	CLERK OF COURT	UMAM LLC	VACANT	CERTIFICATE OF TITLE
2007-02-16	\$6,361,900	3419-2911	SABETI & HOUSHANG TR & INDIV	SHINGLE CREEK MITIGATION	IMPROVED	WARRANTY DEED
2002-05-28	\$100	3059-2142	BROWN FRANK E EST	SABETI HOUSHANG TR	VACANT	CORRECTIVE DEED
2002-05-28	\$807,900	2254-0454	BROWN & FRANK E I	SABETI HOUSHANG TR	VACANT	WARRANTY DEED
1993-04-16	\$0	1120-0177	BROWN OREN EST (PER WILL OF OREN BROWN)	BROWN FRANK E I	VACANT	PERSONAL REPRESENTATIVE DEED

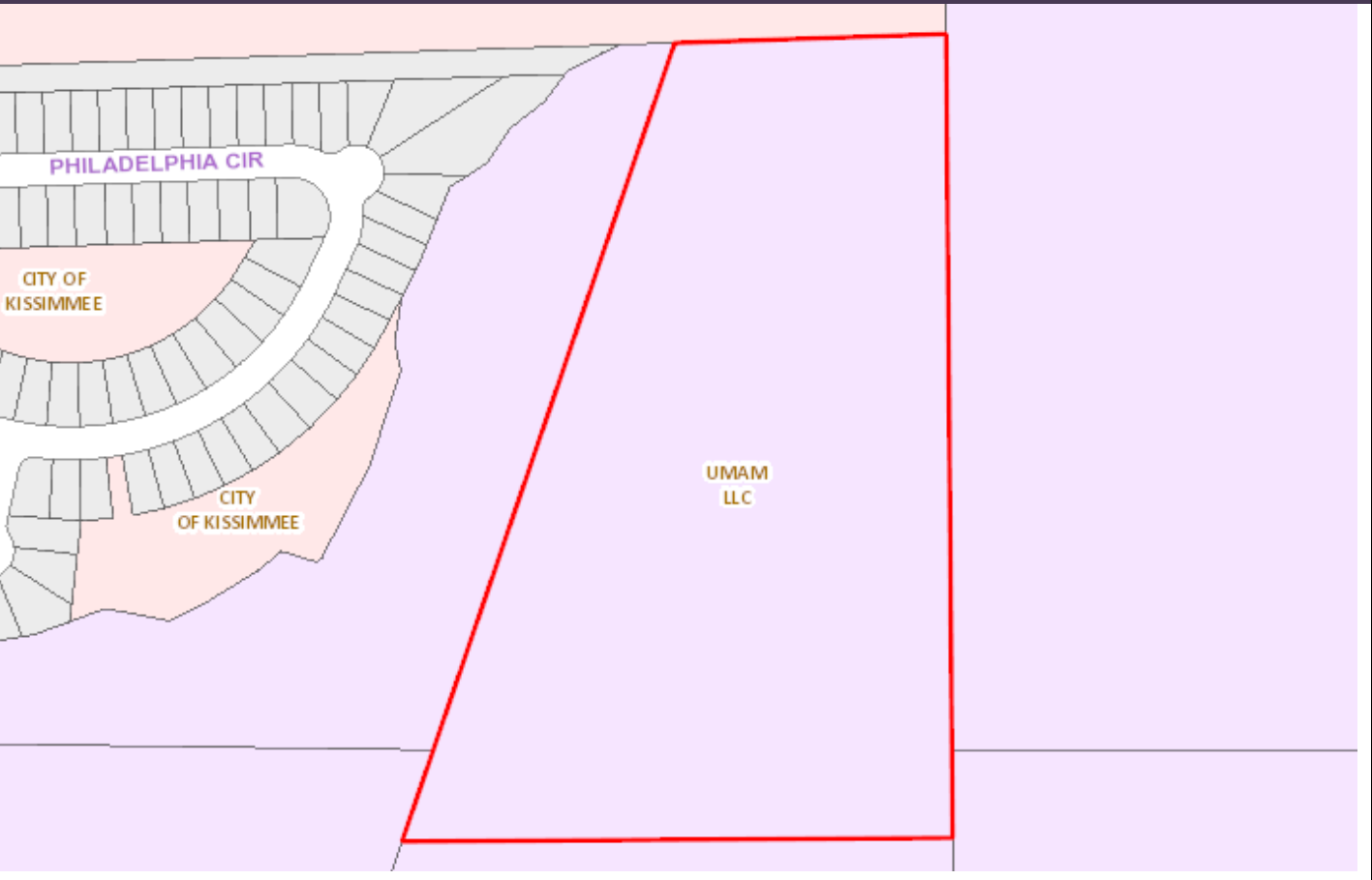
Sales In Subdivision Within Last 1 Year (Total Records: 14)											
Property Address	Date Sold	Price	Book-Page	Bed	Bath	Pool	SqFt	Seller(S)	Buyer(S)	Deed Code	
Q 232833000011110010	2025-09-02	\$0	6843-2749	0	0	N	Null	CLERK OF COURT	ALLEN BROUSSARD CONSERVANCY INC	CORRECTIVE DEED	
Q OLD MELBOURNE HWY 052632000000150000	2025-10-01	\$24,500,000	6857-2945	0	0	N	Null	LAKE X HOLDINGS LLC	OSCEOLA COUNTY	SPECIAL WARRANTY DEED	
Q EAGLE LAKE BLVD 162629000000300000	2025-04-23	\$2,200	6776-0568	0	0	N	Null	CLERK OF COURT	PATIL DARSHAN	TAX DEED	
Q 312528000000350000	2025-01-17	\$125,000	6728-0941	0	0	N	Null	SERRANO KAREN J WOLD	JONES JAMES D & JONES ROBYN	WARRANTY DEED	
Q 322528000000300000	2025-06-18	\$4,700,000	6807-0787	0	0	N	Null	PAM AM COMMERCE PARK LLC	CENTRAL FLORIDA EXPRESSWAY AUTHORITY	WARRANTY DEED	
Q 362527000000300000	2025-06-04	\$1,590,000	6800-0958	0	0	N	Null	FLORIDA RANCH PROPERTIES LLC	GATE & GROVE LAND TRUST & MCLEOD COLLIN W L TR	WARRANTY DEED	
Q SUN GROVE LN 122531000000130000	2025-03-18	\$100	6757-0172	0	0	N	Null	TAVISTOCK EAST SERVICES LLC	SUNBRIDGE STEWARDSHIP DISTRICT	QUIT CLAIM DEED	
Q SUN GROVE LN 122531000000130000	2025-03-18	\$100	6821-2113	0	0	N	Null	TAVISTOCK EAST SERVICES LLC	SUNBRIDGE STEWARDSHIP DISTRICT	CORRECTIVE DEED	
Q 232628000000400000	2025-10-15	\$2,500,000	6865-1638	0	0	N	Null	J ACQUISITIONS OSCEOLA LLC	CENTRAL FLORIDA EXPRESSWAY AUTHORITY	WARRANTY DEED	
Q 212833000000100000	2025-06-17	\$9,100	6805-2161	0	0	N	Null	CLERK OF COURT	ALLEN BROUSSARD CONSERVANCY INC	TAX DEED	
Q 232833000011110010	2025-09-02	\$0	6843-2794	0	0	N	Null	CLERK OF COURT	ALLEN BROUSSARD CONSERVANCY INC	TAX DEED	
Q 322528000000300000	2025-06-18	\$2,100,000	6807-0774	0	0	N	Null	LORENE B SHELL TRUST & GREENE VICKI TR	PAM AM COMMERCE PARK LLC	WARRANTY DEED	
Q E IRLO BRONSON MEMORIAL HWY 112732000000300000	2025-07-02	\$600,000	6814-2310	0	0	N	Null	HUTCHINSON JOHN	OLIVERAS RIVERA CARMELO & BAEZ DORIS	WARRANTY DEED	
Q OLD MELBOURNE HWY 082632000000150000	2025-10-01	\$24,500,000	6857-2945	0	0	N	Null	LAKE X HOLDINGS LLC	OSCEOLA COUNTY	SPECIAL WARRANTY DEED	

Buildings (Total Records: 0)
No Records To Display.

Extra Features
No Records To Display.

School Info	
Category	Description
ELEMENTARY SCHOOLS	KNIGHTS POINT K8 SCHOOL
MIDDLE SCHOOLS	KNIGHTS POINT K8 SCHOOL
HIGH SCHOOLS	POINCIANA HIGH

TPP Info
No Records To Display.



