

Ray Bagshaw
Mayor

Ben Pierce
Council Member

Susan Fortini
Council Member

John Dowless
Council President

Lee Chotas
Council Member

Richard Alan Horn
Council Member

CITY COUNCIL AGENDA
Regular Meeting
City Hall – Council Chamber
405 Larue Avenue, Edgewood, Florida
Tuesday, December 18, 2018
6:30 p.m.

WELCOME! We are very glad you have joined us for today's Council meeting. If you are not on the agenda, please complete an appearance form and hand it to the City Clerk. When you are recognized, state your name and address. The Council is pleased to hear relevant comments; however a five-minute limit has been set by Council. Large groups are asked to name a spokesperson. Robert's Rules of Order guide the conduct of the meeting. **PLEASE SILENCE ALL CELLULAR PHONES AND PAGERS DURING THE MEETING.** "THANK YOU" for participating in your City Government.

A. CALL TO ORDER

B. INVOCATION & PLEDGE OF ALLEGIANCE

C. ROLL CALL & DETERMINATION OF QUORUM

D. PRESENTATION

E. CONSENT AGENDA

1. Review and Approval of Minutes

- (Pgs. 1-6) November 20, 2018 Minutes

(Items on the consent agenda are defined as routine in nature, therefore, do not warrant detailed discussion or individual action by the Council. Any member of the Council may remove any item from the consent agenda simply by verbal request prior to consideration of the consent agenda. The removed item(s) are moved to the end of New Business for discussion and consideration.)

F. ORDINANCES

1. **(Pgs. 7-30) ORDINANCE 2018-13** - AN ORDINANCE BY THE CITY OF EDGEWOOD AMENDING THE CITY OF EDGEWOOD CODE OF ORDINANCES CHAPTER 106 TO MAKE MODIFICATIONS TO BRING THE REGULATIONS INTO AGREEMENT WITH THE MOST CURRENT FEMA-APPROVED, CODE-COMPANION FLOODPLAIN MANAGEMENT ORDINANCE FOR FLORIDA COMMUNITIES; TO ADOPT NEW FLOOD HAZARD MAPS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

2. **(Pgs. 31-34) ORDINANCE 2018-16** - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA, ADOPTING THE 2018/2019 FIVE YEAR CAPITAL IMPROVEMENT PROGRAM ANNUAL UPDATE; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

G. PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION)

1. **(Pgs. 35-40) ORDINANCE 2018-14** - AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, RELATING TO SIGNS; AMENDING CHAPTER 122 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES TO REGULATE ANY LAWFULLY NONCONFORMING ELECTRONIC CHANGEABLE MESSAGE SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND EFFECTIVE DATE.

2. **(Pgs. 41-65) ORDINANCE 2018-15** - AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING CHAPTER 134 OF THE CODE OF ORDINANCES RELATED TO THE EDGEWOOD CENTRAL DISTRICT TO CORRECT SCRIVENERS' ERRORS, PROVIDE CLARIFICATION OF ADOPTED REGULATIONS AND STANDARDS, AMEND CERTAIN DESIGN GUIDELINES AND STANDARDS, AND TO PROVIDE AMENDED REGULATIONS RELATED TO CERTAIN LOTS WITH MULTIPLE FRONTAGES ALONG STATE ROAD 527; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND AN EFFECTIVE DATE.

3. **(Pgs. 66-75) ORDINANCE 2018-12** - AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, REZONING AND CHANGING THE OFFICIAL ZONING MAP CLASSIFICATION OF PROPERTIES LOCATED ALONG THE STATE ROAD 527 CORRIDOR, DESIGNATED COMMERCIAL ON THE FUTURE LAND USE MAP OF THE COMPREHENSIVE DEVELOPMENT PLAN, AND IDENTIFIED SPECIFICALLY HEREIN, FROM C-1 (RETAIL COMMERCIAL), C-2 (GENERAL COMMERCIAL, AND C-3 (WHOLESALE COMMERCIAL); P-O (PROFESSIONAL OFFICE); R-3 (MULTIPLE FAMILY RESIDENTIAL); AND R-1 (SINGLE FAMILY RESIDENTIAL) TO THE EDGEWOOD CENTRAL DISTRICT ZONING DISTRICT; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

H. UNFINISHED BUSINESS

None.

I. NEW BUSINESS

1. **(Pgs. 76-84)** City of Edgewood Representative on the Community Action Board (CAB)
2. **(Pgs. 85-89) – RESOLUTION 2018-09** - A RESOLUTION OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING THE FEE SCHEDULE FOR CERTAIN CITY SERVICES; ESTABLISHING A FEE FOR ZONING VERIFICATION LETTERS AND A FEE FOR WAIVER APPLICATIONS WITHIN THE EDGEWOOD CENTRAL ZONING DISTRICT; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE
3. **(Pgs. 90-91) – RESOLUTION 2018-10** - A RESOLUTION OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING RESOLUTION 2013-04 TO CORRECT A SCRIVENER’S ERROR AND TO PERMIT THE CITY CLERK TO DESIGNATE AN EXISTING STAFF MEMBER IN THE CITY CLERK’S ABSENCE TO ACT AS THE CLERK TO THE LOCAL HEARING OFFICER FOR RED LIGHT CAMERA INFRACTION HEARINGS PURSUANT TO CHAPTER 62, ARTICLE IV OF THE EDGEWOOD CITY CODE; PROVIDING OF CONFLICTS; PROVIDING FOR SEVERABILITY; AND AN EFFECTIVE DATE.

J. GENERAL INFORMATION (No action required)

PLEASE TAKE NOTICE that the City of Edgewood, Florida will hold a general election on Tuesday, March 12, 2019 for the purpose of electing a Mayor and two City Council Members. The candidate elected Mayor will serve a three- year term. The candidate with the highest number of votes is deemed elected and will serve a three-year term. The candidate with the second highest number of votes is deemed elected and will serve a one-year term. Candidates may qualify during the period beginning January 14, 2019 at 9 a.m. and ending January 18, 2019 at 12 noon, at the Office of the City Clerk, 405 Larue Avenue, Edgewood, Florida.

K. CITIZEN COMMENTS

L. BOARDS & COMMITTEES

M. STAFF REPORTS

City Attorney Smith:

Police Chief Freeburg:

- **(Pg. 92)** Monthly Report

City Clerk Meeks:

N. MAYOR & COUNCIL REPORTS

- Mayor Bagshaw

- Council President Dowless
- Council Member Chotas
- Council Member Fortini
- Council Member Horn
- Council Member Pierce

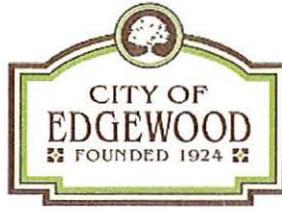
O. ADJOURNMENT

UPCOMING MEETINGS:

Monday, January 14, 2019.....Planning & Zoning Meeting (6:30 p.m.)

Tuesday, January 15, 2019.....Regular City Council Meeting (6:30 p.m.)

You are welcome to attend and express your opinion. Please be advised that Section 286.0105, Florida Statutes state that if you decide to appeal a decision made with respect to any matter, you will need a record of the proceedings and may need to ensure that a verbatim record is made. In accordance with the American Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, he or she should telephone the City Clerk at (407) 851-2920.



CITY COUNCIL MEETING NOTES
Tuesday, November 20, 2018

CALL TO ORDER

Council President Dowless called the November 20, 2018 City Council meeting to order at 6:30 p.m. He asked for a moment of silence and then Sgt. Tim Cardinal's daughter Melissa led everyone in the Pledge of Allegiance.

City Clerk Meeks announced Mayor Bagshaw and Council Member Fortini were absent. *Council Member Pierce made the Motion to excuse Council Member Fortini from the meeting; second from Council Member Chotas. Approved (4/0).*

The following attendance is noted:

Attendees:

John Dowless, Council President
R. Alan Horn, Council Member
Ben Pierce, Council Member
Lee Chotas, Council Member

Absent:

Ray Bagshaw, Mayor
Susan Fortini, Council Member

Staff:

Bea Meeks, City Clerk
John Freeburg, Police Chief
Shannon Patterson, PD Manager
Drew Smith, City Attorney
Ellen Hardgrove, AICP

PRESENTATION

Police Chief Freeburg announce the promotion of Detective Tim Cardinal to Sergeant and then officiated the swearing in of Sgt. Cardinal.

CONSENT AGENDA

1. Review and Approval of Minutes
 - October 16, 2018 City Council Meeting Minutes

Council Member Chotas moved to approve the minutes as presented; second by Council President Dowless. Approved (4/0)

Council President Dowless announced that if there were no objections, he wanted to move the consideration of the Suncoast Site Plan up on the agenda; there were no objections.

Planner Hardgrove explained that Council was provided with the site plan proposal for phase one of the project. She explained that phase one of the operation will be south of the railroad spur. She said the Planning & Zoning Board recommended approval of the site plan with the condition that the site plan be revised to identify the outside storage location consistent with the special exception approved by Council on August 16, 2016.

Engineer Sebaali spoke for Suncoast as their engineer of record. In response to Council Member Chotas, Engineer Sebaali said the City staff has been very helpful. He said there were some issues with landscaping but it was not because of the City staff.

Council Member Chotas made the Motion that the site plan be approved as presented and with the condition requested by the Planning & Zoning Board; Second by Council Member Horn.

The Motion was approved by the following roll call vote (4/0):

<i>Council Member Chotas -</i>	<i>Favor</i>
<i>Council President Dowless -</i>	<i>Favor</i>
<i>Council Member Horn -</i>	<i>Favor</i>
<i>Council Member Pierce -</i>	<i>Favor</i>

ORDINANCES

1. **ORDINANCE 2018-14** - AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, RELATING TO SIGNS; AMENDING CHAPTER 122 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES TO REGULATE ANY LAWFULLY NONCONFORMING ELECTRONIC CHANGEABLE MESSAGE SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND EFFECTIVE DATE.

City Attorney Smith gave first reading of Ordinance 2018-14 in title only.

Council President Dowless asked for public comments; there were none. There was no Council discussion.

Council Member Horn made the Motion that the first reading of Ordinance 2018-14 be approved; second by Council Member Pierce.

The Motion was approved by the following roll call vote (4/0):

<i>Council Member Pierce -</i>	<i>Favor</i>
<i>Council Member Horn -</i>	<i>Favor</i>
<i>Council Member Chotas -</i>	<i>Favor</i>
<i>Council President Dowless -</i>	<i>Favor</i>

- 2. **ORDINANCE 2018-15** - AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING CHAPTER 134 OF THE CODE OF ORDINANCES RELATED TO THE EDGEWOOD CENTRAL DISTRICT TO CORRECT SCRIVENERS' ERRORS, PROVIDE CLARIFICATION OF ADOPTED REGULATIONS AND STANDARDS, AMEND CERTAIN DESIGN GUIDELINES AND STANDARDS, AND TO PROVIDE AMENDED REGULATIONS RELATED TO CERTAIN LOTS WITH MULTIPLE FRONTAGES ALONG STATE ROAD 527; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND AN EFFECTIVE DATE.

City Attorney Smith gave first reading of Ordinance 2018-15 in title only.

Planner Hardgrove provided her report along with the Planning & Zoning's recommendation to approve. She provided the following changes to be included in the recommendation to approve:

Line 87 - On lots abutting SR 527, Holden, Hoffner, or Gatlin Avenue, a ~~side street~~, development within the side yard shall conform to the Road View

Line 176 - a 4.5 ft. high ~~solid~~ opaque brick wall

Line 186 columns shall not exceed 5 feet 4 inches in height

Line 201 - lined with year-round shade trees ~~are~~ planted at 50-foot intervals (on center)

Line 210 - at least two clustered understory/small trees shall be planted in front of the non-recessed portion of the wall

Line 519 - high opaque brick wall shall be constructed on the property line and one evergreen,

Line 571 and 57 - A ~~solid~~ 7 feet high opaque brick wall ~~may~~ shall be utilized along the rear or side property line

Council President Dowless asked for public comments; there were none. *Council Member Horn made the Motion to approve the first reading of 2018-15 with revisions; Second by Council Member Pierce.*

The Motion was approved by the following roll call vote (4/0):

- Council Member Pierce - Favor*
- Council Member Horn - Favor*
- Council Member Chotas - Favor*
- Council President Dowless - Favor*

Council President Dowless directed everyone to lines 122-123 and said clarification was needed. City Attorney Smith said it was a scrivener's error and it will be corrected.

PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION)

- **ORDINANCE 2018-12** - AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, REZONING AND CHANGING THE OFFICIAL ZONING MAP CLASSIFICATION OF PROPERTIES

LOCATED ALONG THE STATE ROAD 527 CORRIDOR, DESIGNATED COMMERCIAL ON THE FUTURE LAND USE MAP OF THE COMPREHENSIVE DEVELOPMENT PLAN AND IDENTIFIED SPECIFICALLY HEREIN, FROM C-1 (RETAIL COMMERCIAL), C-2 (GENERAL COMMERCIAL, AND C-3 (WHOLESALE COMMERCIAL); P-0 (PROFESSIONAL OFFICE); R-3 (MULTIPLE FAMILY RESIDENTIAL); AND R-1 (SINGLE FAMILY RESIDENTIAL) TO THE EDGEWOOD CENTRAL DISTRICT ZONING DISTRICT; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Smith gave the second/final reading of Ordinance 2018-12 in title only.

Council President Dowless noted that in the October City Council meeting discussion was held regarding tabling consideration of Ordinance 2018-12 until approval of Ordinance 2018-15 (glitch bill) in the December City Council meeting. *Council President Dowless made the Motion to table Ordinance 2018-12 until the December 18, 2018 City Council meeting at 6:30 p.m.; Second by Council Member Chotas. Approved 4/0.*

UNFINISHED BUSINESS

None.

