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Orange County Revises Wetland Conservation Areas Ordinance

Revisions Aim to Enhance Wetland Protections, Improve Permitting Process

Orange County, Fla. (December 13, 2023) – The Orange County Board of County Commissioners voted unanimously on December 12 to update its Wetland Conservation Areas Ordinance to strengthen protection of valuable wetlands and surface waters, make permitting processes more streamlined, predictable, and consistent for applicants, and ensure that natural resource protections are balanced with property rights.

“Over the past three years, this Board has voted to fund the acquisition of environmentally sensitive lands, update rules for fertilizer use, enhance tree protections, and now we’re taking steps to preserve our vital wetlands and surface waters,” said Orange County Mayor Jerry L. Demings. “I’m very satisfied to see our government and community coming together once again to improve the way we care for our natural resources.”

One notable change is a new tiered approach to permitting that encourages applicants to limit wetland impacts. For example, a small project in and around low-functioning wetlands will qualify for an expedited process, while a larger project with proposed impacts to more sensitive wetland areas will undergo rigorous technical review. Furthermore, a project may incur additional levels of review and be required to provide further analyses, at a more significant cost in time and effort, if it includes certain environmental risk factors (modifiers), such as impacting a wildlife corridor or a recorded conservation easement.

Other changes include:

- New mitigation site monitoring requirements
- 100-foot upland buffer requirement for most projects
- Clearer code language, including clarification and modification of over 20 key terms

The Board’s approval marks the culmination of a two-year process that studied the effectiveness of the current Wetland Conservation Areas Ordinance and generated new data as a foundation for the proposed code changes.

“The current 1987 ordinance helped slow the rate of wetland acreage loss that the county experienced in the 1960s and 1970s,” said Tim Hull, Environmental Programs Administrator for Orange County’s Environmental Protection Division. “However, data from the new *Orange County State of the Wetlands*

Study shows that Orange County still had a net loss of wetland acreage of approximately four percent since 1990. With the new code changes, we hope to slow the rate of wetland acreage loss in the county even further and improve the permitting process for our applicants.”

The two-year process gathered extensive input from development professionals, environmental organizations, community groups, Orange County advisory boards, and the public, who were able to provide comments in person, at virtual meetings and online.

BACKGROUND INFORMATION: Wetlands and surface waters are unique natural formations that foster rich, diverse ecosystems and play an important role in hydrological regulation. In Orange County, they can take the form of wet prairies, wetland forests, scrub wetlands, water bodies and others, and together they make up roughly one-quarter of the County’s total area. Orange County’s Wetland Conservation Areas Ordinance, Chapter 15, Article X, was adopted in 1987 and has not been substantially modified since.

The technical team responsible for studying wetland trends, formulating and analyzing policy proposals, and engaging stakeholders included staff from Orange County’s Environmental Protection Division (EPD), Orange County attorneys, and external experts from [Applied Ecology, Inc.](#) and [Drummond Carpenter](#).

To learn more, visit <https://orangecountyfl.net/Environment/Wetlands.aspx>.

Orange County wetlands tour b-roll link: <https://vimeo.com/794888807>

Orange County wetlands tour photos including Mayor Demings: [EPD Wetlands Tour | Flickr](#)

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