

OCOEE PLANNING AND ZONING COMMISSION

Ocoee Commission Chambers
1 N. Bluford Avenue
Ocoee, Florida

May 14, 2024

AGENDA

6:30 PM

REGULAR PLANNING AND ZONING COMMISSION MEETING

• CALL TO ORDER

Invocation

Pledge of Allegiance

Roll Call and Determination of Quorum

• CONSENT

1. Approval of Minutes from the Planning & Zoning Meeting held on April 9, 2024.

• OLD BUSINESS

• NEW BUSINESS

1. 338 N. Bluford Avenue - Rodriguez Property Small Scale Comprehensive Plan Future Land Use Map Amendment from LDR (Low Density Residential) to COMM (Commercial) and corresponding Rezoning from R-1AA (Single Family Dwelling) to C-2 (Community Commercial); Project No(s). CPA-2024-005 & RZ-24-03-04 (**Development Services Director Rumer**)
2. Fountains West PUD - 2nd Substantial Amendment to Lot 8 of Fountains West PUD (Planned Unit Development) (**Zoning Manager Whitfield**)
3. Amendment to the Ocoee Land Development Code (LDC) pertaining to Part IA, Article VII, Floodplain Management (**Zoning Manager Whitfield**)

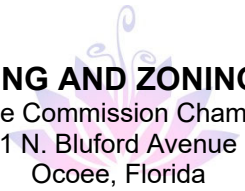
• MISCELLANEOUS

1. Project Status Report

• ADJOURNMENT

Notice: Any person who desires to appeal any decision at this meeting will need a record of the proceedings and for this purpose may need to ensure that a verbatim record of the proceedings is made which includes testimony and evidence upon which the appeal is based. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office 48 hours in advance of the meeting.

MORE THAN ONE COMMISSIONER MAY PARTICIPATE OR HEAR DISCUSSIONS REGARDING A MATTER WHICH WILL COME BEFORE THE COMMISSION FOR ACTION.



OCOEE PLANNING AND ZONING COMMISSION

Ocoee Commission Chambers
1 N. Bluford Avenue
Ocoee, Florida

April 9, 2024

MINUTES

6:30 PM

REGULAR PLANNING AND ZONING COMMISSION MEETING

• CALL TO ORDER

Chair Lomneck called the regular session to order at 6:30 PM in the Commission Chambers of City Hall. The invocation was led by **Chair Lomneck**, followed by the Pledge of Allegiance to the Flag. **Recording Clerk Justice** called the roll and declared a quorum present.

Present: Chair Lomneck, Member Keller, Member Williams, Member Crocker, Alternate Member Chacon

Absent: Vice-Chair Forges

Also present: Zoning Manager Whitfield, Development Services Director Rumer, Board Attorney Johnson, and Recording Clerk Justice

• CONSENT AGENDA

1. Minutes of the Planning and Zoning Commission Meeting held on March 12, 2024.

(6:32 pm)

Motion for Approval of the Consent Agenda: Moved by Member Keller, Seconded by Member Williams; motion carried 5-0, with Vice-Chair Forges absent.

• OLD BUSINESS - None

• NEW BUSINESS

1. Ocoee Pickleball Complex – Vasant Sports LLC Special Exception; Project No. 03-24-SE-031 (**Zoning Manager Whitfield**)

Zoning Manager Whitfield presented a brief overview of the subject parcels and proposed development, and explained that per Table 5-1 in the Land Development Code, a Special Exception is required for outdoor commercial recreational uses on property with C-2 zoning. She conveyed that the proposed project meets the standards established by section 4-8B of Article IV, Land Development Code for the Special Exception to be granted. She explained that modifications to ingress/egress and circulation may be necessary at the time of site plan review and approval to accommodate fire truck movement. She also advised that staff has researched similar facilities because the Land Development Code does not set a parking standard for recreational uses. There are

concerns that the proposed parking ratio is insufficient; the Development Review Committee and staff recommend that the parking demand be evaluated at the time of site plan review and approval. Code does allow for alternative options such as shared or offsite parking.

Member Keller inquired if any thought has been given to rotating the pickleball courts, placing the outdoor courts on the south side of the property to deter noise from the residential subdivision to the north. **Zoning Manager Whitfield** responded that this had not been discussed and deferred to the applicant.

Chair Lomneck invited the applicant team to speak.

Chris Leppert, *Civil Engineer with Kimley Horn*, emphasized the importance of the number of courts for the project. He further explained that although the current plan was designed to achieve greater visibility from the surrounding roadways, the orientation of the buildings and layout of the courts is flexible and the applicant will work with staff to determine the best location.

Member Crocker inquired if there is only one entrance in and out, and what would happen in case of fire. **Mr. Leppert** addressed his question. Discussion ensued.

Chair Lomneck opened the public hearing. As no speaker forms were received, the public hearing was closed.

(6:45 pm)

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Approval of the Ocoee Pickleball Complex – Vasant Sports LLC Special Exception, Project Number 03-24-SE-031, subject to conditions as recommended by staff; Moved by Member Keller, Seconded by Member Williams; motion carried 4-1, with Member Crocker opposed and Vice-Chair Forges absent.

2. 789 Pine Street Small-Scale Comprehensive Plan Amendment from Low-Density Residential (LDR) to Light Industrial (LI) & Rezoning from Single-Family Dwelling (R-1A) to Restricted Manufacturing & Warehousing (I-1); Project Nos. CPA-2024-002 & RZ-24-02-01 (**Development Services Director Rumer**)

Development Services Director Rumer presented a brief overview of the subject property and its current and proposed future land use designation, zoning, and overlays. He further described that it is proposed to serve as the stormwater facility for the 606 Ocoee Apopka Road project.

Chair Lomneck inquired if the entire property would be used for stormwater. **Development Services Director Rumer** addressed his question. Discussion ensued.

The applicant was not present, so Chair Lomneck opened the public hearing.

Betty Hill, 793 Pine Street, lives next door to the subject property and remarked that multiple properties along Pine Street have been purchased recently and rezoned to Restricted Manufacturing and Warehousing [I-1]. She inquired about how all the recent zoning changes for surrounding properties would affect the remaining Pine Street residential properties, and asked if there were any future plans for additional properties to be purchased. **Development Services Director Rumer** addressed her questions. Discussion ensued.

Sara Boyle, 813 Pine Street, also lives adjacent to the subject parcel; she stated that her home is zoned for agriculture and she has horses on the property. She voiced concerns about industrial zoning near her home and its effect on her property and property value, as well as the retention [stormwater] pond's effect on the water quality for surrounding homes as they are all served by wells.

Chair Lomneck closed the public hearing.

Member Williams inquired if the stormwater were developed underground, could additional development occur aboveground. **Development Services Director Rumer** addressed her question.

Chair Lomneck handed the gavel over to Member Williams to make a motion himself.

(7:03 pm)

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Approval of the 789 Pine Street Small-Scale Comprehensive Plan Amendment from Low-Density Residential (LDR) to Light Industrial (LI), Project Number CPA-2024-002; Moved by Chair Lomneck, Seconded by Member Keller; motion carried 5-0, with Vice-Chair Forges absent.

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Approval of the 789 Pine Street Rezoning from Single-Family Dwelling (R-1A) to Restricted Manufacturing & Warehousing (I-1), Project Number RZ-24-02-01; Moved by Chair Lomneck, Seconded by Member Keller; motion carried 5-0, with Vice-Chair Forges absent.

3. 1102 & 1104 N. Lakewood Avenue – Lott Property Annexation; Project No. AX-03-24-01 (Zoning Manager Whitfield)

Zoning Manager Whitfield presented a brief overview of the subject parcels. The property is logical and eligible for annexation, and will further the City's efforts to reduce enclaves within the city limits. Rezoning to a City zoning classification has not been proposed at this time.

Member Keller observed a narrow parcel shown along the south side of the subject property on the Future Land Use Map, which is not encompassed by the subject property,

nor the parcel to the south. He inquired if this would cause any issues down the road with the narrow parcel being zoned Low Density Residential in between two (2) parcels zoned Light Industrial. **Zoning Manager Whitfield** advised she believes there is a slight mapping error and addressed his question.

The applicant did not wish to speak, so Chair Lomneck opened the public hearing. As no speaker forms were received, the public hearing was closed.

(7:09 pm)

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Approval of the 1102 & 1104 N. Lakewood Avenue – Lott Property Annexation, Project Number AX-03-24-01; Moved by Member Williams, Seconded by Alternate Member Chacon; motion carried 5-0, with Vice-Chair Forges absent.

4. 1305 & 1113 Ocoee Apopka Road - MDTL Enterprise LLC Property Annexation; Project No. AX-03-24-02 (**Zoning Manager Whitfield**)

Zoning Manager Whitfield presented a brief overview of the subject parcels. The property is logical and eligible for annexation, and will further the City's efforts to reduce enclaves within the city limits. Rezoning to a City zoning classification has not been proposed at this time.

The Board had no comments or questions.

The applicant did not wish to speak, so Chair Lomneck opened the public hearing. As no speaker forms were received, the public hearing was closed.

(7:11 pm)

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Approval of the 1305 & 1113 Ocoee Apopka Road – MDTL Enterprise LLC Property Annexation, Project Number AX-03-24-02; Moved by Alternate Member Chacon, Seconded by Member Williams; motion carried 5-0, with Vice-Chair Forges absent.

5. 1059 Ocoee Apopka Road – Rodgers Property Annexation; Project No. AX-03-24-03 (**Zoning Manager Whitfield**)

Zoning Manager Whitfield presented a brief overview of the subject parcel. The property is logical and eligible for annexation, and will further the City's efforts to reduce enclaves within the city limits. Rezoning to a City zoning classification has not been proposed at this time.

The Board had no comments or questions.

The applicant did not wish to speak, so Chair Lomneck opened the public hearing. As no speaker forms were received, the public hearing was closed.

(7:12 pm)

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Approval of the 1059 Ocoee Apopka Road – Rodgers Property Annexation, Project Number AX-03-24-03; Moved by Member Williams, Seconded by Member Keller; motion carried 5-0, with Vice-Chair Forges absent.

6. MDTL Enterprise LLC Property Annexation; Project No. AX-03-24-04 (**Zoning Manager Whitfield**)

Zoning Manager Whitfield presented a brief overview of the subject parcels. The property is logical and eligible for annexation, and will further the City's efforts to reduce enclaves within the city limits. Rezoning to a City zoning classification has not been proposed at this time.

The Board had no comments or questions.

The applicant did not wish to speak, so Chair Lomneck opened the public hearing. As no speaker forms were received, the public hearing was closed.

(7:14 pm)

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Approval of the MDTL Enterprise LLC Property Annexation, Project Number AX-03-24-04; Moved by Member Williams, Seconded by Alternate Member Chacon; motion carried 5-0, with Vice-Chair Forges absent.

7. 1 Taylor Street Small-Scale Comprehensive Plan FLU Amendment from Heavy Industrial (HI) to Commercial (COMM) & Rezoning from Restricted Manufacturing and Warehousing (I-1) to Community Commercial (C-2); Project Nos. CPA-2024-004 & RZ-24-03-02 (**Development Services Director Rumer**)

Development Services Director Rumer presented a brief overview of the subject parcel, which is located within the City's Downtown Redevelopment Area (DRA) and was purchased by the City in January, removing years of Code violations. The Land Use Amendment and Rezoning are proposed to ensure the property entitlements remain only for commercial, office, retail, and restaurant uses, which are in line with the vision and future planning of the City Downtown Master Plan.

The Board had no comments or questions.

Chair Lomneck opened the public hearing. As no speaker forms were received, the public hearing was closed.

(7:16 pm)

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Approval of the 1 Taylor Street Small-Scale Comprehensive Plan FLU Amendment from Heavy Industrial (HI) to Commercial (COMM), Project Number CPA-2024-004; Moved by Member Keller, Seconded by Member Williams; motion carried 5-0, with Vice-Chair Forges absent.

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Approval of the 1 Taylor Street Rezoning from Restricted Manufacturing and Warehousing (I-1) to Community Commercial (C-2), Project Number RZ-24-03-02; Moved by Member Keller, Seconded by Member Williams; motion carried 5-0, with Vice-Chair Forges absent.

• **MISCELLANEOUS**

1. Project Status Report

Development Services Director Rumer updated the Board with the following:

- Ocoee Village:
 - The apartments have been finalized and CO'd
 - Lakewood Avenue is open at Clarcona Ocoee Road
 - 7-11 is and the strip center that will have Chipotle are coming along
- Orange Technical College campus is nearing completion
- Ocoee Crown Point Mixed Use project is kicking off
- The front three (3) buildings are starting to be checked off for the industrial project on Ocoee Apopka Road near Demastus Lane
- The Alibi project has been inspected and finalized
- A hotel has been proposed off of West Road
- The hotel on Hwy 50 is wrapping up
- The Comprehensive Plan update is in process
- The Land Development Code update has kicked off

• **ADJOURNMENT – 7:20 PM**

ATTEST:

APPROVED:

Miranda Justice, Recording Clerk

Brad Lomneck, Chair



CITY OF OCOEE
PLANNING & ZONING COMMISSION
(Local Planning Agency)

STAFF REPORT

Meeting Date: May 14, 2024
Item #: 1

Contact Name: Michael Rumer, Development Services Director

Department Director: Michael Rumer

Subject: 338 N. Bluford Avenue - Rodriguez Property Small Scale Comprehensive Plan Future Land Use Map Amendment from LDR (Low Density Residential) to COMM (Commercial) and corresponding Rezoning from R-1AA (Single Family Dwelling) to C-2 (Community Commercial); Project No(s). CPA-2024-005 & RZ-24-03-04 (**Development Services Director Rumer**)

ISSUE: Owner/Applicant: Ana Rodriguez

General Location: The property is located within Commission District 2 on the west side of N. Bluford Avenue and north of W. Silver Star Road.

Property Size and Parcel ID No.: The property contains approximately 0.44 acres and is assigned parcel identification number 18-22-28-4100-00-131.

Actual land use, proposed land use, and unique features of the subject property: 338 N. Bluford Ave is located north of the City's Downtown Redevelopment Area. The property is located in an area that is transitioning to commercial.

Existing Site Conditions: The table below summarizes the existing conditions of the property.

Current Future Land Use (FLU) Map Designation	Current Zoning District	Existing Land Use	Overlays/Unique Features
LDR (Low Density Residential)	R-1AA (Single-Family Dwelling)	Vacant	Adjacent to Downtown Redevelopment Area Overlay District & Wekiva Study Area

The property is surrounded by the following: jurisdictions, Future Land Use Map designations, zoning districts and land uses.

Direction	Jurisdiction	FLUM Designation	Zoning District	Existing Land Use
North	City	LDR (Low Density Residential)	R-1AA (Single-Family)	Single-Family Dwelling
South	City	LDR (Low Density Residential)	R-1AA (Single-Family)	Single-Family Dwelling
East	City	LDR (Low Density Residential)	R-1AA (Single-Family)	Single-Family Dwelling
West	City	LDR (Low Density Residential)	R-1AA (Single-Family)	Single-Family Dwelling

Proposed Site Conditions: The table below summarizes the applicant's request and potential development on the subject property.

Proposed FLUM Designation	Proposed Zoning District	Proposed Use	Proposed Development Standards
COMM (Commercial)	C-2 (Community Commercial)	None	Downtown Master Plan

Consistency with Florida Statutes: Yes

Consistency with JPA Agreement: Yes

Consistency with Adopted Comprehensive Plan: The property is located within the Downtown Redevelopment Area (DRA), which is intended to attract reinvestment in the downtown area of Ocoee through flexible development regulations and innovative designs. Development of the downtown should include mixed uses and various forms of residential uses.

Access: Access will continue to be Bluford Ave.

Utilities: Potable Water and sewer is in the area. There may be conflicts or high cost to connect to sewer.

Transportation: N/A

Stormwater: N/A

Schools: N/A

Public Safety: N/A

BACKGROUND SUMMARY: Should the Planning & Zoning Commission (PZC), acting as the Local Planning Agency (LPA), recommend approval for a Small-Scale Comprehensive Plan Future Land Use Map Amendment from LDR (Low Density Residential) to COMM (Commercial) and corresponding Rezoning from R-1AA (Single Family Dwelling) to C-2 (Community Commercial District) for 338 N. Bluford Avenue - Rodriguez Property?

RECOMMENDATIONS: Development Review Committee (DRC) Recommendation:

The Development Review Committee (DRC) met on Tuesday, May 7, 2024, to consider the application for a Small-Scale Comprehensive Plan Future Land Use Map Amendment (CPA) and Rezoning. The DRC made a recommendation of approval of the proposed Small Scale Comprehensive Plan Amendment from LDR (Low Density Residential) to COMM (Commercial) and corresponding Rezoning from R-1AA (Single-Family Dwelling District) to C-2 (Community Commercial District) for the property located at 338 N. Bluford Avenue - Rodriguez Property.

Staff Recommendations:

Staff recommends that the Planning & Zoning Commission (PZC), acting as the Local Planning Agency (LPA), make a recommendation of approval for the Small-Scale Comprehensive Plan Future Land Use Map Amendment from LDR (Low Density Residential) to COMM (Commercial) and corresponding Rezoning from R-1AA (Single Family Dwelling District) to C-2 (Community Commercial District) for the property located at 338 N. Bluford Avenue - Rodriguez Property.

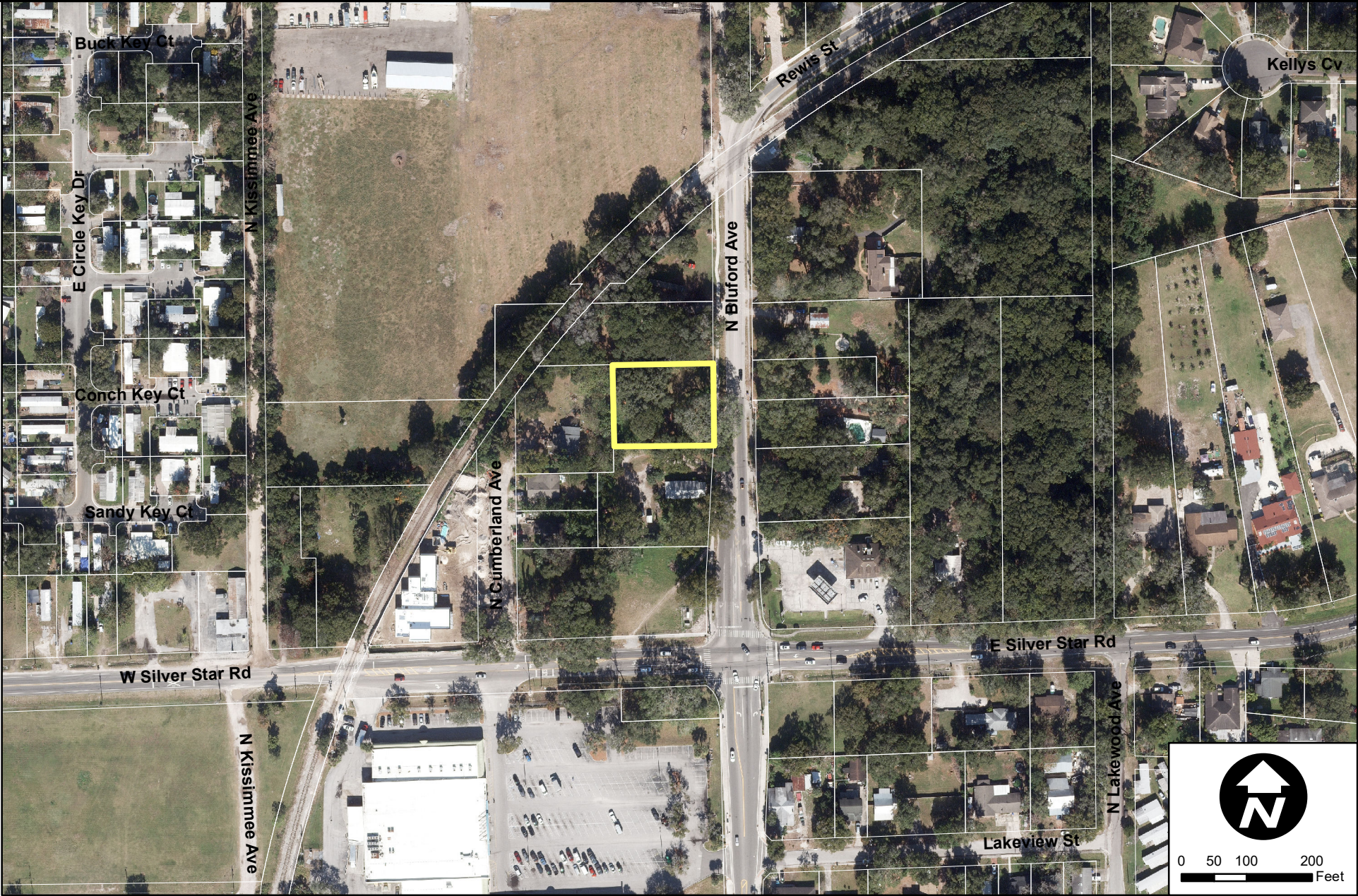
ATTACHMENTS:

1. Location Map
2. Aerial Map
3. FLU Map
4. Surrounding Zoning Map
5. SSCPA Ordinance - 338 N. Bluford Ave
6. Rezoning Ordinance - 338 N. Bluford Ave
7. WOT 338 N BLUFORD

