

Apalachicola planning and zoning board workshop
Proposed land development regulations

Apalachicola Fill and Stormwater Ordinance

Ordinance 2019-xx

February 11, 2019

Draft 2

Whereas, Regulation of fill on lots for the purposes of flood prevention is in the best interests of the public in order to protect public safety, health, and welfare;

Whereas, the provision of guidelines related to the deposition of fill materials and grading for new development and redevelopment provides certainty for applicants wishing to modify the elevation of property and provides consistency with the City's adopted floodplain regulations;

Whereas, flood heights and nuisance flooding can be increased by manmade causes; whereas, standards for installation of fill materials and requirements to manage storm water facilitates the protection and enhancement of natural resources, city infrastructure, reduces erosion, and minimizes potential adverse impacts associated with land uses;

NOW THEREFORE, be it ordained by the Board of City Commissioners of Apalachicola, Florida.

Section 1. Recitals: The above recitals are incorporated by reference herein.

Section 2. Creation: There is hereby amended and modified Chapter II Definitions; Chapter VI, Site Plans is repealed and replaced; and Chapter VIII. Stormwater Management is repealed and replaced.

Section 3. Applicability: This section shall be applicable within the City of Apalachicola.

Section 4. Definitions

Chapter II Definitions Amendments

Best Management Practice (BMP) The term "best management practices (BMP)" means those practices and principles designed to reduce and manage nonpoint sources of pollution and in some cases, protect wildlife and habitat. Methods may include structural devices or nonstructural practices such as, but not limited to, swales, gutters rain barrels and rain gardens. A City of Apalachicola Guide to Site-Specific Stormwater Best Management Practices is available

to download from the city's website.

Channel- A trench, the bottom of which is normally covered entirely by water, with the upper edges of one or both of its sides normally below water (F.S. 403.803(3)). A natural or artificial watercourse of perceptible extent, with bed and banks to confine and conduct continuously or periodically flowing water

Fill: Any material, such as, but not limited to, sand, soil, gravel, lime rock, concrete, rubble, asphalt, wood or waste of any kind, that is placed, stored, or dumped upon the surface of the ground resulting in an increase in the natural surface elevation This includes materials placed by any means in surface waters or wetlands (F.S. 373.421(1)) Or on the land surface to fill depressions, raise the elevation, or contour the land (e.g., soil and sand); used as a landscaping material (e.g., topsoil, organic material, and sod), or used as a surfacing material for walkways, surface drive areas, and patios (e.g., rock, shell, impermeable or permeable concrete, and brick pavers).

Impervious Surface Coverage- Those man-made surfaces that do not allow, or minimally allow, the penetration of water, including semi impervious areas, that reduce the natural rate or percolation of water or result in an increase in the natural quantity and rate of storm water runoff. Examples include but are not limited to clay, asphalt, concrete, brick and landscape pavers.

Land clearing: Any activity that removes the vegetative ground cover. Mowing, trimming, pruning, or removal of vegetation to maintain it in a healthy, viable condition is not considered clearing.

Landscape plan: A plan, drawn to scale, showing dimensions and details for revegetating an area.

Landscaping: The area within the boundaries of a given lot that consists of planting materials, including, but not limited to, trees, shrubs, ground covers, grass, flowers, decorative rock, bark, mulch, and other similar materials. Landscaping may be considered fill if any fill (as defined) is planned as part of the activity. *

Lot Grading: The excavation, filling, clearance or re-contouring of the ground surface of a lot or parcel or combination thereof.

Project Area- For the purpose of computing density, lot coverage, and floor area ratio for any project site, the project area shall not include public rights-of-way or land lying below the mean high-water line.

Storm Water- The flow of water that results from, and that occurs immediately following, a rainfall event.

Storm Water Management System- A surface water system that is designed and constructed or implemented to control discharges which are necessitated by rainfall events, incorporating methods to collect, convey, store, absorb, inhibit, treat, use, or reuse water to prevent or reduce flooding, over drainage, environmental degradation, and water pollution or otherwise affect the quantity and quality of discharges from the system (F.S. 373.403(10) and 403.031(16)).*

Surface Waters- Waters on the surface of the earth, contained in bounds created naturally or artificially, including bays, bayous, sounds, estuaries, lagoons, lakes, ponds, impoundments, rivers, springs, creeks, branches, sloughs, tributaries, and other water courses (F.A.C. 62-340.600).