ITEM 5.E

Public Hearing - Proposed Ordinance #26-09 - Amending the Zoning Map designation from Short-Term Rental Planned Unit Development (SRPUD) and Mixed-Use Planned Unit Development (MUPUD) to Agricultural Conservation (AC): Hoagland Rd. Zoning Map Amendment - ZMA-25-0012

AN ORDINANCE AMENDING ORDINANCE NO. 3129 KNOWN AS THE CITY OF KISSIMMEE LAND DEVELOPMENT CODE, REZONING THE PROPERTY HEREINAFTER DESCRIBED, REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

Request

Recommendation of approval of a Zoning Map Amendment to change the Zoning Map designation from Short-Term Rental Planned Unit Development (SRPUD) and Mixed-Use Planned Unit Development (MUPUD) to Agricultural Conservation (AC) on approximately 79.51 acres of land on Parcel IDs: 25-25-28-00U0-0110-0000 and 36-25-28-00U0-0010-0000.

Explanation

Currently, these parcels are vacant. This project is directly tied to LUPA-25-0009 and also associated with LUPA-25-0002 and ZMA-25-0004. In 1998/1999, Parcel ID: 36-25-28-00U0-0010-0000 was rezoned to the Cumbrian Lakes Resort Planned Unit Development (PUD). In 1999 Parcel ID: 25-25-28-00U0-0110-0000 was rezoned to the Liberty Village Short-term Rental PUD (SRPUD) from Agricultural zoning through Ordinance 99-22. Both of these Planned Unit Developments were rezoned through a Preliminary Plat associated with the PUD rezonings.

The change in the Zoning Map Amendment for 79.51 acres of land from Short-Term Rental Planned Unit Development (SRPUD) and Mixed-Use Planned Unit Development (MUPUD) to Agricultural Conservation (AC) is consistent with the Policies and objectives seen in Goal 5 of the Comprehensive Plan, but most noticeably in Objectives 5.1.2 (Water Quality), 5.1.3 (Water Quantity), 5.1.4 (Maintenance of Floodplains) and 5.1.5 (Protect and Preserve Wetlands). The Zoning Map Amendment would help to prevent any new development on these parcels, ensuring the PUDs cannot be amended, which help to preserve the wetlands and natural resources of the area. The properties also sit within the Conservation Overlay District.

The proposed zoning of the Agricultural and Conservation (AC) District is compatible with the proposed future land use of Conservation (CONS). This district is primarily intended to allow the use of appropriate areas for agricultural production, the preservation of open spaces, and the conservation and management of soil, water, air, game and other natural resources and amenities. Areas zoned AC are also intended to provide for the development of large lot single family estate development which is compatible with adjacent agricultural activities, when appropriate.

FINDINGS AND REASONS

1. Compliance with Land Development Code Section 14-4-4(A) AC, Agricultural and Conservation District. This district is primarily intended to allow the use of appropriate areas for agricultural production, the preservation of open spaces, and the conservation and management of soil, water, air, game and other natural resources and amenities. Areas zoned AC are also intended to provide for the development of large lot single family estate development which is compatible with adjacent agricultural activities, when appropriate

2. Compliance with Land Development Code Section 14-3-26, Comprehensive Plan text and Map Amendments, in regards to the submittal and review procedures and criteria to support an amendment.
3. Compliance with Comprehensive Plan Objective 5.1.2: Water Quality and its subsequent Policies: The water quality regulations established by the South Florida Water Management District (SFWMD) shall be enforced by the City, in order to protect the quality of current and projected future water sources and surface water run-off.
4. Compliance with Comprehensive Plan Objective 5.1.3: Water Quantity and its subsequent Policies: The City shall continue to maintain its adopted level of service standard in order to conserve the availability of current and future water sources.
5. Compliance with Comprehensive Plan Objective 5.1.4: Maintenance of Flood Plains and its subsequent Policies: The City shall continue to preserve floodways and prohibit their reduction in the available storage to the floodplain in order to protect and maintain their flood-carrying and flood storage capacity.
6. Compliance with Comprehensive Plan Objective 5.1.5: Protect and Preserve Wetlands and its subsequent Policies: The City's wetlands shall continue to be protected and preserved from physical and hydrologic alterations.
7. Compliance with Land Development Code 14-4-7.B, Conservation Overlay District, which is intended to protect the integrity of environmentally sensitive areas including wetlands, surface waters, floodplains, and special wildlife and plant habitats. This is to be achieved by requiring the preparation and implementation of an acceptable conservation impact report in conjunction with any development proposal submitted for a use permitted in the underlying zoning district. This report will include an analysis of the property and techniques appropriate for protecting any important environmental characteristics of the property.

Recommendation

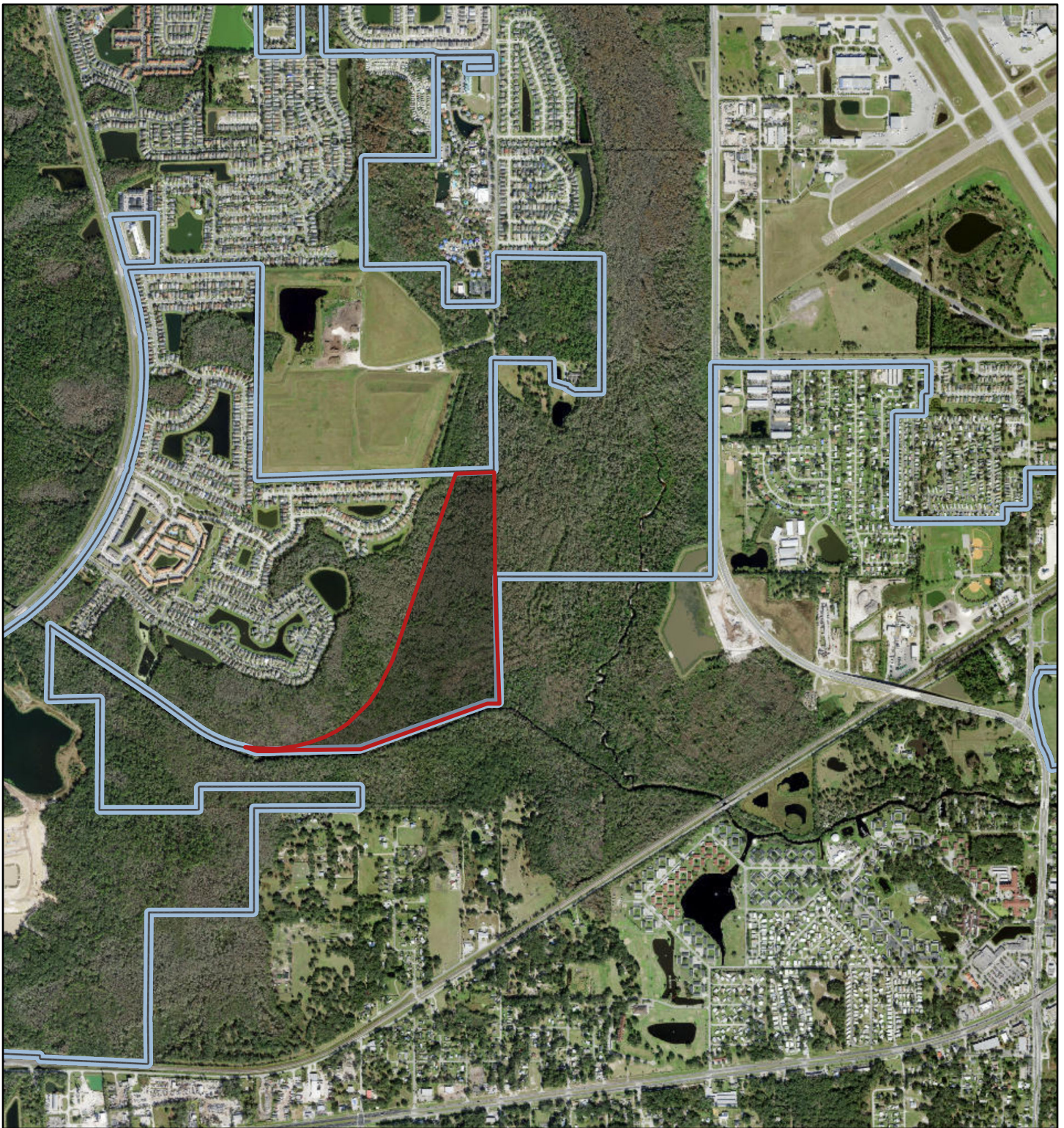
REQUESTED PLANNING ADVISORY BOARD ACTION:

Approve

The Development Review Committee (DRC) recommended approval on February 3, 2026.

