

ORDINANCE NO. 2021-47

1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
2 OF ORLANDO, FLORIDA, RELATING TO THE  
3 ELECTRIC VEHICLE READINESS; AMENDING  
4 CHAPTER 61, PART 3, OF THE LAND DEVELOPMENT  
5 CODE TO ADD SUBPART 3G, ENTITLED ELECTRIC  
6 VEHICLE READINESS; PROVIDING LEGISLATIVE  
7 FINDINGS, AND FOR CODIFICATION, CORRECTION OF  
8 SCRIVENER'S ERRORS, SEVERABILITY, AND AN  
9 EFFECTIVE DATE.

10  
11 **WHEREAS**, section 163.3202(1), Florida Statutes, requires that the city of  
12 Orlando, Florida (the "city"), adopt or amend and enforce land development regulations  
13 that are consistent with and implement the city's adopted comprehensive plan; and  
14

15 **WHEREAS**, section 163.3202(3), Florida Statutes, encourages the use of  
16 innovative land development regulations and requires that all land development  
17 regulations be combined into a single land development code for the city; and  
18

19 **WHEREAS**, from time to time, amendments and revisions to the city's adopted  
20 comprehensive plan (the "Growth Management Plan"), progress in the field of planning  
21 and zoning, or changes to state law make it necessary or desirable to amend the land  
22 development regulations of the city; and  
23

24 **WHEREAS**, since 2007, the city has been working to transform into one of the  
25 most environmentally friendly, socially equitable, and economically vibrant cities in  
26 America; and  
27

28 **WHEREAS**, to achieve this vision, the city launched Green Works Orlando to  
29 support city operations, community partners, businesses, and residents in becoming a  
30 leading city at the forefront of innovation and sustainability; and  
31

32 **WHEREAS**, through the adoption of the 2018 Green Works Orlando Community  
33 Action Plan, the city established the goal to reduce greenhouse gas emissions 90% by  
34 2040; and  
35

36 **WHEREAS**, automotive manufacturers have committed to 100% electric  
37 passenger fleets in the near-term including GM (2035), Volvo (2030), Range Rover Jaguar  
38 (2025), and Honda (2040), and Ford has committed \$24 billion towards EV fleet  
39 development by 2025. Ride hail services including Lyft and Uber have also committed to  
40 100% electric services by 2030; and  
41

42 **WHEREAS**, electric vehicles reduce greenhouse gas emissions by 64% on a per  
43 mile basis when powered on the Florida electric grid, as compared to gasoline and diesel-  
44 powered vehicles; and

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45  
46       **WHEREAS**, as recognized by the Legislature of the State of Florida, the use of  
47 electric vehicles “conserves and protects the state’s environmental resources, provides  
48 significant economic savings to drivers, and serves an important public interest;” and  
49

50       **WHEREAS**, the Florida Department of Transportation has published initial  
51 recommendations for the state’s Electric Vehicle Master Plan that includes  
52 recommendations for the state to develop model zoning and building codes to incorporate  
53 Electric Vehicle Supply Equipment (EVSE); and  
54

55       **WHEREAS**, in order to reduce greenhouse gas emissions, the city desires to  
56 encourage electric vehicle use by including provisions in the land development code for  
57 electric vehicle readiness; and  
58

59       **WHEREAS**, at its regularly scheduled meeting of June 15, 2021, the Municipal  
60 Planning Board recommended to the City Council of the City of Orlando, Florida (the  
61 “Orlando City Council”), that the provisions of this ordinance are consistent with the  
62 applicable provisions of the city’s adopted Growth Management Plan, are in the best  
63 interest of the public health, safety, and welfare, are in harmony with the purpose and  
64 intent of the Land Development Code of the City of Orlando, Florida (the “Land  
65 Development Code”), will not result in disorderly and illogical development patterns, and  
66 will not result in incompatible land uses; and  
67