NEW BUSINESS

- 1. RESOLUTION 2018-07-** RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF EDGEWOOD FOR THE ADOPTION OF THE CITY OF EDGEWOOD'S CAFETERIA PLAN

City Attorney Smith gave the reading of Resolution of 2018-07 in title only. *Council Member Pierce made the Motion to approve Resolution 2018-07; Second by Council President Dowless.*

The Motion was approved by the following roll call vote (3/0):
Council President Dowless - Favor
Council Member Pierce - Favor
Council Member Horn - Favor
Council Member Chotas - Stepped out of the meeting

- 2. RESOLUTION 2018-08 -** A RESOLUTION OF THE CITY OF EDGEWOOD, FLORIDA AMENDING THE CITY'S BUDGET FOR THE 2017-2018 FISCAL YEAR; AUTHORIZING THE MAYOR AND/OR HIS DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Smith gave the reading of Resolution of 2018-08 in title only. *Council President Dowless made the Motion to approve Resolution 2018-08; Second by Council Member Horn.*

The Motion was approved by the following roll call vote (3/0):
Council President Dowless - Favor
Council Member Pierce - Favor
Council Member Horn - Favor
Council Member Chotas- Stepped out of the meeting

GENERAL INFORMATION

CITIZEN COMMENTS

None.

BOARDS & COMMITTEES**1. Suncoast Building Materials Site Plan – Planning & Zoning Board’s Recommendation to Approve**

Consideration of the Suncoast site plan was moved to the beginning of the agenda.

STAFF REPORTS**City Attorney Smith:**

City Attorney clarified that land use should be a voice vote and explained why. He said there is no hard and fast rule, he said the City is just creating a clean record.

Police Chief Freeburg:

Chief Freeburg referred to his report and asked if there were any questions; there were none. He said Block training will be completed next week. He also reported that mock accreditation is planned for January. PD Manager Patterson confirmed for Council President Dowless that December 14, 2018 is the last day to drop unwrapped toys off at the City.

City Clerk Meeks:

City Clerk Meeks provided the following:

- Reported that Fort Gatlin is undergoing renovations, which is creating problems for the tenants. She reminded Council that the Code allows for holiday lighting as long as it doesn’t flash, scroll, etc. City Clerk Meeks said that she was approached by a tenant who inquired about the holiday lighting because she would like to use it as a means to let people know that she is still in business.
- Noted Legacy infrastructure report due.
- Reported that the Florida Department of Revenue found the City in compliance with TRIM requirements and millage rate.
- Reminded Council that the employee holiday dinner is Saturday, December 1, 2018.
- Reminded Council that the Santa Fly-in is Friday, December 14, 2018.

On behalf of the Mayor, Council and staff, City Clerk Meeks conveyed condolences to Council President Dowless for the recent loss of his nephew Hunter.

MAYOR & COUNCIL REPORTS**Mayor Bagshaw -**

Absent.

Council President Dowless –

No report.

Council Member Chotas --

Council Member Chotas noted the conditions of the entrance to Harbour Island Road off of Orange Avenue. Council Member Chotas described the condition as a “residential type gutter”, that is causing cars to slow down and damaging suspension to cars. He asked when was the Department of Transportation going to repave this area of Orange Avenue. Council President Dowless said he will check on this through MetroPlan.

Council Member Fortini –

Absent.

Council Member Horn –

No report.

Council Member Pierce:

No report.

ADJOURNMENT

Having no further business or discussion, Council Member Chotas made a Motion to adjourn; Second by Council Member Horn. The City Council meeting adjourned at 7:07 p.m.

John Dowless
Council President

Bea L. Meeks, MMC, CPM, CBTO
City Clerk

Approved on _____

ORDINANCE NO. 2018-13

AN ORDINANCE BY THE CITY OF EDGEWOOD AMENDING THE CITY OF EDGEWOOD CODE OF ORDINANCES CHAPTER 106 TO MAKE MODIFICATIONS TO BRING THE REGULATIONS INTO AGREEMENT WITH THE MOST CURRENT FEMA-APPROVED, CODE-COMPANION FLOODPLAIN MANAGEMENT ORDINANCE FOR FLORIDA COMMUNITIES; TO ADOPT NEW FLOOD HAZARD MAPS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the City of Edgewood participates in the National Flood Insurance Program and the City of Edgewood desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, necessary for such participation; and

WHEREAS, the Federal Emergency Management Agency has revised and reissued the Flood Insurance Study for Orange County, Florida and Incorporated Areas, with an effective date of June 20, 2018; and

WHEREAS, the City Council determined that it is in the public interest to amend the Code of Ordinances Chapter 106, to make modifications to bring the regulations into agreement with the most current Model Floodplain Management Ordinance approved by FEMA for Florida communities.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Edgewood that Chapter 106 of the Edgewood Code of Ordinances is amended as set forth in the following amendments, as shown in strikethrough and underline format in Section 2.

SECTION 1. RECITALS.

The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

SECTION 2. This ordinance amends Chapter 106 of the Code of Ordinances of the City of Edgewood as follows:

CHAPTER 106. FLOOD DAMAGE PREVENTION AND PROTECTION.

ARTICLE 1 ADMINISTRATION

DIVISION 1 GENERAL

106-1 Title. These regulations shall be known as the *Floodplain Management Ordinance* of the City of Edgewood, hereinafter referred to as "this ordinance."

106-2 Scope. The provisions of this ordinance shall apply to all development that is wholly within

or partially within any flood hazard area, including but not limited to the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, improvement, replacement, repair, relocation or demolition of buildings, structures, and facilities that are exempt from the *Florida Building Code*; placement, installation, or replacement of manufactured homes and manufactured buildings; installation or replacement of tanks; placement of recreational vehicles; installation of swimming pools; and any other development.

106-3 Intent. The purposes of this ordinance and the flood load and flood resistant construction requirements of the *Florida Building Code* are to establish minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas to:

- (1) Minimize unnecessary disruption of commerce, access and public service during times of flooding;
- (2) Require the use of appropriate construction practices in order to prevent or minimize future flood damage;
- (3) Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;
- (4) Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;
- (5) Minimize damage to public and private facilities and utilities;
- (6) Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;
- (7) Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and
- (8) Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.

106-4 Coordination with the *Florida Building Code*. This ordinance is intended to be administered and enforced in conjunction with the *Florida Building Code*. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the *Florida Building Code*.

106-5 Warning. The degree of flood protection required by this ordinance and the *Florida Building Code*, as amended by this community, is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside of mapped special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal Emergency Management Agency, requiring this community to revise these regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with this ordinance.

106-6 Disclaimer of Liability. This ordinance shall not create liability on the part of the City of

Edgewood or by any officer or employee thereof for any flood damage that results from reliance on this ordinance or any administrative decision lawfully made thereunder.

Secs. 106-7—106-20. - Reserved.

DIVISION 2 APPLICABILITY

106-21 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

106-22 Areas to which this ordinance applies. This ordinance shall apply to all flood hazard areas within the City of Edgewood, as established in Section 106-23 of this ordinance.

106-23 Basis for establishing flood hazard areas.

(a) The areas of special flood hazard identified by the Federal Emergency Management Agency in the Flood Insurance Study for Orange County, Florida and Incorporated Areas City of Edgewood, dated September 25, 2009, dated June 20, 2018, with the accompanying maps and other supporting data, and any subsequent amendments and revisions thereto, and the accompanying Flood Insurance Rate Maps (FIRM), and all subsequent amendments and revisions to such maps, are adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study and Flood Insurance Rate Map are on file at the City of Edgewood City Hall, 405 Larue Avenue, Edgewood, Florida 32809.

(b) Submission of additional data to establish flood hazard areas. To establish flood hazard areas and base flood elevations, pursuant to Article 1, Division 5 of this ordinance the Floodplain Administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the community indicates that ground elevations:

- (1) Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this ordinance and, as applicable, the requirements of the *Florida Building Code*.
- (2) Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the special flood hazard area.

106-24 Other laws. The provisions of this ordinance shall not be deemed to nullify any provisions of local, state or federal law.

106-25 Abrogation and greater restrictions. This ordinance supersedes any ordinance in effect for management of development in flood hazard areas. However, it is not intended to repeal or abrogate any existing ordinances including but not limited to land development regulations, zoning ordinances, stormwater management regulations, or the *Florida Building Code*. In the event of a conflict between this ordinance and any other ordinance, the more restrictive shall govern. This ordinance shall not impair any deed restriction, covenant or easement, but any land that is subject to such interests shall also be governed by this ordinance.

106-26 Interpretation. In the interpretation and application of this ordinance, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the governing body; and
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes.

Secs. 106-27—106-50. - Reserved.

DIVISION 3 DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR

106-51 Designation. The Mayor of the City of Edgewood is designated as the Floodplain Administrator. The Floodplain Administrator may delegate performance of certain duties to other employees.

106-52 General. The Floodplain Administrator is authorized and directed to administer and enforce the provisions of this ordinance. The Floodplain Administrator shall have the authority to render interpretations of this ordinance consistent with the intent and purpose of this ordinance and may establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall not have the effect of waiving requirements specifically provided in this ordinance without the granting of a variance pursuant to Article I, Division 7 of this ordinance.

106-53 Applications and permits. The Floodplain Administrator, in coordination with other pertinent offices of the community, shall:

- (1) Review applications and plans to determine whether proposed new development will be located in flood hazard areas;
- (2) Review applications for modification of any existing development in flood hazard areas for compliance with the requirements of this ordinance;
- (3) Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries; a person contesting the determination shall have the opportunity to appeal the interpretation;
- (4) Provide available flood elevation and flood hazard information;
- (5) Determine whether additional flood hazard data shall be obtained from other sources or shall be developed by an applicant;
- (6) Review applications to determine whether proposed development will be reasonably safe from flooding;
- (7) Issue floodplain development permits or approvals for development other than buildings and structures that are subject to the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*, when compliance with this ordinance is demonstrated, or disapprove the same in the event of noncompliance; and
- (8) Coordinate with and provide comments to the Building Official to assure that applications, plan reviews, and inspections for buildings and structures in flood hazard areas comply with the applicable provisions of this ordinance.

106-54 Substantial improvement and substantial damage determinations ~~Determinations for existing buildings and structures.~~ For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair,

change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:

- (1) Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;
- (2) Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;
- (3) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and
- (4) Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the *Florida Building Code* and this ordinance is required.

106-55 Modifications of the strict application of the requirements of the *Florida Building Code*. The Floodplain Administrator shall review requests submitted to the Building Official that seek approval to modify the strict application of the flood load and flood resistant construction requirements of the *Florida Building Code* to determine whether such requests require the granting of a variance pursuant to Article I, Division 7 of this ordinance.

106-56 Notices and orders. The Floodplain Administrator shall coordinate with appropriate local agencies for the issuance of all necessary notices or orders to ensure compliance with this ordinance.

106-57 Inspections. The Floodplain Administrator shall make the required inspections as specified in Article I, Division 6 of this ordinance for development that is not subject to the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*. The Floodplain Administrator shall inspect flood hazard areas to determine if development is undertaken without issuance of a permit.

106-58 Other duties of the Floodplain Administrator. The Floodplain Administrator shall have other duties, including but not limited to:

- (1) Establish, in coordination with the Building Official, procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 106-54 of this ordinance;
- (2) Require that applicants proposing alteration of a watercourse notify adjacent communities and the Florida Division of Emergency Management, State Floodplain Management Office, and submit copies of such notifications to the Federal Emergency Management Agency (FEMA);
- (3) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps if the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available;

- (4) Review required design certifications and documentation of elevations specified by this ordinance and the *Florida Building Code* and this ordinance to determine that such certifications and documentations are complete; and
- (5) Notify the Federal Emergency Management Agency when the corporate boundaries of the City of Edgewood are modified.

106-59 Floodplain management records. Regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this ordinance and the flood resistant construction requirements of the *Florida Building Code*, including Flood Insurance Rate Maps; Letters of Map Change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the *Florida Building Code* and this ordinance; notifications to adjacent communities, FEMA, and the state related to alterations of watercourses; assurances that the flood carrying capacity of altered watercourses will be maintained; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to this ordinance and the flood resistant construction requirements of the *Florida Building Code*. These records shall be available for public inspection at City of Edgewood City Hall, 405 Larue Avenue, Edgewood, Florida 32809

Secs. 106-60—106-80. - Reserved.

DIVISION 4 PERMITS

106-81 Permits required. Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this ordinance, including buildings, structures and facilities exempt from the *Florida Building Code*, which is wholly within or partially within any flood hazard area shall first make application to the Floodplain Administrator, and the Building Official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval shall be issued until compliance with the requirements of this ordinance and all other applicable codes and regulations has been satisfied.

106-82 Floodplain development permits or approvals.

(a) Floodplain development permits or approvals shall be issued pursuant to this ordinance for any development activities not subject to the requirements of the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.

(b) *Buildings, structures and facilities exempt from the Florida Building Code.* Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), floodplain development permits or approvals shall be required for the following buildings, structures and facilities that are exempt from the *Florida Building Code* and any further exemptions provided by law, which are subject to the requirements of this ordinance:

- (1) Railroads and ancillary facilities associated with the railroad.
- (2) Nonresidential farm buildings on farms, as provided in section 604.50, F.S.

- (3) Temporary buildings or sheds used exclusively for construction purposes.
- (4) Mobile or modular structures used as temporary offices.
- (5) Those structures or facilities of electric utilities, as defined in section 366.02, F.S., which are directly involved in the generation, transmission, or distribution of electricity.
- (6) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.
- (7) Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.
- (8) Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.
- (9) Structures identified in section 553.73(10)(k), F.S., are not exempt from the *Florida Building Code* if such structures are located in flood hazard areas established on Flood Insurance Rate Maps

106-83 Application for a permit or approval. To obtain a floodplain development permit or approval the applicant shall first file an application in writing on a form furnished by the community. The information provided shall:

- (1) Identify and describe the development to be covered by the permit or approval.
- (2) Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.
- (3) Indicate the use and occupancy for which the proposed development is intended.
- (4) Be accompanied by a site plan or construction documents as specified in Article I, Division 5 of this ordinance.
- (5) State the valuation of the proposed work.
- (6) Be signed by the applicant or the applicant's authorized agent.
- (7) Give such other data and information as required by the Floodplain Administrator.

106-84 Validity of permit or approval. The issuance of a floodplain development permit or approval pursuant to this ordinance shall not be construed to be a permit for, or approval of, any violation of this ordinance, the *Florida Building Codes*, or any other ordinance of this community. The issuance of permits based on submitted applications, construction documents, and information shall not prevent the Floodplain Administrator from requiring the correction of errors and omissions.