Attachment(s):

1. ZMA-25-0012 Aerial Map
2. ZMA-25-0012 Vicinity Map
3. ZMA-25-0012 Site Data Table
4. ZMA-25-0012 201 E Dankin St Proposed Ord 26-09
5. ZMA-25-0012 PAB Ad
6. ZMA-25-0012 DRC Comments
7. ZMA-25-0012 Supporting Docs



February 9, 2026

— Road Centerlines

City Limits

CITY

COUNTY

World Imagery

Low Resolution 15m Imagery

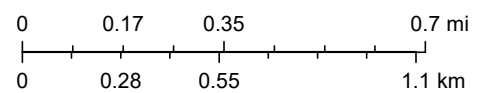
High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

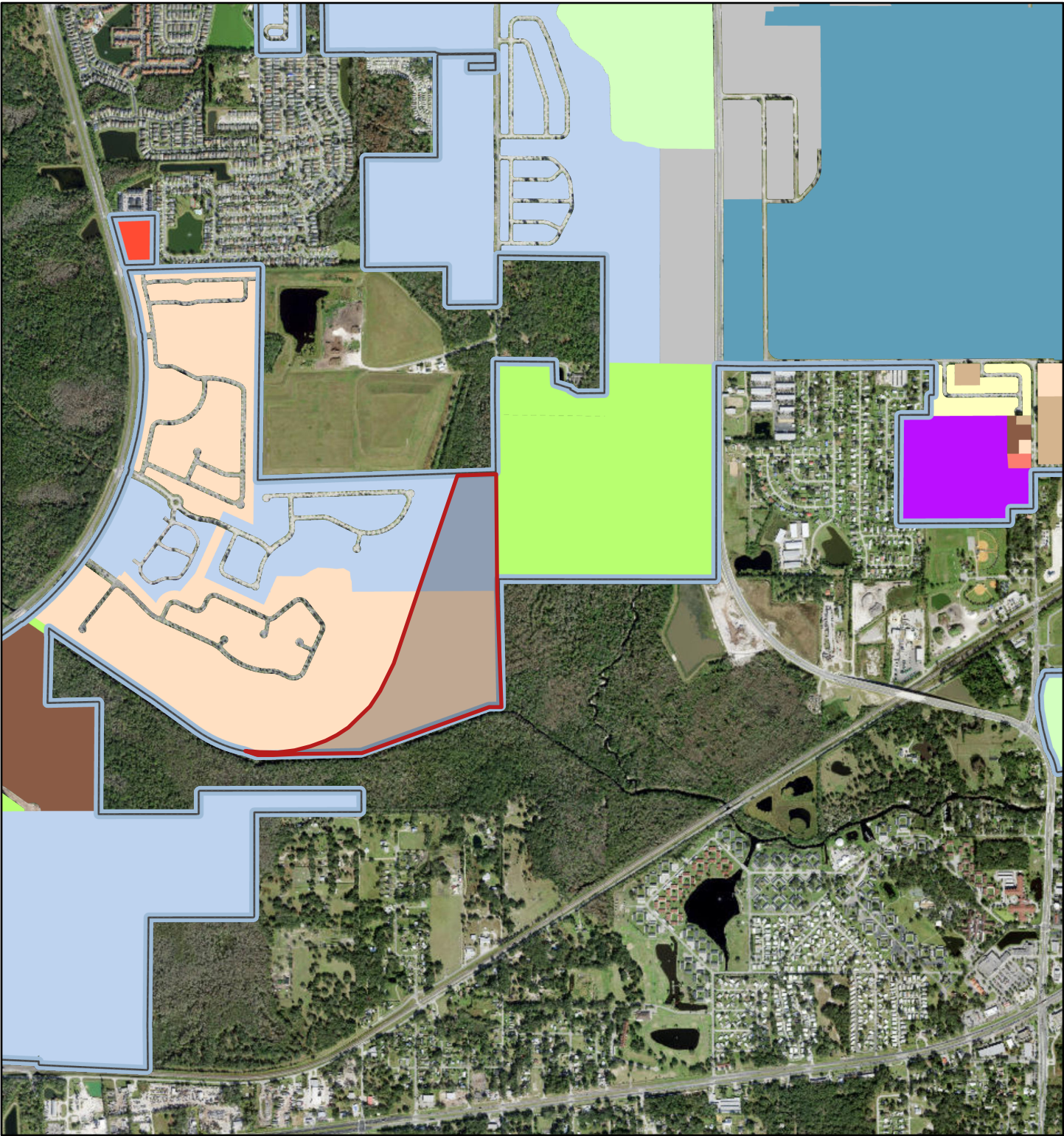
4.8m Resolution Metadata

1:23,974



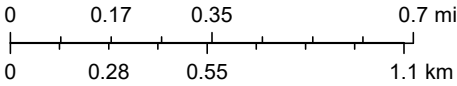
State of Florida, Earthstar Geographics

ZMA-25-0012
Hoagland St. Rezoning
Parcel IDs: 25-25-28-00U0-0110-0000 and 36-25-28-00U0-0010-0000



February 9, 2026

1:23,974



State of Florida, Earthstar Geographics

Legend	
City Limits	IB (Industrial Business)
Zoning District	MH (Mobile Home 6,000 sqft)
AC (Agricultural Conservation)	MHP (Mobile Home Park)
AI (Airport Industrial)	MUPUD (Mixed Use Planned Unit Development)
AO (Airport Operations)	OS (Open Space)
B-2 (Neighborhood Commercial)	RA-1 (Single Family Residential)
B-3 (General Commercial)	RA-2 (Single Family Residential)
B-5 (Office Commercial)	RA-3 (Single Family Residential)
BP (Business Park)	RA-4 (Single Family Residential)
CF (Community Facility)	RB-1 (Medium Density Residential)
HC (Highway Commercial)	RB-2 (Medium Density Residential - Office)
HF (Hospital Facility)	RC-1 (Multiple Family Medium Density Residential)
	RC-2 (Multiple Family High Density Residential)
	RE (Residential Estate)
	RPB (Residential Professional Business)
	RPUD (Residential Planned Unit Development)
	SRPUD (Short Term Rental Planned Unit Development)
	UT (Utilities)
	SD (Special District)
	T1 (Natural)
	T3 (Edge)
	T4-O (Neighborhood Open)
	T4-R (Neighborhood Restricted)
	T5-M (Mixed-Use Center)
	T5-U (Mixed-Use Urban Core)
	T6 (Waterfront)

Hoagland Rd. Zoning Map Amendment, ZMA-25-0012
Parcel IDs #25-25-28-00U0-0110-0000 and 36-25-28-00U0-0010-0000;
Site Data Tables

Site Data	
Size	+/- 79.51 acres
Future Land Use Designation	Single-Family Low Density Residential (SF-LDR)
Proposed Future Land Use Designation	Conservation (CONS)
Zoning District Designation	Short-Term Rental Planned Unit Development (SRPUD) and Mixed-Use Planned Unit Development (MUPUD) – City
Proposed Zoning District Designation	Agricultural Conservation (AC) – City
Existing Overlay District	Conservation Overlay (CO) and the Multimodal Transportation District (MMTD)
Existing Use(s)	Vacant
Proposed Use(s)	N/A
Adjacent Land Use	
North	Institutional - County
South	Low Density Residential - County
East	Single-Family Low Density Residential (SF-LDR) – City and Low Density Residential - County
West	Single-Family Low Density Residential (SF-LDR) - City
Adjacent Zoning	
North	Institutional (IN) - County
South	Agricultural (AC) - County
East	Agricultural Conservation (AC) – City
West	Short-Term Rental Planned Unit Development (SRPUD) and Mixed-Use Planned Unit Development (MUPUD) – City
Zoning History	In 1998/1999 Parcel ID: 36-25-28-00U0-0010-0000 was rezoned to the Cumbrian Lakes Resort PUD and in 1999 Parcel ID: 25-25-28-00U0-0110-0000 was rezoned to the Liberty Village SRPUD.
Past/Current Project Tracking	N/A

Comprehensive Plan Summary	
Policy 1.2.8.2: Conservation (CONS): Lands designated for Conservation (CONS) are those lands that, because of their environmental quality or sensitivity, are intended for protection and are not intended for development activities, and therefore have no allowable FAR. These lands may include wetlands, wildlife habitats, and/or watershed protection areas.	
Potential Zoning Districts	AC and OS

	Form-based Districts: T1
--	--------------------------

<i>Zoning District Standards District Summary</i>
Land Development Code Section 14-4-4(A), AC, Agricultural and Conservation District. This district is primarily intended to allow the use of appropriate areas for agricultural production, the preservation of open spaces, and the conservation and management of soil, water, air, game and other natural resources and amenities. Areas zoned AC are also intended to provide for the development of large lot single family estate development which is compatible with adjacent agricultural activities, when appropriate.