Swale- A man-made trench that features side slopes equal to or greater than three feet horizontal to one foot vertical; Contains contiguous areas of standing or flowing water only following a rainfall event; Is planted with or has stabilized vegetation suitable for soil stabilization, stormwater treatment, and nutrient uptake; and is designed to take into account the soil erodibility, soil percolation, slope, slope length, and drainage area so as to prevent erosion and reduce pollutant concentration of any discharge. Repeals Chapter VII and replaces

Chapter VII. SITE PLAN

A. PURPOSE AND INTENT

The public health, safety and welfare require the harmonious, orderly and progressive development of land within the City of Apalachicola. The development of the land is a vital step in the process of community development. Once land has been developed, the correction of defects is costly and difficult. Substantial public responsibility is created by each new development, involving the maintenance of streets and storm water management systems and the provision of additional public services. As the general health, safety and welfare of the community are thereby affected by the development of land, it is in the direct interest of the public that site development be conveyed, designed and carried out in accordance with sound land and water management principles.

The purpose and intent of this Chapter is to assure that new development within Apalachicola will not adversely affect the public's natural or financial resources, especially Apalachicola Bay or its tributaries.

B. APPLICABILITY

This Chapter establishes procedures and standards for the preparation, review and approval of plans to carry out development.

C. PROCEDURES FOR SITE PLAN APPLICATION, REVIEW AND DECISION

1. Pre-Application Conference. It is recommended that the applicant meet with the City Planner, Building Department and Building Official to discuss the proposed development prior to submitting a formal application. The purpose of this conference is to familiarize the applicant with minimum design guidelines and to minimize any potential adverse impacts of the proposed development on the City's natural or financial resources.
2. Application.
 - a. An approved site plan is required prior to the issuance of a building permit. It shall be considered unlawful for any person to construct, erect or alter a building or structure or to develop, change or improve land for which a site plan is required except in accordance with an approved site plan. Enforcement shall occur pursuant to Chapter III of this Code for failure to obtain a permit or for failure to follow a permit.
 - b. The site plan shall be prepared in accordance with requirements contained in this section. In order for a plan to be placed on the agenda of the next Planning and Zoning Commission meeting, the plan must be received by the Building Department and considered complete no less than 30 days prior to the Planning and Zoning Board meeting.
 - c. The applicant shall submit four copies of all parts of the site plan. Electronic copies of site plans and building plans may also be submitted if available.
3. Review.
 - a. The City Planner and Building Department shall review the site plan to determine whether all required information is included in the application. If any required information is missing, the Building Department shall inform the applicant of any information required to complete the application.
 - b. All site plans and reviews for architectural compatibility shall be reviewed and approved by the Planning and Zoning Board ~~Commission~~ sitting as the Architectural Review Board.
4. Decision. Based upon the information contained in the site plan application, the Planning and Zoning Board ~~Commission~~ shall approve, approve subject to stated conditions or deny the site plan. Any person aggrieved by the decision of the Planning and Zoning Commission may, in accordance with Chapter III, file a written appeal with the City Commission.
5. Construction. Upon site plan approval and issuance of a building permit, the development shall be built in accordance with the approved site plan and site plan regulations. Deviation from the approved site plan shall require the submission and approval of an application for a revised site plan.

D. FEES

Application fees for site plan review, as adopted from time to time by the City Commission, must be paid by the applicant at the time of application.

E. TIME LIMIT ON APPROVAL

Following approval of the site plan, the applicant shall have 180 days to commence construction on the site. Any site where substantial construction has not begun within one year shall cause the site plan to be reevaluated by the appropriate bodies and any newly adopted standards will be considered and shall be imposed at the discretion of the City.

F. SITE PLAN REQUIREMENTS

1. Site plans or any portion thereof involving engineering shall be certified, sealed, and prepared by and/or under the direct supervision of a professional engineer, qualified by training and experience into the specific technical field involved and registered or licensed to practice that profession.
2. Site plans shall contain documents and maps indicating:
 - a. General Information
 1. Name of project.
 2. Intended use of site.
 3. Legal description of the property, size of parcel in acres or square feet and the linear dimensions of the property.
 4. Name, address and telephone number of the owner or owners of record.
 5. Name, address and telephone number of the owner's designated agent or attorney .
 6. Names, addresses, signatures and registrations of the professionals preparing the plan.
 - b. Maps
 1. Vicinity map, showing relationship of proposed development to the surrounding streets, wetlands and surface water bodies at a scale of not less than one (1) inch equals two thousand (2,000) feet.
 2. Site plan map with date and north arrow at a scale not smaller than one (1) inch equals fifty (50) feet.
 3. Topography at one (1) foot contour intervals, existing and proposed.
 4. Building restriction lines (i.e., highway setback lines, easements, covenants, rights-of-way, and building setback lines, existing and proposed).
 5. Location and elevation of existing and proposed building and structure footprints.