106-85 Expiration. A floodplain development permit or approval shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions for periods of not more than 180 days each shall be requested in writing and justifiable cause shall be demonstrated.

106-86 Suspension or revocation. The Floodplain Administrator is authorized to suspend or revoke a floodplain development permit or approval if the permit was issued in error, on the basis of incorrect, inaccurate or incomplete information, or in violation of this ordinance or any other ordinance, regulation or requirement of this community.

106-87 Other permits required. Floodplain development permits and building permits shall include a condition that all other applicable state or federal permits be obtained before commencement of the permitted development, including but not limited to the following:

- (1) The St. Johns River Water Management District; section 373.036, F.S.
- (2) Florida Department of Health for onsite sewage treatment and disposal systems; section 381.0065, F.S. and Chapter 64E-6, F.A.C.
- (3) Florida Department of Environmental Protection for activities subject to the Joint Coastal Permit; section 161.055, F.S.
- (4) Florida Department of Environmental Protection for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.
- (5) Federal permits and approvals.

Secs. 106-88—106-110. - Reserved.

DIVISION 5 SITE PLANS AND CONSTRUCTION DOCUMENTS

106-111 Information for development in flood hazard areas. The site plan or construction documents for any development subject to the requirements of this ordinance shall be drawn to scale and shall include, as applicable to the proposed development:

- (1) Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed development.
- (2) Where ~~flood hazard areas~~, base flood elevations, or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with Section 106-112(2) or (3) of this ordinance.
- (3) Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and the base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with Section 106-112(1) ~~or (2)~~ of this ordinance.
- (4) Location of the proposed activity and proposed structures, and locations of existing buildings and structures.
- (5) Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
- (6) Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.
- (7) Existing and proposed alignment of any proposed alteration of a watercourse.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by this ordinance but that are not required to be prepared by a registered design professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with this ordinance.

106-112 Information in flood hazard areas without base flood elevations (approximate Zone A). Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the Floodplain Administrator shall:

- (1) Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices.
- (2) Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source; or.
- (3) Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the Floodplain Administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:
 - (a) Require the applicant to include develop base flood elevation data prepared in accordance with currently accepted engineering practices; or
 - (b) Specify that the base flood elevation is two (2) feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than two (2) feet.
- (4) Where the base flood elevation data are to be used to support a Letter of Map Change from FEMA, advise the applicant that the analyses shall be prepared by a Florida licensed engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

106-113 Additional analyses and certifications. As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a Florida licensed engineer for submission with the site plan and construction documents:

- (1) For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Section 106-114 of this ordinance and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.
- (2) For development activities proposed to be located in a riverine flood hazard area for which base flood elevations are included in the Flood Insurance Study or on the FIRM and floodways have not been designated, hydrologic and hydraulic analyses that a floodway encroachment analysis which demonstrates that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood

hazard area encroachments, will not increase the base flood elevation more than one (1) foot at any point within the community. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.

- (3) For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity; the applicant shall submit the analysis to FEMA as specified in Section 106-114 of this ordinance.

106-114 Submission of additional data. When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a Florida licensed engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

Secs. 106-115—106-130. - Reserved.

DIVISION 6 INSPECTIONS

106-131 Development for which a floodplain development permit or approval is required shall be subject to inspection.

(1) *Development other than buildings and structures.* The Floodplain Administrator shall inspect all development to determine compliance with the requirements of this ordinance and the conditions of issued floodplain development permits or approvals.

(2) *Buildings, structures and facilities exempt from the Florida Building Code.* The Floodplain Administrator shall inspect buildings, structures and facilities exempt from the *Florida Building Code* to determine compliance with the requirements of this ordinance and the conditions of issued floodplain development permits or approvals.

a. *Buildings, structures and facilities exempt from the Florida Building Code, lowest floor inspection.* Upon placement of the lowest floor, including basement, and prior to further vertical construction, the owner of a building, structure or facility exempt from the *Florida Building Code*, or the owner's authorized agent, shall submit to the Floodplain Administrator:

(1) If a design flood elevation was used to determine the required elevation of the lowest floor, the certification of elevation of the lowest floor prepared and sealed by a Florida licensed professional surveyor; or

(2) If the elevation used to determine the required elevation of the lowest floor was determined in accordance with Section 106-112(3)(b)-(2)b. of this ordinance, the documentation of height of the lowest floor above highest adjacent grade, prepared by the owner or the owner's authorized agent.

b. *Buildings, structures and facilities exempt from the Florida Building Code, final inspection.* As part of the final inspection, the owner or owner's authorized agent shall submit to the

Floodplain Administrator a final certification of elevation of the lowest floor or final documentation of the height of the lowest floor above the highest adjacent grade; such certifications and documentations shall be prepared as specified in Section 106-131(2)(a) of this ordinance.

(3) Manufactured homes. The Building Official shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of this ordinance and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted to the Building Official.

Secs. 106-132—106-150. - Reserved.

DIVISION 7 VARIANCES AND APPEALS

106-151 General. The Planning and Zoning Commission shall hear and decide on requests for appeals and requests for variances from the strict application of this ordinance. Pursuant to section 553.73(5), F.S., the Planning and Zoning Commission shall hear and decide on requests for appeals and requests for variances from the strict application of the flood resistant construction requirements of the *Florida Building Code*.

106-152 Appeals. The Planning and Zoning Commission shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the administration and enforcement of this ordinance. Any person aggrieved by the decision of the Planning and Zoning Commission may appeal such decision to the Circuit Court, as provided by Florida Statutes.

106-153 Limitations on authority to grant variances.

(a) The Planning and Zoning Commission shall base its decisions on variances on technical justifications submitted by applicants, the considerations for issuance in Section 106-156 of this ordinance, the conditions of issuance set forth in Section 106-157 of this ordinance, and the comments and recommendations of the Floodplain Administrator and the Building Official. The Planning and Zoning Commission has the right to attach such conditions as it deems necessary to further the purposes and objectives of this ordinance.

(b) *Restrictions in floodways.* A variance shall not be issued for any proposed development in a floodway if any increase in base flood elevations would result, as evidenced by the applicable analyses and certifications required in Section 106-113 of this ordinance.

106-154 Historic buildings. A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the *Florida Building Code, Existing Building*, Chapter 11 Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the *Florida Building Code*.

106-155 Functionally dependent uses. A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use, as defined in this ordinance, provided the variance meets the requirements of Section 106-

153(b), is the minimum necessary considering the flood hazard, and all due consideration has been given to use of methods and materials that minimize flood damage during occurrence of the base flood.

106-156 Considerations for issuance of variances. In reviewing requests for variances, the Planning and Zoning Commission shall consider all technical evaluations, all relevant factors, all other applicable provisions of the *Florida Building Code*, this ordinance, and the following:

- (1) The danger that materials and debris may be swept onto other lands resulting in further injury or damage;
- (2) The danger to life and property due to flooding or erosion damage;
- (3) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;
- (4) The importance of the services provided by the proposed development to the community;
- (5) The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;
- (6) The compatibility of the proposed development with existing and anticipated development;
- (7) The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;
- (8) The safety of access to the property in times of flooding for ordinary and emergency vehicles;
- (9) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
- (10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

106-157 Conditions for issuance of variances. Variances shall be issued only upon:

- (1) Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this ordinance or the required elevation standards;
- (2) Determination by the Planning and Zoning Commission that:
 - (a) Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;
 - (b) The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and ordinances; and
 - (c) The variance is the minimum necessary, considering the flood hazard, to afford relief;
- (3) Receipt of a signed statement by the applicant that the variance, if granted, shall be

recorded in the Office of the Clerk of the Court in such a manner that it appears in the chain of title of the affected parcel of land; and

- (4) If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the Floodplain Administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as \$25 for \$100 of insurance coverage), and stating that construction below the base flood elevation increases risks to life and property.

Secs. 106-158—106-180. - Reserved.

SECTION 108 VIOLATIONS

106-181 Violations. Any development that is not within the scope of the *Florida Building Code* but that is regulated by this ordinance that is performed without an issued permit, that is in conflict with an issued permit, or that does not fully comply with this ordinance, shall be deemed a violation of this ordinance. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this ordinance or the *Florida Building Code* is presumed to be a violation until such time as that documentation is provided.

106-182 Authority. For development that is not within the scope of the *Florida Building Code* but that is regulated by this ordinance and that is determined to be a violation, the Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of the property involved, to the owner's agent, or to the person or persons performing the work.

106-183 Unlawful continuance. Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by law.

Secs. 106-184—106-200. - Reserved.

ARTICLE 2 DEFINITIONS

DIVISION 1 GENERAL

106-201 Scope. Unless otherwise expressly stated, the following words and terms shall, for the purposes of this ordinance, have the meanings shown in this section.

106-202 Terms defined in the *Florida Building Code*. Where terms are not defined in this ordinance and are defined in the *Florida Building Code*, such terms shall have the meanings ascribed to them in that code.

106-203 Terms not defined. Where terms are not defined in this ordinance or the *Florida Building Code*, such terms shall have ordinarily accepted meanings such as the context implies.

Secs. 106-204—106-220. - Reserved.

DIVISION 2 DEFINITIONS

106-221 Terms defined.

Alteration of a watercourse. A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

Appeal. A request for a review of the Floodplain Administrator's interpretation of any provision of this ordinance ~~or a request for a variance.~~

ASCE 24. A standard titled *Flood Resistant Design and Construction* that is referenced by the *Florida Building Code*. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

Base flood. A flood having a 1-percent chance of being equaled or exceeded in any given year. [Also defined in FBC, B, Section 1612.2.] The base flood is commonly referred to as the "100-year flood" or the "1-percent-annual chance flood."

Base flood elevation. The elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM). [Also defined in FBC, B, Section 1612.2.]

Basement. The portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in FBC, B, Section 1612.2.]

Design flood. The flood associated with the greater of the following two areas: [Also defined in FBC, B, Section 1612.2.]

- (1) Area with a floodplain subject to a 1-percent or greater chance of flooding in any year; or
- (2) Area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Design flood elevation. The elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to 2 feet. [Also defined in FBC, B, Section 1612.2.]

Development. Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations or any other land disturbing activities.

Encroachment. The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine

flood hazard areas.

Existing building and existing structure. Any buildings and structures for which the “start of construction” commenced before **January 16, 1988**. [Also defined in FBC, B, Section 1612.2.]

Existing manufactured home park or subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before January 16, 1988.

Expansion to an existing manufactured home park or subdivision. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Federal Emergency Management Agency (FEMA). The federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.

Flood or flooding. A general and temporary condition of partial or complete inundation of normally dry land from: [Also defined in FBC, B, Section 1612.2.]

- (1) The overflow of inland or tidal waters.
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood damage-resistant materials. Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Also defined in FBC, B, Section 1612.2.]

Flood hazard area. The greater of the following two areas: [Also defined in FBC, B, Section 1612.2.]

- (1) The area within a floodplain subject to a 1-percent or greater chance of flooding in any year.
- (2) The area designated as a flood hazard area on the community’s flood hazard map, or otherwise legally designated.

Flood Insurance Rate Map (FIRM). The official map of the community on which the Federal Emergency Management Agency has delineated both special flood hazard areas and the risk premium zones applicable to the community. [Also defined in FBC, B, Section 1612.2.]

Flood Insurance Study (FIS). The official report provided by the Federal Emergency Management Agency that contains the Flood Insurance Rate Map, the Flood Boundary and Floodway Map (if applicable), the water surface elevations of the base flood, and supporting technical data. [Also defined in FBC, B, Section 1612.2.]

Floodplain Administrator. The office or position designated and charged with the administration and enforcement of this ordinance (may be referred to as the Floodplain Manager).

Floodplain development permit or approval. An official document or certificate issued by the

community, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this ordinance.

Floodway. The channel of a river or other riverine watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot. [Also defined in FBC, B, Section 1612.2.]

Floodway encroachment analysis. An engineering analysis of the impact that a proposed encroachment into a floodway is expected to have on the floodway boundaries and base flood elevations; the evaluation shall be prepared by a qualified Florida licensed engineer using standard engineering methods and models.

Florida Building Code. The family of codes adopted by the Florida Building Commission, including: *Florida Building Code, Building*; *Florida Building Code, Residential*; *Florida Building Code, Existing Building*; *Florida Building Code, Mechanical*; *Florida Building Code, Plumbing*; *Florida Building Code, Fuel Gas*.

Functionally dependent use. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term does not include long-term storage or related manufacturing facilities.

Highest adjacent grade. The highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

Historic structure. Any structure that is determined eligible for the exception to the flood hazard area requirements of the *Florida Building Code, Existing Building*, Chapter 4412 Historic Buildings.

Letter of Map Change (LOMC). An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

Letter of Map Amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood

Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

Light-duty truck. As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less, which is:

- (1) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or
- (2) Designed primarily for transportation of persons and has a capacity of more than 12 persons; or
- (3) Available with special features enabling off-street or off-highway operation and use.

Lowest floor. The lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the Florida Building Code or ASCE 24. [Also defined in FBC, B, Section 1612.2.]

Manufactured home. A structure, transportable in one or more sections, which is eight (8) feet or more in width and greater than four hundred (400) square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or "park trailer." [Also defined in 15C-1.0101, F.A.C.]

Manufactured home park or subdivision. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Market value. The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this ordinance, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, Actual Cash Value (replacement cost depreciated for age and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser.

New construction. For the purposes of administration of this ordinance and the flood resistant construction requirements of the *Florida Building Code*, structures for which the "start of construction" commenced on or after January 16, 1988 and includes any subsequent improvements to such structures.

New manufactured home park or subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after January 16, 1988}.

Park trailer. A transportable unit which has a body width not exceeding fourteen (14) feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. [Defined in section 320.01, F.S. 45C-1.0101 F.A.C.]

Recreational vehicle. A vehicle, including a park trailer, which is: [~~Defined in~~ See section 320.01(~~b~~), F.S.)

- (1) Built on a single chassis;
- (2) Four hundred (400) square feet or less when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a light-duty truck; and
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Special flood hazard area. An area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V. [Also defined in FBC, B Section 1612.2.]