<i>Comprehensive Plan Future Land Use & Zoning Comparisons</i>		
	<i>Existing Future Land Use & Zoning</i>	<i>Requested Future Land Use & Zoning</i>
Uses	Single-Family Low Density Residential (SF-LDR)	Conservation (CONS)
	Short-Term Rental Planned Unit Development (SRPUD), Mixed-Use Planned Unit Development (MUPUD) – City and Agricultural Conservation (AC) – City	Agricultural Conservation (AC) – City
	N/A	N/A

<i>Public Facilities Analysis</i>	
Transportation	
Adjacent street	Hoagland Blvd
Street Quality of Service (QOS)	N/A – Compliance
Sanitary Sewer	
Is volume less than 98% capacity?	N/A – Compliance
Potable Water	
Is volume less than 98% capacity?	N/A – Compliance
Is water pressure at least 40lbs per square inch?	N/A – Compliance
Solid Waste	
Is volume less than 5.1lbs per person per calendar day?	N/A – Compliance
Recreation	
Is active recreation area at least 2 acres per 1,000 population?	N/A – Compliance
Is urban open space area at least 2 acres per 1,000 population?	N/A – Compliance
Is total recreation area at least 4 acres	N/A – Compliance

per 1,000 population?	
Drainage	
Is off-site discharge; runoff velocities; roadway drainage; pavement; retention; and flood storage LOS standards met?	N/A- Compliance

PROPOSED ORDINANCE NO. 26-09
ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE NO. 3130
KNOWN AS THE CITY OF KISSIMMEE LAND
DEVELOPMENT CODE, REZONING THE PROPERTY
HEREINAFTER DESCRIBED, REPEALING ALL
ORDINANCES IN CONFLICT HERewith AND PROVIDING
AN EFFECTIVE DATE.**

BE IT ORDAINED BY THE CITY COMMISSION THAT ORDINANCE NO. 3130 KNOWN AS THE CITY OF KISSIMMEE LAND DEVELOPMENT CODE IS HEREBY AMENDED TO READ AS FOLLOWS:

WHEREAS, the subject proposal incorporates one (1) parcel generally located at or near, the western border of Liberty Village PUD and Cumbrian Lakes Resort PUD. within the City of Kissimmee, Florida, containing approximately 79.51 acres of land; and

WHEREAS, the subject properties, are presently designated as (Short-Term Rental Planned Unit Development (SRPUD) and Mixed-Use Planned Unit Development (MUPUD) – City with a Future Land Use of (SF-LDR) Single-Family – Low Density Residential; and

WHEREAS, the proposed zoning map amendment (rezoning) is in compliance with Comprehensive Plan Future Land Use Policy 1.2.9.2; and

WHEREAS, the proposed rezoning is consistent with the City's Comprehensive Land Development Plan, and is generally consistent with the purpose and intent of the Land Development Code; and

WHEREAS, the proposed rezoning amendment is compatible with adjacent zoning districts and promotes the public health, safety and welfare as required by the City Code 14-3-27.C; and

WHEREAS, the Planning Advisory Board, sitting as the Local Planning Agency as required by Fla. Stat. § 163.3147, reviewed the application at its March 18, 2026, after proper notice and hearing.

SECTION 1. Ordinance No. 3130, known as the City of Kissimmee Land Development Code, is hereby amended so as to rezone the following described properties to-wit:

FROM: Short-Term Rental Planned Unit Development (SRPUD) and Mixed-Use
Planned Unit Development (MUPUD) – City

TO: Agricultural Conservation (AC) – City

The subject properties are located at: Parcel IDs: 25-25-28-00U0-0110-0000 and 36-

25-28-00U0-0010-0000.

Legal Description:

S 1/2 OF S 1/2 LYING E OF POINCIANA BLVD LESS EAGLE POINT PH 3 PB 10 PG 189-191 & LESS THAT PORTION OF THE FOLLOWING LYING WITHIN 25-25-28: BEG AT SE COR OF TRACT J EAGLE POINT PH 3 PB 10 PG 189, S 24 DEG W 618.21 FT, S 40 DEG W 290.69 FT, S 33 DEG W 148.44 FT TO NON-TANG CURVE, CURVE LEFT, RAD 100 FT, CENT ANG 50 DEG, ALONG CURVE 88.70 FT, S 48 DEG W 213.68 FT TO NON-TANG CURVE, CURVE LEFT, RAD 5000 FT, CENT ANG 07 DEG, ALONG CURVE 616.17 FT, N 53 DEG W 499.87 FT TO ELY R/W OF POIN BLVD & NON-TANG CURVE, CURVE LEFT, RAD 3900 FT, CENT ANG 15 DEG, ALONG CURVE 1031.12 FT, N 88 DEG E 520.40 FT, S 65 DEG E 795.94 FT TO POB & LESS BEG AT SELY COR OF TRACT 4 EAGLE POINTE PB 10 PG 1-3, E 2523.46 FT, S 19 DEG W 2486.02 FT TO POC, CURVE RIGHT, RAD 1600 FT, CENT ANG 106 DEG, (CH BEARING S 72 DEG W 2571.82 FT), ALONG CURVE 2987.13 FT, N 53 DEG W 2455.03 FT TO ELY R/W POIN BLVD & NON-TANG CURVE, CURVE LEFT, RAD 3900 FT, CENT ANG 13 DEG, (CH BEARING N 43 DEG E 891.48 FT), ALONG CURVE 893.44 FT, S 53 DEG E 499.87 TO POC, CURVE RIGHT, RAD 5000 FT, CENT ANG 07 DEG, (CH BEARING S 50 DEG E 615.78 FT), ALONG CURVE 616.17 FT, N 48 DEG E 213.68 FT TO POC, CURVE RIGHT, RAD 100 FT, CENT ANG 50 DEG, (CH BEARING N 74 DEG E 85.82 FT), ALONG CURVE 88.70 FT, N 33 DEG E 148.44 FT, N 40 DEG E 290.69 FT, N 24 DEG E 844.71 FT, S 65 DEG E 408.52 FT, N 535.65 FT TO POB LYING WITHIN 25/25/28 & LESS BEG AT SE COR LOT 281 EAGLE POINTE PH 4 PB 11 PG 119-120, S 45 DEG E 44.01 FT, S 65 DEG E 102.50 FT, S 69 DEG E 115.98 FT, S 33 DEG E 110 FT, S 58 DEG W 23.12 FT TO POC, CONC SLY, RAD 545 FT, CENT ANG 05 DEG, (CH BEARING S 53 DEG W 52.86 FT), ALONG CURVE 52.88 FT, S 38 DEG E 204.62 FT, S 64 DEG W 83.33 FT, S 23 DEG W 73.10 FT, S 7 DEG W 77.84 FT, S 80 DEG W 34.68 FT, S 12 DEG W 141.71 FT, S 02 DEG E 107.58 FT, S 24 DEG W 149.23 FT, N 65 DEG W 814.33 FT, N 24 DEG E 650 FT, N 65 DEG W 122.92 FT, N 24 DEG E 194.71 FT TO PT ON SLY LINE TRACT 4, S 65 DEG E 408.52 FT TO POB & LESS COM AT SW COR OF TRACT 4 EAGLE POINTE PB 10 PG 1-3 BEING POC ON ELY R/W POINCIANA BLVD, CONC NWLY, RAD 3900 FT, CENT ANG 17 DEG (CH BEARING S 26 DEG W 1211.10 FT), ALONG CURVE 1266.02 FT TO POB; S 53 DEG E 452.77 FT TO POC, CONC WLY, RAD 25 FT, CENT ANG 92 DEG, (CH BEARING S 7 DEG E 36.05 FT) ALONG CURVE 40.26 FT, S 56 DEG E 50.23 FT TO NON-TANG CURVE, CONC SELY, RAD 45 FT, CENT ANG 87 DEG, (CH BEARING N 82 DEG E 62.37 FT), ALONG CURVE 68.90 FT, S 53 DEG E 63.74 FT TO POC, CONC SWLY, RAD 970 FT, CENT ANG 01 DEG, (CH BEARING S 53 DEG E 18.10 FT), ALONG CURVE 18.10 FT, S 38 DEG W 121.74 FT, S 58 DEG E 49.25 FT, S 47 DEG E 48.04 FT, S 44 DEG E 49.02 FT, S 44 DEG E 308.12 FT, S 65 DEG E 122.57 FT, N 25 DEG E 110.06 FT TO NON-TANG CURVE, CONC NLY, RAD 530.07 FT, CENT ANG 00 DEG, (CH BEARING S 64 DEG E 7.51 FT), ALONG CURVE 7.51 FT, S 65 DEG E 33.93 FT, S 24 DEG W 110 FT, S 65 DEG E 660 FT, S 57 DEG E 47.45 FT, S 56 DEG E 45.53 FT, S 49 DEG E 45.53 FT, S 46 DEG E 53.22 FT, N 42 DEG E 175 FT TO POC, CONC SWLY, RAD 822 FT, CENT ANG 02 DEG, (CH BEARING S 49 DEG 37.97 FT), ALONG CURVE 37.97 FT, N 39 DEG E 141.44 FT, N 10 DEG E 52.35 FT, N 5 DEG W 51.98 FT, N 23 DEG W 51.98 FT, N 41 DEG W 51.98 FT, N 59 DEG W 51.98 FT, N 77 DEG W 51.98 FT, S 84 DEG W 51.98 FT,