**338 N Bluford Ave Small Scale Map
Amendment & Rezoning
Location Map**



338 N. Bluford Ave. Small Scale Land Use Amendment
and Rezoning
Aerial Photography



338 N. Bluford Ave Small Scale Land Use Amendment & Rezoning Surrounding Future Land Use Map



Development Services
Department

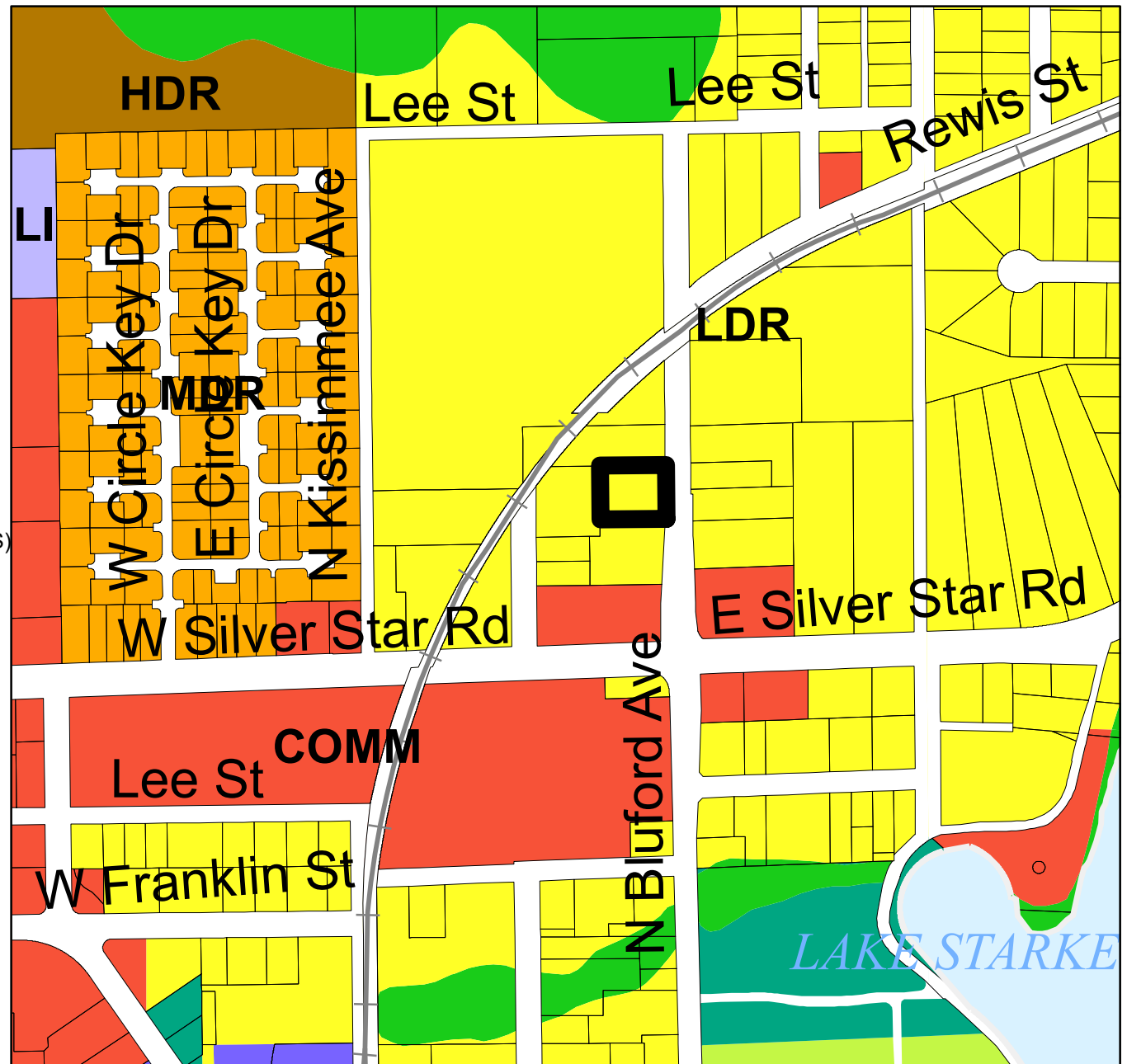
0 90 180 360
Feet

Created: May 2024

 Subject Property

Future Land Use Classification:

-  Low Density Residential (LDR)
-  Medium Density Residential (MDR)
-  High Density Residential (HDR)
-  Professional Offices and Services (PS)
-  Commercial (COMM)
-  Light Industrial (LI)
-  Heavy Industrial (HI)
-  Conservation/Floodplains (CONS)
-  Recreation and Open Space (REC)
-  Public Facilities/Institutional (INST)



338 N. Bluford Ave Surrounding Zoning Map



Development Services
Department

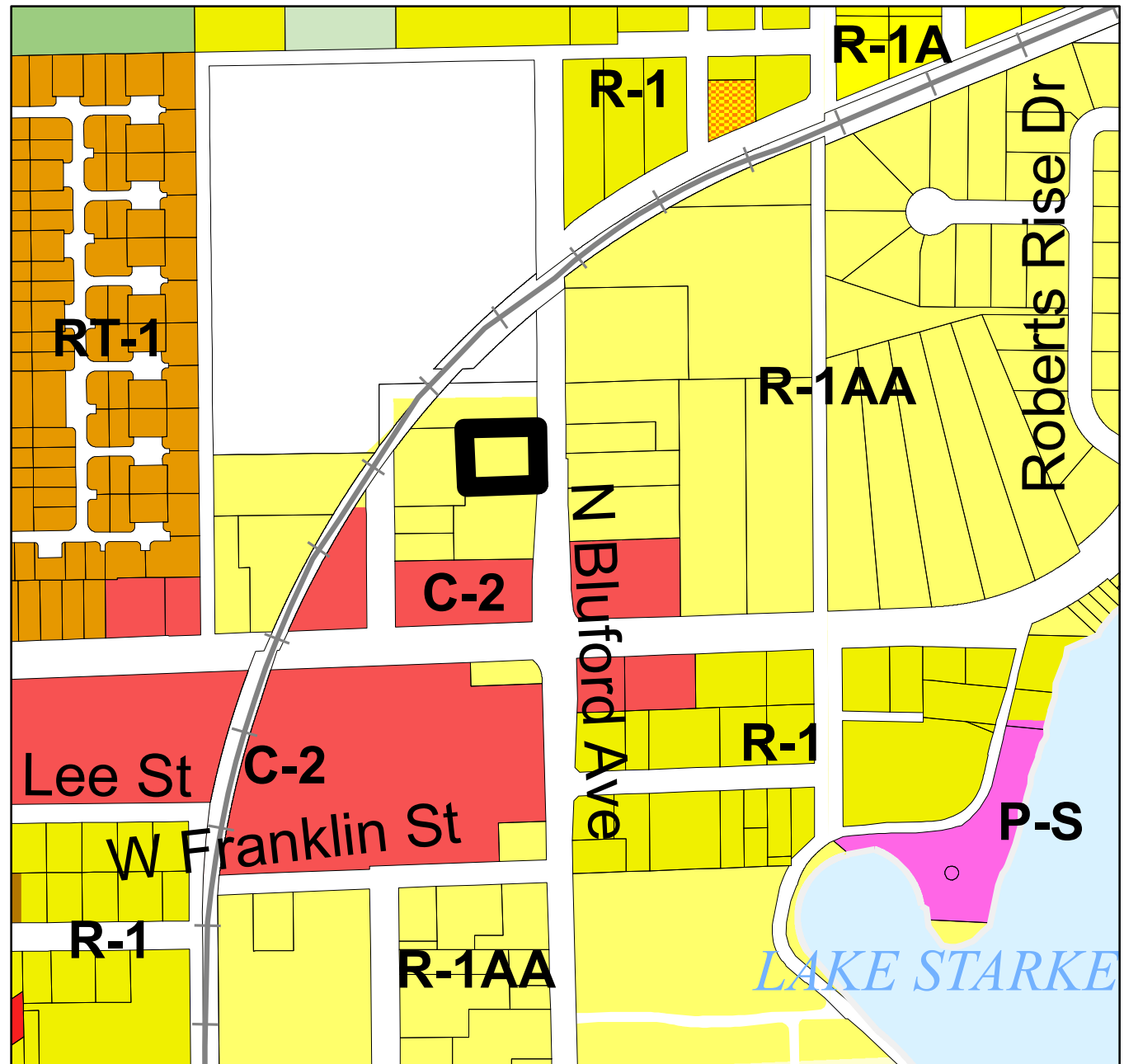
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Feet

Created: May 2024

 Subject Property

Zoning Classification:

-  General Agricultural (A-1)
-  Suburban (A-2)
-  Single-Family Dwelling (R-1AAA)
-  Single-Family Dwelling (R-1AA)
-  Single-Family Dwelling (R-1A)
-  Single-Family Dwelling (R-1)
-  One- & Two-Family Dwelling (R-2)
-  Multiple-Family Dwelling (R-3)
-  Mobile Home Subdivision (RT-1)
-  Professional Offices & Services (P-S)
-  Neighborhood Shopping (C-1)
-  Community Commercial (C-2)
-  General Commercial (C-3)
-  Restricted Manufacturing & Warehousing (I-1)
-  General Industrial (I-2)
-  Commercial (PUD)
-  Low Density (PUD)
-  Medium Density (PUD)
-  High Density (PUD)
-  Public Use (PUD)
-  Unclassified



**ORDINANCE NO. 2024-
(Small-Scale Comprehensive Plan Amendment – 338 N. Bluford Ave.)**

TAX PARCEL ID: 18-22-28-4100-00-131

CASE NO. CPA-2024-005: 338 N. Bluford Ave Small-Scale Comprehensive Plan Amendment

AN ORDINANCE OF THE CITY OF OCOEE, FLORIDA, AMENDING THE CITY OF OCOEE COMPREHENSIVE PLAN AS ADOPTED IN 1991, AS AMENDED; AMENDING THE FUTURE LAND USE MAP OF THE OCOEE COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM LOW DENSITY RESIDENTIAL TO COMMERCIAL FOR CERTAIN REAL PROPERTY CONTAINING APPROXIMATELY 0.44 ACRES LOCATED AT 338 N. BLUFORD AVE, ON THE WEST SIDE OF N. BLUFORD AVE., APPROXIMATELY 334 FEET NORTH OF E. SILVER STAR RD.; PROVIDING FOR AND AUTHORIZING THE REVISION OF THE OFFICIAL CITY FUTURE LAND USE MAP; PREVAILING IN THE EVENT OF ANY INCONSISTENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Ocoee (the “Ocoee City Commission”) has adopted the City’s Comprehensive Plan (the “Ocoee Comprehensive Plan”) by Ordinance No. 91-28 on September 18, 1991, pursuant to Chapter 163, Part II, Florida Statutes, the Growth Policy Act (the “Act”); and

WHEREAS, Chapter 163, Part II, Florida Statutes, sets forth procedures and requirements for a local government to adopt a comprehensive plan and amendments thereto; and

WHEREAS, the owner (the “Applicant”) of certain real property located within the corporate limits of the City of Ocoee, Florida, assigned tax parcel identification number 18-22-28-4100-00-131, more particularly described in **Exhibit “A”** and depicted in **Exhibit “B”**, has submitted an application to the Ocoee City Commission to amend the Comprehensive Plan Future Land Use designation (the “Comprehensive Plan Amendment”) of said real property from Low Density Residential to Commercial; and

WHEREAS, pursuant to Section 5-9(C) of Article V of the Land Development Code of the City of Ocoee, Florida, the Development Services Director has reviewed said Comprehensive Plan Amendment application and determined that said Comprehensive Plan Amendment is consistent with the Ocoee Comprehensive Plan, as amended from time to time; and

WHEREAS, pursuant to Section 163.3174(4)(a), Florida Statutes, the City’s Local Planning Agency (LPA) conducted a publicly noticed and advertised public hearing on Tuesday, May 14, 2024, to consider and make recommendation of said proposed Comprehensive Plan Amendment; and

WHEREAS, pursuant to Section 163.3184(11), Florida Statutes, on Tuesday, June 18, 2024, the Ocoee City Commission held a de novo advertised public hearing with respect to the proposed Comprehensive Plan Amendment and determined, after consideration of public comments, that the proposed Comprehensive Plan Amendment is consistent with the Ocoee Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF OCOEE, FLORIDA, AS FOLLOWS:

SECTION 1. RECITALS. The foregoing recitals are hereby ratified and confirmed as true and correct and incorporated herein by this reference.

SECTION 2. AUTHORITY. The City Commission of the City of Ocoee has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapters 163 and 166, Florida Statutes.

SECTION 3. COMPREHENSIVE PLAN AMENDMENT. The Future Land Use Map within the Future Land Use Element of the Ocoee Comprehensive Plan is hereby amended to change the future land use designation of the Subject Property, as particularly described in Exhibit “A” and depicted in Exhibit “B”, from Low Density Residential (LDR) to Commercial (COMM).

SECTION 4. COMPREHENSIVE PLAN. The City Clerk is hereby authorized and directed to revise the adopted Future Land Use Map of the City of Ocoee in order to incorporate the Comprehensive Plan Amendment enacted by this Ordinance.

SECTION 5. CONFLICTING ORDINANCES. This ordinance prevails in the event of any inconsistency with all ordinances or parts of ordinances in conflict herewith.

SECTION 6. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion hereto.

SECTION 7. EFFECTIVE DATE. This Ordinance shall become effective thirty-one (31) days after adoption, unless challenged prior to that date pursuant to Section 163.3187(5), Florida Statutes.

PASSED AND ADOPTED this _____ day of _____, 2024.

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ATTEST:

**APPROVED:
CITY OF OCOEE, FLORIDA**

Melanie Sibbitt, City Clerk

Rusty Johnson, Mayor

(SEAL)

ADVERTISED _____, 2024
READ FIRST TIME _____, 2024.
READ SECOND TIME AND ADOPTED
_____, 2024.
UNDER AGENDA ITEM NO. _____

**FOR USE AND RELIANCE ONLY BY THE
CITY OF OCOEE, FLORIDA; APPROVED AS
TO FORM AND LEGALITY**

this _____ day of _____, 2024.

FISHBACK DOMINICK

By: _____
City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION

THE EAST 154.00 FEET OF LOT 13 & LOT 14, RUBEN KEGLERS SUB A/ 118

EXHIBIT "B"



**ORDINANCE NO. 2024-
(Rezoning Ordinance – 338 N. Bluford Ave)**

TAX PARCEL ID: 18-22-28-4100-00-131

CASE NO. RZ-24-03-04: 338 N. Bluford Ave

AN ORDINANCE OF THE CITY OF OCOEE, FLORIDA, CHANGING THE ZONING CLASSIFICATION FROM R-1AA (SINGLE-FAMILY DWELLING DISTRICT) TO C-2 (COMMUNITY COMMERCIAL DISTRICT) ON CERTAIN REAL PROPERTY CONTAINING APPROXIMATELY 0.44 ACRES LOCATED AT 338 N. BLUFORD AVE, ON THE WEST SIDE OF N. BLUFORD AVE., APPROXIMATELY 334 FEET NORTH OF E. SILVER STAR RD.; FINDING SAID ZONING TO BE CONSISTENT WITH THE OCOEE COMPREHENSIVE PLAN; PROVIDING FOR AND AUTHORIZING THE REVISION OF THE OFFICIAL CITY ZONING MAP; PREVAILING IN THE EVENT OF ANY INCONSISTENCY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner (the “Applicant”) of certain real properties located within the corporate limits of the City of Ocoee, Florida, as hereinafter described, has submitted an application to the City Commission of the City of Ocoee, Florida (the “Ocoee City Commission”) to rezone said real property (the “Rezoning”); and

WHEREAS, the Applicant seeks to rezone certain real properties containing approximately 0.44 acres, more particularly described in **Exhibit “A”** attached hereto and by this reference made a part hereof, from R-1AA (Single-Family Dwelling District) to C-2 (Community Commercial District); and

WHEREAS, pursuant to Section 5-9(B) of Article V of the Land Development Code of the City of Ocoee, Florida (the “Ocoee City Code”), the City Development Services Director has reviewed said Rezoning application and determined that the Rezoning is consistent with the City of Ocoee Comprehensive Plan as set forth in Ordinance No. 91-28, adopted September 18, 1991, as amended (the “Ocoee Comprehensive Plan”); and

WHEREAS, said Rezoning application was scheduled for review and recommendation by the Planning and Zoning Commission of the City of Ocoee, Florida (the “Planning and Zoning Commission”), acting as the Local Planning Agency; and

WHEREAS, on May 14, 2024, the Planning and Zoning Commission held a public hearing and reviewed said Rezoning application for consistency with the Ocoee Comprehensive Plan and determined that the Rezoning is consistent with the Ocoee Comprehensive Plan and is in the best interest of the City, and recommended to the Ocoee City Commission that the zoning classification of said real property be rezoned as requested by the Applicant and that the Ocoee City Commission

find that the Rezoning requested by the Applicant to be consistent with the Ocoee Comprehensive Plan; and

WHEREAS, on June 18, 2024, the Ocoee City Commission held a de novo advertised public hearing with respect to the proposed Rezoning of said real property and determined that the Rezoning is consistent with the Ocoee Comprehensive Plan; and

WHEREAS, this Ordinance has been considered by the Ocoee City Commission in accordance with the procedures set forth in Section 166.041(3)(a), Florida Statutes.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF OCOEE, FLORIDA, AS FOLLOWS:

SECTION 1. AUTHORITY. The Ocoee City Commission has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapters 163 and 166, Florida Statutes.

SECTION 2. REZONING. The zoning classification, as defined in the Ocoee City Code, of the Properties described in **Exhibit “A”** containing approximately 0.44 acres located within the corporate limits of the City of Ocoee, Florida, is hereby changed from R-1AA (Single Family Dwelling District) to C-2 (Community Commercial District). A map of said land herein described which clearly shows the area of the Rezoning is attached hereto as **Exhibit “B”** and by this reference is made a part hereof.

SECTION 3. COMPREHENSIVE PLAN. The Ocoee City Commission hereby finds the Rezoning of the lands described in this Ordinance to be consistent with the Ocoee Comprehensive Plan.

SECTION 4. ZONING MAP. The City Clerk is hereby authorized and directed to revise the Official Zoning Map of the City of Ocoee in order to incorporate the Rezoning enacted by this Ordinance, and the Mayor and City Clerk are hereby authorized to execute said revised Official Zoning Map in accordance with the provisions of Section 5-1(G) of Article V of the Ocoee City Code.

SECTION 5. CONFLICTING ORDINANCES. This ordinance prevails in the event of any inconsistency with all ordinances or parts of ordinances in conflict herewith.

SECTION 6. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion hereto.

SECTION 7. EFFECTIVE DATE. This Ordinance shall become effective ten (10) days after its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2024.

ATTEST:

**APPROVED:
CITY OF OCOEE, FLORIDA**

Melanie Sibbitt, City Clerk

Rusty Johnson, Mayor

(SEAL)

ADVERTISED _____, 2024
READ FIRST TIME _____, 2024.
READ SECOND TIME AND ADOPTED
_____, 2024.
UNDER AGENDA ITEM NO. _____

**FOR USE AND RELIANCE ONLY BY THE
CITY OF OCOEE, FLORIDA; APPROVED AS
TO FORM AND LEGALITY**
this _____ day of _____, 2024.

FISHBACK DOMINICK

By: _____
City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION

THE EAST 154.00 FEET OF LOT 13 & LOT 14, RUBEN KEGLERS SUB A/ 118

EXHIBIT "B"



West Orange Times c/o Business Observer

1970 Main Street
3rd Floor
Sarasota, FL 34236
, 941-906-9386 x322

INVOICE

Legal Advertising

CITY OF OCOEE

NOTICE OF PUBLIC HEARING TO CONSIDER THE 338 N. BLUFORD AVENUE – RODRIGUEZ PROPERTY SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT FROM LOW-DENSITY RESIDENTIAL (LDR) TO COMMERCIAL (COMM) & REZONING FROM SINGLE-FAMILY DWELLING (R-1AA) TO COMMUNITY COMMERCIAL (C-2)

CASE NUMBER: CPA-2024-005 & RZ-24-03-04

NOTICE IS HEREBY GIVEN, pursuant to Article I, Sections 1-8, 1-9 and 1-10, and Article V, Section 5-9, of the City of Ocoee Land Development Code that on **TUESDAY, MAY 14, 2024, AT 6:30 P.M.** or as soon thereafter as practical, the **OCOEE PLANNING & ZONING COMMISSION** will hold a **PUBLIC HEARING** at the City of Ocoee Commission Chambers located at 1 North Bluford Avenue, Ocoee, Florida, to consider a Small-Scale Comprehensive Plan Amendment from Low-Density Residential (LDR) to Commercial (COMM) & Rezoning from Single-Family Dwelling (R-1AA) to Community Commercial (C-2) for 338 N. Bluford Avenue – Rodriguez Property. The property is assigned Parcel ID #18-22-28-4100-00-131 and consists of approximately 0.44 acres. The property is located on the west side of N. Bluford Ave., approximately 334 feet north of E. Silver Star Rd. at the intersection of N. Bluford Ave.

