

ORDINANCE NO. O2013-17

AN ORDINANCE OF THE CITY OF WILDWOOD FLORIDA;
DELETING SUBSECTION 6.4(A)(2) OF THE LAND
DEVELOPMENT REGULATIONS OF THE CITY OF
WILDWOOD, FLORIDA; PERTAINING TO STORMWATER
MANAGEMENT PLANS; PROVIDING FOR
CODIFICATION; PROVIDING FOR CONFLICT; AND
PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.033, Florida Statutes has been modified to prohibit a municipality from requiring as a condition of a development permit that the applicant obtain a permit or approval from any state or federal agency;

WHEREAS, the City wishes to amend its Land Development Regulations to be consistent with state statute; and

WHEREAS, the City wishes to amend subsection 6.4(A) of the Land Development Regulations regarding requiring approval of stormwater management plans contingent on an approved permit from the Southwest Florida Water Management District, FDOT, or any other agency with regulatory jurisdiction.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the City Commission of Wildwood, Florida, as follows:

SECTION 1. The amendments to subsection 6.4(A) of the Land Development Regulations are shown with ~~strikethrough~~ for deletions and underline for additions and include:

6.4. Drainage and stormwater management.

(A) *General.*

(1) No person shall conduct a development or redevelopment activity, subdivide, make any change in the use of land, construct any stormwater management system or structure, or change the size of an existing structure without obtaining approval from the City as provided herein.

~~(2) Approval of the stormwater management plans shall be contingent on approval of any required permit from the Southwest Florida Water Management District Management District (SWFWMD), FDOT, or any other agency with regulatory jurisdiction over the project; however, approval by another government agency will not result in automatic approval of the stormwater management plans by the City.~~

(32) The stormwater management system is required to be designed by a registered professional engineer.

(43) The system shall provide for drainage of lots, streets, roads, and other public areas as well as handling any runoff from adjacent areas that naturally flows into the subject area.

(54) The drainage system shall be designed for long life, low maintenance cost, and ease of maintenance.

(65) *Peak rate and volume attenuation.* Peak discharge rate and volume attenuation shall be as required in the SWFWMD regulations and in these regulations.

(76) *Development within flood prone areas (100-year flood).* All development within flood prone areas, as delineated on the official national flood insurance program, flood insurance rate maps, or the latest and best information available, shall comply with the requirements of SWFWMD and the criteria in the flood hazard regulations section of this Code.

SECTION 2. All ordinances or parts of ordinances in conflict herewith, be, and the same are hereby repealed.

SECTION 3. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by a Court or competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of said Ordinance.

SECTION 4. This Ordinance shall be effective upon adoption during the second and final reading by the City of Wildwood City Commission.

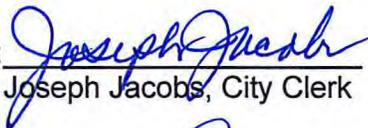
DONE AND ORDAINED this 10th day of June, 2013, by
the City Commission of the City of Wildwood, Florida.

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

SEAL



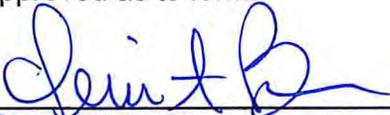
Ed Wolf, Mayor

ATTEST: 
Joseph Jacobs, City Clerk

First Reading: May 13, 2013

Second Reading: June 10, 2013

Approved as to form:



Jerri A. Blair, City Attorney