S 65 DEG W 51.98 FT, S 47 DEG W 54.13 FT, N 65 DEG W 280.39 FT, E 85.37 FT, N 72 DEG E 75.18 FT, N 54 DEG E 75.36 FT, N 44 DEG W 175 FT TO NON-TANG CURVE, CONC NLY, RAD 70 FT, CENT ANG 68 DEG, (CH BEARING S 80 DEG W 79.08 FT), ALONG CURVE 84.04 FT, N 65 DEG W 212.21 FT TO POC, CONC SLY, RAD 130 FT, CENT ANG 08 DEG, (CH BEARING N 69 DEG W 18.37 FT), ALONG CURVE 18.38 FT, N 16 DEG E 112.73 FT, S 33 DEG W 148.25 FT TO POC, CONC SWLY, RAD 100 FT, CENT ANG 50 DEG, (CH BEARING S 74 DEG W 85.82 FT), ALONG CURVE 88.70 FT, S 48 DEG W 213.68 FT TO POC, CONC SWLY, RAD 5000 FT, CENT ANG 07 DEG (CH BEARING N 50 DEG W 617.24 FT), ALONG CURVE 617.64 FT, N 53 DEG W 498.39 FT TO POB LYING WITHIN 36/25/28

and

Together with Parcel 2: 36-25-28-00U0-0010-0000

N 1/2 LESS THAT PORTION LYING S OF OREN BROWN DRAINAGE CANAL AND LESS THAT PORTION LYING 100 FT NWLY OF OREN BROWN CANAL AND LESS BEG AT SE COR OF TRACT J, EAGLE POINT PH 3 PB 10 PG 189, S 24 DEG W 618.21 FT, S 40 DEG W 290.69 FT, S 33 DEG W 148.44 FT TO NON-TAN CURVE, CURVE LEFT, RAD 100 FT, CENT ANG 50 DEG, ALONG CURVE 88.70 FT, S 48 DEG W 213.68 FT TO NON-TAN CURVE, CURVE LEFT, RAD 5000 FT, CENT ANG 07 DEG, ALONG CURVE 616.17 FT, N 53 DEG W 499.87 FT TO ELY R/W OF POINCIANA BLVD & NON-TAN CURVE, CURVE LEFT, RAD 3900 FT, CENT ANG 15 DEG, ALONG CURVE 1031.12 FT, N 88 DEG E 520.40 FT, S 65 DEG E 795.94 FT TO POB ORD #2171 AND LESS BEG AT SELY COR OF TRACT 4, EAGLE POINTE PB 10 PG 1-3, E 2523.46 FT, S 19 DEG W 2486.02 FT TO POC, CURVE RIGHT, RAD 1600 FT, CENT ANG 106 DEG (CH BEARING S 72 DEG W 2571.82 FT), ALONG CURVE 2987.13 FT, N 53 DEG W 2455.03 FT TO ELY R/W POIN BLVD & NON-TAN CURVE, CURVE LEFT, RAD 3900 FT, CENT ANG 13 DEG, (CH BEARING N 43 DEG E 891.48 FT), ALONG CURVE 893.44 FT, S 53 DEG E 499.87 FT TO POC, CURVE RIGHT, RAD 5000 FT, CENT ANG 7 DEG, (CH BEARING S 50 DEG E 615.78 FT), ALONG CURVE 616.17 FT, N 48 DEG E 213.68 FT TO POC, CURVE RIGHT, RAD 100 FT, CENT ANG 50 DEG, (CH BEARING N 74 DEG E 85.82 FT), ALONG CURVE 88.70 FT, N 33 DEG E 148.44 FT, N 40 DEG E 290.69 FT, N 24 DEG E 844.71 FT, S 65 DEG E 408.52 FT, N 535.65 FT TO POB LYING WITHIN 36/25/28 & LESS BEG AT SE COR LOT 281, EAGLE POINTE PH 4 PB 11 PGS 119-120, S 45 DEG E 44.01 FT, S 65 DEG E 102.50 FT, S 69 DEG E 115.98 FT, S 38 DEG E 110 FT, S 58 DEG W 23.12 FT TO POC, CONC SLY, RAD 545 FT, CENT ANG 5 DEG (CH BEARING S 53 DEG W 52.86 FT), ALONG CURVE 52.88 FT, S 38 DEG E 204.62 FT, S 64 DEG W 83.33 FT, S 23 DEG W 73.10 FT, S 7 DEG W 77.84 FT, S 80 DEG W 34.68 FT, S 12 DEG W 141.71 FT, S 02 DEG E 107.58 FT, S 24 DEG W 149.23 FT, N 65 DEG W 814.33 FT, N 24 DEG E 650 FT, N 65 DEG W 122.92 FT, N 24 DEG E 194.71 FT TO PT ON SLY LINE TRACT 4, S 65 DEG E 408.52 FT TO POB LYING IN 36/25/28

A map of the area is included with this ordinance.

SECTION 2. Upon the effective date of this ordinance, the City Manager shall promptly cause the rezoning as provided in Section 1 herein to be entered onto the official zoning map of the City of Kissimmee.

SECTION 3. Except as hereby amended said City of Kissimmee Land Development Code Ordinance No. 3130 as heretofore amended shall remain in full force and effect.

SECTION 4. This Ordinance shall take effect 10 days after its passage.

BE IT ORDAINED, by the City Commission of the City of Kissimmee, this XXX day of XXXX, 2026.

Mayor - Commissioner

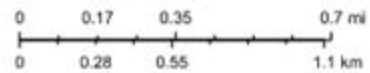
ATTEST:

City Clerk

Approved as to form and legality:

City Attorney

1:23,974



State of Florida, Earthwater Geophysics

- [illegible]

CITY OF KISSIMMEE PLANNING ADVISORY BOARD

This is to inform you that the City of Kissimmee Planning Advisory Board will make a recommendation to the City Commission concerning a request to amend the official Zoning Map, the City of Kissimmee Land Development Code Ordinance No. 3130 for the property described herein:

FROM: **Short-Term Rental Planned Unit Development (SRPUD) and Mixed-Use Planned Unit Development (MUPUD) – City**

TO: **Agricultural Conservation (AC) – City**

The subject properties are located at **Parcel ID: 25-25-28-00U0-0110-0000 and 36-25-28-00U0-0010-0000.**

Legal Descriptions:

Parcel 1: 25-25-28-00U0-0110-0000

S 1/2 OF S 1/2 LYING E OF POINCIANA BLVD LESS EAGLE POINT PH 3 PB 10 PG 189-191 & LESS THAT PORTION OF THE FOLLOWING LYING WITHIN 25-25-28: BEG AT SE COR OF TRACT J EAGLE POINT PH 3 PB 10 PG 189, S 24 DEG W 618.21 FT, S 40 DEG W 290.69 FT, S 33 DEG W 148.44 FT TO NON-TANG CURVE, CURVE LEFT, RAD 100 FT, CENT ANG 50 DEG, ALONG CURVE 88.70 FT, S 48 DEG W 213.68 FT TO NON-TANG CURVE, CURVE LEFT, RAD 5000 FT, CENT ANG 07 DEG, ALONG CURVE 616.17 FT, N 53 DEG W 499.87 FT TO ELY R/W OF POIN BLVD & NON-TANG CURVE, CURVE LEFT, RAD 3900 FT, CENT ANG 15 DEG, ALONG CURVE 1031.12 FT, N 88 DEG E 520.40 FT, S 65 DEG E 795.94 FT TO POB & LESS BEG AT SELY COR OF TRACT 4 EAGLE POINTE PB 10 PG 1-3, E 2523.46 FT, S 19 DEG W 2486.02 FT TO POC, CURVE RIGHT, RAD 1600 FT, CENT ANG 106 DEG, (CH BEARING S 72 DEG W 2571.82 FT), ALONG CURVE 2987.13 FT, N 53 DEG W 2455.03 FT TO ELY R/W POIN BLVD & NON-TANG CURVE, CURVE LEFT, RAD 3900 FT, CENT ANG 13 DEG, (CH BEARING N 43 DEG E 891.48 FT), ALONG CURVE 893.44 FT, S 53 DEG E 499.87 TO POC, CURVE RIGHT, RAD 5000 FT, CENT ANG 07 DEG, (CH BEARING S 50 DEG E 615.78 FT), ALONG CURVE 616.17 FT, N 48 DEG E 213.68 FT TO POC, CURVE RIGHT, RAD 100 FT, CENT ANG 50 DEG, (CH BEARING N 74 DEG E 85.82 FT), ALONG CURVE 88.70 FT, N 33 DEG E 148.44 FT, N 40 DEG E 290.69 FT, N 24 DEG E 844.71 FT, S 65 DEG E 408.52 FT, N 535.65 FT TO POB LYING WITHIN 25/25/28 & LESS BEG AT SE COR LOT 281 EAGLE POINTE PH 4 PB 11 PG 119-120, S 45 DEG E 44.01 FT, S 65 DEG E 102.50 FT, S 69 DEG E 115.98 FT, S 58 DEG W 23.12 FT TO POC, CONC SLY, RAD 545 FT, CENT ANG 05 DEG, (CH BEARING S 53 DEG W 52.86 FT), ALONG CURVE 52.88 FT, S 38 DEG E 204.62 FT, S 64 DEG W 83.33 FT, S 23 DEG W 73.10 FT, S 7 DEG W 77.84 FT, S 80 DEG W 34.68 FT, S 12 DEG W 141.71 FT, S 02 DEG E 107.58 FT, S 24 DEG W 149.23 FT, N 65 DEG W 814.33 FT, N 24 DEG E 650 FT, N 65 DEG W 122.92 FT, N 24 DEG E 194.71 FT TO PT ON SLY LINE TRACT 4, S 65 DEG E 408.52 FT TO POB & LESS COM AT SW COR OF TRACT 4 EAGLE POINTE PB 10 PG 1-3 BEING POC ON ELY R/W POINCIANA BLVD, CONC NWLY, RAD 3900 FT, CENT ANG 17 DEG (CH BEARING S 26 DEG W 1211.10 FT), ALONG CURVE 1266.02 FT TO POB; S 53 DEG E 452.77 FT TO POC, CONC WLY, RAD 25 FT, CENT ANG 92 DEG, (CH BEARING S 7 DEG E 36.05 FT) ALONG CURVE 40.26 FT, S 56 DEG E 50.23 FT TO NON-TANG CURVE, CONC SELY, RAD 45 FT, CENT ANG 87 DEG, (CH BEARING N 82 DEG E 62.37 FT), ALONG CURVE 68.90 FT, S 53 DEG E 63.74 FT TO POC, CONC SWLY, RAD 970 FT, CENT ANG 01 DEG, (CH BEARING S 53 DEG E 18.10 FT), ALONG CURVE 18.10 FT, S 38 DEG W 121.74 FT, S 58 DEG E 49.25 FT, S 47 DEG E 48.04 FT, S 44 DEG E 49.02 FT, S 44 DEG E 308.12 FT, S 65 DEG E 122.57 FT, N 25 DEG E 110.06 FT TO NON-TANG CURVE, CONC NLY, RAD 530.07 FT, CENT ANG 00 DEG, (CH BEARING S 64 DEG E 7.51 FT), ALONG CURVE 7.51 FT, S 65 DEG E 33.93 FT, S 24 DEG W 110 FT, S 65 DEG E 660 FT, S 57 DEG E 47.45 FT, S 56 DEG E 45.53 FT, S 49 DEG E 45.53 FT, S 46 DEG E 53.22 FT, N 42 DEG E 175 FT TO POC, CONC SWLY, RAD 822 FT, CENT ANG 02 DEG, (CH BEARING S 49 DEG 37.97 FT), ALONG CURVE 37.97 FT, N 39 DEG E 141.44 FT, N 10 DEG E 52.35 FT, N 5 DEG W 51.98 FT, N 23 DEG W 51.98 FT, N 41 DEG W 51.98 FT, N 59 DEG W 51.98 FT, N 77 DEG W 51.98 FT, S 84 DEG W 51.98 FT, S 65 DEG W 51.98 FT, S 47 DEG W 54.13 FT, N 65 DEG W 280.39 FT, E 85.37 FT, N 72 DEG E 75.18 FT, N 54 DEG E 75.36 FT, N 44 DEG W 175 FT TO NON-TANG CURVE, CONC NLY, RAD 70 FT, CENT ANG 68 DEG, (CH BEARING S 80 DEG W 79.08 FT), ALONG CURVE 84.04 FT, N 65 DEG W 212.21 FT TO POC, CONC SLY, RAD 130 FT, CENT ANG 08 DEG, (CH BEARING N 69 DEG W 18.37 FT), ALONG CURVE 18.38 FT, N 16 DEG E 112.73 FT, S 33 DEG W 148.25 FT TO POC, CONC SWLY, RAD 100 FT, CENT ANG 50 DEG, (CH BEARING S 74 DEG W 85.82 FT), ALONG CURVE 88.70 FT, S 48 DEG W 213.68 FT TO POC, CONC SWLY, RAD 5000 FT, CENT ANG 07 DEG (CH BEARING N 50 DEG W 617.24 FT), ALONG CURVE 617.64 FT, N 53 DEG W 498.39 FT TO POB LYING WITHIN 36/25/28

and

Together with Parcel 2: 36-25-28-00U0-0010-0000

N 1/2 LESS THAT PORTION LYING S OF OREN BROWN DRAINAGE CANAL AND LESS THAT PORTION LYING 100 FT NWLY OF OREN BROWN CANAL AND LESS BEG AT SE COR OF TRACT J, EAGLE POINT PH 3 PB 10 PG 189, S 24 DEG W 618.21 FT, S 40 DEG W 290.69 FT, S 33 DEG W 148.44 FT

TO NON-TAN CURVE, CURVE LEFT, RAD 100 FT, CENT ANG 50 DEG, ALONG CURVE 88.70 FT, S 48 DEG W 213.68 FT TO NON-TAN CURVE, CURVE LEFT, RAD 5000 FT, CENT ANG 07 DEG, ALONG CURVE 616.17 FT, N 53 DEG W 499.87 FT TO ELY R/W OF POINCIANA BLVD & NON-TAN CURVE, CURVE LEFT, RAD 3900 FT, CENT ANG 15 DEG, ALONG CURVE 1031.12 FT, N 88 DEG E 520.40 FT, S 65 DEG E 795.94 FT TO POB ORD #2171 AND LESS BEG AT SELY COR OF TRACT 4, EAGLE POINTE PB 10 PG 1-3, E 2523.46 FT, S 19 DEG W 2486.02 FT TO POC, CURVE RIGHT, RAD 1600 FT, CENT ANG 106 DEG (CH BEARING S 72 DEG W 2571.82 FT), ALONG CURVE 2987.13 FT, N 53 DEG W 2455.03 FT TO ELY R/W POIN BLVD & NON-TAN CURVE, CURVE LEFT, RAD 3900 FT, CENT ANG 13 DEG, (CH BEARING N 43 DEG E 891.48 FT), ALONG CURVE 893.44 FT, S 53 DEG E 499.87 FT TO POC, CURVE RIGHT, RAD 5000 FT, CENT ANG 7 DEG, (CH BEARING S 50 DEG E 615.78 FT), ALONG CURVE 616.17 FT, N 48 DEG E 213.68 FT TO POC, CURVE RIGHT, RAD 100 FT, CENT ANG 50 DEG, (CH BEARING N 74 DEG E 85.82 FT), ALONG CURVE 88.70 FT, N 33 DEG E 148.44 FT, N 40 DEG E 290.69 FT, N 24 DEG E 844.71 FT, S 65 DEG E 408.52 FT, N 535.65 FT TO POB LYING WITHIN 36/25/28 & LESS BEG AT SE COR LOT 281, EAGLE POINTE PH 4 PB 11 PGS 119-120, S 45 DEG E 44.01 FT, S 65 DEG E 102.50 FT, S 69 DEG E 115.98 FT, S 58 DEG W 23.12 FT, S 58 DEG W 23.12 FT TO POC, CONC SLY, RAD 545 FT, CENT ANG 5 DEG (CH BEARING S 53 DEG W 52.86 FT), ALONG CURVE 52.88 FT, S 38 DEG E 204.62 FT, S 64 DEG W 83.33 FT, S 23 DEG W 73.10 FT, S 7 DEG W 77.84 FT, S 80 DEG W 34.68 FT, S 12 DEG W 141.71 FT, S 02 DEG E 107.58 FT, S 24 DEG W 149.23 FT, N 65 DEG W 814.33 FT, N 24 DEG E 650 FT, N 65 DEG W 122.92 FT, N 24 DEG E 194.71 FT TO PT ON SLY LINE TRACT 4, S 65 DEG E 408.52 FT TO POB LYING IN 36/25/28

PROPOSED ORDINANCE #26-09: AN ORDINANCE AMENDING ORDINANCE NO. 3130 KNOWN AS THE CITY OF KISSIMMEE LAND DEVELOPMENT CODE, REZONING THE PROPERTY HEREINAFTER DESCRIBED, REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

The Planning Advisory Board will hold a meeting to consider their recommendation on said request on **Wednesday, March 18, 2026** at 6:00 p.m. in the Commission Chambers of City Hall, 101 Church Street, Kissimmee, FL, 34741.