6. Location, elevation, and dimensions and materials of existing and proposed drive areas, or other paving.
 7. Location of existing and proposed fences by type of material (e.g., wood or metal), type of design (open or closed) and height.
 8. Location of existing and proposed walls by type of material (e.g., brick or masonry).
 9. Location of each proposed, off-street parking space (regular and handicapped and how they will be permanently designated. .
 10. Location of proposed, designated loading and unloading zones.
 11. Location of temporary and permanent structures and features proposed in the stormwater management plan.
- c. Proposed Buildings and Structures
1. Number of stories.
 2. Square footage grosses each floor.
 3. Building height.
 4. Multi-family dwellings.
 5. Elevation
 - i. Number and square footage of dwelling units and density (dwelling units per acre).
 - ii. Calculation of off-street parking spaces required by supplementary parking section showing the number of dwelling units and spaces.
 6. Commercial. Calculation of off-street parking spaces required by supplementary parking section showing:
 - i. Projected number of employees on peak shift.
 - ii. seats and occupancy load and number of tables for service and number of stools at service counter.
 - iii. floor space open to public.
 - iv. If a retail establishment, floor space devoted to merchandising.
 - v. If a child care center, floor space.
- d. Lot Coverage Allowed by the Zone and Calculations Showing Proposed Lot Coverage.
- Materials used to cover surface drive areas, walkways, patios and other areas counting as lot coverage.
- e. New Multi-Parcel (e.g., Subdivision), Commercial, and Multi-Family Developments
1. Existing Infrastructure (On-site, Adjacent to Site, and Across or Opposite Any Public Right-of-Way.)

- i. Surface drive areas and median cuts to access driveways.
 - ii. Sidewalks, streets, alleys, and easements (note widths and type).
 - iii. Size and location of nearest water mains, valves, and fire hydrants.
 - iv. Sanitary sewer systems (size and invert elevations).
 - v. Power, telephone and cable lines.
- 2. Proposed Streets, Sidewalks, and Surface Drive Areas.
 - i. If required, engineering plans and specifications including elevation and dimensions for streets, sidewalks, and surface drive areas (driveways, parking areas and storage areas).
 - ii. Cross section of proposed street improvements
 - iii. Fire lanes.
 - iv. Locations of proposed surface drive areas, curb or median cut(s) to access driveways.
 - v. Internal traffic circulation plan, including directional arrows and signs to direct traffic flow.
 - vi. Location of traffic-control signs and signalization devices.
 - vii. Locations of sidewalks.
 - viii. Coordination of walkways and driveway and their elevations with facilities in adjacent developments.
 - ix. Proposed streets and alleys.
 - x. When applicable, the location of service roads and access roads extended onto the site.
- 3. Proposed Water and Sewer Facilities
 - i. Water. Size, material, and location of water mains, valves and fire hydrants. Engineering plans and specifications are required prior to the issuance of a building permit.
 - ii. Sanitary Sewer Systems. Size, material, and location of lines. Engineering plans and specifications, with submittal of a profile where required, are required prior to the issuance of a building permit.
 - iii. Any commitments, such as contributions to offset public facilities impacts.
 - iv. Projected water usage in gallons per day, projected solid waste, projected number of school age children

5. Solid Waste The location of the dumpster and access for refuse service collection, including dumpster pad screening, fencing and landscaping.
- a. Dredge and Fill. If any dredging or filling is intended in the development, a copy of the Environmental Resource Permit issued by the Florida Department of Environmental Regulation or the Northwest Florida Water Management District shall be required prior to the issuance of a Certificate of Occupancy. Note: No new dredging is allowed in the natural surface waters of the City.

Stormwater Management Plan Requirements

General

- i. Sufficient information for the City to evaluate the environmental characteristics of the affected areas, the potential and predicted impacts of the proposed activity on wetlands and surface water, and the effectiveness and acceptability of those measures proposed for reducing adverse impacts.
- ii. Maps, charts, graphs, tables, photographs, narrative descriptions, explanations, calculations and citations to communicate the information required by this section.
- iii. Site-Specific Information.