Start of construction. The date of issuance of permits for new construction and substantial improvements ~~to existing structures~~, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns.

Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Also defined in FBC, B Section 1612.2.]

Substantial damage. Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred. [Also defined in FBC, B Section 1612.2.]

Substantial improvement. Any repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either: [Also defined in FBC, B, Section 1612.2.]

- (1) Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
- (2) Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure. [*See Instructions and Notes*]

Variance. A grant of relief from the requirements of this ordinance, or the flood resistant construction requirements of the *Florida Building Code*, which permits construction in a manner that would not otherwise be permitted by this ordinance or the *Florida Building Code*.

Watercourse. A river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.

Secs. 106-222—106-240. - Reserved.

ARTICLE 3 FLOOD RESISTANT DEVELOPMENT

DIVISION 1 BUILDINGS AND STRUCTURES

106-241 Design and construction of buildings, structures and facilities exempt from the *Florida Building Code*. Pursuant to Section 106-82(b) of this ordinance, buildings, structures, and facilities that are exempt from the *Florida Building Code*, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood resistant construction requirements of ASCE 24. Structures exempt from the *Florida Building Code* that are not walled and roofed buildings shall comply with the requirements of ~~Section 307~~ Article III, Division 7 of this ordinance.

Secs. 106-242—106-260. - Reserved.

DIVISION 2 SUBDIVISIONS

106-261 Minimum requirements. Subdivision proposals, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:

- (1) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
- (2) All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
- (3) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

106-262 Subdivision plats. Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

- (1) Delineation of flood hazard areas, floodway boundaries and flood zones, and design flood elevations, as appropriate, shall be shown on preliminary plats and final plats;
- (2) Where the subdivision has more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM, the base flood elevations determined in accordance with Section 106-112(1) ~~or (2)~~ of this ordinance; and
- (3) Compliance with the site improvement and utilities requirements of Article 3, Division 3 of this ordinance.

Secs. 106-263—106-290. - Reserved.

DIVISION 3 SITE IMPROVEMENTS, UTILITIES AND LIMITATIONS

106-291 Minimum requirements. All proposed new development shall be reviewed to determine that:

- (1) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
- (2) All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
- (3) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

106-292 Sanitary sewage facilities. All new and replacement sanitary sewage facilities, private sewage treatment plants (including all pumping stations and collector systems), and on-site waste disposal systems shall be designed in accordance with the standards for onsite sewage treatment and disposal systems in Chapter 64E-6, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.

106-293 Water supply facilities. All new and replacement water supply facilities shall be designed in accordance with the water well construction standards in Chapter 62-532.500, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the systems.

106-294 Limitations on sites in regulatory floodways. No development, including but not limited to site improvements, and land disturbing activity involving fill or regrading, shall be authorized in the regulatory floodway unless the floodway encroachment analysis required in Section 106-113(1) of this ordinance demonstrates that the proposed development or land disturbing activity will not result in any increase in the base flood elevation.

106-295 Limitations on placement of fill. Subject to the limitations of this ordinance, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, if intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the *Florida Building Code*.

Secs. 106-296—106-310. - Reserved.

DIVISION 4 MANUFACTURED HOMES

106-311 General. All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to section 320.8249, F.S., and shall comply with the requirements of Chapter 15C-1, F.A.C. and the requirements of this ordinance. If located seaward of the coastal construction control line, all manufactured homes shall comply with the more restrictive of the applicable requirements.

106-312 Foundations. All new manufactured homes and replacement manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that are designed in accordance with the foundation requirements of the *Florida Building Code Residential* Section R322.2 and this ordinance. Foundations for manufactured homes subject to Section 106-314(2) of this ordinance are permitted to be reinforced piers or other foundation elements of at least equivalent strength.

106-313 Anchoring. All new manufactured homes and replacement manufactured homes shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement. Methods of anchoring include, but are not limited to, use of over-the-top or frame ties to ground anchors. This anchoring requirement is in addition to applicable state and local anchoring requirements for wind resistance.

106-314 Elevation. Manufactured homes that are placed, replaced, or substantially improved shall comply with Section 106-314(1) or (2) or of this ordinance, as applicable.

(1) General elevation requirement. Unless subject to the requirements of subsection (2) of this section, all manufactured homes that are placed, replaced, or substantially improved on sites located: (a) outside of a manufactured home park or subdivision; (b) in a new manufactured home park or subdivision; (c) in an expansion to an existing manufactured home park or subdivision; or (d) in an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential Section R322.2 (Zone A)*.

(2) Elevation requirement for certain existing manufactured home parks and subdivisions. Manufactured homes that are not subject to subsection (1) of this section, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:

- a. Bottom of the frame of the manufactured home is at or above the elevation required in the *Florida Building Code, Residential Section R322.2 (Zone A)*; or
- b. Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than 36 inches in height above grade.

106-315 Enclosures. Fully enclosed areas below elevated manufactured homes shall comply with the requirements of the *Florida Building Code, Residential Section R322.2* for such enclosed areas.

106-316 Utility equipment. Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the *Florida Building Code, Residential Section R322*.

Secs. 106-317—106-330. - Reserved.

DIVISION 5 RECREATIONAL VEHICLES AND PARK TRAILERS

106-331 Temporary placement. Recreational vehicles and park trailers placed temporarily in flood hazard areas shall:

- (1) Be on the site for fewer than 180 consecutive days; or
- (2) Be fully licensed and ready for highway use, which means the recreational vehicle or park model is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches.

106-332 Permanent placement. Recreational vehicles and park trailers that do not meet the limitations in Section 106-331 of this ordinance for temporary placement shall meet the requirements of Article III, Division 4 of this ordinance for manufactured homes.

Secs. 106-333—106-350. - Reserved.

DIVISION 6 TANKS

106-351 Underground tanks. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty.

106-352 Above-ground tanks, not elevated. Above-ground tanks that do not meet the elevation requirements of Section 106-353 of this ordinance shall be permitted in flood hazard areas provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.

106-353 Above-ground tanks, elevated. Above-ground tanks in flood hazard areas shall be attached to and elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area.

106-354 Tank inlets and vents. Tank inlets, fill openings, outlets and vents shall be:

- (1) At or above the design flood elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and
- (2) Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

Secs. 106-355—106-370. - Reserved.

DIVISION 7 OTHER DEVELOPMENT

106-371 General requirements for other development. All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in this ordinance or the *Florida Building Code*, shall:

- (1) Be located and constructed to minimize flood damage;
- (2) Meet the limitations of Section 106-294 of this ordinance if located in a regulated floodway;
- (3) Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;
- (4) Be constructed of flood damage-resistant materials; and
- (5) Have mechanical, plumbing, and electrical systems above the design flood elevation or

meet the requirements of ASCE 24, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.

106-372 Fences in regulated floodways. Fences in regulated floodways that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Section 106-294 of this ordinance.

106-373 Retaining walls, sidewalks and driveways in regulated floodways. Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the limitations of Section 106-294 of this ordinance.

106-374 Roads and watercourse crossings in regulated floodways. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of Section 106-294 of this ordinance. Alteration of a watercourse that is part of a road or watercourse crossing shall meet the requirements of Section 106-113(3) of this ordinance.

Secs. 106-375—106-400. - Reserved.

SECTION 3. FISCAL IMPACT STATEMENT.

In terms of design, plan application review, construction and inspection of buildings and structures, the cost impact as an overall average is negligible in regard to the local technical amendments because all development has been subject to the requirements of the local floodplain management ordinance adopted for participation in the National Flood Insurance Program. In terms of lower potential for flood damage, there will be continued savings and benefits to consumers.

SECTION 4. APPLICABILITY.

For the purposes of jurisdictional applicability, this ordinance shall apply in the City of Edgewood. This ordinance shall apply to all applications for development, including building permit applications and subdivision proposals, submitted on or after the effective date of this ordinance.

SECTION 5. REPEALER.

Any and all ordinances and regulations in conflict herewith are hereby repealed to the extent of any conflict. This ordinance specifically repeals and replaces Chapter 106 of the City of Edgewood Code of Ordinances.

SECTION 6. INCLUSION INTO THE CODE OF ORDINANCES.

It is the intent of the City Council of the City of Edgewood that the provisions of this ordinance shall become and be made a part of the City of Edgewood Code of Ordinances, and that the sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 7. SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity

of the ordinance as a whole, or any part thereof, other than the part so declared.

SECTION 8. EFFECTIVE DATE.

This ordinance shall take effect on _____.

PASSED on first reading _____.

PASSED and ADOPTED in regular session, with a quorum present and voting, by the **City Council of the City of Edgewood**, upon second and final reading this _____.

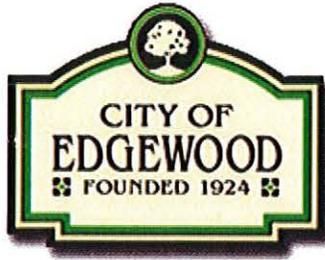
John Dowless, Council President

ATTEST:

Bea L. Meeks
City Clerk

Approved as to form:

D. Andrew Smith, III
City Attorney



TO: City Council
XC: Bea Meeks, City Clerk
Sandy Riffle, Deputy City Clerk
Drew Smith, City Attorney
David Mahler, PE, City Engineer

FROM: Ellen Hardgrove, AICP, City Planner

RE: Ordinance 2018-16 - Comprehensive Plan Capital Improvement Schedule Review

DATE: December 7, 2018

Pursuant to Section 163.3177(3)(b), Florida Statutes, local governments are required to undertake an annual review of the Capital Improvements Element to update the Five-Year Capital Improvement Schedule. Although required as a comprehensive plan amendment in the past, this update is no longer considered as such. The annual update to the schedule is now accomplished by ordinance. That ordinance with the proposed Fiscal Years 2018/2019 – 2023/2024 Capital Improvement Schedule is attached for your consideration. Because it is an ordinance, two public hearings are required; the December 18th public hearing will be the first reading and January 15, 2019 the second.

As you will note upon review, no capital improvements have been scheduled within the next five years. It is important to understand that this schedule only would include projects deemed necessary to ensure that adopted level-of-service standards of the comprehensive plan are achieved and maintained for the next 5-year period. The City of Edgewood relies on outside providers for all service and facilities related to the adopted level of service standards except drainage. Thus, the City's fiscal responsibilities included in the Capital Improvements Schedule would relate only to drainage improvements.

Per Section 163.3164(7), Florida Statutes, capital improvements are physical assets, excluding items like operation and maintenance services and studies. The other entities that have the ability to make capital improvements in the City, specifically Orange County, Orlando Utilities Commission, and the Florida Department of Transportation, are also not proposing any capital improvement projects within the next five years that will affect level of service for required concurrency services and facilities within the City.

Staff's recommendation is for Council to approve Ordinance 2018-16 at the second reading.

ESH

39 PASSED ON FIRST READING THIS _____ DAY OF _____, 2018.

40

41 PASSED AND ADOPTED THIS _____ DAY OF _____, 2019.

42

43

44

CITY OF EDGEWOOD, FLORIDA

45

CITY COUNCIL

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47

48

John Dowless, Council President

49

ATTEST:

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51

52

Bea Meeks, City Clerk

Exhibit A

Five-Year Capital Improvements Schedule

Fund	Project Name	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023
N/A	None	\$0	\$0	\$0	\$0	\$0

45 Dissolve: a mode of message transition on an Electronic Changeable Message Sign
46 accomplished by varying the light intensity or pattern, where the first message gradually
47 appears to dissipate and lose legibility simultaneously with the gradual appearance and
48 legibility of the second message.

49 Electronic Changeable Message Sign: A sign that uses changing lights or an electronic
50 medium to form an image, picture, or message of any kind, whether the image, picture, or
51 message is moving or stationary, wherein the sequence of the messages and the rate of
52 change are electronically programmed and can be modified by electronic processes.
53 Electronic changeable signs include LED signs (light emitting diode technology or other
54 similar semiconductor technology), OLED signs (transmissive, organic light emitting
55 diodes), LEP signs (light emitting polymer), OEL signs (organic electro luminescence), or
56 any similar technology.

57 * * *

58 Fade: a mode of message transition on an Electronic Changeable Message Sign
59 accomplished by varying the light intensity, where the first message gradually reduces
60 intensity to the point of not being legible and the subsequent message gradually increases
61 intensity to the point of legibility.

62
63 Flashing: a rapid on and off display of messages, also defined as a message being displayed
64 for less than the identified Display Time in the regulation.

65 * * *

66 Frame: a complete, static display screen on an Electronic Changeable Message Sign.

67 * * *

68 Illuminance: the amount of light striking a lit object at a given distance (in this case a
69 passersby eye), measured in foot candles.

70 * * *

71 Interactive Sign: A sign that has the ability to change the display based on the person or
72 vehicle passing by.

73 * * *

74 Scrolling: a mode of message transition on an Electronic Changeable Message Sign where
75 the message appears to move vertically down or up the display surface.

76 * * *

77 Static: Motionless.

78 * * *

79 Transition: A visual effect used on an Electronic Changeable Message Sign to change from
80 one message to another.

81

82 Traveling: A mode of message transition on an Electronic Changeable Message Sign where
83 the message appears to move horizontally across the display surface.

84 * * *

85 **Sec. 122-10. Prohibited Signs.**

86 The following types of signs are prohibited:

87 A. Abandoned signs

88 B. Balloons, cold air inflatables, streamers, and pennants.

89 C. Banner signs except as expressly allowed in Section 122-12 herein.

90 D. Bench signs, other than the identification of the transit company or its route schedule.

91 E. Billboards.

92 F. Electronic changeable message signs unless otherwise specifically allowed herein.

93 G. Pavement markings, except street addresses and vehicle directional arrows.

94 H. Portable signs except as expressly authorized in Section 122-12 herein.

95 I. Pole signs.

96 J. Roof signs.

97 K. Signs in or upon any lake or other body of water.

98 L. Signs erected by other than a governmental entity on or extending into publicly-owned
99 land, easements or rights-of-way.

100 M. Signs that emit sound, vapor, smoke, odor, particles, or gaseous matter.

101 N. Signs that have unshielded illuminating devices or which reflect lighting onto public
102 rights-of-way thereby creating a potential traffic or pedestrian hazard.

