

1 **AN ORDINANCE OF THE CITY OF ORLANDO, FLORIDA,**
2 **RELATING TO STORMWATER REQUIREMENTS;**
3 **AMENDING CHAPTERS 63 AND 65, ORLANDO CITY**
4 **CODE TO CLARIFY SPECIFIC FREEBOARD, WATER**
5 **MANAGEMENT DISTRICT, AND STORM EVENT**
6 **DURATION REQUIREMENTS; PROVIDING FOR**
7 **SEVERABILITY, REPEAL OF CONFLICTING**
8 **ORDINANCES AND ACTIONS, CODIFICATION,**
9 **CORRECTION OF SCRIVENER'S ERRORS, AND AN**
10 **EFFECTIVE DATE.**

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12 **WHEREAS**, section 163.3202(1), Florida Statutes, requires that the City of Orlando,
13 Florida (the "City") adopt or amend and enforce land development regulations that are consistent
14 with and implement the City's adopted comprehensive plan; and
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16 **WHEREAS**, from time to time, amendments and revisions to the City's adopted
17 comprehensive plan (the "Growth Management Plan") and progress in the field of planning and
18 zoning make it necessary or desirable to amend or revise the land development regulations of the
19 City; and
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21 **WHEREAS**, at its regularly scheduled meeting of January 19, 2016, the Municipal
22 Planning Board (MPB) considered proposed changes to the land development code related to the
23 City's Engineering Standards Manual (LDC2015-00503), and recommended approval of these
24 changes; and that the provisions of this ordinance are consistent with the applicable provisions of
25 the City's adopted Growth Management Plan, are in the best interest of the public health, safety,
26 and welfare, are in harmony with the purpose and intent of the City's Land Development Code,
27 will not result in disorderly and illogical development patterns, and will not result in
28 incompatible land uses; and
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30 **WHEREAS**, the Orlando City Council hereby finds and determines that this ordinance is
31 consistent with the applicable provisions of the City's adopted Growth Management Plan, is in
32 the best interest of the public health, safety, and welfare, is in harmony with the purpose and
33 intent of the City's Land Development Code, will not result in disorderly and illogical
34 development patterns, and will not result in incompatible land uses; and
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36 **WHEREAS**, the Orlando City Council hereby finds and declares that amending the
37 City's current land development regulations relating to stormwater requirements, as provided in
38 this ordinance, will appropriately regulate the City's freeboard, water management district and
39 storm event duration requirements and are consistent with the Engineering Standards Manual and
40 Florida Statutes.
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42 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE**
43 **CITY OF ORLANDO, FLORIDA:**
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45 **SECTION 1. CHAPTER 63, AMENDED.** Chapter 63 of the Code of the City of
46 Orlando, Florida, is hereby amended as follows:

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50 **Sec. 63.228. Specific Standards for "A" Zone Flood Hazard Areas.**

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52 In all areas of special flood hazard area, or in areas hydraulically connected to areas of
53 special flood hazard area, areas denoted with an "A" prefix on the Flood Insurance Rate Map
54 where base flood elevation data have been provided, as set forth in Section 63.222, the following
55 provisions are required, in addition to the general standards of Section 63.227. The A-zone
56 designation is assigned to flood hazard areas along streams, swamps, and marshes, as well as to
57 coastal areas inland of the high hazard velocity area, known as the V-zone.

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61 **Sec. 63.270. Retention/Detention Facilities Requirements.**

62
63 All development shall be required to ~~treat for~~provide pollution abatement ~~the greater of: 1/2~~
64 ~~inch of runoff; or the runoff generated by the first inch of rainfall~~as required by the water
65 management district within which the development is located. ~~Treatment of this volume of~~
66 ~~runoff is defined as retention with no discharge and/or detention with a filtered underdrain~~
67 ~~discharge.~~The additional volume and rate of stormwater runoff generated by the building site due
68 to development from a 25 year frequency, 624 hour duration storm event shall be controlled by a
69 detention facility and released at a rate of discharge not to exceed the peak rate of discharge of
70 the site in the predeveloped condition and conveyed to a point of legal and positive discharge.