If a State stormwater permit is required, the following shall be a part of the stormwater plan submitted to the City.

The design contained in any ten-two (10/2) self-certified general permit). A design that treats run off from the 25 year-24-hour duration storm event and ensures that peak run off is no greater than pre development run off.

The design contained in a complete application proposed to a State agency for:

A general permit or

An environmental resource permits..

For proposed development not requiring a State stormwater permit, a plan to control surface water runoff including:

Temporary sediment control barriers and vegetative cover

Permanent best management practices-

Repeals and Replaces CHAPTER VIII. STORMWATER MANAGEMENT

A. City Requirements

1. Applications for all development, except for single family houses or increases in impervious surfaces of 5,000 square feet or less, must provide a stormwater management system reviewed by the Northwest Fl Water Management District, pursuant to Rule 62-330 Fl Administrative Code. Non- residential development meeting an exemption above must provide a stormwater management system meeting Best Management Practices. Single family homes on existing platted lots shall include a stormwater management plan consisting of Best Management Practices.

Development located in the Special Waterfront District and exempt from State ~~DER~~ permitting pursuant to Rule 62-330 Fl Administrative Code shall include a storm water management system as part of site plan review which assures that the post-development peak discharge rate, volume, and pollution load of storm water is no greater than that which existed before development. The storm water management system shall be designed in accordance with the site plan requirements of this regulation.

2. Stormwater runoff control

- a. Only those areas necessary for construction activities shall be cleared.
- b. Prior to and during land clearing and construction, temporary sediment control barriers such as straw bale filters, silt fences constructed of filter fabric, and/or temporary vegetative covers shall be installed between the area to be cleared and wetlands, surface waters, and the City's stormwater conveyance (e.g., ditch or grate to subsurface drainage system).
- c. During construction, building debris shall be removed from the stormwater flow path and deposited in trash receptacles and temporary stormwater control barriers shall be installed and maintained.
- d. Temporary stormwater controls shall be maintained until permanent controls are installed.
- e. Direct connection between building gutters and downspouts and onsite stormwater systems into the City's stormwater conveyances is not allowed.

3. Stormwater Best management practices (BMP's)

- a. Stormwater impacts shall be minimized by using site-suitable Best Management Practices that maximize infiltration of stormwater and prevent or minimize offsite

discharge. Stormwater flow paths for property as it is planned to be developed shall be determined. Sodded berms, shallow depressions, sodded swales, contouring, terracing, landscaping, rain gardens, rain barrels, and other stormwater management practices shall be included in the plan to intercept, infiltrate and treat stormwater before it reaches wetlands, surface waters or the City's stormwater conveyances. Minimize soil exposure through organized scheduling of grading and construction activities; retain existing vegetation whenever feasible; stabilize all denuded areas within 3 days after final grading; disturbed areas that are inactive and will be exposed to rain for 30 days or more should be temporarily stabilized; stabilization techniques include mulches, vegetation and sod. Control runoff by diverting stormwater away from stripped areas or newly seeded slopes, minimize the length and steepness of slopes, and outlet protection to prevent erosion. Install sediment trapping structures such as silt traps, sediment basins, filter fabric, perimeter dikes. Inspect and maintain control measures regularly. Best Management Practices may be located in required open spaces.

- b. Guidance regarding state permitting requirements and exemptions may be found at the City's Web site. Examples of BMP's and low impact development practices are provided in the City's May 2015 Guide to Site Specific Stormwater Best Management Practices can also be found on the City's web site.

4. General Design Requirements

- a. The storm water system shall be designed in accordance with Rule 62-330 F.A.C., except that detention with filtration systems shall not be allowed and that off-line retention systems shall be used whenever the soil conditions will allow percolation of the treatment volume within 72 hours. When soil conditions will not allow infiltration practices to be used, the storm water system shall consist of a wet detention system with a vegetated littoral zone. To enhance the effectiveness of the wet detention system, landscape retention pretreatment practices such as the placement of storm sewer inlets in grassed areas shall be employed in combination with the detention system.
- b. To provide flood protection, the additional volume generated by the development from a 25-year storm event 24 hour duration shall be controlled by a detention facility and released at a rate of discharge not to exceed the peak discharge rate from the site in its undeveloped condition. Special engineering features all be incorporated in minimize the transport of pollutants remaining in the detention facility.
 - a. All detention facilities shall discharge design flow through structural discharge facilities. When direct discharge will degrade waters of natural streams, marshes, environmentally sensitive areas shellfish classification waters, or lands naturally receiving sheet flow, the discharge structure shall direct the flow to an intermediate spreader swale system.