103 O. Animated signs or signs that appear to display motion in any way whatsoever, including
104 beacons.

105 P. Signs that obstruct, conceal, hide, or otherwise obscure from view any traffic control
106 device sign or official traffic signal.

107 Q. Snipe signs.

108 R. Obscene signs.

109 S. Hazardous signs.

110 T. Vehicle signs.

111 U. Any sign that is not specifically described or enumerated as permitted.

112 V. Signs attached to temporary structures.

113

114 * * *

115

116 **Sec. 122-11. General standards.**

117 * * *

118 (k) Electronic Changeable Message Signs are prohibited within the City of
119 Edgewood. Any lawfully nonconforming Electronic Changeable Message Sign
120 shall not be moved or structurally altered or expanded from the location or
121 dimensions approved prior to such structure becoming lawfully nonconforming.
122 Any lawfully nonconforming Electronic Changeable Message Sign shall be subject
123 comply with all regulations related to Electronic Changeable Message Signs in
124 place at the time of permit application and shall be subject to the following
125 operational restrictions:

126 (1) The Electronic Changeable Message Sign shall only contain static
127 messages. Movement, or the appearance or optical illusion of movement,
128 of any part of the sign structure, design, or pictorial segment of the sign,
129 including the movement or appearance of movement of any illumination or
130 the flashing, scrolling, traveling, or scintillating or varying of light intensity
131 shall be prohibited.

132 (2) The Electronic Changeable Message Sign shall not emit noise or use
133 sound.

134 (3) The Electronic Changeable Message Sign shall not have lighting that
135 would resemble, compete with, or distract from traffic signal lighting.

136 (4) Interactive signs are prohibited.

137 (5) The hours of digital display operation shall be between 6:00 a.m. and
138 10:00 p.m. The digital display shall be turned off outside of these hours.

139 (6) The electronic display of an Electronic Changeable Message Sign shall
140 not change more frequently than twice during the period between 6:00 a.m.
141 and 10:00 p.m.

142 (7) The change of messages must be accomplished instantaneously; only
143 static transitions shall be allowed. Messages changed by fade, dissolve,
144 scrolling, traveling, or similar animated images that appear to move or
145 change in size, flashing and video are prohibited.

146 (8) The Electronic Changeable Message Sign shall be equipped with an
147 automatic shut off or contain a default design to freeze the display in one
148 position if a malfunction occurs.

149 (9) The illumination of an Electronic Message Sign shall conform to the
150 criteria below.

151 a. The illuminance of an Electronic Message Sign shall be measured
152 with an illuminance meter set to measure footcandles accurate to at
153 least two decimals. Illuminance shall be measured with the
154 Electronic Message Sign off, and again with the Electronic Message
155 Sign displaying a white image. All measurements shall be taken
156 perpendicular to the face of the Electronic Message Sign at the
157 distance determined by the total square footage of the Electronic
158 Message Sign as set forth in the accompanying Sign Area Versus
159 Measurement Distance table (below).

SIGN AREA VERSUS MEASUREMENT DISTANCE

AREA OF SIGN sq. ft.	MEASUREMENT Distance (ft.)
10	32
15	39
20	45
25	50
30	55
35	59
40	63
45	67
50	71
55	74
60	77
65	81
70	84
75	87
80	89
85	92
90	95
95	97
100	100
110	105
120	110
130	114
140	118
150	122
160	126
170	130
180	134
190	138
200	141
220	148
240	155
260	161
280	167
300	173

** For signs with an area in square feet other than those specifically listed in the table (i.e., 12 sq ft, 400 sq ft, etc), the measurement distance may be calculated with the following formula: Measurement Distance = $\sqrt{\text{Area of Sign Sq. Ft.} \times 100}$*

160

161

162

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167

b. The difference between the off and white screen measurements shall not exceed 0.3 footcandles.

c. All permitted Electronic Changeable Message Signs shall be equipped with a sensor that automatically determines the ambient illumination and that is programmed to automatically dim according to ambient light conditions to ensure compliance with the 0.3 footcandle limit in all light conditions.

168 d. The owner or operator of an Electronic Changeable Message Sign
169 shall immediately turn off the display of any Electronic Changeable
170 Message Sign upon receipt of notification from the City that the sign
171 is not complying with the standards of this chapter and shall keep
172 the Display turned off until the nonconformance is corrected.

173

174 **SECTION THREE. Severability.** If any section, subsection, sentence, clause,
175 phrase, word or provision of this Ordinance is for any reason held invalid or
176 unconstitutional by any court of competent jurisdiction, whether for substantive,
177 procedural, or any other reason, such portion shall be deemed a separate, distinct and
178 independent provision, and such holding shall not affect the validity of the remaining
179 portions of this Ordinance.

180

181 **SECTION FOUR. Codification.** It is the intent of the City Council of the City
182 of Edgewood that the provisions of this Ordinance shall be codified. The codifier is granted
183 broad and liberal authority in codifying the provisions of this Ordinance.

184

185 **SECTION FIVE. Effective date.** This Ordinance shall take effect immediately
186 upon adoption as provided by the Charter of the City of Edgewood.

187

188 PASSED ON FIRST READING THIS _____ DAY OF _____, 2018.

189

190 PASSED AND ADOPTED THIS _____ DAY OF _____, 2018.

191

192

193 CITY OF EDGEWOOD, FLORIDA

194

CITY COUNCIL

195

196

197

John Dowless, Council President

198

ATTEST:

199

200

201

Bea Meeks, City Clerk

34 * * *

35 (f) Minimum Percentage of Lot Width Occupied by Building at the Build Line.

36 Buildings located within the Road View Area shall meet the following building façade
37 width to lot width ratio.

38

<i>Lot Width</i>	<i>Minimum % of Lot Width occupied by Building Façade</i>
<125	50
125 \geq 174.9	60
≥ 175	70

39

40 For the purpose of this standard, the following features shall be included in the
41 calculation of Building Façade Width:

- 42 (1) Uncovered recessed courtyards between portions of the building, provided that the
43 width of such courtyards shall not be more than 50% of the total building frontage
44 and that the courtyard is paved and enhanced with landscaping;
- 45 (2) Restaurant outdoor seating areas, provided that such seating areas are less than 30%
46 of the actual building frontage;
- 47 (3) Pedestrian access ways to rear parking areas, provided such pedestrian access ways
48 are located between buildings and not adjacent to driveways; and
- 49 (4) A gallery-type of building with the use of columns to create a covered arcade beneath
50 the, with upper stories above the arcade provided a minimum 13-foot ground
51 clearance in the arcade is provided.
- 52 (5) Full height wall recesses up to 4 feet in depth and a maximum of 40 feet in length.

53 (g) Building Placement.

54 (1) Building Placement Applicable to All Development

- 55 a. Minimum Rear Yard/Rear Building Setback Width and Use.
56 Buildings shall be setback a minimum of 20 feet from the rear property line. Where
57 EC District is adjacent to property with a Low Density Residential future land use
58 designation, a seven (7) feet high opaque brick wall shall be constructed on the
59 property line between the property with a Low Density Residential future land use
60 designation and ECD zoned property. The wall in proximity to any street or
61 driveway intersection shall be designed to avoid a traffic safety hazard. In addition to
62 the wall, year-round shade trees shall be planted within a planting area at least (8) feet

63 in depth from the wall at a rate where, at maturity, the canopies provide full
64 screening, but in no case less than 1 tree/40 linear feet. A hedge may be substituted
65 for the tree requirement, upon approval of City Council, if the intended screening
66 coverage can be provided.

67 b. Minimum Side Yard/Building Setback Width and Use

- 68 1. The minimum side building setback is zero unless adjacent to property with a
69 Low Density Residential future land use designation a single family
70 residential district or abutting a side street or natural surface water body. If
71 zero setback is used, a plan for side building maintenance shall be presented
72 with the development application and roof slopes shall be away from the zero
73 setback property line to avoid a negative impact to the abutting property.
- 74 2. The minimum side building setback for properties abutting property with a Low
75 Density Residential future land use designation a single family residential district
76 shall be 25 feet. Where EC District is adjacent to property with a Low Density
77 Residential future land use designation, a seven (7) feet high opaque brick
78 wall shall be constructed on the property line between the property with a
79 Low Density Residential future land use designation and EC zoned property.
80 The wall in proximity to any street or driveway intersection shall be designed
81 to avoid a traffic safety hazard. In addition to the wall, year-round shade trees
82 shall be planted within a planting area at least (8) feet in depth from the wall
83 at a rate where, at maturity, the canopies provide full screening, but in no case
84 less than 1 tree/40 linear feet. A hedge may be substituted for the tree
85 requirement, upon approval of City Council, if the intended screening
86 coverage can be provided.
- 87 3. On lots abutting SR 527, Holden, Hoffner, or Gatlin Avenue, a side street,
88 development within the side yard shall conform to the Road View site
89 standards and Tree/Furnishing/Sign Areas. Abutting other side streets, the
90 minimum building setback shall be 25 feet and shall conform to the City's
91 code for building perimeter landscaping.
- 92 4. Buildings shall be setback from every natural surface water body a minimum
93 of 50 feet, measured from the normal high water elevation.

94 * * *

95 (h) Tree/Furnishings/Sign Area

- 96 (1) The Tree/Furnishings/Sign Area shall be located along the front property line of
97 the property and extend 25 feet inward toward the Build Line.
- 98 (2) Trees shall be provided in the Tree/Furnishings/Sign Area according to the
99 following standards; provided, however, alternative species may be approved
100 during the site plan review process when the proposed species of tree can fulfill
101 the intended design intent, and at the same time achieve full growth and form.
102 Alternating more than two species is strongly discouraged as it will detract from
103 the goal of a recognizable, cohesive development pattern:

104

a. Tree Choice:

105

Street Trees	Characteristics	Minimum Requirements
Highrise Live Oak Quercus virginiana	Once established, Live Oak will thrive in almost any location including narrow spaces and sidewalk to street applications Once established a live oak will grow about 2-4 feet and 1 inch of caliper per year. Semi-evergreen Mature Height: 30–40’ Mature Spread: 16–25’	Minimum 5” caliper (16-18 foot tall)

106

b. Tree Location;

107

Street Tree Standards (as measured to center of tree)	
On-center spacing*	25 <u>35</u> feet
Offset from Sidewalk	Minimum 2’-6”
Offset from front property line	12.5 feet**
Offset (Horizontal) from Overhead Wires Utility Pole (as measured from the center of the pole)	Minimum 12.5’-0”
Offset from road intersections and driveways	Consistent with current Florida Green Book Standard (generally 75’ from center of intersection stop bar in both directions)
Offset from Underground Utilities	10’-0”
Offset from Light Poles	15’-0”
Offset from Driveways, Fire Hydrants	10’-0”

Offset from Road Intersections

Per current Florida
Green Book standard

*Staff has the ability to modify on-center spacing to allow conformance with the remaining spacing standards.

** Staff has the ability to approve tree locations closer to the property line for existing, established trees that meet the intent of the trees in the Tree/Furnishing/Sign area.

108

109 (3) Trees shall be planted in a shallow (no greater than a 6:1 slope and maximum 18
110 inches in depth) pervious swale (no pervious pavers) comprising at least 100
111 square feet per tree, that will ensure the capture of rainwater and runoff in order to
112 promote deep root growth.

113 (4) Tree limbs must be maintained to hang no lower than 14.5 feet above any public
114 street, alleyway, driveway, and no less than 8.5 feet over sidewalks.

115 (5) In addition to street trees, sidewalks and street furnishings, including, but not
116 limited to, seating, lighting, light poles, and bike racks, may be allowed within the
117 Tree/Furnishings/Sign Area subject to site plan approval.

118 (6) All sidewalks in the ~~Tree/Furnishings/Sign Area zone~~ shall be ADA compliant
119 and a minimum width of 8 feet of which at least 6 feet of width is maintained for
120 a continuous pedestrian access route free of obstructions.

121 (7) Where sidewalks are not located contiguous to the building façade, building
122 perimeter landscaping shall be provided in accordance with the following
123 standards.

124 a. have a minimum depth from the building of six feet.

125 b. shall contain at least a double row of shrubs, preferably of different
126 species, planted parallel to the building. The shrubs shall be at least 24
127 inches high at planting of a species capable of growing to 36 inches in
128 height within 18 months, and spaced to achieve a continuous hedge at
129 maturity. The hedge height shall be maintained to not obstruct the full
130 window view.

131 c. Small/understory trees shall be planted at a rate of one tree/20 feet, or
132 portion thereof, of the length of the landscaped area as measured along the
133 building façade. Spacing of the trees shall be at the discretion of the
134 owner, such that the trees may be aggregated to provide maximum
135 aesthetic value. The required trees may be credited toward meeting the
136 blank wall requirement if applicable.

137 (8) All street furnishings shall be permanently fixed to the ground through
138 mechanical fasteners or through the use of concrete footings.