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74 **SECTION 2. CHAPTER 65, AMENDED.** Chapter 65 of the Code of the City of
75 Orlando, Florida, is hereby amended as follows:

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79 **Sec. 65.626. General Requirements.**

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81 Each application for a Floodplain Development Permit shall include, but not be limited to
82 the following: plans in duplicate drawn to scale showing the nature, location, dimensions and
83 elevations of the area in question; existing or proposed structures, fill, storage of materials;
84 drainage facilities, and the location of the foregoing. Specifically, the following information shall
85 be required:

86 *Base Flood Elevation.* Establish, to the satisfaction of the City Engineer, the elevation
87 of the base flood (100 year flood), if the project is in an area in which the 100 year

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88 flood has not been delineated or if on-site conditions have affected (or are affected by)
89 the published elevations. The design event to be used to establish such 100 year flood
90 elevation shall be a 100 year frequency, ~~3-day duration event of 14.27 inches with~~
91 duration to be determined prior to application by the Federal Emergency Management
92 Agency or its contractor.

93 *Habitable Flood Elevation.* Elevation ~~in relation to mean sea level (MSL)~~ of the
94 lowest habitable floor (including basement) of all new or substantially improved
95 structures, and whether or not such structures contain a basement.

96 *Nonresidential Floodproofing Elevation.* Elevation ~~in relation to mean sea level~~ to
97 which any nonresidential structure will be floodproofed.

98 *Floodproofing Certification.* Certification by a registered professional engineer or
99 architect that the floodproofed structure meets the applicable floodproofing criteria as
100 provided in (Chapter 63), Part 2C of this Chapter.

101 *Alteration of Watercourse.* Description of the extent to which any watercourse will be
102 altered or relocated as a result of proposed development.

103 *Other.* In the case of nonresidential construction, all subdivision proposals, and other
104 proposed new developments greater than fifty (50) dwelling units or five (5) acres,
105 whichever is lesser:

106 (a) Certificate by a registered professional engineer or architect that the
107 floodproofing methods are adequate to withstand the flood depths, pressures,
108 velocities, impact and uplift forces and other factors associated with the base flood,
109 and

110 (b) Base flood elevation data.

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114 **SECTION 3. SEVERABILITY.** If any provision of this ordinance or its application to
115 any person or circumstance is held invalid, the invalidity does not affect other provisions or
116 applications of this ordinance which can be given effect without the invalid provision or
117 application, and to this end the provisions of this ordinance are severable.

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119 **SECTION 4. REPEAL.** All ordinances or parts of ordinances previously adopted and
120 in conflict with this ordinance are hereby repealed.

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122 **SECTION 5. CODIFICATION.** The City Clerk and the City Attorney shall cause the
123 Code of the City of Orlando, Florida to be amended as provided by this ordinance and may
124 renumber, reletter, and rearrange the codified parts of this ordinance, if necessary, to facilitate
125 these changes.

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127 **SECTION 6. SCRIVENER'S ERROR.** The City Attorney may correct scrivener's
128 errors found in this ordinance by filing a corrected copy of this ordinance with the City Clerk.

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SECTION 7. EFFECTIVE DATE. This ordinance takes effect immediately upon final passage.

DONE, THE FIRST READING, by the City Council of the City of Orlando, Florida, at a regular meeting, this _____ day of _____, 2016.

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this _____ day of _____, 2016.

DONE, THE SECOND READING, AND ENACTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Council of the City of Orlando, Florida, at a regular meeting, this _____ day of _____, 2016.

BY THE MAYOR/MAYOR PRO TEMPORE OF
THE CITY OF ORLANDO, FLORIDA:

Mayor / Mayor Pro Tempore

ATTEST, BY THE CLERK OF THE
CITY COUNCIL OF THE CITY OF
ORLANDO, FLORIDA:

Amy Iennaco, Interim City Clerk

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

City Attorney

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