68       **WHEREAS**, the Orlando City Council hereby finds and determines that this  
69 ordinance is consistent with the applicable provisions of the city’s adopted Growth  
70 Management Plan, is in the best interest of the public health, safety, and welfare, is in  
71 harmony with the purpose and intent of the city’s Land Development Code, will not result  
72 in disorderly and illogical development patterns, and will not result in incompatible land  
73 uses; and  
74

75       **WHEREAS**, the Orlando City Council hereby finds and declares that this ordinance  
76 is in the best interest of the public health, safety, and welfare.  
77

78       **NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF**  
79 **ORLANDO, FLORIDA, AS FOLLOWS:**  
80

81       **SECTION 1. CHAPTER 61, PART 3, AMENDED.** Chapter 61, Part 3, Land  
82 Development Code, is hereby amended to add subpart 3G, entitled Electric Vehicle  
83 Readiness, to read as follows:  
84

85       **PART 3. - PARKING AND LOADING**  
86  
87

\*\*\*\*

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88  
89 **Secs. 61.355—61.359. - Reserved.**

90  
91 **3G. - ELECTRIC VEHICLE (EV) READINESS**

92  
93 **Sec. 61.360. - Purpose of Electric Vehicle Parking Requirements.**

94  
95 The requirements of this Part are intended to provide electric vehicle charging  
96 abilities distributed throughout the City to serve public mobility needs, prepare for  
97 emerging electric vehicle technologies, improve air quality, and achieve City  
98 sustainability goals, including climate change mitigation.

99  
100 **Sec. 61.361. - Applicability.**

101  
102 The requirements of this Part shall apply to new development or substantial  
103 enlargement of structures. Only the new parking spaces added as part of a  
104 substantial enlargement are subject to the requirements of this Part.

105  
106 **Sec. 61.362. - General Requirements.**

107  
108 (a) Electric vehicle parking spaces shall meet all performance standards of Ch. 61  
109 Part 3.

110  
111 (b) EV Readiness requirements are categorized in two levels as follows:

- 112  
113 : EV Capable: These parking spaces prepare for future Electric Vehicle Supply  
114 Equipment (EVSE) installation by providing dedicated electrical capacity in  
115 the service panel (40amp breaker for every two EV Capable two spaces) and  
116 conduit to the EV Capable space. These spaces do not require wiring to the  
117 space or a receptacle.  
118  
119 : EVSE Installed: These parking spaces are reserved for EVs and provide  
120 drivers the opportunity to charge their electric vehicle using EV charging  
121 stations rated at a minimum of 32amp 7.2 kW. These spaces should be  
122 installed per the requirements of the National Electrical Code (NFPA 70) as  
123 adopted and amended by the State of Florida.

124  
125 **Sec. 61.363. - Number of Spaces Required.**

126  
127 The parking requirements of this Part are intended to provide minimum standards  
128 and do not count towards maximum parking requirements. The EV parking  
129 requirements are based on a percentage of the minimum required parking spaces of  
130 Part 3 of this Chapter.

131  
132 **Sec. 61.364. - Location.**

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<u>TYPE</u>	<u>EV Capable**</u>	<u>EVSE Installed (threshold)**</u>
<u>Certified Affordable Multi-family Housing</u>	<u>20%</u>	<u>N/A</u>
<u>Multifamily, Hotel, all parking structures</u>	<u>20%</u>	<u>2%</u> <u>(requirement begins at 50 spaces)</u>
<u>Commercial (non-residential)*</u> <u>(office, retail, and public, recreational &amp; institutional uses)</u>	<u>10%</u>	<u>2%</u> <u>(requirement begins at 250 spaces)</u>
<u>Industrial</u> <u>(employee parking only)</u>	<u>10%</u>	<u>2%</u> <u>(requirement begins at 250 spaces)</u>

\*Commercial projects for fuel retailers in which *automotive services* is the primary use are excluded from requirements contained in this Part.

\*\*All partial space requirements are rounded down.

Placement of the EV Capable and EVSE Installed required spaces must be identified during the Master Plan approval process.