- 139 (9) Unless specifically approved through the site plan review process, all street
140 furnishing shall have a black finish.
- 141 (10) Details for all furnishings, including specifications, installation, colors and
142 material shall be provided as part of the site plan review process.
- 143 (11) Any unpaved area in the Tree/Furnishings/Sign Area shall, at a minimum, be
144 planted with a low-maintenance, drought tolerant ground cover.
- 145 (12) Ground Signs shall be allowed to be placed within the Tree/Furnishings/Sign
146 Area provided such signs comply with all other provisions of the City Code.
- 147 (13) The following improvements shall also be allowed within the
148 Tree/Furnishings/Sign AreaZone.
- 149 a. Building mounted and/or cantilevered architectural building elements such
150 as awnings and canopies meeting the following requirements:
 - 151 1. Hung 13 to 15 feet above the adjacent sidewalk grade;
 - 152 2. Extending 2 to 8 feet from the wall;
 - 153 3. A clear height distance of at least 80 inches, as required by
154 accessibility standards;
- 155 b. Bay windows with a maximum width of 8 feet not extending greater than
156 18 inches from the building wall;
- 157 c. Articulated wall projections of a minimum depth of 8 inches and
158 maximum depth of 1.5 feet and maximum width of 4 feet in length; and
- 159 d. Attached Signs, as provided in Chapter 122 of this Code of Ordinances.;
160 and
- 161 e. ~~One Temporary Sign no taller than 36 inches and no wider than 24 inches
162 that does not block or impair pedestrian traffic and is displayed only during
163 the business hours of any business located on the property.~~

164 (i) Flexibility for certain lots with double frontage on S.R. 527.
 165 Flexibility is needed for lots with double frontage on S.R. 527 where the lots have a right-
 166 of-way to right-of way (ROW to ROW) distance less than 350 feet and in cases where
 167 buildings with 100 feet of depth (east to west measurement) are proposed on the double
 168 frontage lots between 350 and 500 feet from S.R. 527 (ROW to ROW). On such
 169 properties, only the Hansel Avenue frontage will be required to meet the Building
 170 Placement standards of this Section. The Orange Avenue frontage shall meet the
 171 following standards, which include three components: Landscaped Buffer and Wall,
 172 Vehicular Use Area, and Back of Building standards.;

- 173 (1) Landscaped Buffer and Wall
- 174 a. a minimum of 15 feet buffer area shall be provided along the S.R. 527 frontage
175 not used as the primary frontage;
- 176 b. a 4.5 ft. high opaque brick wall shall be constructed parallel to the entire road
177 frontage (excluding pedestrian and vehicular accessways);

- 178 c. the brick wall shall be constructed 7 feet from the property/right-of-way line
179 within the buffer and shall comply with the requirements outlined below:
- 180 d. brick columns shall be used, at a minimum, where the wall ends at the property
181 lines or access points:
- 182 e. the wall shall have modulation at every 40 feet by incorporating recesses away
183 from the street side. The recesses shall be 20 feet in length and a minimum of 3
184 feet in depth. If the wall exceeds 40 feet in length, columns will be required to be
185 incorporated into the wall at a maximum of 20 feet on center:
- 186 f. columns shall not exceed 5 feet 4 inches in height:
- 187 g. the wall (not columns) may be topped with a wrought iron type trim if not
188 exceeding a total height of five feet 4 inches for the wall and trim:
- 189 h. the wall shall break to provide for pedestrian entrance into the parcel. At least one
190 “Pedestrian Entryway” wall break shall be provided per parcel. The number of
191 Pedestrian Entryways to be provided is based on the placement of such and the
192 requirement that the distance between the entryways or between the entryway and
193 an endpoint of the parcel’s SR 527 frontage does not exceed 300 feet (measured
194 center to center/parcel endpoint). This pedestrian entryway shall be designed with
195 architectural distinction (e.g., archway, pergola) with a minimum clearance of 8
196 feet. The Pedestrian Entryway shall also contain a six (6) feet wide sidewalk that
197 is connected to the public sidewalk. The sidewalk shall also be connected to a six
198 (6) feet wide sidewalk interior to the vehicular use area that connects with a
199 sidewalk to the building’s primary public entrance. If the 6 feet wide sidewalk is
200 provided within a 12 feet wide area between rows of (head to head) parking and is
201 lined with year-round shade trees planted at 50-foot intervals (on center), those
202 rows of parking will not be limited to a maximum of ten spaces without a
203 landscape break. These shade trees shall a minimum caliper of 3 inches and
204 minimum 14 feet in height at planting:
- 205 i. the buffer area on the road side of the wall shall be designed according to the
206 following standards:
- 207 1. one year-round green shade tree shall be planted in the area created by each
208 wall recess; shade trees shall be a minimum caliper of 5 inches and minimum
209 14 feet in height at planting:
- 210 2. at least two clustered understory/small trees shall be planted in front of the
211 non-recessed portion of the wall. Understory/small trees shall be a minimum
212 of seven feet in height and have at least a three-inch caliper at planting:
- 213 3. at least a double row, multi-height hedge shall be planted parallel to the wall
214 and the shrubs shall be at least 24 inches high at planting of a species capable
215 of growing to 36 inches in height within 18 months and spaced to achieve a
216 continuous hedge at maturity; the hedge height shall be maintained at the
217 height no taller than the wall:
- 218 4. low-maintenance, drought tolerant ground cover shall be used for areas
219 without hedges and trees or pavement:

220 5. street furniture permanently fixed to the ground through mechanical fasteners
221 or through the use of concrete footings shall be allowed; all street furnishings
222 shall have a black finish unless specifically approved through the site plan
223 review process;

224 j. The buffer on the non-street side of the wall shall include a row of shrubs and
225 understory trees as follows:

226 1. the shrubs shall be planted parallel to the wall and be at least 24 inches high at
227 planting of a species capable of growing to 36 inches in height within 18
228 months and spaced to achieve a continuous hedge at maturity; the hedge
229 height shall be maintained at the height no taller than the wall.

230 2. understory trees shall be planted at a rate of 1 tree/20 linear feet of wall;
231 understory/small trees shall be a minimum of seven feet in height, have at
232 least a two-inch caliper.

233 (2) Vehicular Use Areas

234 Vehicular use areas on the building side of the wall shall be consistent with the
235 parking lot standards contained in Section 134-460, except as follows:

236 a. the maximum number of parking spaces in a row without a landscape break is ten
237 except when using a head to head sidewalk/shade tree median option as described
238 above. However, a landscaped break/end cap shall continue to be required at the
239 ends of each row of parking spaces;

240 b. decorative lighting shall be provided at a pedestrian level (maximum 10 feet in
241 height) throughout the vehicular use area.

242 (3) Back of Building

243 Mechanical equipment shall be integrated into the overall mass of a building by
244 screening it behind a wall or parapets or by recessing equipment into hips, gables,
245 walls, or similar features.

246 * * *

247 **Sec. 134-459. Building Design.**

248 The intent of these design standards is to avoid long uninterrupted, monolithic appearance of
249 façade planes, thus enhancing the visual appearance of development within the City and creating
250 a human scale building, which in turn encourages pedestrian activity. The façade design is
251 intended to give the appearance of a series of buildings having varied sizes and volumes vs. a
252 single massive structure.

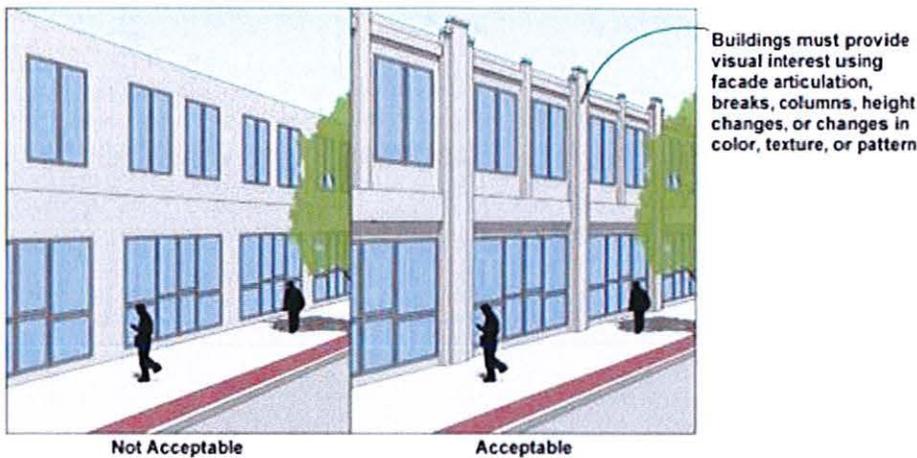
253 (a) Design of Bbuildings within the Road View Portion of the Site

254 (1) Primary Entrance: The building façade facing the front property line shall include a
255 primary entrance to the building. This entrance can be placed at an angle not more
256 than 45 degrees to the road if oriented to a road intersection.

257 (2) First Floor Façade Transparency: At least 60% of the width of the ground floor road
258 frontage façade shall contain clear (transparent) or spectrally selective glazings
259 (minimum VLT of 60%) considered as “non-reflective” glass. This requirement
260 includes doors and windows affording views into the interior areas. Opaque,
261 translucent or reflective glass cannot be counted towards the transparency ratio.
262 Window placement shall be incorporated to create a horizontal and/or vertical
263 rhythm. The windows are encouraged to be full height of the ground floor, but in no
264 instance shall the sill be more than 3 feet above grade, with the window height
265 extending to at least the top height of the primary entrance door. Windows shall be a
266 minimum of 2 feet in width. A wall projection less than or equal to 18 inches is
267 allowed to extend into Tree/Furnishings/Sign Area.

268 (3) Facade Horizontal Variation: Building façade design shall vary horizontally at least
269 every 40 feet by incorporating two or more of the following techniques:

270 a. Articulation (wall projections or recesses) of a minimum of 8 inches in depth and
271 maximum 4 feet in width, for the full height of the building. A wall projection
272 less than or equal to 18 inches is allowed to extend into Tree/Furnishings/Sign
273 Area.



274

275 b. A full height material change; e.g., stucco to brick with varying roof heights
276 (paint color is not considered a material change).

277 c. Full height wall recesses of up to 4 feet in depth, and maximum 40 feet in length
278 with varying roof height.

279 d. Non-continuous cantilevered window treatments no more than 40 feet wide,
280 occupying 50-70% of the building’s length, placed 13-15 feet above the adjacent
281 sidewalk grade, with a minimum 8 feet clear height.

282 c. Uncovered recessed courtyards between portions of the building, provided that
283 the width of such courtyards shall not be more than 50% of the total building
284 frontage and that the courtyard is paved and enhanced with landscaping;

285 (4) Building Height: The minimum building height shall be 20 feet. For multi-story
286 buildings, except for stand-alone residential uses, the finished first floor shall be a
287 minimum of 13 feet in height and at least 8 feet in height for every story above the
288 first.

289 a. Maximum building height shall be as follows:

290 1. Outside an Activity Node: 4 stories/55 feet unless within 100 feet of property
291 with a Low Density Residential future land use designation of a single family
292 residential zoning district, then 3 stories/45 feet.

293 2. Inside an Activity Node: 6 stories/75 feet; provided however, within 100 feet
294 of property with a Low Density Residential future land use designation, the
295 building shall be designed and scaled for compatibility with adjacent single
296 family homes, taking into consideration shadows, privacy, and visual quality.
297 Methods for achieving compatibility include ground screening, upper story
298 building step-back, and building design.

299 b. Façade Vertical Variation: A building height greater than 20 feet, regardless of
300 the number of stories, shall include a 3-dimensional horizontal change at least 12
301 inches in height across at least 75% of the building, placed between 13 to 15 feet
302 above ground to ensure a human scale, e.g., a material or texture change, or a
303 building offset (building step back or step forward). The use of banding
304 (continuous horizontal stripes) across large areas of the façade is prohibited. An
305 alternative to this standard is a building mounted and/or cantilevered architectural
306 building elements such as awnings and canopies meeting the following
307 requirements:

308 1. Hung 13 to 15 feet above the adjacent sidewalk grade.

309 2. Extending 2 to 8 feet from the wall.

310 3. A clear height distance of at least 80 inches, as required by accessibility
311 standards.

312 4. Occupying a total of 50-70 percent of the length of the building façade.

313 * * *

314 ~~(b) Secondary façades: facades not facing a road but within public view, shall be of~~
315 ~~finished quality, color, and materials that blend with the remainder of road frontage~~
316 ~~façade. Major architectural treatments on the road frontage building façade, such as~~
317 ~~cornices, window treatments, and repeating details, shall be continued around all sides~~
318 ~~of the building that will be visible to the public. Design of Buildings outside the Road~~
319 ~~View Portion of the Site shall meet the same design standards for buildings in the Road~~
320 ~~View portion of the site with the exception of façade transparency. At least 30% of the~~
321 ~~front façade of buildings located outside the Road View portion of the site shall be~~
322 ~~devoted to transparent windows and/or glass doors affording some view into the~~

323 interior areas. ~~Blank walls are encouraged to be creatively designed to create an~~
324 ~~illusion of transparency.~~

325

326 (b) Design of Buildings outside the Road View Portion of the Site shall meet the same design
327 standards for buildings in the Road View portion of the site with the exception of
328 façade transparency. At least 30% of the front façade of buildings located outside the
329 Road View portion of the site shall be devoted to transparent windows and/or glass
330 doors affording some view into the interior areas. Blank walls are encouraged to be
331 creatively designed to create an illusion of transparency.

332 (c) Secondary façades: facades not facing a road but within public view, shall be of
333 finished quality, color, and materials that blend with the remainder of road frontage
334 façade. Major architectural treatments on the road frontage building façade, such as
335 cornices, window treatments, and repeating details, shall be continued around all sides
336 of the building that will be visible to the public.

337 **Sec. 134-460. Other Design Standards**

338 (a) Stormwater Management

339 Developers are strongly encouraged to create/connect to a shared stormwater system
340 rather than providing individual on-site facilities. Until such time as a shared system
341 is available, development is subject to the following requirements:

342 (1) Stormwater management shall be incorporated into the overall design of the
343 project so as to be a creative feature/amenity of the development or
344 incorporated into the landscape irrigation system.

345 (2) Except if designed as an exfiltration system, stormwater management shall
346 only be located behind the Build Line in the Road View portion of the site or,
347 if approved during site plan review, where aesthetically incorporated into the
348 Tree/Furnishings/Sign Area.

349 (3) Pond edges in the Road View Area shall be sloped so as to avoid the necessity
350 of fencing. Outside the Road View Area, where slopes require fencing, only
351 black, ornamental fencing will be allowed.

352 (4) The use of innovative stormwater management methods is encouraged such as
353 green roofs, bio retention areas such as the use of deep gardens and planters,
354 infiltration, permeable paving in parking stalls, cisterns incorporated into the
355 building architecture with the water reused for landscaping. Use of pervious
356 pavers/pavement as part of the stormwater management
357 system requires maintenance of the pervious pavers/pavement by the owner
358 for continued viability and effectiveness over the life cycle of the
359 development. An operation and maintenance guide to include a specific
360 maintenance schedule shall be provided by the design Professional Engineer
361 at the time of permitting of the pervious pavers/pavement. The owner shall

362 engage a Professional Engineer to inspect and certify to the city on an annual
363 basis that the constructed pervious pavers/pavement is being properly
364 maintained and is functioning as per the approved design of the stormwater
365 management system.

366 (5) At a minimum, the stormwater management system shall comply with St.
367 Johns River Water Management Standards.

