

ORDINANCE NO. #1123

AN ORDINANCE OF THE CITY OF MARIANNA, FLORIDA AMENDING ORDINANCE 815, WHICH ADOPTED THE CITY OF MARIANNA LAND DEVELOPMENT REGULATIONS TO AMEND SECTION 4-5.1(4) ADDRESSING LANDSCAPING AROUND STORMWATER MANAGEMENT FACILITIES IN THE CITY OF MARIANNA; PROVIDING FOR SEVERABILITY AND FOR REPEALER; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Marianna Planning & Zoning Board held a Public Meeting to consider the recommending changes to the City of Marianna Land Development Code on February 21, 2022, and recommended adoption of Ordinance #1123; and

WHEREAS, in exercise of its authority, the City Commission of the City of Marianna finds it necessary and desirable to adopt and does hereby adopt Ordinance #1123 amending the City of Marianna Land Development Code to encourage development of amenities around City of Marianna stormwater facilities.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MARIANNA, FLORIDA THAT:

SECTION 1. Authority. The authority for enactment of this ordinance is Article 1, Section 1.06 and 1.07 of the Charter of the City of Marianna. Amendment consists of the attached hereto as Exhibit A, and made a part hereof and which will be incorporated in the current Land Development Code of the City of Marianna.

SECTION 2. Amendment. The Land Development Code, Section 4-5.1(4) of the Code of Ordinances for the City of Marianna, is hereby amended to read as follows in Exhibit A.

SECTION 3. Severability. Each separate provision of this ordinance is deemed independent of all other provisions herein so that if any portion or provision of this ordinance is declared invalid, all other provisions there of shall remain valid and enforceable.

SECTION 4. Effective Date. This Ordinance shall become effective upon its adoption by the City Commission as provided by law.

PRESENTED AND READ BY TITLE TO THE CITY COMMISSION OF THE CITY OF MARIANNA, FLORIDA ON THE ____ DAY OF _____, 2022.

PASSED AND ADOPTED BY THE CITY COMMISSION OF MARIANNA, FLORIDA ON
THIS THE _____ DAY OF _____, 2022.

ATTEST:

Marianna City Commissioners

Kimberly J. Applewhite, City Clerk

Kenny Hamilton, Mayor/Commissioner

Exhibit A

NOTE: STRIKE THROUGH INDICATES LANGUAGE DELETED AND UNDERLINE INDICATES LANGUAGE ADDED.

Sec. 4-5. Utilities.

This section is intended to provide basic standards for availability of utilities services as follows.

4-5.1. Applicability.

1. Electricity and telephone. All habitable developments shall have available a source of electricity and telephone adequate to accommodate the permitted development.
2. Water and sewer. All habitable development within the City shall be connected onto the City water and sewer system or, if City water and sewer service is not available, within six months of the availability of such service. All connections or extensions into either the water or sewer systems shall be as specified in the Florida Building Code.
3. Fire hydrants. The developers of any residential development shall provide a system of fire hydrants which meets or exceeds the standards set forth in the "Florida Fire Prevention Code."
4. Drainage and stormwater management.
 - a. Management plan required. Site plans submitted pursuant to Article II of this Code shall include a drainage and stormwater management plan which addresses the following requirements; unless exempted by 62-346.051, Florida Administrative Code.
 - b. Stormwater design standards.
 - i. Stormwater quality. Minimum stormwater quality standard is:

Retention, or detention with filtration of the runoff from the first one inch of rainfall or, for drainage areas less than 100 acres, facilities required to provide retention, or detention with filtration, ~~or~~ of the first one-half inch of runoff from a 24-hour, critical duration storm event.

Higher standards may be applied in areas of special concern as determined by the Director.

All stormwater discharge structures shall have sediment controls and skimming devices.

Off-site discharge flows shall be limited to non-erosion velocities.

ii. Stormwater quantity. Minimum stormwater quantity standard:

All developments shall provide facilities required to attenuate the 25-year, 24-hour storm event while limiting discharge to the difference between predevelopment levels and post-development levels or to the capacity of the receiving water or drainage control structure.

The minimum time of concentration shall be ten minutes.

Design engineers shall verify the capacity of the outfall system with analytical analysis, unless waived by the Director.

c. Erosion and siltation control. The minimum for erosion and siltation control:

- i. Provide an erosion and siltation plan for temporary and permanent vegetative and structural control measures.
- ii. Best management practices contained in the FDEP Florida Development Manual: A Guide to Sound Land and Water Management, will be followed.
- iii. Denuded areas shall be stabilized with mulch, sod or other temporary vegetation within 30 days. Final stabilization measures shall be in place within 60 days of final grading.
- iv. Soil stockpiles shall be protected from erosion. Dust from soil stockpiles shall be controlled.
- v. Storm drainage inlets shall be protected by hay bales, sod screens or other measures to prevent siltation during construction.
- vi. Sediment basins, sediment traps, perimeter berms, filter fabric fences, hay bales and other measures indicated on the erosion control plan shall be installed as a first step in land alteration (see subsection 4-4.4, paragraph 1).

vii. Exemptions may be authorized by the Director as follows: construction of one single-family dwelling unit, one duplex, one triplex, or one quadraplex residential unit provided the unit is not a part of a larger development; or other activities determined by the Director.

d. Drainage and stormwater management plan requirements.

i. The applicant shall provide sufficient information for the City to evaluate the characteristics of the affected area, the potential impacts on City water and the acceptability of compensating measures including: maps, sketches, graphs, tables, photographs, narratives and other information.

ii. The drainage and stormwater management plan shall be prepared by a professional engineer registered in the State of Florida, unless exempted by the Director.

iii. The drainage and stormwater management plan shall include the following, unless exempted by the Director.