Interested parties may appear at the public hearing and be heard with respect to the proposed action. The complete case file may be inspected at the Ocoee Development Services Department, located at 1 North Bluford Avenue, Ocoee, Florida, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except for legal holidays. The Planning and Zoning Commission may continue the public hearing to other dates and times as it deems necessary. Any interested party shall be advised that the dates, times, and places of any continuation of these or continued public hearings shall be announced during the hearings and that no further notices regarding these matters will be published. You are advised that any person who desires to appeal any decision made during the public hearings will need a record of the proceedings and, for this purpose, may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based. Persons with disabilities needing assistance to participate in any of the proceedings should contact the City Clerk's Office 48 hours in advance of the meeting at (407) 905-3105.

May 2, 2024

24-01454W

Attention: If you are a government agency and you believe that you qualify for a 15% discount to the second insertion of your notice per F.S. revision 50.061, please inform Kristen Boothroyd directly at 941-906-9386 x323.

NOTICE

The Business Observer makes every effort to ensure that its public notice advertising is accurate and in full compliance with all applicable statutes and ordinances and that its information is correct. Nevertheless, we ask that our advertisers scrutinize published ads carefully and alert us immediately to any errors so that we may correct them as soon as possible. We cannot accept responsibility for mistakes beyond bearing the cost of republishing advertisements that contain errors.



**CITY OF OCOEE
PLANNING & ZONING COMMISSION**
(Local Planning Agency)

STAFF REPORT

Meeting Date: May 14, 2024
Item #: 2

Contact Name: Anoch Whitfield, Zoning Manager **Department Director:** Michael Rumer
Subject: Fountains West PUD - 2nd Substantial Amendment to Lot 8 of Fountains West PUD (Planned Unit Development) **(Zoning Manager Whitfield)**

BACKGROUND SUMMARY:

Owner/Applicant: The property is owned by GW Real Estates LLC, represented by Larry Gaboury, and the applicant is Goodwill Industries of Central Florida.

Site Location: The property is within Commission District 1 and is generally located on the north side of Fountains West Boulevard, approximately 342 feet north of West Road.

Property Size & Parcel Identification Number: The property consists of 3.04 acres and is assigned parcel ID number 06-22-28-2863-01-0000.

Existing Site Conditions: The table below summarizes the existing site characteristics of the property.

Current Future Land Use Map (FLUM) Designation	Current Zoning District	Existing Land Use	Unique Features/Overlay Districts
Commercial (COMM) & Light Industrial (LI)	PUD-COMM	Vacant except for an access road to the self-storage facility on the adjacent site	None

The table below lists the jurisdictions, future land use designations, zoning districts, and existing uses of the surrounding properties.

Direction	Jurisdiction	Future Land Use Designation	Zoning	Existing Land Uses
North	City	Commercial & Light Industrial	PUD-COMM	Vacant
South	City	Commercial & Light Industrial	PUD-COMM & PUD-IND	Restaurant use along the southwest portion and retention area for a school along the southeast portion of the property
East	City	Light Industrial	PUD-COMM	Self-storage facility
West	City	Commercial	PUD-COMM	Stormwater pond

Proposed Development: The applicant is requesting an amendment to the 2nd Amendment to Lot 8 of the Fountains West PUD in order to increase the maximum building square footage for retail from 18,000 SF to 24,932 SF for the construction of a Goodwill Retail Store. No other changes are proposed relative to the PUD Land Use Plan or Conditions of Approval.

Transportation and Access: The proposed substantial PUD amendment is not anticipated to result in adverse traffic impacts or any changes to transportation access. The site will continue to utilize Fountains West Boulevard and the driveway on Tract B.

Utilities: The Utilities Department did not identify any concerns.

Stormwater: A storm water facility has been constructed within Lot 8 as part of the self-storage facility and will accommodate drainage from this development. Per the approved Land Use Plan for Lot 8, development of the subject property must comply with the approved 70% maximum impervious surface area.

Schools: N/A

Recreation and Open Space: N/A

ISSUE:

Should the Planning and Zoning Commission, acting as the Local Planning Agency, make a recommendation of approval for the proposed 2nd Substantial Amendment to Lot 8 of the Fountains West PUD to increase the maximum building square footage for retail from 18,000 SF to 24,932 SF on the property assigned parcel ID number 06-22-28-2863-01-0000 for purposes of constructing a Goodwill Retail Store?

RECOMMENDATIONS:

Development Review Committee (DRC) Recommendation:

The DRC met on this item on May 7, 2024. Following discussion regarding how the Goodwill Store will manage garbage/solid waste on the site, the DRC made a recommendation of approval of the 2nd Substantial Amendment to Lot 8 of the Fountains West PUD subject to the condition that, at the time of site plan review, the applicant provides documentation to support not having on-site dumpster facility to serve the use.

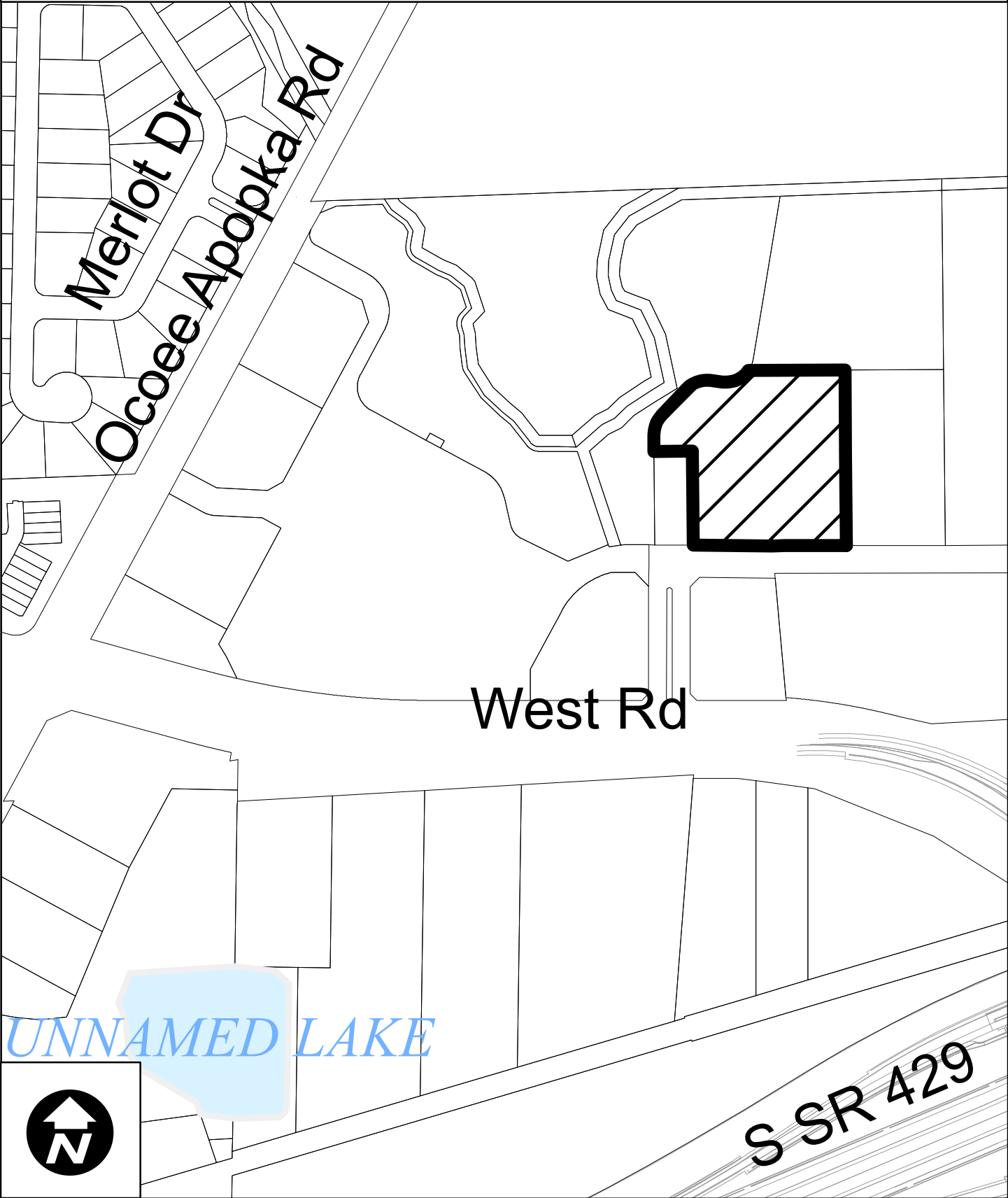
Staff Recommendation:

Staff recommends that the Planning and Zoning Commission, acting as the Local Planning Agency, make a recommendation of approval of the 2nd Substantial Amendment to Lot 8 of the Fountains West PUD to increase the maximum building square footage for retail from 18,000 SF to 24,932 SF on the property assigned parcel ID number 06-22-28-2863-01-0000 for purposes of constructing a Goodwill Retail Store subject to the condition that, at the time of site plan review, the applicant provides documentation to support not having on-site dumpster facility to serve the use.

ATTACHMENTS:

1. Lot 8 Substantial Amendment_Location Map
2. Lot 8 Substantial Amendment_Aerial Map
3. Lot 8 Substantial Amendment_FLUM Map
4. Lot 8 Substantial Amendment_Zoning Map
5. Fountains West PUD - Lot 8 Substantial Amendment LUP
6. Fountains West Substantial Amendment PUD Zoning Ord_2024
7. WOT PUD SUBSTANTIAL AMENDMENT LOT 8

**Fountains West PUD - Substantial Amendment to Lot 8
Location Map**



Fountains West PUD - Lot 8 Substantial Amendment

2022 Aerial Photography



Fountains West PUD - Lot 8 Substantial Amendment Surrounding Future Land Use Map



Development Services
Department

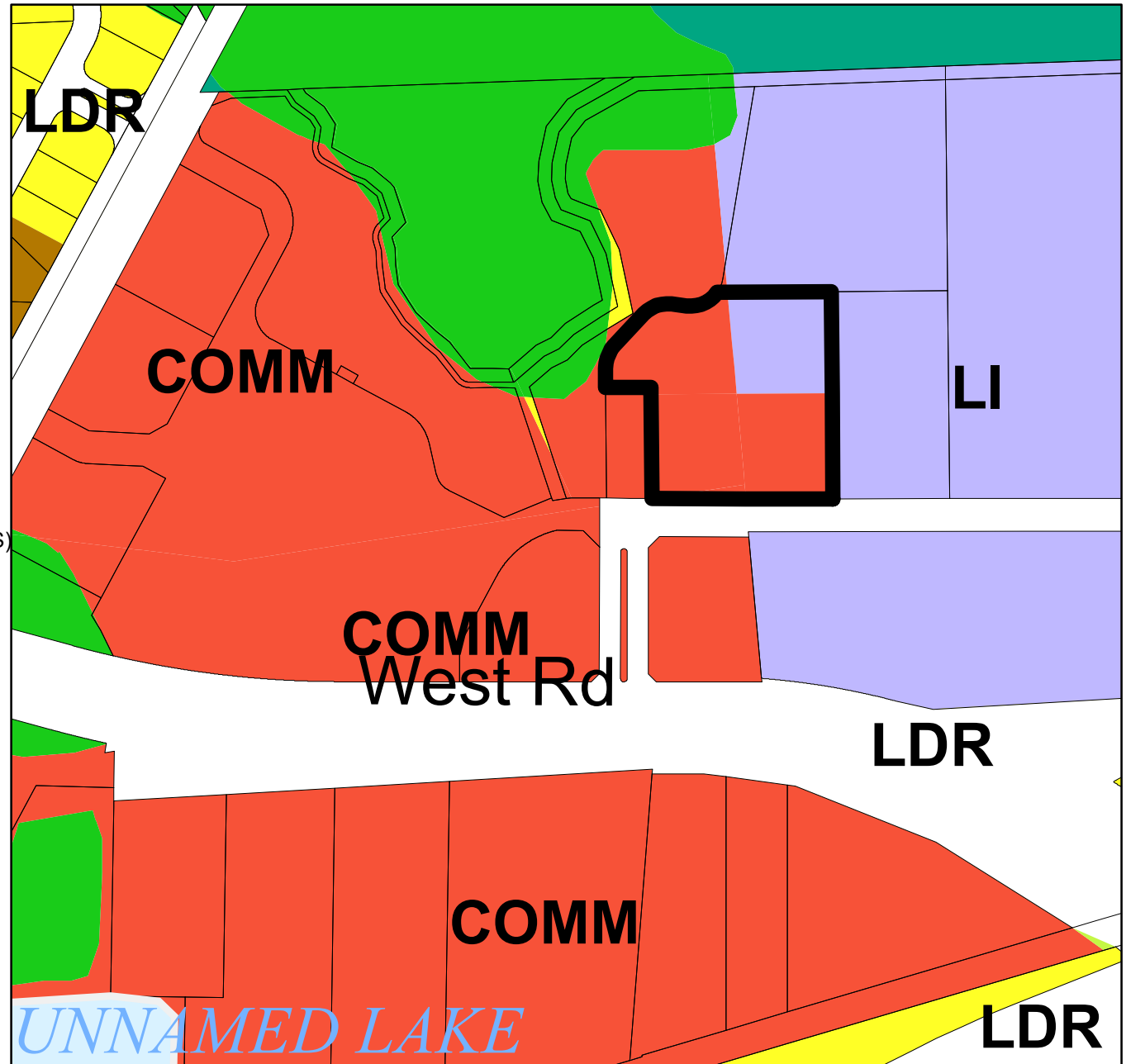
0 70 140 280
Feet

Created: month year

 Subject Property

Future Land Use Classification:

-  Low Density Residential (LDR)
-  Medium Density Residential (MDR)
-  High Density Residential (HDR)
-  Professional Offices and Services (PS)
-  Commercial (COMM)
-  Light Industrial (LI)
-  Heavy Industrial (HI)
-  Conservation/Floodplains (CONS)
-  Recreation and Open Space (REC)
-  Public Facilities/Institutional (INST)



Fountains West PUD - Lot 8 Substantial Amendment Surrounding Zoning Map



Development Services
Department

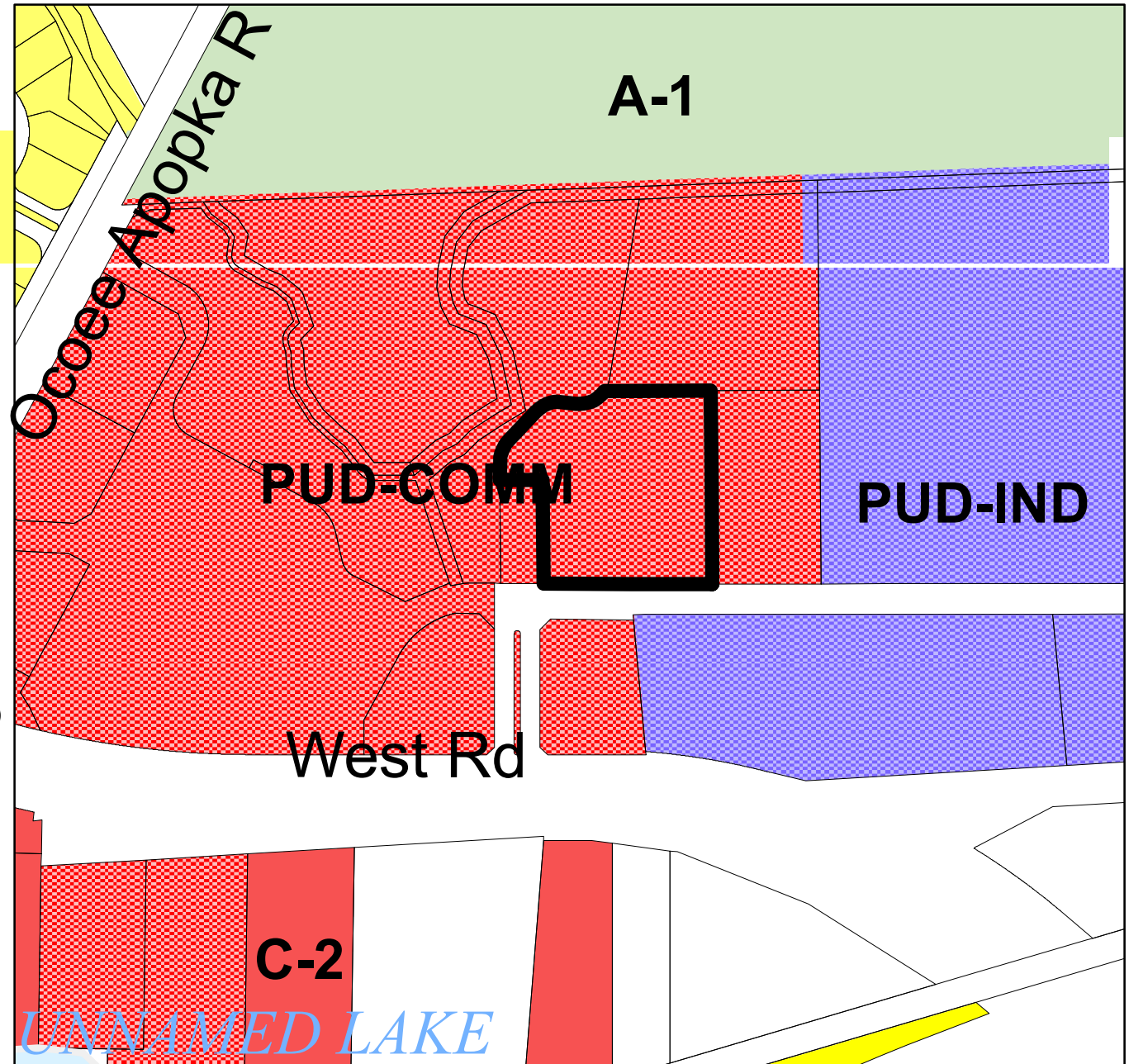
0 75 150 300
Feet

Created: month year

 Subject Property

Zoning Classification:

-  General Agricultural (A-1)
-  Suburban (A-2)
-  Single-Family Dwelling (R-1AAA)
-  Single-Family Dwelling (R-1AA)
-  Single-Family Dwelling (R-1A)
-  Single-Family Dwelling (R-1)
-  One- & Two-Family Dwelling (R-2)
-  Multiple-Family Dwelling (R-3)
-  Mobile Home Subdivision (RT-1)
-  Professional Offices & Services (P-S)
-  Neighborhood Shopping (C-1)
-  Community Commercial (C-2)
-  General Commercial (C-3)
-  Restricted Manufacturing & Warehousing (I-1)
-  General Industrial (I-2)
-  Commercial (PUD)
-  Low Density (PUD)
-  Medium Density (PUD)
-  High Density (PUD)
-  Public Use (PUD)
-  Unclassified



FOUNTAINS WEST PUD

MAJOR AMENDMENT

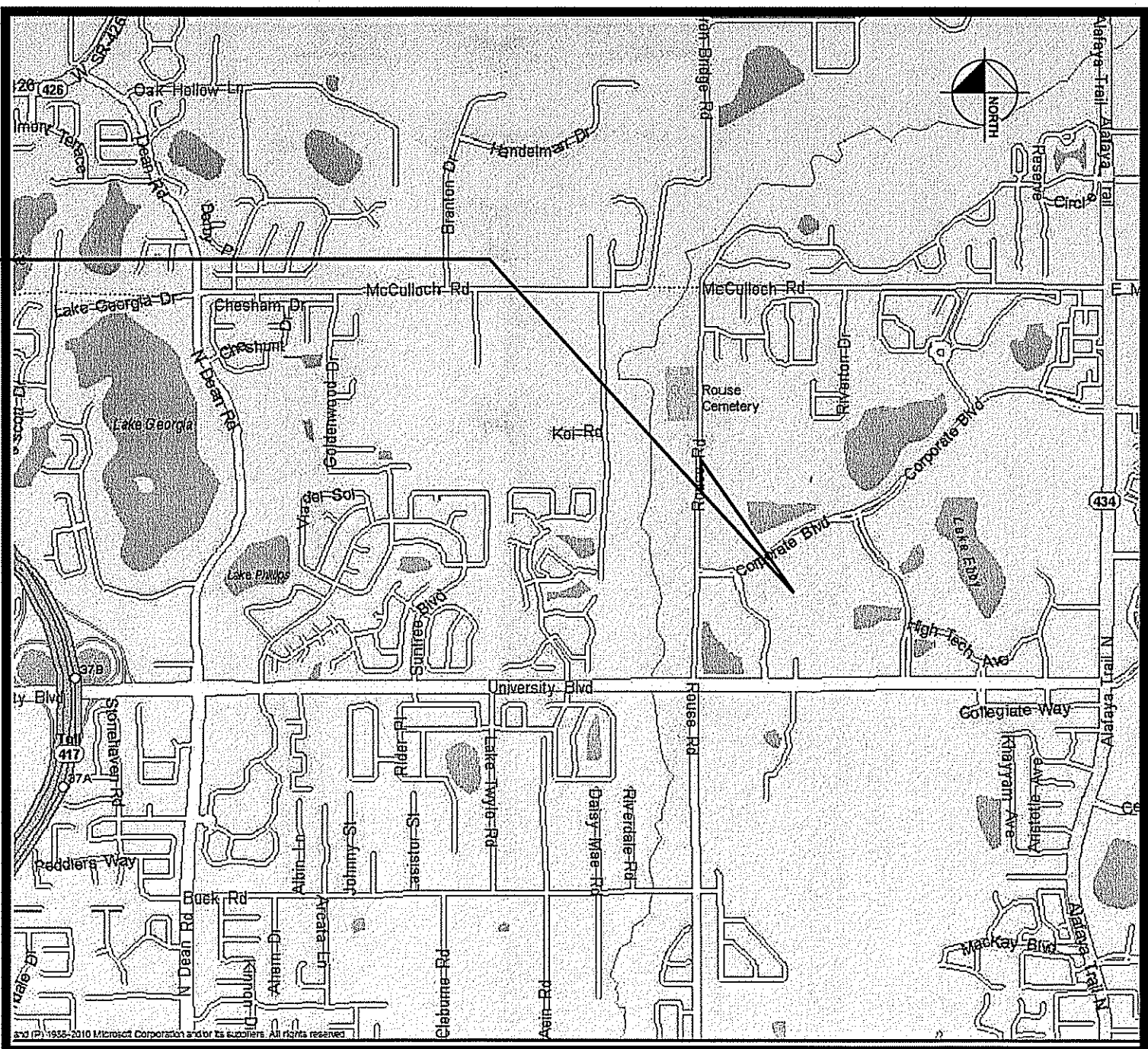
(LOT 8)