368 (b) Loading/Service Areas/Mechanical Equipment

369 (1) A trash/waste collection area shall be totally screened by masonry walls with
370 an opaque low maintenance gate constructed of and finished with materials
371 and colors which are similar to the materials and colors utilized in the
372 principal building on site. In no case shall the trash collection area be located
373 within 50 feet of a single family residential lot, nor located forward of the rear
374 façade of a Road View building. To the extent possible, the trash collection
375 area, shall be incorporated into the primary building design.

376 (2) Loading areas, satellite dishes, truck parking, and other service support
377 equipment shall be designed so that they cannot be seen from the street and
378 any adjacent single-family properties. Masonry screen walls with landscaping
379 material at the base of the wall may be utilized where necessary to screen such
380 equipment or areas.

381 (3) Mechanical equipment on buildings shall be integrated into the overall mass
382 of a building by screening it behind parapets or by recessing equipment into
383 hips, gables, parapets, or similar features.

384 (c) Fences

385 (1) With the exception of decorative railings for outdoor cafes, fences shall not be
386 allowed in the Road View Area of the property. Decorative railings for cafes
387 shall not exceed 3 feet in height.

388 (2) Fences shall not create a barrier to cross access easements nor the connection
389 of cross access easements to public roads.

390 (3) Maximum height of fences anywhere in the district shall be 48 inches.

391 (4) Chain link fencing must be black vinyl-coated and shall not be visible from a
392 public right-of-way.

393 (d) Corner Sight Clearance

394 Intersection/corner sight clearance shall be consistent with requirements of the current
395 Florida Greenbook

396 (e) ~~Underground~~ Utility Installation

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- (1) It is the intent of the city to improve the aesthetic appeal of the city and the reliability of utility service by requiring that utility lines such as electric, telephone, cable TV, fiber optics and other utilities be placed underground in conjunction with the construction of all new buildings, unless it is determined by the City Council that soil, topographical or any other compelling conditions make the installation of such utility lines as prescribed herein unreasonable or impracticable. It shall be the developer's responsibility to make the necessary arrangements with each utility in accordance with the utility's established policies.
- (2) The underground installation of incidental appurtenances such as transformer boxes, pedestal-mounted terminal boxes for electricity, or similar service hardware necessary for the provision of electric and communication utilities shall not be required.
- (3) Below ground installation shall not normally be required for bulk electric power supply lines and communication major feeder lines. Nothing in this section shall be construed to prohibit any entity furnishing utility service within the city from collecting, as a condition precedent to the installation of service facilities, any fee, prepayment or contribution in aid of construction which may be required.
- (4) Existing utility service poles to a property shall be removed in compliance with this section for redevelopment or additions.

(f) Access/Parking Design

(1) A goal of the ECD is to make Edgewood more pedestrian oriented. To this end, a minimum 14 foot pedestrian zone shall be provided adjacent to the back of curbs of SR 527, Hoffner, Holden, and Gatlin Avenues. The Pedestrian zone shall include an 8 feet wide sidewalk separated from the curb by at least a 6 feet wide grassed strip.

Where the existing right-of-way is less than 14 feet, the owner shall dedicate an Urban Services Easement to provide a total of 14 feet for urban services and sidewalk from the back-of-curb. Where the existing right-of-way is wider than 14 feet, the sidewalk shall be placed adjacent to the property line.

The sidewalks shall be built to FDOT standards.

Modifications to the placement of the sidewalk and park strip may be required by FDOT and/or the City Engineer; however, in no case shall less than 14 feet from back-of-curb be provided. Deviation in the required location and width of the sidewalk may be altered through the site development review process due to the existence of mature shade trees onsite.

437 | In other locations, pedestrian access shall be consistent with Section 134-141
438 of the City Code. Where sidewalk width requirements differ, the ECD
439 standard shall apply. Pedestrian connections from the parking areas to the
440 public building entrance shall be provided.

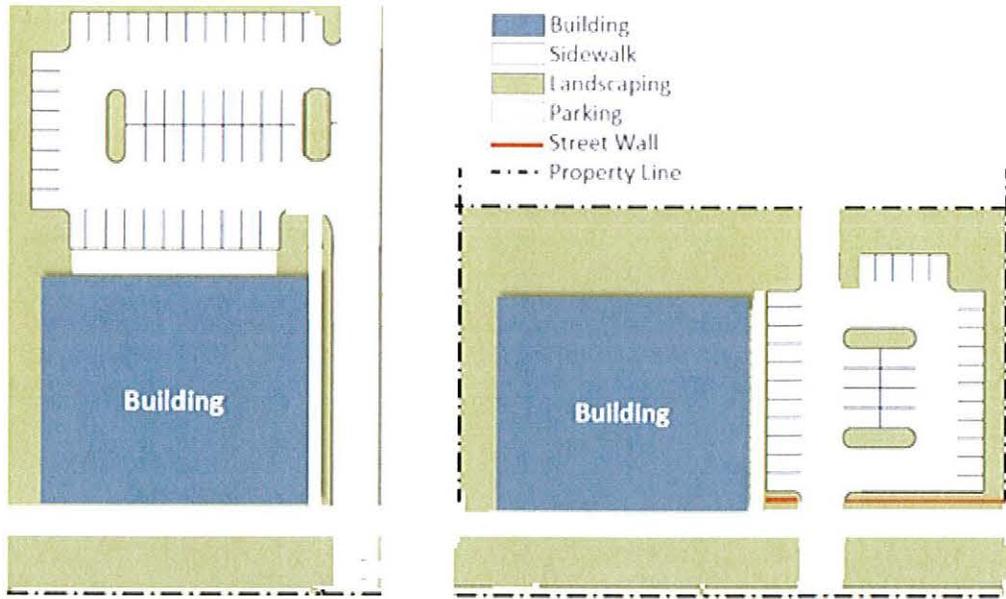
441 Where a pedestrian must cross an onsite vehicular travel path for continuous
442 pedestrian travel, retroreflective crosswalk markings or textures shall be
443 installed to increase pedestrian safety.

444 (2) Direct vehicular ingress and egress connections will be prohibited along S.R.
445 527 when the city determines that adequate access can be provided from
446 another location, including a side street or an existing available shared
447 driveway/cross access easement.

448 (3) Driveways shall be designed with the pedestrian in mind. This includes
449 provision of at least a 6 feet sidewalk and a minimum 4 feet wide tree zone,
450 between the sidewalk and driveway, on both sides of a driveway connected to
451 a public right-of-way for at least the length from the public sidewalk to the
452 parking area to give the appearance of a roadway. Lots less than 90 feet in
453 width shall only be required to have a sidewalk on one side of the driveway in
454 order to accommodate the “minimum % of lot width occupied by building
455 façade” standard; however, the 4 feet wide tree zones shall be required on
456 both sides of the driveways for these lots less than 90 feet.

457 (4) Concrete curb and gutter shall be constructed along the edge of
458 driveways. Parking lot perimeters and parking row landscaping breaks shall
459 be constructed with concrete curbing. Bumper stops will be required in
460 addition to the curbing where necessary to protect landscaping, pedestrian
461 walkways and buildings.

462 (5) The preferred location for surface parking lots is behind all buildings located
463 in the Road View Area in order to maximize the building’s road frontage and
464 pedestrian interest along the road corridor. Parking lots are allowed to be
465 located on the side of a building, subject to the standards set forth in Section
466 134-460(f)(6), provided the minimum building frontage percentage is
467 maintained.



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- (6) If a parking lot is provided on the side of a building, the vehicular area shall be screened from the road by a street wall, which is intended to screen the vehicle use area and ensure that lights from parked vehicles do not shine into the right-of-way or adjacent pedestrian way. The street wall shall be ~~3~~ 4 feet in height above grade of the parking lot. Location of street walls in proximity to intersections shall meet the standards outlined in the most current FDOT Florida Green Book. Street walls shall be constructed of materials that complement the finish on the primary building. Chain link, wood and PVC street walls shall be prohibited.

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The street wall shall be placed at ~~4 feet behind~~ the Build Line, ~~with landscaping planted between the wall and the Build Line and landscaped with at least one row of shrubs. Such landscaping shall contain at least a row of shrubs,~~ planted parallel to the wall. The shrubs shall be at least 24 inches high at planting of a species capable of growing to 36 inches in height within 18 months, and spaced to achieve a continuous hedge at maturity. In addition to the hedge requirement, small/understory trees shall be planted at a rate of one tree/20 feet, or portion thereof, of the wall. The minimum height that the hedge shall be maintained is ~~24~~ 36 inches, with the maximum equal to the height of the wall. If the street wall exceeds 40 feet in length, columns will be required to be incorporated into the wall at a maximum of 20 feet on center.

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If columns are used as part of the street wall, the maximum height of the columns shall be ~~3~~ 4 feet 9 inches.

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- (7) Inclusion of the Tree/Furnishings/Sign Area is required between the surface parking and State Road 527, Gatlin Avenue, Hoffner Avenue, or Holden

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494 Avenue right-of-way. All surface parking lots along other rights-of-way shall
495 be landscaped consistent with city code standards; however the street wall
496 meeting the above standards shall still be required where parking fronts these
497 rights-of-way. All surface parking lots shall meet the interior landscape
498 requirements of the city code unless specifically stated otherwise herein.

499 (8) Parking structures shall reflect the character, scale and massing of the
500 principal structures they serve and shall not be located within 100 feet from
501 any property with a Low Density Residential future land use designation used
502 for single family residential uses—without a liner building containing
503 businesses and/or residential uses, or a façade designed to resemble a building
504 conforming to the building design standards of the district on the sides facing
505 the residential area or a street used to enter into a single family residential
506 neighborhood. The liner buildings or a façade designed to resemble a building
507 conforming to the building design standards of the district shall also be
508 required if the parking structure fronts State Road 527, Gatlin Avenue,
509 Hoffner Avenue, or Holden Avenue. The minimum liner building depth shall
510 be 35 feet. Where located along a road the State Road 527, Gatlin Avenue,
511 Hoffner Avenue, or Holden Avenue frontage, the Tree/Furnishings/Sign Areas
512 shall be provided. Along other rights-of-way, the parking structure shall be
513 landscaped consistent with city code standards, whether or not a liner building
514 is used: however, the ground level shall include, at a minimum, the equivalent
515 of a street wall and landscaping as is required for surface parking lots.

516 In addition to the required liner buildings, where a parking structure will be
517 within one hundred feet of a property used for single family residential uses
518 with a Low Density Residential future land use designation, a seven (7) feet
519 high opaque brick wall shall be constructed on the property line and one
520 evergreen, shade tree shall be planted along the wall shared property line of
521 those single family lots, at 50-foot on center intervals. The chosen species of
522 such trees shall be capable of reaching a minimum mature height of 50 feet,
523 with a minimum mature spread of 40 feet. The minimum specifications at
524 installation shall be 16-18 feet in height or 4-inch caliper diameter at breast
525 height (dbh) at planting. All internal elements such as plumbing pipes, fans,
526 ducts and lighting, shall be screened from view from the street. Ramping shall
527 be internalized. Exposed spandrels shall be prohibited.

528 The design of structured parking should take into consideration a future where
529 parking demand is reduced. Toward this future, the recommended design of
530 the parking structures is for adequate space between floors to retrofit for level
531 floors and HVAC infrastructure for conversion to living or working space.

532 (9) When any land or building accommodates 2 or more categories of uses (e.g.,
533 residential and commercial), the minimum total number of required parking
534 spaces for each use may be reduced through shared parking as allowed by

535 Section 134-607. Reduction in required parking spaces also may be approved
536 if one of the following is met:

537 a. A parking study is submitted as part of the site plan approval process
538 justifying the requested reduction and accepted by city council. This
539 could include provision rideshare/transportation network company drop-
540 off zones. Drop-off zones shall not interfere with transit stops and any
541 designated freight loading zones curbside.

542 b. Developments within a one-quarter mile from a transit stop, as measured
543 from the building to the transit stop along the most direct pedestrian
544 path/sidewalk (which would include a crosswalk if across a road), are
545 eligible for the following:

546 i. The minimum number of parking spaces may be reduced by up to
547 5% for sites where the closest portion of the building on the
548 requested parcel is no more than a 1/4 of a mile (1320 linear feet)
549 from a bus stop.

550 ii. The minimum number of parking spaces may be reduced by up to
551 20% for sites in which the closest portion of the building on the
552 requested parcel is no more than a 1/4 of a mile (1320 linear feet)
553 radius from a commuter rail or bus transfer station.

554 * * *

555 **Sec. 134-461. Use Specific Design Standards.**

556 (a) Car/Automotive Washing and Detailing

557 (1) All washing, waxing, and detailing of automobiles shall be within an enclosed
558 building, with the exception of tunnel entrance and exit doors. Detail bays are
559 prohibited.

560 (2) Tunnel entrance/exits shall not face S.R. 527, Holden Avenue, Gatlin Avenue, or
561 Hoffner Avenue.

562 (3) Vacuuming and drying of automobiles may be outside the building but shall not
563 encroach upon any landscape buffer, setback for the principal structure, or the
564 Tree/Furnishing/Sign Area and shall only be located on paved areas. Vacuuming
565 equipment or other equipment may only be located on the side or rear of the subject
566 property.

567 (4) Vacuum stations and related equipment shall be completely screened from all streets
568 or property with a Low Density Residential future land use designation single family
569 residential uses or zoning districts. To screen from a street, a wall may be used if such
570 wall meets the façade standards in the Building Design Section of this district. Such
571 wall shall meet the street wall criteria, as stated above, including landscaping A 7 feet
572 high opaque brick wall shall be utilized along the rear or side property line to screen
573 the use from property with a Low Density Residential future land use designation.