- b. No new untreated point sources of discharge will be permitted

3. General Information for Engineered Plans

- a. The location of areas on the site where storm water collects or percolates into the ground; and the size, location and land use of any off-site areas which drain onto, through or from the project area.
- b. A map showing topography at a minimum contour interval of one-foot, vegetative cover, soils and seasonally high-water table elevations. Also show the location of any soils boring or percolation tests.
- c. details of hydrograph, side slopes, depths, elevations of all system components including wetlands, a topographical map with a minimum contour interval of one foot.
- d. An erosion and sediment control plan to retain sediment on-site. The plan shall describe, in detail, the type and location of control measures the stage of development at which they will be put into place and provisions for maintenance
- e. A description of scheduled maintenance needs of the storm water system.

Calculations to be Submitted

- a. All runoff calculations used in the design of the storm water system including a description of the methodology, assumptions and parameters. Include calculations showing discharges, elevations and volumes retained or detained and the volume of storm water treated for applicable design storm events. If a computer program is used for analysis, a copy of the printout shall be submitted.
- b. Computations of state-storage and stage-discharge for all structures.
- c. Computation of off-site inflows.
- d. Actual acreages and percentage of the project area for impervious surfaces, natural water bodies and wetlands, artificial lakes, retention or detention area, swales, pervious surfaces and total project area.
- e. Computation of pre-development and post-development runoff and storage.
- f. Identification of the entity responsible for the perpetual care, operation, maintenance, and associated liabilities of the system. If the entity is to be a public body such as a county, municipality, or special district, a letter or other evidence of acceptance must be included. If the entity is a non-public body such as a homeowner's association or private corporation or person, documentation of its existence, fiscal and legal ability, and willingness to accept the responsibility must be included.

Chapter VIII

D. Fill and lot grading Requirements

1. Areas of Special Flood Hazard (rated A and V zones) and Special Waterfront District

Fill, lot grading or landscaping involving up to 10 cubic yards of fill. Fill as defined, lot grading and/or landscaping activities involving the deposition/addition, movement and placement of soils involving less than 10 cubic yards of fill on an individual lot or parcel shall require a building permit and floodplain management permit. In a V zone, the use of earthen fill to elevate buildings and structures shall not be permitted. Note” 20 cubic yards is approximately 2.5 pick- up truck- loads of fill

At a minimum, the floodplain management permit shall include the following:

- a. Site plan showing proposed location of proposed fill
- b. Best Management Practice Method employed to ensure stormwater runoff is maintained onsite. (See city website).

Fill involving more than 10 cubic yards: Fill or lot grading involving more than the deposition of 10 cubic yards of fill shall a building permit and floodplain management permit. Additionally, the application requires a sealed grading plan prepared by a Florida licensed professional architect, surveyor, or engineer. The plan shall delineate the amount and type of fill , the amount, type, source of fill, compaction specifications and ensure that fill will remain stable under conditions of flooding. The plan shall provide existing site details including the existing and proposed elevation of structures, infrastructure, drive ways, etc. The plan shall indicate the existing grade elevation and proposed grade elevation at property corners and the street centerline and must detail how drainage will be affected and how grade changes will impact stormwater run- off from the site to adjacent lots. The plan shall show the location of existing structures or features of the site. The plan shall detail drainage swales including design high points; intermediate grade points; and the location, height, width and extent of retaining structures. The plan shall reflect surface slopes of drainage swales with flow direction arrows and include the elevation at any discharge point. The plan shall include documentation to show that the volume, rate and quality of stormwater runoff following the filling or grading of land shall not exceed pre-development or redevelopment conditions.

Note: No lot shall be filled to a height that would result in water being conveyed to an adjacent property. Fill or grading activities shall not result in slopes directed toward or away from adjoining properties steeper than four to one (4:1) (horizontal: vertical) within five (5) feet of the property line. No fill shall be placed in city rights of way.