City of Ocoee, Florida

May 3, 2024

PARCEL NUMBERS EFFECTED BY CHANGE:
06-22-28-2856-08-000

PROJECT LOCATION



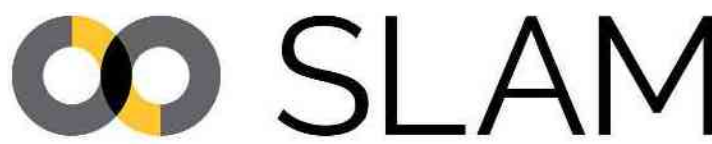
VICINITY MAP

SHEET INDEX

- LUP-1 COVER SHEET
- LUP-2 SITE DATA TABLE
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- C-7 ADJACENT PARCELS
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- C-12 LIGHTING DETAILS & CONCEPTUAL BUILDING ELEVATIONS
- SV-1 BOUNDARY AND TOPOGRAPHIC SURVEY FOR THE PARENT PARCELS
- SV-2 BOUNDARY AND TOPOGRAPHIC SURVEY FOR THE PARENT PARCELS



The S/L/A/M Collaborative

150 N. Orange Ave
Suite 420

Orlando, FL 32801

Phone: 407 992.6300

LUP-1

Plotted By: Spence, Robert Sheet Set: kha Layout: LUP-02.dwg K:\ORL_Civil\149876008-Ocoee Self Storage-Commercial\CADD\LANDUSE\PlanSheets\LUP-02.dwg
This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

Permitted Uses

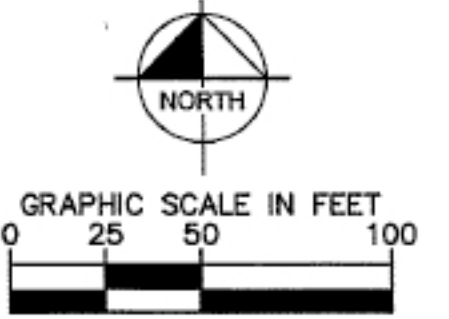
USE	Lots 1 & 2	Lots 3, 4 & 5	Lot 6	Lot 7	Lot 8
Appliance Store	*	*	*	*	*
Bank	*	*	*	*	
Bar (associated with restaurant seating 45 people)		*	*	*	
Car Wash (1)		*		*	*
Clinic, Dental or Medical	*	*	*	*	*
Commercial, Convenience with Gas Sales		*		*	
Commercial, Retail	*	*	*	*	*
Department Store			*		*
Drive in Restaurant (3)		*	*	*	*
Equipment Sales		*	*	*	*
Furniture Store	*	*	*	*	*
Grocery Store/Supermarket			*		
Heating, Ventilating, Plumbing Sales & Service		*	*	*	*
Interior Decorating Store	*	*	*	*	*
Liquor Store, No on-permise consumption		*	*	*	
Miniature Golf Course		*	*	*	*
Movie Theater			*		*
Music, Radio, TV Shop	*	*	*	*	*
Nursery/Garden Supply Store	*	*	*	*	*
Professional Offices	*	*	*	*	*
Restaurant	*	*	*	*	*
Self-Storage Facility					*
Veterinary Hospitals and Kennels when confined with structure	*	*	*	*	*
Child Care Facilities	*	*	*	*	*
Church (2)					*
Club or Community Use	*	*	*	*	*
Recreation Facility, Commercial		*	*	*	*
Permitted Use					
(1) Only as Accessory to Gas/Convenience Store Establishment					
(2) (2300 seats; 45' Steeple/Tower feature; ancillary uses such as church related offices, religious/book store; daycare facility and recreational building)					
(3) This use is not permitted for lot 3					

Approved PUD Waivers

CODE SECTION	CODE REQUIREMENTS	PROPOSED STANDARDS	JUSTIFICATION
LDC, Article VI Section 6-14.C.(1)(b)ii	No more than 50% of the linear roadway frontage shall be devoted to outparcels within a commercial development	70% frontage on Ocoee-Apopka Road in outparcels. No more than 50% frontage on West Road in outparcels	Additional Right-Of-Way dedication on Ocoee-Apopka Road and partial dedication for West Road Realignment on West Road.
LDC, Article VI Section 4-5.M.(3)	50 feet building setback on Ocoee-Apopka Road and West Road	25 feet building setback on Ocoee-Apopka Road and West Road	Additional Right-Of-Way dedication on Ocoee-Apopka Road and West Road

Development Standards

Lot #/Tract	Acerage	Use	FAR	Max. Impervious	Open Space	Max. Height	Max. Sq Ft./Other Use	Ownership & Maintenance Entity	Maximum ADT	Max. PM Peak Hour Trips	SETBACK/LANDSCAPE			ZONE	FLU
											Road	Abutting Lot/Tract	Internal Drive		
1	1.16	Commercial**	0.20	80%	20%	45 Feet	9,900.00	SUNTRUST BANK			25/15	10/5	10/10	PUD	Commerical
2	1.14	Commercial**	0.20	80%	20%	45 Feet	9,900.00	OCOE, LLC			25/15	10/5	10/10	PUD	Commerical
3	1.26	Commercial**	0.18	80%	20%	45 Feet	9,900.00	OCOE, LLC	Lots 1 through 7	Lots 1 through 7	25/15	10/10	10/10	PUD	Commerical
4	1.33	Commercial**	0.17	80%	20%	45 Feet	9,900.00	OCOE, LLC	ADT = 7,665	PM Peak = 708	25/15	N/A	10/10	PUD	Commerical
5	1.20	Commercial**	0.18	80%	20%	45 Feet	9,900.00	OCOE, LLC			25/15	10/10	N/A	PUD	Commerical
6	8.83	Commercial**	0.16	80%	20%	45 Feet	65,500.00	OCOE, LLC			25/15	10/0	N/A	PUD	Commerical
7	1.00	Commercial**	0.11	80%	20%	45 Feet	5,000.00	OCOE, LLC			25/15	10/10	N/A	PUD	Commerical
8	11.73	Public/Facilities/Institutional/Commercial	0.10	70%	30%	45 Feet	Church with 2,300 Seat Auditorium, Day Care Center, Recreational Building, Self Storage and Retail	Living Waters Church Ocoee, Inc	ADT = 519	PM Peak = 38	25/15	10/10 WORY, 10/0 All Others	N/A	PUD	Low Density Residential/ Light Industrial
Tract A	3.86	Wetland/Conservation	N/A				N/A	City of Ocoee							
Tract A1	0.44	25' Buffer Along Wetland	N/A				N/A	City of Ocoee							
Tract A2	0.43	25' Buffer Along Wetland	N/A				N/A	City of Ocoee							
Tract B	3.44	Retention For Lots 1-7	N/A				N/A	OCOE, LLC							
Tract C-1	0.98	Additional R/W West Rd.	N/A				N/A	Orange County*							
Tract C-2	2.68	Additional R/W West Rd.	N/A				N/A	Orange County*							
Tract C-3	0.18	Additional R/W West Rd.	N/A				N/A	Orange County*							
Tract D	0.48	Additional R/W Ocoee Apopka Rd.	N/A				N/A	City of Ocoee							
Road A	0.99	Access Road R/W	N/A				N/A	City of Ocoee							
Tract F	0.80	Water Feature	N/A				N/A	OCOE, LLC							
Tract G	1.10	Public Trail						City of Ocoee							
TOTAL	43.03			80%	20%										



**ORDINANCE NO. 2024-
(2nd Substantial Amendment to Lot 8 of
the Fountains West PUD)**

TAX PARCEL ID: 06-22-28-2863-01-000

CASE NO. RZ-24-05-06: 2nd Substantial Amendment to Lot 8 of the Fountains West PUD

AN ORDINANCE OF THE CITY OF OCOEE, FLORIDA, APPROVING THE 2ND SUBSTANTIAL AMENDMENT TO LOT 8 OF THE FOUNTAINS WEST PUD FOR CERTAIN REAL PROPERTY COMPRISING APPROXIMATELY 3.04 ACRES LOCATED ON THE NORTH SIDE OF FOUNTAINS WEST BOULEVARD, APPROXIMATELY 3442 FEET NORTH OF WEST ROAD, PURSUANT TO THE APPLICATION SUBMITTED BY THE PROPERTY OWNER; AMENDING THE MAXIMUM SQUARE FOOTAGE FOR RETAIL USE; FINDING CONSISTENCY WITH THE OCOEE COMPREHENSIVE PLAN; PREVAILING IN THE EVENT OF ANY INCONSISTENCY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of certain real property located within the corporate limits of the City of Ocoee, Florida, as hereinafter described owner (the “Owner”), has submitted an application to the City Commission of the City of Ocoee, Florida (the “Ocoee City Commission”) to approve an amendment (the “Amendment”) to the Fountains West PUD Land Use Plan, as approved by the Ocoee City Commission on December 19, 2006, and wherein, Lot 8 was amended as a Substantial Amendment on June 19, 2018 (the “PUD”);

WHEREAS, the Amendment was scheduled for study and recommendation by the Development Review Committee (“DRC”) on May 7, 2024; and

WHEREAS, the DRC recommended approval of said Amendment; and

WHEREAS, the Amendment was scheduled for study and recommendation by the Planning and Zoning Commission of the City of Ocoee (“P&Z”);

WHEREAS, on May 14, 2024, the P&Z held an advertised public hearing on the Amendment and, after discussion, recommended approval; and

WHEREAS, on June 18, 2024, the Ocoee City Commission has held an advertised de novo public hearing with respect to the proposed 2nd Substantial Amendment and this Ordinance and determined that the Amendment to the PUD to increase the building square footage for retail use from 18,000 square feet to 24,932 square feet and this Ordinance are consistent with the City of Ocoee Comprehensive Plan, as amended; and

WHEREAS, this Ordinance has been considered by the Ocoee City Commission in accordance with the procedures set forth in Section 166.041(3), Florida Statutes.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF OCOEE, FLORIDA, AS FOLLOWS:

SECTION 1. Authority. The City Commission of the City of Ocoee has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapter 166, Florida Statutes.

SECTION 2. Amendment to PUD. The Amended PUD, prepared by The S/L/AM Collaborative, dated May 3, 2024, with such additional revisions thereto, if any, as may be reflected in the minutes of the City Commission of the City of Ocoee meeting approving same, is hereby approved. The Amended PUD is attached hereto as **Exhibit “A”**, and by this reference made a part hereof. As described therein, the Amended PUD amends the previously approved PUD for Fountains West PUD. All references to the PUD or the Amended PUD for Fountains West PUD shall hereafter refer to the previously approved PUD for Fountains West PUD as amended by the attached Amended PUD.

SECTION 3. Ocoee Comprehensive Plan. The Ocoee City Commission hereby finds that this Ordinance is consistent with the Ocoee Comprehensive Plan.

SECTION 4. CONFLICTING ORDINANCES. This ordinance prevails in the event of any inconsistency with all ordinances or parts of ordinances in conflict herewith.

SECTION 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion hereto.

SECTION 6. Effective Date. This Ordinance shall become effective ten (10) days after its passage and adoption.

ATTEST:

**APPROVED:
CITY OF OCOEE, FLORIDA**

Melanie Sibbitt, City Clerk

Rusty Johnson, Mayor

(SEAL)

ADVERTISED _____, 2024
READ FIRST TIME _____, 2024.
READ SECOND TIME AND ADOPTED
_____, 2024.
UNDER AGENDA ITEM NO. _____

**FOR USE AND RELIANCE ONLY BY THE
CITY OF OCOEE, FLORIDA; APPROVED AS**

TO FORM AND LEGALITY

this _____ day of _____,
2024.

FISHBACK DOMINICK

By: _____
City Attorney

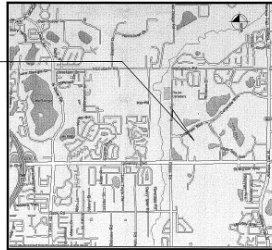
EXHIBIT "A"

FOUNTAINS WEST PUD MAJOR AMENDMENT (LOT 8) City of Ocoee, Florida

May 3, 2024

PARCEL NUMBERS EFFECTED BY CHANGE:
06-22-28-2856-08-000

PROJECT LOCATION



VICINITY MAP

SHEET INDEX
LUP-1 COVER SHEET
LUP-2 SITE DATA TABLE
LUP-3 PHASING PLAN

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SV-2 BOUNDARY AND TOPOGRAPHIC SURVEY FOR THE PARENT PARCELS



The S L A M Collaborative

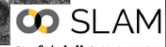
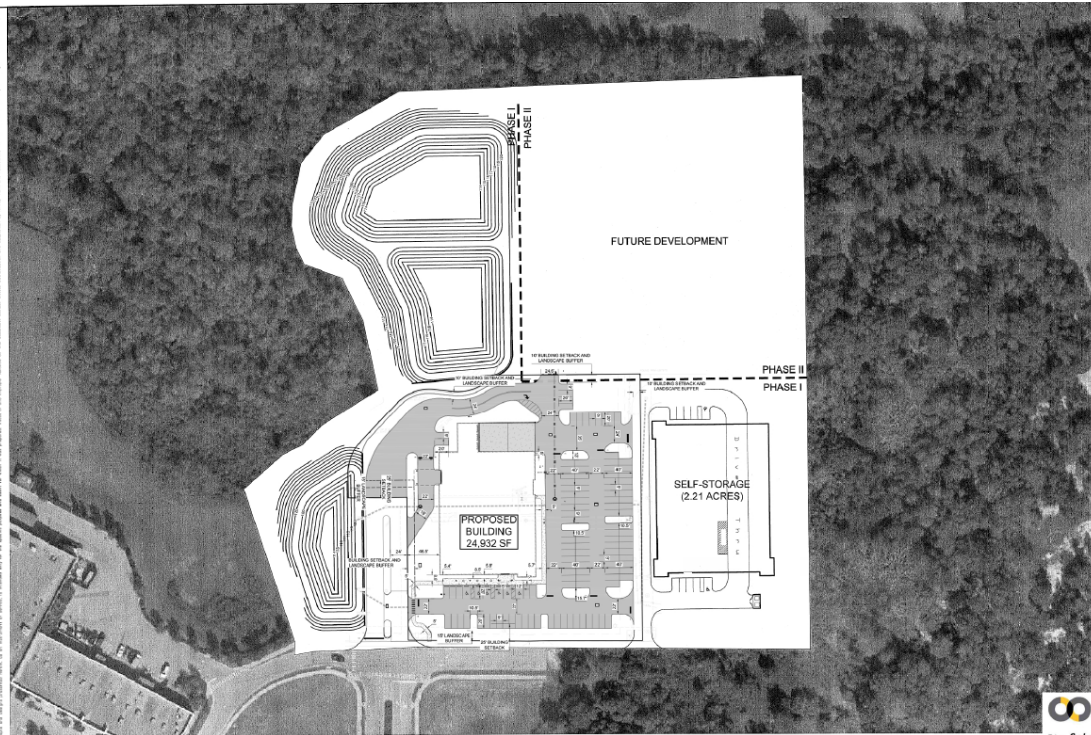
150 N. Orange Ave.

Suite 420

Orlando, FL 32801

Phone: 407.992.6300

FOUNTAINS WEST PUD
PROJECT LOCATION



The S L A M Collaborative

150 N. Orange Ave.

Suite 420

Orlando, FL 32801

Phone: 407.992.6300

West Orange Times c/o Business Observer

1970 Main Street
3rd Floor
Sarasota, FL 34236
, 941-906-9386 x322

INVOICE

Legal Advertising

CITY OF OCOEE

NOTICE OF PUBLIC HEARING TO CONSIDER THE FOUNTAINS WEST PUD – LOT 8 SUBSTANTIAL AMENDMENT TO THE PUD/LAND USE PLAN

CASE NUMBER: RZ-24-05-06

NOTICE IS HEREBY GIVEN, pursuant to Article I, Sections 1-9 and 1-10, Article IV, Section 4-5D, and Article V, Section 5-9, of the City of Ocoee Land Development Code that on **TUESDAY, MAY 14, 2024, AT 6:30 P.M.** or as soon thereafter as practical, the **OCOEE PLANNING & ZONING COMMISSION** will hold a **PUBLIC HEARING** at the City of Ocoee Commission Chambers located at 1 North Bluford Avenue, Ocoee, Florida, to consider a Substantial Amendment to the Fountains West Planned Unit Development (PUD) Land Use Plan (LUP) for Lot 8. The property is generally located on the north side of Fountains West Boulevard, approximately 342 feet north of West Road. The property contains approximately 3.04 acres and is assigned parcel number 06-22-28-2863-01-000. The applicant is requesting to amend the Land Use Plan for Lot 8 in order to increase the allowable square footage for retail use from 18,000 square feet to 24,932 square feet for purposes of constructing a Goodwill retail store.

Interested parties may appear at the public hearing and be heard with respect to the proposed action. The complete case file may be inspected at the Ocoee Development Services Department, located at 1 North Bluford Avenue, Ocoee, Florida, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except for legal holidays. The Planning and Zoning Commission may continue the public hearing to other dates and times as it deems necessary. Any interested party shall be advised that the dates, times, and places of any continuation of these or continued public hearings shall be announced during the hearings and that no further notices regarding these matters will be published. You are advised that any person who desires to appeal any decision made during the public hearings will need a record of the proceedings and, for this purpose, may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based. Persons with disabilities needing assistance to participate in any of the proceedings should contact the City Clerk's Office 48 hours in advance of the meeting at (407) 905-3105.

May 2, 2024

24-01455W

Attention: If you are a government agency and you believe that you qualify for a 15% discount to the second insertion of your notice per F.S. revision 50.061, please inform Kristen Boothroyd directly at 941-906-9386 x323.

NOTICE

The Business Observer makes every effort to ensure that its public notice advertising is accurate and in full compliance with all applicable statutes and ordinances and that its information is correct. Nevertheless, we ask that our advertisers scrutinize published ads carefully and alert us immediately to any errors so that we may correct them as soon as possible. We cannot accept responsibility for mistakes beyond bearing the cost of republishing advertisements that contain errors.



CITY OF OCOEE
PLANNING & ZONING COMMISSION
(Local Planning Agency)

STAFF REPORT

Meeting Date: May 14, 2024
Item #: 3

Contact Name: Anoch Whitfield, Zoning Manager **Department Director:** Michael Rumer
Subject: Amendment to the Ocoee Land Development Code (LDC) pertaining to Part IA, Article VII, Floodplain Management (**Zoning Manager Whitfield**)

BACKGROUND SUMMARY:

Staff proposes changes to the City's current Floodplain Management Regulations, as established in Part 1A of Article VII, in order to improve the flow and user-friendliness of the floodplain regulations, increase flood resiliency within the City and improve the City's Rate Class in the National Flood Insurance Program (NFIP) Community Rating System (CRS).

Local government participation in the NFIP's Community Rating System provides discounts on the cost of flood insurance premiums for NFIP policyholders, depending on the Rate Class awarded to the local government. The table below details the class rates, credit points required, and respective cost discounts for properties within a Special Flood Hazard Area (SFHA) and outside of an SFHA.

Rate Class	Credit Points Required	NFIP Insurance Discount	
		SFHA Property	Non-SFHA Property
Class 6	2000	20%	10%
Class 7	1500	15%	5%
Class 8	1000	10%	5%
Class 9	500	5%	5%
Class 10	0	0%	0%

Over the past two (2) years, City personnel in various Departments undertook floodplain management activities to qualify the City to participate in the CRS, and on December 7, 2023, the City was officially awarded admittance to the National Flood Insurance Program's CRS as a Class 9, with 1,341 points. This Class 9 Rate, which goes into effect on October 1, 2024, provides a five percent (5%) discount on the cost of flood insurance premiums for most NFIP policies in the City issued or renewed on or after October 1, 2024. This will be in place for five (5) years so long as all Elevation Certificates for construction in flood zone areas continue to be collected and filled out correctly. The City may take steps to increase its class rating at any time; however, re-verification occurs in April to then be implemented the following October, if awarded by the Florida Emergency Management Agency (FEMA). A municipality must maintain a rating for one (1) year before being eligible to change its class rating. A new rating could go into effect as early as October 1, 2025, with adoption of additional regulations and completion of other necessary steps in the re-verification process.