Any interested party wanting to be heard on this issue may submit testimony to be read into the official record to CityClerkEmail@kissimmee.gov prior to the start of the meeting or may be heard by participating in person. Any questions may be directed to the Development Services Department at (407) 518-2140 or planning@kissimmee.gov.

Reference # ZMA-25-0012

PLANNING ADVISORY BOARD

25-25-28-00U0-0110-0000 and
36-25-28-00U0-0010-0000

KISSIMMEE, FLORIDA



In accordance with Florida Statutes 286.26, persons needing assistance to participate in any of these proceedings should contact the Office of the City Clerk (407) 518-2308 prior to the meeting. (FS286.26)

In accordance with Florida Statutes 286.0105: Any person wishing to appeal any decision made by the Planning Advisory Board with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is made.



THE FOLLOWING SHALL BE USED AS AN ADDENDUM TO ANY PLAN, FILE, OR OTHER DOCUMENT REVIEWED IN ENERGОВ & BLUEBEAM

ADDRESS: 36-25-28-00U0-0010-0000 and 25-25-28-00U0-0110-0000
PERMIT NUMBER: ZMA-25-0012
REVIEW VERSION NUMBER: V.1

DATE: 1/29/2026

Review Status:
REVISE & RESUBMIT.

PLANNING DIVISION - Ryan Altizer - 407.518.2107 – Ryan.Altizer@kissimmee.gov

Comments/Conditions:

1. This Zoning Map Amendment (ZMA) is linked to LUPA-25-0009. For this ZMA to be approved and moved forward, LUPA-25-0009 has to be reviewed and approved.
2. The proposed zoning designation of Agricultural (AG) is compatible with the proposed Future Land Use of Conservation (CONS) per Land Development Code Section 14-4-4.A and Comprehensive Plan Policy 1.2.8.2.
3. Need some more clarity on the association with ZMA-25-0004 and LUPA-25-0002 before we can move this to a public hearing.

If you have any questions regarding the comments/conditions above, please use the contact information provided.

Please login to the Citizen Self Service portal at www.kissimmee.gov.energov to upload a response to comments.

Additional comments may be forth coming as a result of revisions to the plans, any new changes in the information provided, future plan review up to plan approval and permitting and/or with submittal of supporting documentation. When submitting, please provide a response to comments outlining where and how the comments have been addressed.

December 4, 2025

Ashley Cornelison
Senior Planner, City of Kissimmee
101 Church Street
Kissimmee, Florida 34741
407-518-2141
ashley.cornelison@kissimmee.gov

Re: Permission to Change Land Use and Zoning – UMAM LLC Parcels

Dear Ms. Cornelison:

UMAM LLC hereby gives permission to the City of Kissimmee to change the land use and zoning for the following parcels:

- 25-25-28-00U0-0110-0000
- 36-25-28-00U0-0010-0000
- The portion of 30-25-29-00U0-0080-0000 that is west of Shingle Creek

Specifically, UMAM LLC consents to changing the land use designation from Single Family Low Density Residential (SF-LDR) to Conservation (CONS), and the zoning from Planned Unit Developments (PUD) to Agricultural (AC), at no expense to UMAM LLC.

If you require any additional documentation or clarification, please contact Mark Serrahn at (810) 730-2596 (mserrahn@londoncompanies.com) at your convenience.

Sincerely,



Daniel J. Aronoff
UMAM LLC
5607 Glenridge Drive, NE, Suite 200
Atlanta, GA 30342
(248) 840-1476
aronoff@londoncompanies.com



Katrina S. Scarborough, CFA, CCF, MCF

Osceola County Property Appraiser

www.property-appraiser.org

Osceola County Government Center

2505 East Irlo Bronson Memorial Hwy, Kissimmee, FL 34744

Ph:(407) 742-5000 Fax:(407) 742-4900

Owner Information

Parcel ID: 25-25-28-00U0-0110-0000
Owner(S): UMAM LLC
Mailing Address: 5607 GLENRIDGE DR NE STE 200 ATLANTA GA 30342
Property Address: 0 KISSIMMEE FL 34746
Primary Use: NO AG ACREAGE-VAC (Code: 9901)
Tax District: 200 - KISSIMMEE

Legal Description

Legal Description: S 1/2 OF S 1/2 LYING E OF POINCIANA BLVD LESS EAGLE POINT PH 3 PB 10 PG 189-191 & LESS THAT PORTION OF THE FOLLOWING LYING WITHIN 25-25-28: BEG AT SE COR OF TRACT J EAGLE POINT PH 3 PB 10 PG 189, S 24 DEG W 618.21 FT, S 40 DEG W 290.69 FT, S 33 DEG W 148.44 FT TO NON-TANG CURVE, CURVE LEFT, RAD 100 FT, CENT ANG 50 DEG, ALONG CURVE 88.70 FT, S 48 DEG W 213.68 FT TO NON-TANG CURVE, CURVE LEFT, RAD 5000 FT, CENT ANG 07 DEG, ALONG CURVE 616.17 FT, N 53 DEG W 499.87 FT TO ELY R/W OF POIN BLVD & NON-TANG CURVE, CURVE LEFT, RAD 3900 FT, CENT ANG 15 DEG, ALONG CURVE 1031.12 FT, N 88 DEG E 520.40 FT, S 65 DEG E 795.94 FT TO POB & LESS BEG AT SELY COR OF TRACT 4 EAGLE POINTE PB 10 PG 1-3, E 2523.46 FT, S 19 DEG W 2486.02 FT TO POC, CURVE RIGHT, RAD 1600 FT, CENT ANG 106 DEG, (CH BEARING S 72 DEG W 2571.82 FT), ALONG CURVE 2987.13 FT, N 53 DEG W 2455.03 FT TO ELY R/W POIN BLVD & NON-TANG CURVE, CURVE LEFT, RAD 3900 FT, CENT ANG 13 DEG, (CH BEARING N 43 DEG E 891.48 FT), ALONG CURVE 893.44 FT, S 53 DEG E 499.87 TO POC, CURVE RIGHT, RAD 5000 FT, CENT ANG 07 DEG, (CH BEARING S 50 DEG E 615.78 FT), ALONG CURVE 616.17 FT, N 48 DEG E 213.68 FT TO POC, CURVE RIGHT, RAD 100 FT, CENT ANG 50 DEG, (CH BEARING N 74 DEG E 85.82 FT), ALONG CURVE 88.70 FT, N 33 DEG E 148.44 FT, N 40 DEG E 290.69 FT, N 24 DEG E 844.71 FT, S 65 DEG E 408.52 FT, N 535.65 FT TO POB LYING WITHIN 25/25/28 & LESS BEG AT SE COR LOT 281 EAGLE POINTE PH 4 PB 11 PG 119-120, S 45 DEG E 44.01 FT, S 65 DEG E 102.50 FT, S 69 DEG E 115.98 FT, S 33 DEG E 110 FT, S 58 DEG W 23.12 FT TO POC, CONC SLY, RAD 545 FT, CENT ANG 05 DEG, (CH BEARING S 53 DEG W 52.86 FT), ALONG CURVE 52.88 FT, S 38 DEG E 204.62 FT, S 64 DEG W 83.33 FT, S 23 DEG W 73.10 FT, S 7 DEG W 77.84 FT, S 80 DEG W 34.68 FT, S 12 DEG W 141.71 FT, S 02 DEG E 107.58 FT, S 24 DEG W 149.23 FT, N 65 DEG W 814.33 FT, N 24 DEG E 650 FT, N 65 DEG W 122.92 FT, N 24 DEG E 194.71 FT TO PT ON SLY LINE TRACT 4, S 65 DEG E 408.52 FT TO POB & LESS COM AT SW COR OF TRACT 4 EAGLE POINTE PB 10 PG 1-3 BEING POC ON ELY R/W POINCIANA BLVD, CONC NWLY, RAD 3900 FT, CENT ANG 17 DEG (CH BEARING S 26 DEG W 1211.10 FT), ALONG CURVE 1266.02 FT TO POB; S 53 DEG E 452.77 FT TO POC, CONC WLY, RAD 25 FT, CENT ANG 92 DEG, (CH BEARING S 7 DEG E 36.05 FT) ALONG CURVE 40.26 FT, S 56 DEG E 50.23 FT TO NON-TANG CURVE, CONC SELY, RAD 45 FT, CENT ANG 87 DEG, (CH BEARING N 82 DEG E 62.37 FT), ALONG CURVE 68.90 FT, S 53 DEG E 63.74 FT TO POC, CONC SWLY, RAD 970 FT, CENT ANG 01 DEG, (CH BEARING S 53 DEG E 18.10 FT), ALONG CURVE 18.10 FT, S 38 DEG W 121.74 FT, S 58 DEG E 49.25 FT, S 47 DEG E 48.04 FT, S 44 DEG E 49.02 FT, S 44 DEG E 308.12 FT, S 65 DEG E 122.57 FT, N 25 DEG E 110.06 FT TO NON-TANG CURVE, CONC NLY, RAD 530.07 FT, CENT ANG 00 DEG, (CH BEARING S 64 DEG E 7.51 FT), ALONG CURVE 7.51 FT, S 65 DEG E 33.93 FT, S 24 DEG W 110 FT, S 65 DEG E 660 FT, S 57 DEG E 47.45 FT, S 56 DEG E 45.53 FT, S 49 DEG E 45.53 FT, S 46 DEG E 53.22 FT, N 42 DEG E 175 FT TO POC, CONC SWLY, RAD 822 FT, CENT ANG 02 DEG, (CH BEARING S 49 DEG 37.97 FT), ALONG CURVE 37.97 FT, N 39 DEG E 141.44 FT, N 10 DEG E 52.35 FT, N 5 DEG W 51.98 FT, N 23 DEG W 51.98 FT, N 41 DEG W 51.98 FT, N 59 DEG W 51.98 FT, N 77 DEG W 51.98 FT, S 84 DEG W 51.98 FT, S 65 DEG W 51.98 FT, S 47 DEG W 54.13 FT, N 65 DEG W 280.39 FT, E 85.37 FT, N 72 DEG E 75.18 FT, N 54 DEG E 75.36 FT, N 44 DEG W 175 FT TO NON-TANG CURVE, CONC NLY, RAD 70 FT, CENT ANG 68 DEG, (CH BEARING S 80 DEG W 79.08 FT), ALONG CURVE 84.04 FT, N 65 DEG W 212.21 FT TO POC, CONC SLY, RAD 130 FT, CENT ANG 08 DEG, (CH BEARING N 69 DEG W 18.37 FT), ALONG CURVE 18.38 FT, N 16 DEG E 112.73 FT, S 33 DEG W 148.25 FT TO POC, CONC SWLY, RAD 100 FT, CENT ANG 50 DEG, (CH BEARING S 74 DEG W 85.82 FT), ALONG CURVE 88.70 FT, S 48 DEG W 213.68 FT TO POC, CONC SWLY, RAD 5000 FT, CENT ANG 07 DEG (CH BEARING N 50 DEG W 617.24 FT), ALONG CURVE 617.64 FT, N 53 DEG W 498.39 FT TO POB LYING WITHIN 36/25/28

