

# Conservation Element

## Proposed Settlement Modifications to Conservation Element changes Adopted by the Osceola Board of County Commission April 21, 2014

**Policy 1.1.11:** *High impact developments within UGB.*

The County shall ensure that adequate buffers exist between high impact developments or land uses adjacent to significant natural resources within the urban growth boundary. ~~These increased standards include, but are not limited to, increased buffer distances between development and Conservation Areas, which shall be set at a minimum of 250 feet.~~

**Policy 1.4.76:** *Classification and protection of wetlands.*

~~Within the LDC, the County shall regulate the alteration, removal, encroachment and buffers for wetlands.~~ For the purpose of identifying the types, values, functions, sizes, conditions and locations of wetlands, the County shall use the applicable qualitative and quantitative assessment methods of the Uniform Mitigation Assessment Method (UMAM) as set out in Chapter 62-345, F.A.C. Within the Urban Growth Boundary, the following criteria and protection policies shall apply:

1. Category I wetlands shall mean those wetlands that score at .65 or above utilizing UMAM. The County shall limit the removal, alteration, and encroachment within Category I wetlands to only those cases where it is in the public's interest or no other feasible or practical alternatives exist that will permit a reasonable use of the land. Maximizing protection, preservation, and continuing viability of these wetlands shall be the principal consideration for determining the amount and location of wetlands removed, altered or encroached upon.

2. Category II wetlands shall mean those wetlands that score between .4 and .64 utilizing the UMAM. Removal, encroachment, and alteration may be allowed in Category II wetlands where it is in the public's interest or no other feasible or practical alternatives exist that will permit a reasonable use of the land, or for the purpose of increasing connectivity between

neighborhoods. The value of enhanced neighborhood or community connectivity will be balanced against the value of the wetlands.

3. Category III wetlands shall mean those wetlands that score below .4 utilizing the UMAM. Removal, encroachment, and alteration of Category III wetlands are presumed to be allowed unless removal, encroachment, or alteration is determined to be contrary to the public interest.

Outside the Urban Growth Boundary, the assessment criteria and protection measures shall be consistent with applicable regulations, with the exception that all Category I and II wetlands outside the Urban Growth Boundary shall be governed by the Category I wetland protection policies outlined for wetlands within the Urban Growth Boundary.

Preserved wetlands and their respective buffer areas shall be protected by a variety of tools such as dedicated tracts or easements, including maintenance provisions, and compliance with applicable wetland, erosion control, and stormwater regulations. Construction of walking trails, timber boardwalks/catwalks for direct access to water bodies, construction of wildlife management shelters, footbridges, observation decks, and similar structures not requiring dredging and/or filling for their placement are permissible in all wetlands.

**Policy 1.4.118:** *Mandatory buffers around wetlands.*

Osceola County shall require mandatory buffers around wetlands. The required buffers shall remain in native vegetation or, if disturbed, enhanced with “Florida Friendly” plant material with impervious surfaces limited to only that allowed in ~~Policy 1.4.16~~ herein. Development within the wetland buffers shall be limited to construction and activities which shall not be detrimental to the health and function of the protected wetlands. The mandatory buffers are as follows:

1. A minimum of a 50-foot buffer for Category I wetlands.
2. An average of a 50-foot buffer with a minimum of 25 feet at any given location for Category II wetlands.
3. An average of 25-foot buffer with a minimum of 15 feet at any given location for Category III wetlands.

**Policy 1.8.4:** *Tree removal.*

The County shall continue to encourage the preservation of healthy trees that are larger than 4 inches DBH by requiring a tree removal permit- and encouraging economically feasible design alternatives that will minimize tree impact.

**Policy 1.8.5:** *Historic trees.*

Osceola County shall continue to protect historic trees by enforcing construction setback standards in the LDC ~~designed and designating a construction setback so as to avoid damage to the root system.~~

**Policy 1.9.3:** *Land Conservation Advisory Board (LCAB).*

Osceola County shall continue to use the Land Conservation Advisory Board (LCAB) consistent with Ordinance 04-28 to identify and recommend environmentally significant land for acquisition. The actions of the board will be in an advisory capacity only. Lands acquired under this provision have all development rights permanently extinguished unless the activity is strictly compatible with the purposes of the program.

**Policy 1.9.7~~6~~:** *Habitat for listed species.*

Osceola County recognizes the existence and strategic value of habitat within the County for federal and state listed species of flora and fauna. In particular, the County recognizes three upland plant communities as sensitive and significant due to the presence of resident populations of protected flora and fauna: longleaf pine/turkey oak, sand pine scrub, and dry prairie. The County shall participate in and support the efforts on the part of USFWS, FWC, water management districts, USACOE and Florida DOACS to protect and conserve these resources. The County will protect higher valued habitats identified through field assessment and site specific evaluations using tools such as on-site density transfers, transfer of development rights (for lands outside the Urban Growth Boundary), open space dedication in plats or easements, and other development incentives to encourage protection. The County will also consider purchasing these lands through available programs.

**Policy 1.9.10:** *Ecological Evaluation required for new developments.*

In order to ensure that the structure and function of environmental areas are preserved, Osceola County shall require an Ecological Evaluation be performed by a qualified Environmental Consultant, whenever new development is proposed, prior to the approval of site clearing activities. This requirement shall not apply to developments of less than four residential units, or where environmentally sensitive areas or listed species are not identified on the property.