**Sec. 61.365. - Design.**

- (a) Charging equipment must be mounted on the wall or on a structure at the end of the electric vehicle parking space provided.
- (b) No charging devices may be placed within the dimensions of a space, on the sides, or entrance to a space.
- (c) When cords and connectors are not in use, retraction devices or locations for storage shall be located sufficiently above the pedestrian surface and the parking lot as to reduce conflicts with pedestrians and vehicle maneuvering.
- (d) Cords, cables, and connector equipment shall not extend across the path of travel in any sidewalk or walkway.
- (e) Equipment mounted on structures such as pedestals, lighting posts, bollards, or other device shall be located in a manner that does not impede pedestrian, bicycle, or transit travel.
- (f) Alternative designs may be approved by the Zoning Official.
- (g) Additional landscape screening may be required for mechanical equipment such as transformers associated with charging equipment, consistent with mechanical equipment screening requirements.

**Sec. 61.366. - Accessibility.**

- (a) A minimum of one (1) EVSE Installed space must be located adjacent to an ADA designated space to provide access to the charging station.

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163 (b) The accessible space must be designated as an EV reserved space.

164 (c) The EVSE Installed accessible spaces should have all relevant parts located  
165 within accessible reach, and in a barrier-free access aisle for the user to move  
166 freely between the EVSE and the electric vehicle.

167  
168 **Sec. 61.367. - Signage.**

169 All EVSE Installed parking spaces should be designated following MUTCD  
170 standards.

171  
172 **SECTION 2. CODIFICATION.** The city clerk and the city attorney shall cause the  
173 Code of the City of Orlando, Florida, to be amended as provided by this ordinance and  
174 may renumber, re-letter, and rearrange the codified parts of this ordinance if necessary to  
175 facilitate the finding of the law.

176  
177 **SECTION 3. SCRIVENER’S ERROR.** The city attorney may correct scrivener’s  
178 errors found in this ordinance by filing a corrected copy of this ordinance with the city clerk.

179  
180 **SECTION 4. SEVERABILITY.** If any provision of this ordinance or its application  
181 to any person or circumstance is held invalid, the invalidity does not affect other provisions  
182 or applications of this ordinance which can be given effect without the invalid provision or  
183 application, and to this end the provisions of this ordinance are severable.

184  
185 **SECTION 5. IMPLEMENTATION.** The requirements of this ordinance shall be  
186 implemented upon a first application for a building permit for a new development or  
187 substantial improvement filed with the City on or after January 1, 2022.

188  
189 **SECTION 6. EFFECTIVE DATE.** This ordinance takes effect upon adoption.

190  
191 **DONE, THE FIRST READING,** by the City Council of the City of Orlando, Florida,  
192 at a regular meeting, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

193  
194 **DONE, THE PUBLIC NOTICE,** in a newspaper of general circulation in the City of  
195 Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this \_\_\_\_\_ day of  
196 \_\_\_\_\_, 2021.

197  
198 **DONE, THE SECOND READING AND PUBLIC HEARING, AND ENACTED ON**  
199 **FINAL PASSAGE,** by an affirmative vote of a majority of a quorum present of the City  
200 Council of the City of Orlando, Florida, at a regular meeting, this \_\_\_\_\_ day of  
201 \_\_\_\_\_, 2021.

202  
203 BY THE MAYOR OF THE CITY OF  
204 ORLANDO, FLORIDA:

205  
206 \_\_\_\_\_  
207 Mayor

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208  
209 ATTEST, BY THE CLERK OF THE  
210 CITY COUNCIL OF THE CITY OF  
211 ORLANDO, FLORIDA:

212  
213 \_\_\_\_\_  
214 City Clerk

215  
216 \_\_\_\_\_  
217 Print Name

218  
219 APPROVED AS TO FORM AND LEGALITY  
220 FOR THE USE AND RELIANCE OF THE  
221 CITY OF ORLANDO, FLORIDA:

222  
223 \_\_\_\_\_  
224 Assistant City Attorney

225  
226 \_\_\_\_\_  
227 Print Name