ORDINANCE NO. 2021-47

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

WHEREAS, section 163.3202(1), Florida Statutes, requires that the city of
Orlando, Florida (the “city”), adopt or amend and enforce land development regulations
that are consistent with and implement the city’s adopted comprehensive plan; and

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

WHEREAS, from time to time, amendments and revisions to the city’s adopted
comprehensive plan (the “Growth Management Plan”), progress in the field of planning
and zoning, or changes to state law make it necessary or desirable to amend the land
development regulations of the city; and

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

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

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

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

WHEREAS, electric vehicles reduce greenhouse gas emissions by 64% on a per
mile basis when powered on the Florida electric grid, as compared to gasoline and diesel-
powered vehicles; and
WHEREAS, as recognized by the Legislature of the State of Florida, the use of electric vehicles "conserves and protects the state’s environmental resources, provides significant economic savings to drivers, and serves an important public interest;" and

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

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

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

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

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

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

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

PART 3. - PARKING AND LOADING

****
Secs. 61.355—61.359. - Reserved.

3G. - ELECTRIC VEHICLE (EV) READINESS

Sec. 61.360. - Purpose of Electric Vehicle Parking Requirements.

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

Sec. 61.361. - Applicability.

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

Sec. 61.362. - General Requirements.

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

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

- **EV Capable:** These parking spaces prepare for future Electric Vehicle Supply Equipment (EVSE) installation by providing dedicated electrical capacity in the service panel (40amp breaker for every two EV Capable two spaces) and conduit to the EV Capable space. These spaces do not require wiring to the space or a receptacle.

- **EVSE Installed:** These parking spaces are reserved for EVs and provide drivers the opportunity to charge their electric vehicle using EV charging stations rated at a minimum of 32amp 7.2 kW. These spaces should be installed per the requirements of the National Electrical Code (NFPA 70) as adopted and amended by the State of Florida.

Sec. 61.363. - Number of Spaces Required.

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

Sec. 61.364. - Location.
## TYPE

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

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

**All partial space requirements are rounded down.

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

### Sec. 61.365. - Design.

(a) Charging equipment must be mounted on the wall or on a structure at the end of the electric vehicle parking space provided.

(b) No charging devices may be placed within the dimensions of a space, on the sides, or entrance to a space.

(c) When cords and connectors are not in use, retraction devices or locations for storage shall be located sufficiently above the pedestrian surface and the parking lot as to reduce conflicts with pedestrians and vehicle maneuvering.

(d) Cords, cables, and connector equipment shall not extend across the path of travel in any sidewalk or walkway.

(e) Equipment mounted on structures such as pedestals, lighting posts, bollards, or other device shall be located in a manner that does not impede pedestrian, bicycle, or transit travel.

(f) Alternative designs may be approved by the Zoning Official.

(g) Additional landscape screening may be required for mechanical equipment such as transformers associated with charging equipment, consistent with mechanical equipment screening requirements.

### Sec. 61.366. - Accessibility.

(a) A minimum of one (1) EVSE Installed space must be located adjacent to an ADA designated space to provide access to the charging station.
(b) The accessible space must be designated as an EV reserved space.

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

Sec. 61.367. - Signage.
All EVSE Installed parking spaces should be designated following MUTCD standards.

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

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

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

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

SECTION 6. EFFECTIVE DATE. This ordinance takes effect upon adoption.

DONE, THE FIRST READING, by the City Council of the City of Orlando, Florida, at a regular meeting, this ________ day of ____________________, 2021.

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this ________ day of ____________________, 2021.

DONE, THE SECOND READING AND PUBLIC HEARING, AND ENACTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Council of the City of Orlando, Florida, at a regular meeting, this ________ day of ____________________, 2021.

BY THE MAYOR OF THE CITY OF ORLANDO, FLORIDA:

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

_______________________________________
City Clerk

_______________________________________
Print Name

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

_______________________________________
Assistant City Attorney

_______________________________________
Print Name