To that end, staff proposes an ordinance, prepared in collaboration with the Public Works Department and the Florida Department of Emergency Management's Office of Floodplain Management (FDEM OFM), in order to respond to recommendations from FDEM OFM and to provide guidance and requirements for development and construction activity within flood hazard areas and special flood hazard areas. The summary below describes the proposed Code changes and the Rate Class that could be achieved with such changes.

Possible Rate Class	Proposed Code Changes
TO MEET CLASS 8 PREREQUISITE	City has been awarded sufficient points for Class 8; however, the awarding of this Class has a prerequisite to remove the distinction or differentiation between manufactured homes and new construction, so all buildings are required to be elevated to the same base flood elevation in relation to the nearest special flood hazard area.
TO ACHIEVE HIGHER CRS CLASSIFICATION (VIA POINTS)	
1) Cumulative Substantial Improvements (80 points)	1. Reconstruction and repairs to damaged buildings are counted cumulatively for at least 10 years. (40 points are awarded towards the City's CRS Classification) 2. Improvements, modifications, and additions to existing buildings are counted cumulatively for at least 5 years. (20 points are awarded towards the City's CRS Classification) 3. The adoption of regulatory language that qualifies properties for Increased Cost of Compliance insurance coverage for repetitive loss. (20 points are awarded towards the City's CRS Classification) - o Define Increased Cost of Compliance - o Provide a technical amendment to the Florida Building Code
2) Lower Substantial Improvements Threshold (20 points)	Decrease the regulatory threshold for determining if a building is substantially improved or substantially damaged from 50% to 49%. (20 points are awarded towards the City's CRS Classification)
3) Protection of Critical facilities (80 points)	New critical facilities are prohibited from the 500-year floodplain. (80 points are awarded towards the City's CRS Classification)
4) Local Drainage Protection (120 points)	1. Require lowest finished floor at 18-inches above the crown of the adjacent street. (60 points are awarded towards the City's CRS Classification) 2. Lot drainage accounts for street flooding and local drainage from and onto adjoining properties, and protects the building from local drainage flows. (40 points are awarded towards the City's CRS Classification) 3. Positive drainage away from the building to an approved point of collection that does not create a hazard or problem on neighboring properties. (20 points are awarded towards the City's CRS Classification)
5) Other Higher Standards (Points TBD)	Protection of 100-year flood carrying capacity of drainageways both within and outside of the Special Flood Hazard Areas (SFHAs). (TBD, max 100 points that could be awarded towards the City's CRS Classification)
6) General Changes (For user-friendliness of Code, not for points)	1. Change the Code reference from Part IA to Part II and update the numbering of renumbered Part II to start at Section 7-10 and place as "Reserved" Sections 7-7 through 7-9 in Part I for any future amendments to Part I Natural Resource Management 2. Moved Definitions to follow the General Provisions Section (similar to Part I Natural Resources Management for consistency)

	3. Additional provisions relative to permit submittal documentation to assist in City review and improve documentation of projects
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Staff is hopeful that the proposed changes in the ordinance will help the City achieve a Rate Class of 7 or better and result in greater insurance cost savings to the community.

ISSUE:

Should the Planning and Zoning Commission, acting as the Local Planning Agency, make a recommendation of approval for the proposed ordinance to amend Part IA of Article VII, Floodplain Management, in its entirety, in order to improve the City's Rate Class under the Community Rating System and to increase flood resiliency within the City, specifically with regard to elevations of manufactured homes and critical facilities in flood hazard areas, substantial damage and substantial improvement projects, and development activity within special flood hazard areas?

RECOMMENDATIONS:

Staff Recommendation:

Staff recommends that the Planning and Zoning Commission, acting as the Local Planning Agency, make a recommendation of approval for the proposed ordinance to amend Part IA of Article VII, Floodplain Management, in its entirety, in order to improve the City's Rate Class under the Community Rating System and to increase flood resiliency within the City, specifically with regard to elevations of manufactured homes and critical facilities in flood hazard areas, substantial damage and substantial improvement projects, and development activity within special flood hazard areas.

ATTACHMENTS:

- 1. Floodplain Mgmt Ordinance_LDC_Part VII_Part1A
- 2. WOT FLOODPLAIN MANAGEMENT

ORDINANCE NO. 2024-

**(LDC Update relating to Floodplain
Management Requirements)**

AN ORDINANCE OF THE CITY OF OCOEE, FLORIDA, AMENDING THE CITY OF OCOEE LAND DEVELOPMENT CODE ARTICLE VII, PART IA, RELATING TO FLOODPLAIN MANAGEMENT, SPECIFICALLY WITH REGARDS TO ELEVATION OF MANUFACTURED HOMES AND CRITICAL FACILITIES IN FLOOD HAZARD AREAS, SUBSTANTIAL DAMAGE AND SUBSTANTIAL IMPROVEMENT PROJECTS, AND DEVELOPMENT ACTIVITY WITHIN FLOOD HAZARD AND SPECIAL FLOOD HAZARD AREAS; PROVIDING FOR APPLICABILITY, CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166 – Municipalities, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the City of Ocoee has applied to participate in the National Flood Insurance Program and participates in the NFIP's Community Rating System, a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum program requirements in order to improve community flood resiliency which will make citizens who purchase NFIP flood insurance policies eligible for premium discounts; and

WHEREAS, in 2020 the NFIP Community Rating System established certain minimum prerequisites for communities to qualify for or maintain class ratings of Class 8 or better; and

WHEREAS, to satisfy the prerequisite and for the City of Ocoee to achieve a Class 8 or better, all manufactured homes installed or replaced in special flood hazard areas must be elevated to or above at least the base flood elevation plus 1 foot, which necessitates modification of the existing requirements; and

WHEREAS, the **City of Ocoee** determined that it is in the public interest to amend the floodplain management regulations to better protect manufactured homes and to continue participating in the Community Rating System at the current class rating; and

WHEREAS, Chapter 553, Florida Statutes, allows for local administrative and technical amendments to the *Florida Building Code* that provide for more stringent requirements than those specified in the Code and allows adoption of local administrative and local technical amendments to the Florida Building Code to implement the National Flood Insurance Program and incentives; and

WHEREAS, the **City of Ocoee** is adopting requirements to (1) require buildings that sustain repetitive flood damage over a 10-year period to be included in the definition of "substantial damage," (2) reduce the percentage used to determine substantial improvement and substantial damage, (3) require accumulation of costs of improvements and repairs of buildings, based on issued building permits, over a 5-year period, (4) increase the minimum elevation requirement for buildings and structures in flood hazard areas, (5) define critical facilities and restrict their development within the 500-year floodplain, and (6) adopt regulatory language that

qualifies properties for Increased Cost of Compliance (ICC) insurance coverage for repetitive loss for purpose of participating in the National Flood Insurance Program's Community Rating System and, pursuant to Section 553.73(5), F.S., is formatting those requirements to coordinate with the *Florida Building Code*; and

WHEREAS, the **City of Ocoee** has determined that it is in the public interest to adopt the proposed local technical amendments to the *Florida Building Code*, and the proposed amendments are not more stringent than necessary to address the need identified, do not discriminate against materials, products or construction techniques of demonstrated capabilities, and are compliant with Section 553.73(4), Florida Statutes.

WHEREAS, on May 14, 2024, the Planning and Zoning Commission, acting as the Local Planning Agency, held an advertised and publicly noticed public hearing and recommended approval of the amendments proposed by staff to revise Part 1A, Article VII, of the LDC as prescribed herein; and

WHEREAS, the Ocoee City Commission, in good faith, determines that this Ordinance is in the best interest of the City and its residents and promotes the health, safety, and welfare of the public; and

WHEREAS, following the advertisement and duly noticed public hearing on the Ordinance on Tuesday, June 18, 2024, the Ocoee City Commission approved the amendments to Part 1A, Article VII, of the LDC.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF OCOEE, FLORIDA, AS FOLLOWS:

SECTION 1. **RECITALS**. The foregoing recitals are hereby ratified and confirmed as true and correct and incorporated herein by this reference.

SECTION 2. **AUTHORITY**. The Ocoee City Commission has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapters 163 and 166, Florida Statutes.

SECTION 3. **AMENDMENTS TO THE LAND DEVELOPMENT CODE**. Part 1A of Article VII of the City of Ocoee Land Development Code is hereby amended to read as depicted in **Exhibit "A"**.

SECTION 4. **FISCAL IMPACT STATEMENT**. In terms of design, plan application review, construction and inspection of buildings and structures, the cost impact as an overall average is negligible in regard to the local technical amendments of the Florida Building Code (FBC) because all development has been subject to the requirements of the local floodplain management ordinance adopted for participation in the National Flood Insurance Program. Therefore, in terms of lower potential for flood damage, there will be continued savings and benefits to consumers.

SECTION 5. **CONFLICT.** The ordinance prevails in the event of any inconsistency with all ordinances or parts of ordinances in conflict herewith.

SECTION 6. **SEVERABILITY.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion hereto.

SECTION 7. **CODIFICATION.** It is the intention of the Ocoee City Commission that the provisions stated in this Ordinance shall become and be made a part of the Code of Ordinances of the City; and that sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "chapter", "section", "article", or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Code is accomplished, sections of this Ordinance may be renumbered or re-lettered, and the correction of typographical errors which do not affect the intent may be authorized by the City Manager, without the need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 8. **EFFECTIVE DATE.** This Ordinance shall become effective immediately upon passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2024.

[Space intentionally blank]

ATTEST:

APPROVED:

CITY OF OCOEE, FLORIDA

Melanie Sibbitt, City Clerk

Rusty Johnson, Mayor

(SEAL)

ADVERTISED _____, 2024
READ FIRST TIME _____, 2024.
READ SECOND TIME AND ADOPTED
_____, 2024.
UNDER AGENDA ITEM NO. _____

**FOR USE AND RELIANCE ONLY BY THE CITY
OF OCOEE, FLORIDA; APPROVED AS TO
FORM AND LEGALITY**

this _____ day of _____, 2024.

FISHBACK DOMINICK

By: _____
City Attorney

EXHIBIT "A"

Part IA of Article VII is hereby amended to read as follows, with strike-through representing deletions, underline representing additions, double underline represents a relocation of text, and yellow highlighted underlined text representing language provided by the Florida Department of Management (FDEM) Office of Floodplain Management (OFM) in order to achieve credits towards achieving higher ratings under the Community Rating System (CRS).

PART ~~II~~1A FLOODPLAIN MANAGEMENT

§ 7-1~~0A~~A. GENERAL PROVISIONS.

A. Title.

These regulations shall be known as the Floodplain Management Ordinance of the City of Ocoee, hereinafter referred to as "this Article."

B. Scope.

The provisions of this Article shall apply to all development that is wholly within or partially within any flood hazard area, including, but not limited to, the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, improvement, replacement, repair, relocation or demolition of buildings, structures, and facilities that are exempt from the Florida Building Code; placement, installation, or replacement of manufactured homes and manufactured buildings; installation or replacement of tanks; placement of recreational vehicles; installation of swimming pools; and any other development. Where stated explicitly, certain provisions of this Article shall apply to development in all areas of the City, including lands located outside of mapped special flood hazard areas.

C. Intent.

The purposes of this Article and the flood load and flood-resistant construction requirements of the Florida Building Code are to establish minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas to:

- (1) Minimize unnecessary disruption of commerce, access and public service during times of flooding;
- (2) Require the use of appropriate construction practices in order to prevent or minimize future flood damage;
- (3) Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;
- (4) Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;
- (5) Minimize damage to public and private facilities and utilities;

- (6) Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;
 - (7) Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and
 - (8) Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.
- D. Coordination with the Florida Building Code.

This Article is intended to be administered and enforced in conjunction with the Florida Building Code. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the Florida Building Code.

E. Warning.

The degree of flood protection required by this Article and the Florida Building Code, as amended by the City, is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by manmade or natural causes. This Article does not imply that land outside of mapped special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal Emergency Management Agency, requiring the City to revise these regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with this Article.

F. Disclaimer of Liability.

This Article shall not create liability on the part of the City Commission of the City of Ocoee or by any officer or employee thereof for any flood damage that results from reliance on this Article or any administrative decision lawfully made thereunder.

§ 7-119A. DEFINITIONS.

A. Unless otherwise expressly stated, the following words and terms shall, for the purposes of this articleordinance, have the meanings shown in this section. Where terms are not defined in this Article and are defined in the Florida Building Code, such terms shall have the meanings ascribed to them in the Florida Building Code. Where terms are not defined in this Article or the Florida Building Code, such terms shall have ordinarily accepted meanings such as the context implies.

(1) **Alteration of a Watercourse.** A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

(2) **Appeal.** A request for a review of the Floodplain Administrator's interpretation of any provision of this Article.

- (3) **ASCE 24.** A standard titled Flood Resistant Design and Construction that is referenced by the Florida Building Code. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.
- (4) **Base Flood.** A flood having a one (1) percent chance of being equaled or exceeded in any given year. [Also defined in FBC, B, Section 202.] The base flood is commonly referred to as the "100-year flood" or the "1-percent-annual chance flood."
- (5) **Base Flood Elevation.** The elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the FIRM. [Also defined in FBC, B, Section 202.]
- (6) **Basement.** The portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in FBC, B, Section 202; see "Basement (for flood loads)".]
- (7) **Critical facility.** A facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to schools, nursing homes, hospitals, police, fire and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste. The term includes facilities that are assigned Flood Design Class 3 and Flood Design Class 4 pursuant to the Florida Building Code, Building.
- (7) **Design Flood.** The flood associated with the greater of the following two (2) areas: [Also defined in FBC, B, Section 202.]
- a. Area with a floodplain subject to a one (1) percent or greater chance of flooding in any year; or
 - b. Area designated as a flood hazard area on the City's flood hazard map, or otherwise legally designated.
- (8) **Design Flood Elevation.** The elevation of the "design flood," including wave height, relative to the datum specified on the City's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to two (2) feet. [Also defined in FBC, B, Section 202.]
- (9) **Development.** Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations or any other land disturbing activities.
- (10) **Encroachment.** The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.
- (11) **Existing Building and Existing Structure.** Any buildings and structures for which the "start of construction" commenced before November 1, 1978. [Also defined in FBC, B, Section 202.]
- (12) **Existing Manufactured Home Park or Subdivision.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the

manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before November 1, 1978.

(13) **Expansion to an Existing Manufactured Home Park or Subdivision.** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

(14) **Federal Emergency Management Agency (FEMA).** The federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.

(15) **Flood or Flooding.** A general and temporary condition of partial or complete inundation of normally dry land from: [Also defined in FBC, B, Section 202.]

a. The overflow of inland or tidal waters.

b. The unusual and rapid accumulation or runoff of surface waters from any source.

(16) **Flood Damage-Resistant Materials.** Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Also defined in FBC, B, Section 202.]

(17) **Flood Hazard Area.** The greater of the following two (2) areas: [Also defined in FBC, B, Section 202.]

a. The area within a floodplain subject to a 1-percent or greater chance of flooding in any year.

b. The area within a floodplain subject to a 0.2% or greater chance of flooding in a year.

cb. The area designated as a flood hazard area on the City's flood hazard map, or otherwise legally designated.

(18) **Flood Insurance Rate Map (FIRM).** The official map of the City on which the Federal Emergency Management Agency has delineated both special flood hazard areas and the risk premium zones applicable to the City. [Also defined in FBC, B, Section 202.]

(19) **Flood Insurance Study (FIS).** The official report provided by the Federal Emergency Management Agency that contains the Flood Insurance Rate Map, the Flood Boundary and Floodway Map (if applicable), the water surface elevations of the base flood, and supporting technical data. [Also defined in FBC, B, Section 202.]

(20) **Floodplain Administrator.** The office or position designated and charged with the administration and enforcement of this Article (may be referred to as the Floodplain Manager).

(21) **Floodplain Development Permit or Approval.** An official document or certificate issued by the City, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this Article.

(22) **Flood Proofing.** A combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

- (22) **Floodway.** The channel of a river or other riverine watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot. [Also defined in FBC, B, Section 202.]
- (23) **Floodway Encroachment Analysis.** An engineering analysis of the impact that a proposed encroachment into a floodway is expected to have on the floodway boundaries and base flood elevations; the evaluation shall be prepared by a qualified Florida licensed engineer using standard engineering methods and models.
- (24) **Florida Building Code or FBC.** The family of codes adopted by the Florida Building Commission, including: Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.
- (25) **Functionally Dependent Use.** A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term does not include long-term storage or related manufacturing facilities.
- (26) **Highest Adjacent Grade.** The highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.
- (27) **Historic Structure.** Any structure that is determined eligible for the exception to the flood hazard area requirements of the Florida Building Code, Existing Building, Chapter 12, Historic Buildings.
- (29) **Increased cost of compliance (ICC)** means the coverage by a standard flood insurance policy under the NFIP that provides for the payment of a claim for the cost to comply with the State of Florida and the City of Ocoee floodplain management laws or ordinances after a direct physical loss by flood, when the city declares the structure to be "substantially" or "repetitively" flood-damaged. ICC coverage is provided for in every standard NFIP flood insurance policy, and will help pay for the cost to floodproof, relocate, elevate, or demolish the structure.
- (28) **Letter of Map Change (LOMC).** An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:
- a. **Letter of Map Amendment (LOMA):** An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.
 - b. **Letter of Map Revision (LOMR):** A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.
 - c. **Letter of Map Revision Based on Fill (LOMR-F):** A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify

for this determination, the fill must have been permitted and placed in accordance with the City's floodplain management regulations.

d. **Conditional Letter of Map Revision (CLOMR):** A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

(29) **Light-Duty Truck.** As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at eight thousand five hundred (8,500) pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of six thousand (6,000) pounds or less and which has a basic vehicle frontal area of forty-five (45) square feet or less, which is:

a. Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or

b. Designed primarily for transportation of persons and has a capacity of more than twelve (12) persons; or

c. Available with special features enabling off-street or off-highway operation and use.

(30) **Lowest Floor.** The lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the Florida Building Code or ASCE 24. [Also defined in FBC, B, Section 202.]

(31) **Manufactured Home.** A structure, transportable in one (1) or more sections, which is eight (8) feet or more in width and greater than four hundred (400) square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or "park trailer." [Also defined in 15C-1.0101, F.A.C.]

(32) **Manufactured Home Park or Subdivision.** A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

(33) **Market Value.** The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this Article, the term refers to the market value of buildings and structures, as those terms are used in the Florida Building Code, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, is the Actual Cash Value (in-kind replacement cost depreciated for age, wear and tear, neglect, and quality of construction), determined by a qualified independent appraiser or tax assessment value adjusted to approximate market value by a factor provided by the County Property Appraiser.

- (34) **New Construction.** For the purposes of administration of this Article and the flood resistant construction requirements of the Florida Building Code, structures for which the "start of construction" commenced on or after November 1, 1978, and includes any subsequent improvements to such structures.
- (35) **New Manufactured Home Park or Subdivision.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after November 1, 1978.
- (36) **Park Trailer.** A transportable unit which has a body width not exceeding fourteen (14) feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. [Defined in Section 320.01, Florida Statutes.]
- (37) **Recreational Vehicle.** A vehicle, including a park trailer, which is: [see in Section 320.01, Florida Statutes.]
- a. Built on a single chassis;
 - b. Four hundred (400) square feet or less when measured at the largest horizontal projection;
 - c. Designed to be self-propelled or permanently towable by a light-duty truck; and
 - d. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- (38) **Special Flood Hazard Area.** An area in the floodplain subject to a one (1) percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V. [Also defined in FBC, B Section 202.]
- (39) **Start of Construction.** The date of issuance of permits for new construction and substantial improvements, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within one hundred and eighty (180) days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns.
- Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Also defined in FBC, B Section 202.]
- (40) **Substantial Damage.** Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed ~~fifty (50)~~ forty-nine (49) percent of the market value of the building or

structure before the damage occurred. The term also includes flood-related damage sustained by a building or structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds twenty-five percent (25%) of the market value of the building or structure before the damage occurred. Where cumulative damages equate to forty-nine percent (49%) or greater of the market value at the time of each event, during a 10-year period, the building or structure must be brought into compliance. [Also defined in FBC, B Section 202.]

(41) **Substantial Improvement.** Any combination of repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure taking place during a 5-year period, the cumulative cost of which equals or exceeds ~~fifty (50)~~ forty-nine percent (49%) of the market value of the building or structure before the improvement or repair is started. The period of accumulation begins when the first improvement or repair of each building is permitted subsequent to the adoption and effectiveness of this Article. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either: [Also defined in FBC, B, Section 202.]

a. Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.

b. Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure. [See Instructions and Notes.]

(42) **Variance.** A grant of relief from the requirements of this Article, or the flood-resistant construction requirements of the Florida Building Code, which permits construction in a manner that would not otherwise be permitted by this Article or the Florida Building Code.

(43) **Watercourse.** A river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.

§ 7-~~122A~~. APPLICABILITY.

A. General.

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

B. Areas to Which This Article Applies.

This Article shall apply to all development in the flood hazard areas within the corporate limits of the City of Ocoee, as established in Section 7-~~122A~~(C) of this Article.

C. Basis for Establishing Flood Hazard Areas.

The Flood Insurance Study for Orange County, Florida and Incorporated Areas dated ~~June 20, 2018~~ September 24, 2021, and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this Article and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood

hazard areas are on file at the Ocoee Building Division, ~~150 N. Lakeshore Drive~~ 1 North Bluford Avenue, Ocoee.