Land (Total Records: 1) Total Acres: 24.614

Land	Units	Unit Type	Depth	Value
CONSERVATION	AC	24.61	0	\$4,922

Property Values (Total Records: 5)

Values Shown Below Represents Working Appraised Values As Of 12/18/2025, Which Are Subject To Change Prior To Certification

Tax Year	Land	+ Building(S)	+ Feature(S)	= Market	Assessed	- Exemption	= Taxable
2026	\$4,900	\$0	\$0	\$4,900	\$4,900	\$0	\$4,900

Values Shown Below Represents Certified Values That Appeared On The Tax Roll As Of 10/03/2025

Tax Year	Land	+ Building(S)	+ Feature(S)	= Market	Assessed	- Exemption	= Taxable
2025	\$4,900	\$0	\$0	\$4,900	\$4,900	\$0	\$4,900

Values Shown Below Represents Historic Values							
Tax Year	Land	+ Building(S)	+ Feature(S)	= Market	Assessed	- Exemption	= Taxable
2024	\$4,900	\$0	\$0	\$4,900	\$4,900	\$0	\$4,900
2023	\$12,300	\$0	\$0	\$12,300	\$12,300	\$0	\$12,300
2022	\$12,300	\$0	\$0	\$12,300	\$12,300	\$0	\$12,300

Exemptions (Total Exemption: 0)
No Records To Display.

Parcel Sales History						
Sale Date	Price	Book-Page	Seller(S)	Buyer(S)	Vacant / Improved	Deed Code
2016-02-26	\$100	4923-0197	SHINGLE CREEK PASTURES LLC	UMAM LLC	VACANT	QUIT CLAIM DEED
2016-02-26	\$100	4923-0187	SHINGLE CREEK MITIGATION	UMAM LLC	VACANT	QUIT CLAIM DEED
2015-01-22	\$100	4726-0470	CLERK OF COURT	UMAM LLC	VACANT	CERTIFICATE OF TITLE
2007-02-16	\$6,361,900	3419-2911	SABETI & HOUSHANG TR & INDIV	SHINGLE CREEK MITIGATION	IMPROVED	WARRANTY DEED
2002-05-28	\$100	3059-2142	BROWN FRANK E EST	SABETI HOUSHANG TR	VACANT	CORRECTIVE DEED
2002-05-28	\$807,900	2254-0454	BROWN & FRANK E I	SABETI HOUSHANG TR	VACANT	WARRANTY DEED
1993-04-16	\$0	1120-0177	BROWN OREN EST (PER WILL OF OREN BROWN)	BROWN FRANK E I	VACANT	PERSONAL REPRESENTATIVE DEED

Sales In Subdivision Within Last 1 Year (Total Records: 14)											
Property Address	Date Sold	Price	Book-Page	Bed	Bath	Pool	SqFt	Seller(S)	Buyer(S)	Deed Code	
Q 232833000011110010	2025-09-02	\$0	6843-2749	0	0	N	Null	CLERK OF COURT	ALLEN BROUSSARD CONSERVANCY INC	CORRECTIVE DEED	
Q OLD MELBOURNE HWY 052632000000150000	2025-10-01	\$24,500,000	6857-2945	0	0	N	Null	LAKE X HOLDINGS LLC	OSCEOLA COUNTY	SPECIAL WARRANTY DEED	
Q EAGLE LAKE BLVD 162629000000300000	2025-04-23	\$2,200	6776-0568	0	0	N	Null	CLERK OF COURT	PATIL DARSHAN	TAX DEED	
Q 312528000000350000	2025-01-17	\$125,000	6728-0941	0	0	N	Null	SERRANO KAREN J WOLD	JONES JAMES D & JONES ROBYN	WARRANTY DEED	
Q 322528000000300000	2025-06-18	\$4,700,000	6807-0787	0	0	N	Null	PAM AM COMMERCE PARK LLC	CENTRAL FLORIDA EXPRESSWAY AUTHORITY	WARRANTY DEED	
Q 362527000000300000	2025-06-04	\$1,590,000	6800-0958	0	0	N	Null	FLORIDA RANCH PROPERTIES LLC	GATE & GROVE LAND TRUST & MCLEOD COLLIN W L TR	WARRANTY DEED	
Q SUN GROVE LN 122531000000130000	2025-03-18	\$100	6757-0172	0	0	N	Null	TAVISTOCK EAST SERVICES LLC	SUNBRIDGE STEWARDSHIP DISTRICT	QUIT CLAIM DEED	
Q SUN GROVE LN 122531000000130000	2025-03-18	\$100	6821-2113	0	0	N	Null	TAVISTOCK EAST SERVICES LLC	SUNBRIDGE STEWARDSHIP DISTRICT	CORRECTIVE DEED	
Q 232628000000400000	2025-10-15	\$2,500,000	6865-1638	0	0	N	Null	J ACQUISITIONS OSCEOLA LLC	CENTRAL FLORIDA EXPRESSWAY AUTHORITY	WARRANTY DEED	
Q 212833000000100000	2025-06-17	\$9,100	6805-2161	0	0	N	Null	CLERK OF COURT	ALLEN BROUSSARD CONSERVANCY INC	TAX DEED	
Q 232833000011110010	2025-09-02	\$0	6843-2794	0	0	N	Null	CLERK OF COURT	ALLEN BROUSSARD CONSERVANCY INC	TAX DEED	
Q 322528000000300000	2025-06-18	\$2,100,000	6807-0774	0	0	N	Null	LORENE B SHELL TRUST & GREENE VICKI TR	PAM AM COMMERCE PARK LLC	WARRANTY DEED	
Q E IRLO BRONSON MEMORIAL HWY 112732000000300000	2025-07-02	\$600,000	6814-2310	0	0	N	Null	HUTCHINSON JOHN	OLIVERAS RIVERA CARMELO & BAEZ DORIS	WARRANTY DEED	
Q OLD MELBOURNE HWY 082632000000150000	2025-10-01	\$24,500,000	6857-2945	0	0	N	Null	LAKE X HOLDINGS LLC	OSCEOLA COUNTY	SPECIAL WARRANTY DEED	

Buildings (Total Records: 0)
No Records To Display.

Extra Features
No Records To Display.

School Info	
Category	Description
ELEMENTARY SCHOOLS	KNIGHTS POINT K8 SCHOOL
MIDDLE SCHOOLS	KNIGHTS POINT K8 SCHOOL
HIGH SCHOOLS	POINCIANA HIGH

TPP Info
No Records To Display.