Name, address, and telephone number of the applicant.

Location map and aerial photo outlining project boundaries.

Existing environmental and hydrologic conditions of the site and receiving waters including:

Predevelopment flow rate, direction and volume of stormwater runoff on the site.

Off-site adjacent upland acreage, watercourses, water bodies and wetlands.

Groundwater levels.

Vegetation and soils.

Other appropriate site-specific information including outfall system information.

Components of the proposed stormwater management system including:

Post development flow rate, direction and volume of stormwater runoff with a comparison to predevelopment conditions.

Construction plans for stormwater system improvements.

Erosion and sedimentation control measure plan (see subsection 4-4.4, paragraph 1).

Plan and schedule for maintenance of stormwater management system and erosion/sedimentation control measures.

Other appropriate site-specific information.

e. Plan adherence.

- i. The applicant shall be required to adhere to the drainage and stormwater management plan as approved.
- ii. Any changes or amendments to the plan must be approved by the City.
- iii. After completion of the project, the City shall require the project engineer to certify that the project meets the approved plan.

f. Maintenance.

- i. The installed systems required by these standards shall be maintained by the owner unless the City or other agencies have accepted the responsibility of maintenance.
- ii. If the owner fails to maintain his systems, the Director shall give the owner written warning for enforcement action as specified in section 1-11 of this Code.

g. Inspections.

- i. The owner, engineer or contractor shall arrange scheduling with the City for the following inspections during construction:

Erosion and sediment control inspection: as necessary to ensure effective control of erosion and sedimentation, including prior to land clearing.

Bury inspections: prior to covering of underground drainage structures.

Final inspection: when all work, including installation of stormwater management facilities, has been completed.

h. Off-site facilities.

i. Developers may provide off-site quality and quantity stormwater facilities subject to approval by the Director.

ii. Developers may request participation by a pro rata share in existing or planned public or regional stormwater facilities in lieu of on-site facilities subject to a development agreement with the City.

i. City Stormwater Facilities

i. City owned stormwater facilities will incorporate site-specific scale and design that includes landscaping as a key parameter contributing to successful integration of stormwater management facilities as amenities within the community's open space system. Landscaping will not only contribute to visual character, but also functional performance in terms of operation, maintenance, public safety, contaminate removal and other environmental benefits.

ii. Stormwater facility shorelines will be stabilized to prevent bank erosion by increasing stability and introducing shade.

a. Whenever possible existing trees and plant life will be protected, especially trees with a diameter of 18" or larger at 54" above ground level.

b. One native deciduous and/or coniferous tree will be planted and/or saved every 50 linear feet around the pond's perimeter.

c. The remaining area along the water's edge will be supplemented with ground cover, shrubs and herbaceous plants to provide resistance to surface erosion.

iii. Plant Requirements

- a. Nonnative ornamental trees will be six feet tall when planted and must reach a minimum of 15 feet at mature height and normal adult dripline of 15 feet.
 - b. Native deciduous and/or coniferous trees will be 15 feet tall when planted and grow beyond 20 feet at maturity.
 - c. Shrubs and/or hedges must be a minimum height of two feet tall when planted.
 - d. Ground covers should be planted with a spacing which will provide 75 percent coverage.
- iv. Program accessible trails and/or sidewalks will be provided around the facility's perimeter with benches every 600 feet.
- a. Two ornamental, non-invasive trees will be planted at every bench location.
 - b. Noninvasive, ornamental trees will be planted and or saved in 25% of the areas around the sidewalk/trail.
 - c. Areas between the stormwater and sidewalk will have groundcover.
 - d. Program accessible sidewalks and trails will be connected to existing sidewalks and trails to provide better accessibility.

j. Exemptions to protection standards.

- i. Any new development, alteration or improvement of existing structures which will not increase the peak discharge rate, the volume of runoff or deposit additional pollution materials beyond the boundaries of the development.
- ii. Maintenance work on existing mosquito control drainage structures for public health and welfare purposes.
- iii. Construction of up to 4,000 square feet of impervious or semi-impervious parking/vehicular circulation areas, and up to 5,000 square feet of building areas provided:
 - a. The total project area is equal to or less than one acre;
 - b. All state stormwater requirements are met;

- c. The project does not directly discharge into the Chipola River as listed in Rule 62-302-700 and 62-346.051 F.A.C.;
 - d. The improvements will not cause or contribute to adverse water quantity impacts to receiving waters or adjacent lands;
 - e. Will not cause adverse flooding to on-site or off-site properties; and
 - f. Will not cause adverse impacts to existing surface water conveyance capabilities.
- iv. Emergencies requiring immediate action to prevent material harm or danger as in fires, violent storms, hurricanes, or other extraordinary hazards. A report of the emergency action will be made to the City as soon as possible.
 - v. Developments which discharge into an existing stormwater treatment facility with sufficient reserve quality and quantity capacity as determined by the Director.
 - vi. Developments which must meet a higher stormwater management standard mandated by another agency.
 - vii. Phased completion of development project approved before adoption of this Code.
- jk. Combination of management plan with erosion and sediment control plan. Requirements for drainage and stormwater management plans may be combined with the requirements for an erosion and sediment control plan as specified in subsection 4-4 insofar as all requirements for both plans are met.