D. Submission of Additional Data to Establish Flood Hazard Areas.

To establish flood hazard areas and base flood elevations, pursuant to Section 7-~~155A~~ of this Article, the Floodplain Administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the City indicates that ground elevations:

- (1) Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this Article and, as applicable, the requirements of the Florida Building Code.
- (2) Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the special flood hazard area.

E. Other laws.

The provisions of this Article shall not be deemed to nullify any provisions of Local, State, or Federal law.

F. Abrogation and Greater Restrictions.

This Article supersedes any ordinance in effect for management of development in flood hazard areas. However, it is not intended to repeal or abrogate any existing ordinances including, but not limited to, land development regulations, zoning ordinances, stormwater management regulations, or the Florida Building Code. In the event of a conflict between this Article and any other ordinance, the more restrictive shall govern. This Article shall not impair any deed restriction, covenant, or easement, but any land that is subject to such interests shall also be governed by this Article.

G. Interpretation.

In the interpretation and application of this Article, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the governing body; and
- (3) Deemed neither to limit nor repeal any other powers granted under State statutes.

§ 7-~~133A~~. DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR.

A. Designation.

The Building Official is designated as the Floodplain Administrator. The Floodplain Administrator may delegate performance of certain duties to other employees.

B. General.

The Floodplain Administrator is authorized and directed to administer and enforce the provisions of this Article. The Floodplain Administrator shall have the authority to render interpretations of this Article consistent with the intent and purpose of this Article and may establish policies and procedures in order to clarify the application of its provisions. Such

interpretations, policies, and procedures shall not have the effect of waiving requirements specifically provided in this Article without the granting of a variance pursuant to Section 7-177A. of this Article.

C. Applications and Permits.

The Floodplain Administrator, in coordination with other pertinent offices of the City, shall:

- (1) Review applications and plans to determine whether proposed new development will be located in flood hazard areas;
- (2) Review applications for modification of any existing development in flood hazard areas for compliance with the requirements of this Article;
- (3) Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries; a person contesting the determination shall have the opportunity to appeal the interpretation;
- (4) Provide available flood elevation and flood hazard information;
- (5) Determine whether additional flood hazard data shall be obtained from other sources or shall be developed by an applicant;
- (6) Review applications to determine whether proposed development will be reasonably safe from flooding;
- (7) Issue floodplain development permits or approvals for development other than buildings and structures that are subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code, when compliance with this Article is demonstrated, or disapprove the same in the event of noncompliance; and
- (8) Coordinate with and provide comments to the Building Official to assure that applications, plan reviews, and inspections for buildings and structures in flood hazard areas comply with the applicable provisions of this Article.

D. Substantial Improvement and Substantial Damage Determinations.

For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, shall:

- (1) Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;
- (2) Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;
- (3) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; for proposed work to repair damage caused by flooding, the determination requires evaluation of previous permits issued to repair flood-related damage as specified in the definition of "substantial damage" and for

improvements and repairs as specified in the definition of “substantial improvement”;
and

- (4) Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood-resistant construction requirements of the Florida Building Code and this Article is required.

E. Modifications of the Strict Application of the Requirements of the Florida Building Code.

The Floodplain Administrator shall review requests submitted to the Building Official that seek approval to modify the strict application of the flood load and flood-resistant construction requirements of the Florida Building Code to determine whether such requests require the granting of a variance pursuant to Section 7-~~177A~~. of this Article.

F. Notices and Orders.

The Floodplain Administrator shall coordinate with appropriate local agencies for the issuance of all necessary notices or orders to ensure compliance with this Article.

G. Inspections.

The Floodplain Administrator shall make the required inspections as specified in Section 7-~~166A~~. of this Article for development that is not subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code. The Floodplain Administrator shall inspect flood hazard areas to determine if development is undertaken without issuance of a permit.

H. Other duties of the Floodplain Administrator.

The Floodplain Administrator shall have other duties, including, but not limited to:

- (1) Establish, in coordination with the Building Official, procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 7-~~13D3A.(D)~~ of this Article;
- (2) Require that applicants proposing alteration of a watercourse notify adjacent communities and the Florida Division of Emergency Management, State Floodplain Management Office, and submit copies of such notifications to the Federal Emergency Management Agency (FEMA);
- (3) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps (FIRMs) if the analyses proposed to change (a) base flood elevations, (b) the flood hazard area boundaries of the corresponding 1% or 0.2% flood hazard areas, or (c) floodway designations; such submissions shall be made within six (6) months of such data becoming available;
- (4) Review required design certifications and documentation of elevations specified by this Article and the Florida Building Code to determine that such certifications and documentations are complete; and
- (5) Notify the Federal Emergency Management Agency when the corporate boundaries of the City are modified.

I. Floodplain Management Records.

Regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this Article and the flood-resistant construction requirements of the Florida Building Code, including Flood Insurance Rate Maps; Letters of Map Change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the Florida Building Code and this Article; notifications to adjacent communities, FEMA, and the State related to alterations of watercourses; assurances that the flood-carrying capacity of altered watercourses will be maintained; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to this Article and the flood-resistant construction requirements of the Florida Building Code. These records shall be available for public inspection at Ocoee Building Division, 150 N. Lakeshore Drive1 North Bluford Avenue, Ocoee.

§ 7-~~144~~A. PERMITS.

A. Permits Required.

Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this Article, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area, shall first make application to the Floodplain Administrator and the Building Official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval shall be issued until compliance with the requirements of this Article and all other applicable codes and regulations has been satisfied.

B. Floodplain Development Permits or Approvals.

Floodplain development permits or approvals shall be issued pursuant to this Article for any development activities not subject to the requirements of the Florida Building Code, including buildings, structures, and facilities exempt from the Florida Building Code. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.

C. Buildings, Structures, and Facilities Exempt from the Florida Building Code.

Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), floodplain development permits or approvals shall be required for the following buildings, structures and facilities that are exempt from the Florida Building Code and any further exemptions provided by law, which are subject to the requirements of this Article:

- (1) Railroads and ancillary facilities associated with the railroad.
- (2) Nonresidential farm buildings on farms, as provided in Section 604.50, Florida Statutes.
- (3) Temporary buildings or sheds used exclusively for construction purposes.
- (4) Mobile or modular structures used as temporary offices.

- (5) Those structures or facilities of electric utilities, as defined in Section 366.02, Florida Statutes, which are directly involved in the generation, transmission, or distribution of electricity.
- (6) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.
- (7) Family mausoleums not exceeding two hundred fifty (250) square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.
- (8) Temporary housing provided by the Department of Corrections to any prisoner in the State correctional system.
- (9) Structures identified in Section 553.73(10)(k), Florida Statutes, are not exempt from the Florida Building Code if such structures are located in flood hazard areas established on Flood Insurance Rate Maps.

D. Application for a Permit or Approval.

To obtain a floodplain development permit or approval the applicant shall first file an application in writing on a form furnished by the City. The information provided shall:

- (1) Identify and describe the development to be covered by the permit or approval.
- (2) Describe the land on which the proposed development is to be conducted by legal description, street address, or similar description that will readily identify and definitively locate the site.
- (3) Indicate the use and occupancy for which the proposed development is intended.
- (4) Be accompanied by a site plan or construction documents as specified in Section 7-~~155A~~ of this Article.
- (5) State the valuation of the proposed work.
- (6) Be signed by the applicant or the applicant's authorized agent. (If signed by the applicant's authorized agent, an agent authorization form shall accompany the application.)
- (7) Give such other data and information as required by the Floodplain Administrator.

E. Validity of Permit or Approval.

The issuance of a floodplain development permit or approval pursuant to this Article shall not be construed to be a permit for, or approval of, any violation of this Article, the Florida Building Codes, or any other ordinance of this City. The issuance of permits based on submitted applications, construction documents, and information shall not prevent the Floodplain Administrator from requiring the correction of errors and omissions.

F. Expiration.

A floodplain development permit or approval shall become invalid unless the work authorized by such permit is commenced within one hundred and eighty (180) days after its issuance, or if the work authorized is suspended or abandoned for a period of one hundred and eighty (180) days after the work commences. Extensions for periods of not more than one hundred and

eighty (180) days each shall be requested in writing and justifiable cause shall be demonstrated for such request.

G. Suspension or Revocation.

The Floodplain Administrator is authorized to suspend or revoke a floodplain development permit or approval if the permit was issued in error, on the basis of incorrect, inaccurate, or incomplete information, or in violation of this Article or any other ordinance, regulation, or requirement of the City, County, State, or Federal government.

H. Other Permits Required.

Floodplain development permits and building permits shall include a condition that all other applicable State or Federal permits be obtained before commencement of the permitted development, including, but not limited to, the following:

- (1) The St. Johns River Water Management District; Section 373.036, Florida Statutes.
- (2) Florida Department of Health for onsite sewage treatment and disposal systems; Section 381.0065, Florida Statutes and Chapter 64E-6, F.A.C.
- (3) Florida Department of Environmental Protection for activities subject to the Joint Coastal Permit; Section 161.055, Florida Statutes.
- (4) Florida Department of Environmental Protection for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.
- (5) Federal permits and approvals.

§ 7-155A. SITE PLANS AND CONSTRUCTION DOCUMENTS.

A. Information for Development in Flood Hazard Areas.

The site plan or construction documents for any development subject to the requirements of this Article shall be drawn to scale and shall include, as applicable to the proposed development:

- (1) Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), ~~and~~ ground elevations, and lowest finished floor elevations shall be provided on the site plan, survey and FEMA Elevation Certificate, if necessary for review of the proposed development.
- (2) Where base flood elevations or floodway data are not included on the FIRM or in the Flood Insurance Study, these shall be established in accordance with Section 7-~~155A-(B)~~(2) or (3) of this Article.
- (3) Where the parcel on which the proposed development will take place will have more than fifty (50) lots or is larger than five (5) acres and the base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with Section 7-~~155A-(B)~~(1) of this Article.
- (4) Location of the proposed activity and proposed structures, and locations of existing buildings and structures.

- (5) Location, extent, amount, and proposed final grades of any filling, grading, or excavation, drainage facilities, and stormwater management plans; elevations shall be referenced to the datum on the FIRM.
- (6) Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.
- (7) Existing and proposed alignment of any proposed alteration of a watercourse, and the extent to which any swamp, marsh, lake, or pond will be altered, relocated, or created.
- (8) Copy of the proposed stormwater management report and floodplain study, if any, complete with supporting documentation.
- (9) For improvements and repairs to a preexisting structure within the SFHA that do not meet the substantial damage or substantial improvement thresholds stated in this Section, flood damage-resistant materials must be used.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by this Article but that are not required to be prepared by a registered design professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with this Article.

B. Information in Special Flood Hazard Areas without Base Flood Elevations (Approximate Zone A).

Where special flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the Floodplain Administrator shall:

- (1) Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices.
- (2) Obtain, review, and provide to applicants the base flood elevation and floodway data available from a Federal or State agency or other source or require the applicant to obtain and use base flood elevation and floodway data available from a Federal or State agency or other source.
- (3) Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the Floodplain Administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:
 - (a) Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices; or
 - (b) Specify that the base flood elevation is two (2) feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than two (2) feet.
- (4) Where the base flood elevation data are to be used to support a Letter of Map Change from FEMA, advise the applicant that the analyses shall be prepared by a Florida licensed engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

C. Additional Analyses and Certifications.

As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this Section, the applicant shall have the following analyses signed and sealed by a Florida licensed engineer for submission with the site plan and construction documents:

- (1) For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Section 7-~~155A-(D)~~ of this Article and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.
- (2) For development activities that propose alterations to the boundaries of the special flood hazard area, the applicant shall submit analyses and documentation to FEMA as specified in Section 7-15D of this Article and shall submit the Conditional Letter of Map Revision, if issued by FEMA, to the City with the site plan and construction documents.
- ~~(32)~~ For development activities proposed to be located in a riverine flood hazard area for which base flood elevations are included in the Flood Insurance Study or on the FIRM and floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation more than one (1) foot at any point within the City. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in special flood hazard areas identified as Zone AO or Zone AH.
- ~~(43)~~ For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity; the applicant shall submit the analysis to FEMA as specified in Section 7-~~155A-(D)~~ of this Article.
- (5) For Non-Residential Structures, a Floodproofing Certificate is required for a floodproofed non-residential building in addition to the Elevation Certificate. A complete and correct Floodproofing Certificate is required to be submitted to the Building Division once construction is finished on the building but before the certificate of occupancy is issued.
- (6) For a building with a basement that is floodproofed, a Residential Basement Floodproofing Certificate is required in addition to the Elevation Certificate. A complete and correct Residential Basement Floodproofing Certificate is required to be submitted to the Building Division once construction is finished on the building but before the certificate of occupancy is issued.
- (7) For engineered flood openings that are installed in the foundation of a building and the Elevation Certificate indicates that they were installed (Sections A8d and A9d on the Elevation Certificate), an Engineered Opening Certification is required to be submitted with the Elevation Certificate to help verify compliance and the insurance rate. The City shall ensure that the developer submits either the International Code Council® Evaluation

Service (ICC-ES) form for the engineered opening or an individual certification. Individual certifications must cover the following at a minimum:

- (a) An identification of the building (address) that has the engineered openings installed;
- (b) The design professional's name, title, address, type of license, the state issuing the license, signature, and seal;
- (c) The Calculation and placement of flood openings, per NFIP requirements, submitted to the Building Department.
- (d) A statement certifying the design of the openings will automatically equalize hydrostatic flood loads on exterior walls by allowing for the automatic entry and exit of floodwaters; and
- (e) A description of the range of flood characteristics tested or computed for which the certification is valid, such as rates of rise and fall of floodwaters.

D. Submission of Additional Data.

When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant ~~shall~~ ~~has the right to~~ seek a Letter of Map ~~Change Amendment or Revision~~ from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of the corresponding 1% or 0.2% flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a Florida licensed engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

§ 7-~~166A~~. INSPECTIONS.

A. General.

Development for which a floodplain development permit or approval is required shall be subject to inspection.

B. Development Other than Buildings and Structures.

The Floodplain Administrator shall inspect all development to determine compliance with the requirements of this Article and the conditions of issued floodplain development permits or approvals.

C. Buildings, Structures, and Facilities Exempt from the Florida Building Code.

The Floodplain Administrator shall inspect buildings, structures and facilities exempt from the Florida Building Code to determine compliance with the requirements of this Article and the conditions of issued floodplain development permits or approvals.

D. Buildings, Structures, and Facilities Exempt from the Florida Building Code, Lowest Floor Inspection.

Upon placement of the lowest floor, including basement, and prior to further vertical construction, the owner of a building, structure or facility exempt from the Florida Building Code, or the owner's authorized agent, shall submit to the Floodplain Administrator:

- (1) If a design flood elevation was used to determine the required elevation of the lowest floor, the certification of elevation of the lowest floor prepared and sealed by a Florida licensed professional surveyor; or
 - (2) If the elevation used to determine the required elevation of the lowest floor was determined in accordance with Section 7-~~155A.(B)(3)(b)~~ of this Article, the documentation of height of the lowest floor above highest adjacent grade, prepared by the owner or the owner's authorized agent.
- E. Buildings, Structures and Facilities Exempt from the Florida Building Code, Final Inspection.
- As part of the final inspection, the owner or owner's authorized agent shall submit to the Floodplain Administrator a final certification of elevation of the lowest floor or final documentation of the height of the lowest floor above the highest adjacent grade; such certifications and documentations shall be prepared as specified in Section 7-~~166A.(D)~~ of this Article.
- F. Manufactured Homes.
- The Floodplain Administrator shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of this Article and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted to the Floodplain Administrator.

§ 7-~~177A~~. VARIANCES AND APPEALS.

- A. General.
- The City Commission shall hear and decide on requests for appeals and requests for variances from the strict application of this Article. Pursuant to Section 553.73(5), Florida Statutes, the City Commission shall hear and decide on requests for appeals and requests for variances from the strict application of the flood-resistant construction requirements of the Florida Building Code.
- B. Appeals.
- The City Commission shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the administration and enforcement of this Article. Any person aggrieved by the decision may appeal such decision to the Circuit Court, as provided by Florida Statutes.
- C. Limitations on Authority to Grant Variances.
- The City Commission shall base its decisions on variances on technical justifications submitted by applicants, the considerations for issuance in Section 7-~~177A.(G)~~ of this Article, the conditions of issuance set forth in Section 7-~~177A.(H)~~ of this Article, and the comments and recommendations of the Floodplain Administrator and the Building Official. The City Commission has the right to impose such conditions as it deems necessary to further the purposes and objectives of this Article.
- D. Restrictions in Floodways.
- A variance shall not be issued for any proposed development in a floodway if any increase in base flood elevations would result, as evidenced by the applicable analyses and certifications required in Section 7-~~155A.(C)~~ of this Article.

E. Historic Buildings.

A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood-resistant construction requirements of the Florida Building Code, Existing Building, Chapter 12, Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the Florida Building Code.

F. Functionally Dependent Uses.

A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use, as defined in this Article, provided the variance meets the requirements of Section 7-~~177A~~.(D), is the minimum necessary considering the flood hazard, and all due consideration has been given to use of methods and materials that minimize flood damage during occurrence of the base flood.

G. Considerations for Issuance of Variances.

In reviewing requests for variances, the City Commission shall consider all technical evaluations, all relevant factors, all other applicable provisions of the Florida Building Code, this Article, and the following:

- (1) The danger that materials and debris may be swept onto other lands resulting in further injury or damage;
- (2) The danger to life and property due to flooding or erosion damage;
- (3) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;
- (4) The importance of the services provided by the proposed development to the community;
- (5) The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;
- (6) The compatibility of the proposed development with existing and anticipated development;
- (7) The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;
- (8) The safety of access to the property in times of flooding for ordinary and emergency vehicles;
- (9) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
- (10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets, and bridges.

H. Conditions for Issuance of Variances.

Variances shall be issued only upon:

- (1) Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this Article or the required elevation standards;
- (2) Determination by the City Commission that:
 - (a) Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;
 - (b) The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and ordinances; and
 - (c) The variance is the minimum necessary, considering the flood hazard, to afford relief;
- (3) Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the Office of the County Comptroller in such a manner that it appears in the chain of title of the affected parcel of land; and
- (4) If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the Floodplain Administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as twenty-five dollars (\$25.00) for one hundred dollars (\$100.00) of insurance coverage), and stating that construction below the base flood elevation increases risks to life and property.

§ 7-188A. VIOLATIONS.

A. Violations.

Any development that is not within the scope of the Florida Building Code but that is regulated by this Article that is performed without an issued permit, that is in conflict with an issued permit, or that does not fully comply with this Article, shall be deemed a violation of this Article. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this Article or the Florida Building Code is presumed to be a violation until such time as that documentation is provided.

B. Authority.

For development that is not within the scope of the Florida Building Code but that is regulated by this Article and that is determined to be a violation, the Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of the property involved, to the owner's agent, or to the person or persons performing the work.

C. Unlawful Continuance.

Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties. Violation of the provisions of this section or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this Code or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than five hundred dollars (\$500.00) or imprisoned for not more than thirty (30) days, or both, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Ocoee from taking such other lawful action as is necessary to prevent or remedy any violation.

