

ORDINANCE NO. 1439

**AN ORDINANCE OF THE CITY OF MAITLAND, FLORIDA,
AMENDING ARTICLES 5 AND 10 OF THE MAITLAND LAND
DEVELOPMENT CODE; AMENDING PROVISIONS AND
DEFINITIONS RELATED TO SHORELINE PROTECTION
STANDARDS AND SHORELINE ALTERATION; PROVIDING
FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the City of Maitland has adopted standards for construction of waterfront structures such as boat docks, retaining walls, and seawalls; and

WHEREAS, the City requires that shorelines of lakes be planted with native aquatic vegetation; and

WHEREAS, the wording of Section 5.3.7 of the Land Development Code seems to imply that, within the context of Shoreline Alteration Standards, planting of native vegetation is only required in the area impacted by construction; and

WHEREAS, the City desires to clarify that the entire shoreline must be brought up to current required standards at the time of any work being performed pursuant to a shoreline alteration permit; and

WHEREAS, in order to clarify the intent and operation of these related standards, the City Council finds it advisable to amend Section 5.3.7 - Shoreline Protection Standards and Section 10.3.2. - Definitions of the Land Development Code.

NOW, THEREFORE, BE IT ENACTED by the City Council of the City of Maitland, Florida, that:

[NOTE: Underlined words constitute the additions to the existing text and strike through shall constitute deletions to the original text of the Maitland Land Development Code and asterisks (* *) indicate that text shall remain unchanged from the language existing prior to adoption of this Ordinance.

SECTION 1. SECTION 5.3.7 Shoreline Protection Standards of the Maitland Land Development Code, is amended as follows:

* * *

(2) Shoreline Alteration Standards. Development subject to the requirements of this section shall comply with the following standards:

(A) All cleared or trimmed vegetation shall be immediately removed from the lake, shoreline area, and dock for upland disposal offsite.

(B) Revegetation required after permitted clearing shall be completed within ninety (90) days from the date the shoreline alteration permit is issued. A survival rate of eighty (80) percent shall be required to be maintained one (1) year after planting. If compliance is not achieved within one (1) year, additional plantings shall be required until a survival rate of eighty (80) percent is met and less than ten (10) percent of the surviving plantings are invasive species.

(C) Littoral zones shall be planted with vegetation throughout all impacted areas outside of the allowed access corridor. Revegetated areas shall encompass the same percentage of shoreline coverage that was previously present. All emergent aquatic plants shall be planted a maximum of two (2) feet on center unless, due to size or type of plantings, the Public Works Director approves an alternate spacing plan.

(D) The remaining shoreline outside of any cleared access corridor shall consist of one (1) of the following:

1. Existing vegetation; or
2. Beneficial vegetation or native aquatic plants that are planted following removal of existing nuisance or non-native vegetation, or that are planted on previously denuded areas outside the access corridor.

* * *

SECTION 2. Section 10.3.2. - Definitions of the Maitland Land Development Code, is amended as follows:

* * *

SEAWALL. A manmade wall structure made of materials such as, but not limited to, cement block, concrete, galvanized steel, wood, or metal that ~~some portion of which touches the surface water of a lake or waterway~~ is located between the 100-year flood elevation and NHWE of a water body. The structure is designed and placed so that it prevents shoreline erosion by dispersing the energy of a wave's action elsewhere on the shoreline.

* * *

SECTION 3: Conflicts. All ordinances or parts thereof in conflict herewith are and the same are hereby repealed.

SECTION 4: Severability. If any section, paragraph, 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 portions hereof.

SECTION 5: Codification. The provisions of this Ordinance shall be codified as and be made a part of the *Maitland Land Development Code*. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

SECTION 6: This Ordinance shall take effect immediately upon its adoption.

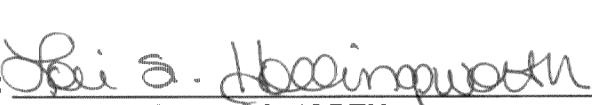
ADOPTED by the City Council of the City of Maitland, Florida, this 13th day of January, 2025.

CITY OF MAITLAND, FLORIDA

BY:


JOHN P. LOWNDES
MAYOR

ATTEST:


LORI S. HOLLINGSWORTH
CITY CLERK