After site improvements are completed and prior to the issuance of a Certificate of Occupancy by the City, when applicable, an "As Built" Certification from a Florida licensed Engineer, Surveyor or Architect must demonstrate there will be no discharge of stormwater to adjacent properties and that the filled lot is not higher than the centerline of the road and the adjacent lot on all sides.

Note: In designated V zones, fill may not be placed for use as structural support.

2. Areas outside the Area of Special Flood Hazard Boundaries

Fill, lot grading or landscaping involving up to 20 cubic yards of fill. Fill, lot grading and/or landscaping activities involving the deposition/addition, movement and placement of soils involving less than 20 cubic yards of fill on an individual lot or parcel shall require a building permit. At a minimum, the building permit shall include the following:

- a. Site plan showing proposed location of proposed fill
- b. Best Management Practice Method employed to ensure stormwater runoff is maintained onsite.

Fill involving more than 20 cubic yards: Fill or lot grading involving more than the deposition of 20 cubic yards of fill shall require a building permit. Additionally, the application requires a sealed grading plan prepared by a Florida licensed professional architect, surveyor, or engineer. The plan shall delineate the amount and type of fill, the amount, type, source of fill, compaction specifications and ensure that fill will remain stable under conditions of flooding. and include existing site details including structures, infrastructure, drive ways, etc. The plan shall indicate the existing grade and proposed grade in contour intervals of enough clarity to indicate the nature and extent of the work, including the type and amount of fill material that will be used. The plan shall contain elevations for existing and proposed grades at property corners and the street centerline and must detail how drainage will be affected. The plan shall show the location of existing structures or features of the site.

The plan shall show the location of existing structures or features of the site. The plan shall indicate drainage swales including design high points; intermediate grade points; and the location, height, and extent of retaining structures. The plan shall reflect surface slopes of drainage swales with flow direction arrows and include the elevation at the discharge ends of the swale's drainage pattern. The building permit shall include documentation to show that the volume, rate and quality of stormwater runoff following the filling or grading of land shall not exceed pre-development or redevelopment conditions.

Note: No lot shall be filled to a height that would result in water being conveyed to an adjacent property. Fill or grading activities shall not result in slopes directed toward or away from adjoining properties within five (5) feet of the property line. No fill shall be placed in city rights of way.

After site improvements are completed and prior to the issuance of a Certificate of Occupancy by the City, when applicable, an "As Built" Certification from a Florida licensed Engineer, Surveyor or Architect must demonstrate there will be no discharge of stormwater to adjacent properties and that the filled lot is not higher than the adjacent lot on all sides.

3. Prohibited fill:

All types of solid waste, hazardous materials and hazardous waste so designated by the United States Environmental Protection Agency, the Florida Department of Environmental Protection, and local health and environmental protection agencies. All bio-medical wastes that may cause pathogenic contamination of water resources. Industrial chemicals, petroleum products, putrescible household waste, and other materials that would contaminate permitted fill material.

Fill may not be placed in wetlands and must be setback at least 20 feet from jurisdictional wetlands or surface water.

E. Landscaping

Routine maintenance of the landscaped area, plantings, or sod involving less than 1,000 square feet in area provided no fill is proposed shall not be considered fill.

Section 6. Penalties: Any person who fills or grades property without first securing a permit approval shall be subject to the penalties of this code and may be required to restore the site to the satisfaction of the City Building Official. In addition, all activity on the property shall cease until a permit has been issued and there shall be no other approval until such time as the filling and grading permit has been approved.

Section 7. Inclusion in the Code of Ordinances. It is hereby directed that the provisions of this ordinance be included in the Code of Ordinances of the City of Apalachicola, Florida. To that end, any renumbering of the various sections is hereby authorized as necessary to achieve this directive.

Section 8. Severability. If any provision of this Ordinance is found to be invalid by a court of competent jurisdiction, then such determination shall not render the remaining provisions of the ordinance invalid.

Section 9. Effective Date. This Ordinance shall be filed with the Secretary of State and the Department of Economic Opportunity within ten days of adoption and shall take effect on

adoption of final agency action in accordance with Chapter Rule 73 C, Florida Administrative Code.

PASSED AND ADOPTED in Regular Session this ____ day of _____, 201__ -

ATTEST:

City Commission of the City of Apalachicola, FLORIDA

Van Johnson, Mayor _____

Lee Mathes, City Administrator _____

APPROVED AS TO FORM: J. Patrick Floyd, Attorney _____