~~§ 7-9A. DEFINITIONS.~~

~~A. Unless otherwise expressly stated, the following words and terms shall, for the purposes of this ordinance, have the meanings shown in this section. Where terms are not defined in this Article and are defined in the Florida Building Code, such terms shall have the meanings ascribed to them in the Florida Building Code. Where terms are not defined in this Article or the Florida Building Code, such terms shall have ordinarily accepted meanings such as the context implies.~~

~~(1) **Alteration of a Watercourse.** A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.~~

~~(2) **Appeal.** A request for a review of the Floodplain Administrator's interpretation of any provision of this Article.~~

~~(3) **ASCE 24.** A standard titled Flood Resistant Design and Construction that is referenced by the Florida Building Code. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.~~

~~(4) **Base Flood.** A flood having a one (1) percent chance of being equaled or exceeded in any given year. [Also defined in FBC, B, Section 202.] The base flood is commonly referred to as the "100-year flood" or the "1-percent annual chance flood."~~

~~(5) **Base Flood Elevation.** The elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the FIRM. [Also defined in FBC, B, Section 202.]~~

~~(6) **Basement.** The portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in FBC, B, Section 202; see "Basement (for flood loads)"]~~

~~(7) **Design Flood.** The flood associated with the greater of the following two (2) areas: [Also defined in FBC, B, Section 202.]~~

~~a. Area with a floodplain subject to a one (1) percent or greater chance of flooding in any year; or~~

~~b. Area designated as a flood hazard area on the City's flood hazard map, or otherwise legally designated.~~

- ~~(8) **Design Flood Elevation.** The elevation of the "design flood," including wave height, relative to the datum specified on the City's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to two (2) feet. [Also defined in FBC, B, Section 202.]~~
- ~~(9) **Development.** Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations or any other land disturbing activities.~~
- ~~(10) **Encroachment.** The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.~~
- ~~(11) **Existing Building and Existing Structure.** Any buildings and structures for which the "start of construction" commenced before November 1, 1978. [Also defined in FBC, B, Section 202.]~~
- ~~(12) **Existing Manufactured Home Park or Subdivision.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before November 1, 1978.~~
- ~~(13) **Expansion to an Existing Manufactured Home Park or Subdivision.** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).~~
- ~~(14) **Federal Emergency Management Agency (FEMA).** The federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.~~
- ~~(15) **Flood or Flooding.** A general and temporary condition of partial or complete inundation of normally dry land from: [Also defined in FBC, B, Section 202.]~~
- ~~a. The overflow of inland or tidal waters.~~
- ~~b. The unusual and rapid accumulation or runoff of surface waters from any source.~~
- ~~(16) **Flood Damage-Resistant Materials.** Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Also defined in FBC, B, Section 202.]~~
- ~~(17) **Flood Hazard Area.** The greater of the following two (2) areas: [Also defined in FBC, B, Section 202.]~~
- ~~a. The area within a floodplain subject to a 1-percent or greater chance of flooding in any year.~~
- ~~b. The area designated as a flood hazard area on the City's flood hazard map, or otherwise legally designated.~~

- ~~(18) **Flood Insurance Rate Map (FIRM).** The official map of the City on which the Federal Emergency Management Agency has delineated both special flood hazard areas and the risk premium zones applicable to the City. [Also defined in FBC, B, Section 202.]~~
- ~~(19) **Flood Insurance Study (FIS).** The official report provided by the Federal Emergency Management Agency that contains the Flood Insurance Rate Map, the Flood Boundary and Floodway Map (if applicable), the water surface elevations of the base flood, and supporting technical data. [Also defined in FBC, B, Section 202.]~~
- ~~(20) **Floodplain Administrator.** The office or position designated and charged with the administration and enforcement of this Article (may be referred to as the Floodplain Manager).~~
- ~~(21) **Floodplain Development Permit or Approval.** An official document or certificate issued by the City, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this Article.~~
- ~~(22) **Floodway.** The channel of a river or other riverine watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot. [Also defined in FBC, B, Section 202.]~~
- ~~(23) **Floodway Encroachment Analysis.** An engineering analysis of the impact that a proposed encroachment into a floodway is expected to have on the floodway boundaries and base flood elevations; the evaluation shall be prepared by a qualified Florida-licensed engineer using standard engineering methods and models.~~
- ~~(24) **Florida Building Code or FBC.** The family of codes adopted by the Florida Building Commission, including: Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.~~
- ~~(25) **Functionally Dependent Use.** A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term does not include long-term storage or related manufacturing facilities.~~
- ~~(26) **Highest Adjacent Grade.** The highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.~~
- ~~(27) **Historic Structure.** Any structure that is determined eligible for the exception to the flood hazard area requirements of the Florida Building Code, Existing Building, Chapter 12, Historic Buildings.~~
- ~~(28) **Letter of Map Change (LOMC).** An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:~~
- ~~a. **Letter of Map Amendment (LOMA).** An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and~~

establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

b. ~~**Letter of Map Revision (LOMR):**~~ A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

c. ~~**Letter of Map Revision Based on Fill (LOMR-F):**~~ A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the City's floodplain management regulations.

d. ~~**Conditional Letter of Map Revision (CLOMR):**~~ A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

(29) ~~**Light-Duty Truck.**~~ As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at eight thousand five hundred (8,500) pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of six thousand (6,000) pounds or less and which has a basic vehicle frontal area of forty-five (45) square feet or less, which is:

a. ~~Designed primarily for purposes of transportation of property or is a derivation of such a vehicle; or~~

b. ~~Designed primarily for transportation of persons and has a capacity of more than twelve (12) persons; or~~

c. ~~Available with special features enabling off-street or off-highway operation and use.~~

(30) ~~**Lowest Floor.**~~ The lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the Florida Building Code or ASCE 24. [Also defined in FBC, B, Section 202.]

(31) ~~**Manufactured Home.**~~ A structure, transportable in one (1) or more sections, which is eight (8) feet or more in width and greater than four hundred (400) square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or "park trailer." [Also defined in 15C-1.0101, F.A.C.]

(32) ~~**Manufactured Home Park or Subdivision.**~~ A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

(33) ~~**Market Value.**~~ The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this Article, the term refers to the

market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, Actual Cash Value (replacement cost depreciated for age and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser.

~~(34) **New Construction.** For the purposes of administration of this Article and the flood resistant construction requirements of the Florida Building Code, structures for which the "start of construction" commenced on or after November 1, 1978, and includes any subsequent improvements to such structures.~~

~~(35) **New Manufactured Home Park or Subdivision.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after November 1, 1978.~~

~~(36) **Park Trailer.** A transportable unit which has a body width not exceeding fourteen (14) feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. [Defined in Section 320.01, Florida Statutes.]~~

~~(37) **Recreational Vehicle.** A vehicle, including a park trailer, which is: [see in Section 320.01, Florida Statutes.]~~

~~a. Built on a single chassis;~~

~~b. Four hundred (400) square feet or less when measured at the largest horizontal projection;~~

~~c. Designed to be self-propelled or permanently towable by a light-duty truck; and~~

~~d. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.~~

~~(38) **Special Flood Hazard Area.** An area in the floodplain subject to a one (1) percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V. [Also defined in FBC, B-Section 202.]~~

~~(39) **Start of Construction.** The date of issuance of permits for new construction and substantial improvements, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within one hundred and eighty (180) days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns,~~

~~Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not~~

~~that alteration affects the external dimensions of the building. [Also defined in FBC, B Section 202.]~~

~~(40) **Substantial Damage.** Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the building or structure before the damage occurred. [Also defined in FBC, B Section 202.]~~

~~(41) **Substantial Improvement.** Any repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or exceeds fifty (50) percent of the market value of the building or structure before the improvement or repair is started. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either: [Also defined in FBC, B, Section 202.]~~

~~a. Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.~~

~~b. Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure. [See Instructions and Notes.]~~

~~(42) **Variance.** A grant of relief from the requirements of this Article, or the flood-resistant construction requirements of the Florida Building Code, which permits construction in a manner that would not otherwise be permitted by this Article or the Florida Building Code.~~

~~(43) **Watercourse.** A river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.~~

§ 7-~~1910A~~. BUILDINGS AND STRUCTURES.

A. Design and construction of buildings, structures and facilities exempt from the Florida Building Code. Pursuant to Section 7-~~144A~~.(C) of this Article, buildings, structures, and facilities that are exempt from the Florida Building Code, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood resistant construction requirements of ASCE 24. Structures exempt from the Florida Building Code that are not walled and roofed buildings shall comply with the requirements of Section 7-~~2516A~~. of this Article.

B. Florida Building Code, Technical Amendments.

a. The Substantial Damage and Substantial Improvement definitions in this Article lower the percentage threshold for buildings and structures to achieve compliance within the SFHA and clarify provisions regarding repetitive flood damage and cumulative substantial improvements. In the Florida Building Code, Building and Existing Building, the definitions for the terms "Substantial Damage" and "Substantial Improvement" shall be as provided in Section 7-11.

b. Minimum building elevations:

1. The minimum finished floor elevation (FFE) for residential and non-residential buildings in flood hazard areas shall be as specified in ASCE 24 or the base flood elevation plus two (2) feet, whichever is higher.

C. Critical facilities. New critical facilities shall, to the extent feasible, be located outside of the special flood hazard area and outside of the 0.2 percent annual chance flood hazard area (500-year floodplain). If documentation is provided that feasible sites outside of the special flood hazard that satisfy the objectives of a proposed critical facility are not available, then the critical facility shall:

a. Have the lowest finished floor elevated or protected to at least the base flood elevation plus 2.0 feet or the elevation required by ASCE 24, whichever is higher;

b. Be constructed with floodproofing and sealing materials to prevent toxic substances from being displaced by or released into floodwaters; and

c. Have access routes elevated to or above the base flood elevation to the maximum extent possible in order to protect ingress/egress paths for residents, patients and emergency services personnel.

D. Building elevation and drainage, at all location in the City including lands outside of mapped special flood hazard areas:

a. At least two (2) feet above the one hundred (100) year flood plain elevation or the design elevation of the on-site stormwater management system, whichever is greater.

b. If a lot or site is reasonably level, or slopes toward the street, the minimum finished floor elevation shall not be less than eighteen (18) inches above the highest crown of that portion of the adjacent street, or right-of-way upon which the structure fronts. This applies to grading classified as Type A or B.

c. If a lot or site slopes away from a street or road with continuous slope to the rear, the finished floor elevation of any structure shall be at least one (1) foot above the finished elevations at the side of the lot lines nearest the front corners of the dwelling. This requirement applies to grading classification as Type C.

d. In addition to the conditions of paragraphs A, B, and C above, the finished floor elevation shall be a minimum of six (6) inches above the rim elevation of the nearest downstream gravity sewer manhole serving the lot.

e. It is the intent of the City that lots and buildings sites provide the necessary finished floor elevation without excessive filling of land. Specific grading plans with proposed finished floor elevations and grading shall be submitted for review and approval of the Development Review Committee. When a subdivision lot grading plan has been prepared and approved, specified finished floor elevations and grading types shall be observed. Finished floor elevation shall not deviate below that specified in grading plan by may be increased up to six (6) inches above that specified without approval. Justification shall be provided for raising finished floor elevation more than six (6) inches above that specified. An approved plan that specified individual elevations shall supersede the requirements of (B) and (C) above and this paragraph.

f. Swales shall be constructed to carry runoff alongside the lot lines without allowing unintended runoff to adjacent lots. Grading shall minimize the impact of runoff onto other lots when intended by Type B and C Grading. Use of stem wall construction, retaining walls or other techniques shall be considered to improve drainage and aesthetics. Areas adjacent to structures or paved surfaces shall be graded to drain away from the structures and pavement. Ponding shall be prohibited.

a-g. All slopes of 4:1 or greater shall be sodded. Sodded slopes shall not exceed 4:1 without approval. Where lots adjoin ponds, natural, conservation, or common areas, the lot line elevation specified on the subdivision plans (or natural elevation) shall be maintained and the lot graded at a slope not to exceed 4:1.

§ 7-~~2011A~~. SUBDIVISIONS.

- A. Minimum Requirements. Subdivision proposals, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:
 - (1) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
 - (2) All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
 - (3) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.
- B. Subdivision Plats. Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:
 - (1) Delineation of flood hazard areas, floodway boundaries and flood zones, and design flood elevations, as appropriate, shall be shown on preliminary plats;
 - (2) Where the subdivision has more than fifty (50) lots or is larger than five (5) acres and base flood elevations are not included on the FIRM, the base flood elevations determined in accordance with Section 7-~~155A~~-(B)(1) of this Article; and
 - (3) Compliance with the site improvement and utilities requirements of Section 7-~~2112A~~. of this Article.

§ 7-~~2112A~~. SITE IMPROVEMENTS, UTILITIES, AND LIMITATIONS.

- A. Minimum Requirements. All proposed new development shall be reviewed to determine that:
 - (1) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
 - (2) All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
 - (3) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

- B. Sanitary Sewage Facilities. All new and replacement sanitary sewage facilities, private sewage treatment plants (including all pumping stations and collector systems), and on-site waste disposal systems shall be designed in accordance with the standards for onsite sewage treatment and disposal systems in Chapter 64E-6, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.
- C. Water Supply Facilities. All new and replacement water supply facilities shall be designed in accordance with the water well construction standards in Chapter 62-532.500, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the systems.
- D. Limitations on Sites in Regulatory Floodways. No development, including, but not limited to, site improvements, and land-disturbing activity involving fill or regrading, shall be authorized in the regulatory floodway unless the floodway encroachment analysis required in Section 7-~~155A-(C)~~(1) of this Article demonstrates that the proposed development or land-disturbing activity will not result in any increase in the base flood elevation.
- E. With the exception of the roadway drainage system or where a roadway or utility culvert does not restrict the 100-year flood carrying capacity of the drainageway or where piping of drainageway beyond a simple crossing does not restrict the 100-year flood carrying capacity and provides additional water quality treatment beyond the sites required stormwater measures, the following limitations on drainageways shall apply:
- (1) Prohibit channelization within the Ocoee City Limits and;
 - (2) Maintain a minimum of a five (5) foot buffer from top of bank where there is not a special flood hazard area designation and;
 - (3) Utilize best management practices (BMPs) for top of bank management within buffer.
- F. Where channelization or impacts have occurred or absolutely unavoidable in drainageways, development or redevelopment may occur if enhancements are installed to return the drainageways to a more natural flow regime or improved flood carrying capacity, such as:
- (1) Daylighting the stream by removing the piped drainageway and reestablishing a natural open channel flow regime, while maintaining the minimum drainage flood carrying capacity, as per the City's Engineering Standards Manual,
 - (2) Relocation or redirection of the drainageway in a manner that continues the system's flood carrying capacity without negatively impacting biodiversity, and
 - (3) Piped channelization is increased to accommodate a 100-year flood capacity with additional water quality treatment beyond the sites required stormwater measures.
- GE. Limitations on Placement of Fill. Subject to the limitations of this Article, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, if intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the Florida Building Code.

§ 7-~~22~~13A. MANUFACTURED HOMES.

- A. General. All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to Section 320.8249, Florida Statutes, and shall comply with the requirements of Chapter 15C-1, F.A.C. and the requirements of this Article.
- B. Foundations. All new manufactured homes and replacement manufactured homes installed in special flood hazard areas shall be installed on permanent, reinforced foundations that are designed in accordance with the foundation requirements of the Florida Building Code Residential Section R322.2 and this Article. ~~Foundations for manufactured homes subject to Section 7-13A.(F) of this Article are permitted to be reinforced piers or other foundation elements of at least equivalent strength.~~
- C. Anchoring. All new manufactured homes and replacement manufactured homes shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement. Methods of anchoring include, but are not limited to, use of over-the-top or frame ties to ground anchors. This anchoring requirement is in addition to applicable state and local anchoring requirements for wind resistance.
- D. Elevation. ~~All manufactured homes that are placed, replaced, or substantially improved in flood hazard areas shall be elevated such that the bottom of the frame is at or above the base flood elevation plus two (2) feet. Manufactured homes that are placed, replaced, or substantially improved shall comply with Section 7-13A.(E) or 7-13A.(F) of this Article, as applicable.~~
- E. ~~General Elevation Requirement. Unless subject to the requirements of Section 7-13A.(F) of this Article, all manufactured homes that are placed, replaced, or substantially improved on sites located:~~
 - ~~(1) Outside of a manufactured home park or subdivision;~~
 - ~~(2) In a new manufactured home park or subdivision;~~
 - ~~(3) In an expansion to an existing manufactured home park or subdivision; or~~
 - ~~(4) In an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood,~~~~shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential Section R322.2 (Zone A).~~
- F. ~~Elevation Requirement for Certain Existing Manufactured Home Parks and Subdivisions. Manufactured homes that are not subject to Section 7-13A.(E) of this Article, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:~~
 - ~~(1) Bottom of the frame of the manufactured home is at or above the elevation required in the Florida Building Code, Residential Section R322.2 (Zone A); or~~
 - ~~(2) Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than thirty-six (36) inches in height above grade.~~

- EG.** Enclosures. Enclosed areas below elevated manufactured homes shall comply with the requirements of the Florida Building Code, Residential Section R322.2 for such enclosed areas.
- FH.** Utility Equipment. Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the Florida Building Code, Residential Section R322.

§ 7-~~2314A~~. RECREATIONAL VEHICLES AND PARK TRAILERS.

- A. Temporary Placement. Recreational vehicles and park trailers placed temporarily in special flood hazard areas shall:
 - (1) Be on the site for fewer than one hundred and eighty (180) consecutive days; or
 - (2) Be fully licensed and ready for highway use, which means the recreational vehicle or park model is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches.
- B. Permanent Placement. Recreational vehicles and park trailers that do not meet the limitations in Section 7-~~2314A~~-(A) of this Article for temporary placement shall meet the requirements of Section 7-~~2213A~~ of this Article for manufactured homes.

§ 7-~~2415A~~. TANKS.

- A. Underground Tanks. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty.
- B. Above-Ground Tanks, Not Elevated. Above-ground tanks that do not meet the elevation requirements of Section 7-~~19D15A~~-.C of this Article shall be permitted in flood hazard areas provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.
- C. Above-Ground Tanks, Elevated. Above-ground tanks in flood hazard areas shall be attached to and elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area.
- D. Tank Inlets and Vents. Tank inlets, fill openings, outlets and vents shall be:
 - (1) At or above the design flood elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and
 - (2) Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

§ 7-~~2516A~~. OTHER DEVELOPMENT.

- A. General Requirements for Other Development. All development, including manmade changes to improved or unimproved real estate for which specific provisions are not specified in this Article or the Florida Building Code, shall:
- (1) Be located and constructed to minimize flood damage;
 - (2) Meet the limitations of Section 7-~~2112A.(D)~~ of this Article if located in a regulated floodway;
 - (3) Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;
 - (4) Be constructed of flood damage-resistant materials; and
 - (5) Have mechanical, plumbing, and electrical systems above the design flood elevation or meet the requirements of ASCE 24, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.
- B. Fences in Regulated Floodways. Fences in regulated floodways that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Section 7-~~2112A.(D)~~ of this Article.
- C. Retaining Walls, Sidewalks and Driveways in Regulated Floodways. Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the limitations of Section 7-~~2112A.(D)~~ of this Article.
- D. Roads and Watercourse Crossings in Regulated Floodways. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one (1) side of a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of Section 7-~~2112A.(D)~~ of this Article. Alteration of a watercourse that is part of a road or watercourse crossing shall meet the requirements of Section 7-~~155A.(C)~~(~~34~~) of this Article.

West Orange Times c/o Business Observer

1970 Main Street
3rd Floor
Sarasota, FL 34236
, 941-906-9386 x322

INVOICE

Legal Advertising

CITY OF OCOEE

NOTICE OF PUBLIC HEARING TO CONSIDER A LAND DEVELOPMENT CODE AMENDMENT PERTAINING TO FLOODPLAIN MANAGEMENT

NOTICE IS HEREBY GIVEN, pursuant to Article I, Sections 1-9 and 1-10, of the City of Ocoee Land Development Code that on **TUESDAY, MAY 14, 2024, AT 6:30 P.M.** or as soon thereafter as practical, the **OCOEE PLANNING & ZONING COMMISSION** will hold a **PUBLIC HEARING** at the City of Ocoee Commission Chambers located at 1 North Bluford Avenue, Ocoee, Florida, to consider proposed changes to Part 1A of Article VII of the Land Development Code pertaining to floodplain management requirements.

Interested parties may appear at the public hearing and be heard with respect to the proposed action. The complete case file may be inspected at the Ocoee Development Services Department, located at 1 North Bluford Avenue, Ocoee, Florida, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except for legal holidays. The Planning and Zoning Commission may continue the public hearing to other dates and times as it deems necessary. Any interested party shall be advised that the dates, times, and places of any continuation of these or continued public hearings shall be announced during the hearings and that no further notices regarding these matters will be published. You are advised that any person who desires to appeal any decision made during the public hearings will need a record of the proceedings and, for this purpose, may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based. Persons with disabilities needing assistance to participate in any of the proceedings should contact the City Clerk's Office 48 hours in advance of the meeting at (407) 905-3105.

May 2, 2024

24-01456W

Attention: If you are a government agency and you believe that you qualify for a 15% discount to the second insertion of your notice per F.S. revision 50.061, please inform Kristen Boothroyd directly at 941-906-9386 x323.

NOTICE

The Business Observer makes every effort to ensure that its public notice advertising is accurate and in full compliance with all applicable statutes and ordinances and that its information is correct. Nevertheless, we ask that our advertisers scrutinize published ads carefully and alert us immediately to any errors so that we may correct them as soon as possible. We cannot accept responsibility for mistakes beyond bearing the cost of republishing advertisements that contain errors.



May 2024 Development Services New Development Update

The following information is respectfully submitted to the Honorable Mayor and City Commission in order to provide general information about public and private development in the City of Ocoee. Please feel free to contact City Planner Rumer at ext. 1018 for additional information or questions.

District 1– Scott R. Kennedy		
Project Name & General Location	Project Description	Status
1053 Ocoee Apopka Rd. - MDTL Enterprise LLC Property Sage#2024-0016 Parcel # 07-22-28-0000-00-074 Parcel # 07-22-22-0000-00-105 2.17 acres Commission District 1 – Scott R. Kennedy	Annexation	- Planning & Zoning Meeting: April 9, 2024 - City Commission Meeting 1st Reading: May 7, 2024 - City Commission Meeting 2nd Reading: May 21, 2024 - Under 1st Review
1059 Ocoee Apopka Rd - Rogers Property Sage #2024-0015 Parcel # 07-22-28-0000-00-043 5.01 acres Commission District 1 – Scott R. Kennedy	Annexation	- Planning & Zoning Meeting: April 9, 2024 - City Commission Meeting 1st Reading: May 7, 2024 - City Commission Meeting 2nd Reading: May 21, 2024 - Under 1st Review
1102 & 1104 N. Lakewood Ave. - Lott Property Sage # 2024-0017 Parcel # 07-22-28-0000-00-060 Parcel # 07-22-22-0000-00-057 7.17 acres Commission District 1 – Scott R. Kennedy	Annexation	- Planning & Zoning Meeting: April 9, 2024 - City Commission Meeting 1st Reading: May 7, 2024 - City Commission Meeting 2nd Reading: May 21, 2024 - Under 1st Review
1305 & 1113 Ocoee Apopka Rd - MDTL Enterprise LLC Property Sage#2024-0016 Parcel # 07-22-28-0000-00-039 Parcel # 07-22-22-0000-00-041 4.32 acres Commission District 1 – Scott R. Kennedy	Annexation	- Planning & Zoning Meeting: April 9, 2024 - City Commission Meeting 1st Reading: May 7, 2024 - City Commission Meeting 2nd Reading: May 21, 2024 - Under 1st Review

7-ELEVEN Sage #2022-0045 2308 Ocoee Apopka Road Parcel # 06-22-28-9243-04-000 2.12 acres Commission District 1 – Scott R. Kennedy	Small Scale Site Plan for a 4,650 SF Convenience Store and Fuel Station	Under Construction 
THE BACKYARD Sage #2023-0041 2214 West Road Parcel # 06-22-28-0000-00-035 1.1.51 acres Commission District 1 – Scott R. Kennedy	Small Scale Site Plan for a one story 924 SF Indoor and Outdoor Restaurant	Site Plan Approved Pending Pre-Construction Meeting
COMMERCE 429 FKA BELTWAY 429 FKA PROGRESS COMMERCE PARK Sage #2021-0051 39.97 acres 1290 Ocoee Apopka Road Parcel # 07-22-28-0000-00-026 24.95 acres Pine St Parcel # 07-22-28-0000-00-096 13.01 acres Pine St. Parcel # 07-22-28-0000-00-066 .54 acres 865 Pine St. Parcel # 07-22-28-0000-00-024 1.47 acres Commission District 1 – Scott R. Kennedy	Large Scale Final Site Plan for up to 480,500 SF of Light Industrial/Warehouse uses located within six (6) buildings.	Under Construction 
FOUNTAINS WEST PUD LOT 8 Sage #2024-0026 Fountains West Blvd. Parcel # 06-22-28-2863-01-000 3.04 acres Commission District 1 – Scott R. Kennedy	Substantial Amendment to the PUD/LUP to Lot 8 to increase the allowable square footage for retail use from 18,000 square feet to 24,932 square feet for the purposes of constructing a Goodwill Retail store	- Planning & Zoning Meeting: May 14, 2024 - City Commission Meeting 1st Reading: June 4, 2024 - City Commission Meeting 2nd Reading: June 18, 2024 - Under 1st Review
GOODWILL AT FOUNTAINS WEST Sage #2024-0014 Fountains West Blvd. Parcel # 06-22-28-2863-01-000 3.04 acres Commission District 1 – Scott R. Kennedy	Small Scale Site Plan for a 24,932 SF Retail building	Under 1st Review (Will require approval of the Fountains West PUD Lot 8 Substantial Amendment)
MAGNOLIA RESERVE TOWNHOMES Sage #2022-0057 2199 West Road Parcel # 05-22-28-0000-00-029 5.08 acres Commission District 1 – Scott R. Kennedy	Large Scale Final Subdivision Plan Proposing Townhome Subdivision with a minimum living area of 1,500 SF	Under Construction 

MAGNOLIA RESERVE TOWNHOMES Sage 2023-0023 Sage #2023-0023 2199 West Road Parcel # 05-22-28-0000-00-029 5.08 acres Commission District 1 – Scott R. Kennedy	Plat	Under 5th Review
OCOE CROWN POINT MIXED USE DEVELOPMENT Sage #2022-0050 2012 Ocoee Apopka Road Parcel # 06-22-28-0000-00-005 Parcel # 06-22-22-0000-00-082 16.19 acres Commission District 1 – Scott R. Kennedy	Large Scale Final Site Plan for mixed-use consisting of Multifamily and Retail	Final Site Plan Approved
OCOE VILLAGE CENTER ALLURE Clarcona Ocoee Road Parcel # 05-22-28-0000-00-040 15.63 acres Commission District 1 Scott R. Kennedy	Large Scale Preliminary/Final Site Plan for 320 Unit Apartments, four (4) – 101,000 SF, four-story Residential Buildings and one (1) – 10,000 SF, single-story Pool/Clubhouse	Under Construction 
OCOE VILLAGE CENTER SOUTHEAST COMMERCIAL 10711 N Lakewood Ave Parcel # 05-22-28-0000-00-004 4.7 acres Commission District 1 Scott R. Kennedy	Preliminary/Final Site Plan for a 4,650 SF Gas Station/Convenience Store, a 14,000 SF Retail/Restaurant Building, and a 4000 SF Quick Service Restaurant	Under Construction 
OCOE VILLAGE CENTER TOWNHOMES 10711 N Lakewood Ave Parcel # 05-22-28-0000-00-004 34.48 acres Commission District 1 – Scott R. Kennedy	Large Scale Preliminary/Final Subdivision Plan for 232 – 2 story Townhome units	Under Construction 
OCOE VILLAGE CENTER TOWNHOMES 10711 N Lakewood Ave Parcel # 05-22-28-0000-00-004 34.48 acres Commission District 1 – Scott R. Kennedy	Plat for 232 – 2 story Townhome units	Plat Recorded December 14, 2022

**THE FALLS AT WINTER LAKE
FKA MIXED-USE @ FULLERS
CROSS RD & OCOEE APOPKA
RD**

Sage #2022-0006
Fullers Cross Road
Parcel # 06-22-28-0000-00-056
17.96 acres
Commission District 1 – Scott R. Kennedy

Large Scale Preliminary Site Plan for mixed-use consisting of Apartments and Commercial

- **Planning & Zoning Meeting:** July 12, 2022
- **City Commission Meeting:** TBD
- Under 2nd Review

District 2 – Rosemary Wilsen

Project Name & General Location	Project Description	Status
1 TAYLOR ST. 1 Taylor St. Parcel # 18-22-28-0000-00-049 .21 acres Commission District 2 – Rosemary Wilsen	Comprehensive Plan FLU Amendment from High Industrial (HI) to Commercial (COMM) Rezoning from Light Industrial (I-1) to General Commercial (C-2)	• Planning & Zoning Meeting: April 9, 2024 • City Commission Meeting 1st Reading: May 7, 2024 • City Commission Meeting 2nd Reading: May 21, 2024 Under 1 st Review
*NEW PROJECT 338 N. BLUFORD AVENUE-RODRIGUEZ PROPERTY 338 N. Bluford Avenue Parcel # 18-22-28-4100-00-131 .44 acres Commission District 2 – Rosemary Wilsen	Small-Scale CPA from Low Density Residential (LDR) to Commercial (COMM) Rezoning from Single Family Dwelling (R-1AA) to General Commercial (C-2)	• Under 1st Review
626 SOUTH BLUFORD AVE. WAREHOUSE AND OFFICE 626 South Bluford Ave. Parcel # 17-22-28-6144-04-402 1.1 acres Commission District 2 – Rosemary Wilsen	Small Scale Site Plan, 10,000 SF Building	Under Construction 
CITY CENTER WEST ORANGE, PARCEL 1, PHASE IV, LOT 4A 251 Maine Street Parcel # 20-22-28-0000-00-015 1.26 acres Commission District 2 – Rosemary Wilsen	Small Scale Site Plan, two-story 20,000 SF office/retail building	• 2nd Review Comments sent on June 18, 2019 • Awaiting resubmittal for 3rd Review
DARREN CENTER 9961 W Colonial Drive Parcel # 21-22-28-0000-00-012 7.06 acres Commission District 2 – Rosemary Wilsen	Small Scale Site Plan 18,302 SF Medical & Professional Office	Under Construction 

HUDSON FURNITURE Sage #2022-0044 10401 W. Colonial Dr. Parcel # 20-22-28-4238-00-030 Commission District 2 – Rosemary Wilsen	Small Scale Site Plan to add an additional 13,866 SF to the existing 15,615 SF Building	Under Construction 
Ocoee Gateway Sage #2023-0033 9714 White Road Parcel # 21-22-28-0000-00-021 Parcel # 21-22-28-0000-00-029 69.29 acres Commission District 2 – Rosemary Wilsen	CPA and Rezoning from PUD-LDR, and PUD-COMM to PUD-LDR, PUD-MDR, and PUD-HDR, and PUD-COMM	1st Review Comments sent November 13, 2023, - Awaiting Resubmittal
OCOE OAKS JOINT VENTURE Sage #2023-0021 201 S. Clark Rd. Parcel # 21-22-28-0000-00-027 12.59 acres Commission District 2 – Rosemary Wilsen	Large Scale Final Subdivision Plan	Under 9th Review
OCOE OAKS UMC Sage #2023-0031 201 S. Clark Rd. Parcel # 21-22-28-0000-00-027 12.59 acres Commission District 2 – Rosemary Wilsen	Small Scale Site Plan for a 135-foot communication tower	Under Construction 
OCOE PICKLEBALL COMPLEX Sage #2024-0011 1000, 1050, & 1100 Jacob Nathan Blvd. Parcel # 21-22-28-3093-06-000 Parcel # 21-22-28-3093-03-000 Parcel # 21-22-28-3093-04-000 6.08 acres Commission District 2 – Rosemary Wilsen	Special Exception request for an indoor and outdoor pickleball complex with a 14,000 sf pro-shop/café in a C-2 Community Commercial District Large-Scale Preliminary Site Plan	Denied at the May 7, 2024 City Commission Meeting:
OCOE TOWN SHOPS (Wawa) Sage #2023-0020 9729 W. Colonial Dr. Parcel # 21-22-28-0000-00-070 3.39 acres Commission District 2 – Rosemary Wilsen	Small Scale Site Plan	Site Plan Approved
O'REILLY'S OCOE Sage #2021-0041 1891 E. Silver Star Road Parcel # 16-22-28-8049-00-003 5.06 acres Commission District 2 – Rosemary Wilsen	Small Scale Site Plan for a 7,453 SF O'Reillys Auto Parts store	Site Plan Approved Pending Pre-Construction Meeting

O'REILLY'S OCOEE Sage #2021-0057 1891 E. Silver Star Road Parcel # 16-22-28-8049-00-003 5.06 acres Commission District 2 – Rosemary Wilsen	Plat	• City Commission Meeting (Consent Item): TBD • 4th review comment sent on September 20, 2022 • Awaiting resubmittal
ROCKET CHIMP OFFICE Sage #2023-0035 300 N. Bluford Avenue Parcel # 18-22-28-4100-00-160 0.91 acres Commission District 2 – Rosemary Wilsen	Small Scale Site Plan for a 3,137 SF Office Building	Site Plan Approved
SIRI OFFICE BUILDING Sage #2023-0008 3872 Old Winter Garden Road Parcel # 28-22-28-0000-00-019 1.25 acres Commission District 2 – Rosemary Wilsen	Small Scale Site Plan for 28,000 SF Office Building	Under Construction 
WENDYLYN'S BEAUTY SALON, FKA 54 REWIS STREET Sage #2021-0033 54 Rewis Street Parcel # 18-22-28-7900-05-051 0.25 acres Commission District 2 – Rosemary Wilsen	Small Scale Site Plan for a 1,275 SF Building, Mixed-use of Beauty Salon, and Residence	Site Plan Approved Pending Pre-Construction Meeting
WEST DELAWARE STREET PROPERTY Sage #2024-0002 W. Delaware St. Parcel # 17-22-28-6144-04-031 1.0 acre Commission District 2 – Rosemary Wilsen	Plat	Awaiting Submittal
WEST ORANGE MEDICAL Sage # 2023-0006 3442 Old Winter Garden Road 3462 Old Winter Garden Road Parcel # 29-22-28-0000-00-028 Parcel # 29-22-28-0000-00-036 1.21 acres combined Commission District 2 – Rosemary Wilsen	Small Scale Site Plan for an 11,800 SF Medical Office	Site Plan Approved Pending Pre-Construction Meeting
WEST ORANGE SURGERY CENTER Sage #2022-0005 3422 Old Winter Garden Road Parcel # 29-22-28-0000-00-030 1.26 acres combined Commission District 2 – Rosemary Wilsen	Small Scale Site Plan for an 11,500 SF Surgery Center	Site Plan Approved Pending Pre-Construction Meeting

District 3 – Richard Firstner

Project Name & General Location	Project Description	Status
409 OCOEE APOPKA ROAD PUD Sage #2021-0035 409 Ocoee Apopka Road Parcel # 18-22-28-0000-00-056 4.76 acres Commission District 3 – Richard Firstner	Large Scale Preliminary/ Final Site Plan for two Industrial Warehouse Buildings totaling 61,797 SF	Under Construction 
429 BUSINESS CENTER PHASE II EAST Sage #2022-0054 450 Ocoee Apopka Road Parcel # 18-22-28-0000-00-006 11.21 acres combined Commission District 3 – Richard Firstner	Large Scale Final Site Plan for three (3) one story buildings totaling 126,402 SF	Under Construction 
429 BUSINESS CENTER PHASE II WEST Sage #2022-0055 701 Pine Street 707 Pine Street 711 Pine Street Parcel # 18-22-28-0000-00-005 Parcel # 18-22-28-0000-00-106 Parcel # 18-22-28-0000-00-105 5.90 acres combined Commission District 3 – Richard Firstner	Large Scale Final Site Plan for a one-story building consisting of 70,720 SF	Under Construction 
606 SPORTS TRAINING Sage #2023-0026 606 Ocoee Apopka Road Parcel # 18-22-28-0000-00-001 5.19 acres Commission District 3 – Richard Firstner	Large Scale Final Site Plan for a one-story 52,800 SF sports training facility	1st Review comments sent April 15, 2024 - Awaiting resubmittal
789 PINE STREET (606 SPORTS TRAINING) Sage #2024-0004 789 Pine St. Parcel # 18-22-28-0000-00-003 2.50 acres Commission District 3 – Richard Firstner	Small-Scale CPA from Low Density Residential (LDR) to Light Industrial (LI) & Rezoning from Single Family Dwelling (R-1A) to Restricted Manufacturing & Warehousing (I-1)	- Planning & Zoning Meeting: April 9, 2024 - City Commission Meeting 1st Reading: May 7, 2024 - City Commission Meeting 2nd Reading: May 21, 2024 - Under 1st Review
CAMBRIA SUITES AT OCOEE Sage #2023-0045 924 Maguire Road Parcel # 18-22-28-0000-00-074 2.61 acres Commission District 3 – Richard Firstner	Large Scale Final Site Plan for a six-story, 118 room Hotel	Under 1 st Review

CHRISTIAN BROTHERS AUTOMOTIVE Sage #2021-0022 West Colonial Dr. Parcel # 20-22-28-9138-03-000 .62 acres Commission District 3 – Richard Firstner	Small Scale Site Plan for a 5000 SF Automotive Service Building	Under Construction 
FIRST CHOICE DOOR AND MILLWORK Sage #2021-0015 393 Enterprise Street Parcel# 19-22-28-9153-02-601 1.26 acres Commission District 3 – Richard Firstner	Small Scale Site Plan for a 4,000 SF detached storage building and associated parking and utility improvements	Under Construction 
FLOORING AMERICA STORAGE BUILDING Sage #2023-0034 10897 West Colonial Dr. Parcel # 20-22-28-0000-00-037 2.95 acres Commission District 3 – Richard Firstner	Small Scale Site Plan for a 13,700 SF Warehouse Building	4th Review Comments sent on March 6, 2024 - Awaiting resubmittal
HAMPTON INN BY HILTON AKA COMFORT INN – MAINSTAY SUITES Sage #2021-0023 11405 W. Colonial Dr. Parcel # 19-22-28-0000-00-007 945 Marshall farms Rd. Parcel# 19-22-28-0000-00-008 Commission District 3 – Richard Firstner	Preliminary/Final Large-Scale Site Plan for a six-story 74,657 SF hotel with 120 rooms	Under Construction 
ALIBI AKA LAKE LILLY Sage #2021-0039 2802 Old Winter Garden Road Parcel # 29-22-28-0000-00-007 16.61 acres Commission District 3 – Richard Firstner	Large Scale Final Site Plan for 410 Luxury Multifamily Rental Units	Under Construction 
O2B KIDS Sage #2022-0023 880 Bluford Avenue Parcel # 20-22-28-0000-00-059 Parcel# 20-22-28-0000-00-055 2.48 acres combined Commission District 3 – Richard Firstner	Small Scale Site Plan for a 10,970 SF Day Care Facility and a 6,000 SF Medical Office Building	Daycare Facility Under Construction 
OCOE-TOMYN SELF STORAGE FACILITY AKA BARKERITAVILLE PUD AKA PET PARADISE Sage #2021-0044 Parcel # 31-22-28-0000-00-050 8.13 acres Commission District 3 – Richard Firstner	Preliminary/Final Large-Scale Site Plan	Under Construction 

OCOE VILLAGE Sage #2022-0020 Franklin Street Parcel # 18-22-28-0000-00-025 5.77 acres Commission District 3 – Richard Firstner	Large Scale Final Site Plan, for two (2) two-story buildings with 72,712 sf for office/retail.	Under Revision Review
PRUITT HEALTH 870 Tomyon Blvd Parcel# 30-22-28-2861-01-000 10.73 acres Commission District 3 – Richard Firstner	Substantial Amendment to the PUD for a Nursing Facility	Approved at the August 17, 2021 City Commission Meeting
THE REGENCY Sage #2023-0015 1601 Maguire Road # 28-22-30-0000-00-059 Parcel # 28-22-30-0000-00-016 Parcel # 28-22-30-0000-00-018 16.68 acres Commission District 3 – Richard Firstner	Large Scale Final Site Plan for 300 Multifamily units and 7000 SF of Retail	Final Site Plan Approved Pending Pre-Construction Meeting
District 4 – George Oliver III		
Project Name & General Location	Project Description	Status
COVINGTON OAKS Sage #2023-0002 8667 A. D. Mims Road Parcel # 10-22-28-0000-00-004 9.94 acres Commission District 4 – George Oliver III	Final Subdivision Plan for 17 Single-Family Residential Lots	Under 2nd Review
EVEREST REHABILITATION HOSPITAL AKA OCOEE LANDINGS COMMERCIAL 1842 E. Silver Star Road Parcel # 16-22-28-4532-00-040 5.12 acres Commission District 4 - George Oliver III	Large Scale Site Plan for a 39,817 SF, single-story, Rehabilitation Hospital	Under Construction 
GARDENIA POINTE Sage #2023-0005 Clarke Road/ A. D. Mims Road Parcel # 10-22-28-0000-00-003 # 10-22-28-0000-00-011 # 10-22-28-0000-00-128 # 03-22-28-2834-01-201 37.37 acres Commission District 4 - George Oliver III	Rezoning from A-1 (General Agriculture) to PUD (Planned Unit Development)	Planning & Zoning Meeting: February 13, 2024 City Commission Meeting 1st Reading: March 5, 2024 City Commission Meeting 2nd Reading: April 16, 2024 - Continued to May 21, 2024
HOWARD MEADOWS Sage #2023-0032 8708 A. D. Mims Road Parcel # 10-22-28-0000-00-133 2.25 acres Commission District 4 - George Oliver III	Final Subdivision Plan for Six (6) Single-Family Residential Lots	Under 8 th Review

LAKE MEADOW LANDING (F.K.A ARDEN LANDING; CIARA PLACE / F.K.A. VILLA ROMA) 2121 North Clarke Road Parcel # 04-22-28-0000-00-048 21.05 acres Commission District 4 - George Oliver III	Large Scale Preliminary/Final Subdivision Plan, 88-unit 1,391 SF (per unit) residential townhomes with a 2,400-SF clubhouse	Under Construction 
OCOEE LANDINGS PUD Sage #2022-0026 E. Silver Star Road Parcel # 16-22-28-4532-00-140 1.77 acres Commission District 4 - George Oliver III	Large Scale Site Plan consisting of commercial/retail and 46 apartments combined as an approved use for the PUD	Approved at City Commission meeting on November 1, 2022
PRAIRIE LAKE SUBDIVISION Ocoee Vista Parkway/AD Mims Road Parcel # 09-22-28-0000-00-056 11.99 acres Commission District 4 - George Oliver III	Preliminary Final Subdivision Plan to construct 78 lots, each containing a two-story townhome	Under Construction 
RESERVE AT LAKE MEADOWS Sage #2021-0043 2149 Lauren Beth Avenue Parcel # 04-22-28-0000-00-024 18.58 acres Commission District 4 - George Oliver III	A Large-Scale Final Subdivision plan for 46 single-family homes	Final Site Plan Approved
*NEW PROJECT SHOPPES ON THE BLUFF Sage #2024-0013, 2024-0018 9251 Clarcona Ocoee Road Parcel # 33-21-28-0000-00-023 Parcel # 04-22-28-0000-00-012 4.29 acres Commission District 4 – George Oliver III	Small-Scale CPA from Low Density Residential (LDR) to PUD & Rezoning from Single Family Dwelling (R-1AA) PUD	Under 1 st Review
WYNWOOD PHASE 1 & 2 FKA CLRM Sage #2020-0014 44 W. McCormick Road Parcel # 33-21-28-0000-00-007 100 E McCormick Road Parcel # 34-21-28-0000-00-022 3201 Trout Lake Road Parcel # 33-21-28-0000-00-020 212.30 acres Commission District 4- George Oliver III	Large Scale Preliminary/Final Subdivision to construct 190 single family residential lots in Phases 1 & 2 with stormwater ponds, open space, and a park/recreation area and 187 lots for Mass Grading in Phases 3 & 4	Under Construction 
WYNWOOD PHASE 3 & 4 FKA CLRM Sage #2023-0024 Greenwood Oak Drive Parcel # 34-21-28-9490-06-001 Coachwood Drive Parcel # 34-21-28-9490-06-002 56.63 acres Commission District 4- George Oliver III	Large Scale Preliminary/Final Subdivision Plan to construct 187 single family residential lots	- Final Site Plan Approved Pending Pre-Construction Meeting - City Commission Meeting (Consent): TBD