- 574 (5) There shall be no outside storage, nor outside display of goods offered for sale.
- 575 (6) Sound from radios, stereos, or other sound amplification devices shall not be audible
576 from anywhere off the site.
- 577 (7) Before a permit will be issued, the property owner shall sign an affidavit documenting
578 that the property owner understands conditions of operation.
- 579 (8) When the business is closed, all portable equipment on the site shall be stored within
580 a fully enclosed structure.
- 581 (9) Any customer vehicles stored overnight shall meet the following standards:
582
- 583 a. shall be either within a completely enclosed building or parked within a
584 designated parking space on a parking lot located behind the line created by the
585 rear of the Road View building. If only the Rear portion of the lot is developed,
586 the vehicles may be parked within a designated parking space within the parking
587 area for that portion of the site (i.e., behind the street wall, and a minimum of 100
588 feet from the front property line).
- 589
- 590 b. No vehicle parked overnight on the property shall be visible from the public
591 right-of-way unless such vehicle is either:
- 592 i. FHWA Class 2 – Passenger Cars. All sedans, coupes, and station
593 wagons manufactured primarily for the purpose of carrying passengers; or
- 594 ii. FHWA Class 3 – Other Two-Axle, Four-Tire Single Unit Vehicles.
595 All two-axle, four tire vehicles, other than passenger cars. Included in this
596 classification are pickups, panels, and vans. Campers, motor homes,
597 ambulances, hearses, carryalls, and minibuses are not included in this class
598 of vehicle.
- 599
- 600 c. Any wrecked or inoperable vehicle shall not be stored/parked overnight,
601 regardless of location.
602
- 603 (10) In addition to standard commercial site plan requirements, the proposed site plan
604 must be designed and demonstrate effective ingress/egress to the site, adequate
605 stacking for 5 vehicles per queuing/stacking lane, realistic turning radiuses, and the
606 accommodation of a by-pass lane(s). The site plan shall also include the proposed
607 architectural building rendering. These plans will include the Exterior Elevations and
608 landscaping, and location for any proposed outside activities

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(b) Drive Up Windows/Facilities

- (1) Drive up windows shall be designed on the rear of the building.
- (2) The drive-up aisle shall not be located between the building and S.R. 527, Gatlin Avenue, Holden Avenue, or Hoffner Avenue.
- (3) The building façade facing S.R. 527, Hoffner Avenue, Gatlin Avenue, or Holden Avenue whether such elevation functions as the side or rear of the building, shall be architecturally designed to avoid a “back of building” appearance.
- (4) Drive up aisles shall have adequate on-site queuing distance to accommodate 6 cars (120 feet) before the first stopping point (e.g., ~~pick-up~~ order window, teller window, atm machine).

(c) Garden Center, artisan manufacturing storage, building material storage or other ancillary storage areas, which are authorized as an ancillary use to a permitted use.

Ancillary storage, as authorized herein is allowed if incorporated/integrated into the design and treatment of the primary building facade with the intent that all merchandise is shielded from view from adjacent properties at ground level and street rights-of-way.

~~Garden Centers are allowed if incorporated/integrated into the primary building onsite with the intent that all merchandise is shielded from view from adjacent properties at ground level and street rights-of-way.~~

* * *

(f) Passenger Car Rental, Urban Prototype

- (1) Only rental of Passenger Vehicles, as defined by the Federal Highway Administration, shall be allowed.
- (2) Deliveries containing multiple vehicles from a truck are not permitted.
- (3) No vehicle maintenance and repair, including oil changes, shall occur on-site.
- (4) Wash and vacuum stations must comply with standards listed in Section 134-461(a)
- (5) Detail bays shall not be permitted.
- (6) There shall be no outside storage, other than the rental vehicles, nor outdoor display of goods offered for sale.
- (7) The number of rental cars onsite shall be limited to 15.
- (8) All parking spaces shall be designed to meet code dimensions provided in Sec.134-608. Parking shall be provided for employees and customers in addition to the parking designated for rental display vehicles.

Sec. 134-463. Pre-Existing Uses and Structures.

(a) Generally.

Legally conforming uses and structures that exist on a property shall continue to be considered legally conforming notwithstanding the rezoning of such property to the

646 Edgewood Central District. A property on which a legally conforming use or structure
647 existed immediately prior to the rezoning of such property to the Edgewood Central
648 District (hereafter, a "Property") shall continue to be governed by the standards
649 applicable to the zoning district that applied to the Property immediately before the
650 rezoning, except as may be provided herein.

651 (b) Change in Use.

652 For any change in principal use that occurs on the Property, the proposed new principal
653 use shall be consistent with Sec. 134-457 (Permitted Uses within the Edgewood Central
654 District) unless the following four conditions are met: (i) the proposed new principal
655 use was not prohibited by the zoning district that applied to the Property immediately
656 before the rezoning but is prohibited in this Edgewood Central District; (ii) the
657 proposed new principal use is included in and consistent with the list of principal uses
658 set forth below; (iii) the proposed new principal use is consistent with all regulations in
659 existence immediately before the rezoning, including parking, loading, and vehicular
660 maneuvering; and (iv) any company and fleet vehicle parking on the Property, or, in the
661 case of a multi-tenant property, any company and fleet vehicle parking associated with
662 the space that is the subject of the change in use, complies with the company and fleet
663 vehicle parking standards of Sec. 134-461(e). In such event, the proposed change of use
664 shall be permitted and considered legally conforming even if it is not consistent with
665 Sec. 134-457.

666 (1) Heating and air conditioning sales and service.

667 (2) Storage and wholesale distribution warehouse, where not adjacent to a
668 residential zoning district or property with a residential future land use
669 designation, including those across a right-of-way. Provided, however, a change
670 in principal use to this category shall comply with the following standards:

671 a. All loading bays on the Property, or, in the event of a multi-tenant building,
672 all loading bays associated with the space that is the subject of the proposed
673 change in use, that are within one hundred feet from the front property line
674 shall face away from S.R. 527;

675 b. The Property shall be brought into compliance with the
676 Tree/Furnishings/Sign Area standards as set forth in Sec. 134-458(h);

677 c. If the building associated with the change is located within one hundred feet
678 from the front property line, then the front of such building shall be brought
679 into compliance with the first-floor façade transparency requirement as set
680 forth in ~~in~~ Sec. 134-459(a)(2) and with the blank wall design standards as set
681 forth in Sec. 134-459(a)(7), subject to any applicable credit as set forth in
682 Sec. 134-458(h)(7)c.; and

683 d. All parking for the Property, or, in the event of a multi-tenant building, all
684 parking associated with the space that is the subject of the proposed change
685 in use, that is located within 100 feet from the front property line shall be
686 configured so as to be located on the side or rear of the Property only. If
687 such parking is located on the side of the Property, it must be screened from

688 the road by a street wall that meets the standards set forth in Sec. 134-
689 460(f)(6).

690 (3) Cabinet makers, rug and carpet cleaning, upholstery, electrical, roofing and
691 plumbing shops.

692 (4) Mechanical garage, including personal vehicle body shop and painting. (No fuel
693 services provided). For avoidance of doubt, Automotive Repair and Services
694 are included in this category to the extent the specific proposed use was
695 included as a principal permitted use on the Property prior to rezoning to the
696 Edgewood Central District. Provided, however, a change in principal use to
697 mechanical garage shall comply with the following standards:

698 a. All garage bays on the Property, or, in the event of a multi-tenant building,
699 all garage bays associated with the space that is the subject of the proposed
700 change in use, that are within one hundred feet from the front property line
701 shall face away from S.R. 527;

702 b. The Property shall be brought into compliance with the
703 Tree/Furnishings/Sign Area standards as set forth in Sec. 134-458(h);

704 c. If the building associated with the change is located within one hundred feet
705 from the front property line, then the front of such building, shall be brought
706 into compliance with the first-floor façade transparency requirement as set
707 forth in ~~in~~ Sec. 134-459(a)(2) and with the blank wall design standards as set
708 forth in Sec. 134-459(a)(7), subject to any applicable credit as set forth in
709 Sec. 134-458(h)(7)c.; and

710 d. All parking for the Property, or, in the event of a multi-tenant building, all
711 parking associated with the space that is the subject of the proposed change
712 in use, that is located within 100 feet from the front property line shall be
713 configured so as to be located on the side or rear of the Property only. If
714 such parking is located on the side of the Property, it must be screened from
715 the road by a street wall that meets the standards set forth in Sec. 134-
716 460(f)(6).

717 (25) Miniwarehouses, provided, however, a change in principal use to
718 miniwarehouses shall comply with the following standards:

719 ~~e.~~ a. All storage units shall be located within a completely enclosed building
720 with sole access to the units through the interior of the building;

721 ~~f.~~ b. The Property shall be brought into compliance with the
722 Tree/Furnishings/Sign Area standards as set forth in Sec. 134-458(h);

723 ~~g.~~ c. If the building associated with the change is located within one hundred
724 feet from the front property line, then the front of such building shall be brought
725 into compliance with the Design of Buildings within the Road View Portion of
726 the Site standards as set forth in Sec. 134-459(a);

727 ~~h.~~ d. No vehicular building access shall face a road right-of-way;

728 ~~i.~~ e. No outside storage shall be allowed; and

729 j. f. Such change of use to miniwarehouses shall only be allowed upon the
730 approval of the City Council after a recommendation by the Planning and
731 Zoning Board and a hearing in which the City Council considers the character of
732 the area in which the proposed use is to be located, its consistency with the
733 Comprehensive Plan, its compatibility with surrounding uses and development,
734 and its effect on the value of surrounding lands. Notice of such review shall be
735 provided in the same manner as required for special exceptions as provided in
736 Sec. 134-105.

737 (c) Expansion of Existing Buildings.

738 For purposes of this Sec. 134-463(c), an "Expansion" shall mean an increase in building
739 square footage of one or more existing buildings on a Property; and the "Historical
740 Adjusted Square Footage" on a Property shall mean the total square footage of all
741 buildings that existed on a Property at the time it was rezoned to Edgewood Central
742 District minus the total of all building square footage, if any, removed from the
743 Property following its rezoning to Edgewood Central District pursuant to an intentional
744 demolition as provided in Sec. 134-463(e), calculated at the time of a proposed
745 Expansion.

746 An Expansion shall cause the Property to be governed by the standards set forth in this
747 Edgewood Central District unless the following conditions are met, in which case the
748 Property shall continue to be governed by the standards applicable to the zoning district
749 that applied to the Property immediately before the rezoning:

- 750 (1) an Expansion shall be subject to City site plan approval;
- 751 (2) an Expansion shall be allowed on a Property so long as all company and fleet
752 vehicle parking on the Property complies with the company and fleet vehicle
753 parking standards of Sec. 134-461(e);
- 754 (3) if the size of a proposed Expansion, when combined with all other Expansions
755 that have occurred on the Property after it was rezoned to Edgewood Central
756 District, exceeds 10% of the Historical Adjusted Square Footage on the
757 Property, then such Expansion shall only be allowed if the Property complies
758 with subparagraph (2) above and with the Tree/Furnishings/Sign Area standards
759 as set forth in Sec. 134-458(h);
- 760 (4) if the size of a proposed Expansion, when combined with all other Expansions
761 that have occurred on the Property after it was rezoned to Edgewood Central
762 District, exceeds 20% of the Historical Adjusted Square Footage on the
763 Property, then such Expansion shall only be allowed if the Property complies
764 with subparagraphs (2) and (3) above and all parking is configured so as to be
765 located on the side or rear of the Property only and, if on the side of the
766 Property, screened from the road by a street wall that meets the standards set
767 forth in Sec. 134-460(f)(6);
- 768 (5) if the size of a proposed Expansion, when combined with all other Expansions
769 that have occurred on the Property after it was rezoned to Edgewood Central
770 District, exceeds 30% of the Historical Adjusted Square Footage on the
771 Property, then such Expansion shall be only be allowed if the Property complies

772 with subparagraphs (2), (3) and (4) above and all buildings located within 100
773 feet of the front property line comply with the first-floor façade transparency
774 requirement as set forth in Sec. 134-459(a)(2), the minimum building façade-
775 width-to-lot-width ratio as set forth in Sec. 134-458(f), and the blank wall
776 design standards as set forth in Sec. 134-459(a)(7), subject to any applicable
777 credit as set forth in Sec. 134-458(h)(7)c.; and

778 (6) if the size of a proposed Expansion, when combined with all other Expansions
779 that have occurred on the Property after it was rezoned to Edgewood Central
780 District, exceeds 40% of the Historical Adjusted Square Footage on the
781 Property, then such proposed Expansion shall be prohibited.

782 (d) Election.

783 The owner of a Property may elect at any time in writing to have its Property be
784 governed by the standards set forth in this Edgewood Central District in lieu of the
785 standards applicable to the zoning district that applied to the Property immediately
786 before the rezoning. To be effective, such election must be in writing, signed by the
787 owner of the Property, properly notarized and addressed to the City Planner.

788 (e) Demolition.

789 Demolition of more than 50% of the total building square footage on a Property caused
790 by the intentional act or agreement of the owner shall cause the Property to be governed
791 by the standards set forth in this Edgewood Central District. Building square footage
792 removed by such demolition shall be considered in the calculation of Historical
793 Adjusted Square Footage as provided in Section 134-463(c).

794 (f) Replacement of Destroyed Buildings.

795 Repair or reconstruction of buildings damaged or destroyed by any act not caused by
796 the intentional act or agreement of the owner shall not cause the Property to be
797 governed by this Edgewood Central District provided that such repair or reconstruction
798 occurs within the same building footprint that existed as of the date of rezoning or any
799 expansion of such building footprint meets the standards of subsection (c), above,
800 related to expansion of existing buildings.

801 (c) Construction of New Buildings. If a new building is constructed on the Property, then
802 such new building shall be governed by the standards set forth in the Edgewood Central
803 District.

804
805 **Sec. 134-464. Waivers.**

806 (a) The City Council may authorize waivers from the minimum standards set forth in
807 this division when it finds, based upon substantial competent evidence presented to it,
808 that strict application of such standards would create an illogical, impossible, impractical
809 or unreasonable result on a landowner or other petitioner with the consent of the owner
810 (hereinafter, the "Applicant"). This waiver procedure is not available for purposes of
811 changing a use that is otherwise prohibited (or limited to a special exception) herein to
812 one that is permitted (or no longer limited to a special exception).

813 (b) A request for a waiver shall be filed with the City Clerk, including a non-
814 refundable fee as set by Resolution of the City Council paid by the Applicant to cover
815 processing and advertising costs, and shall include a detailed explanation of the claim for
816 waiver along with documentation of the current physical conditions on the site,
817 alternatives from the applicable standards set forth in this division, cost estimates or other
818 credible data required to support or justify the requested waiver.

819 (c) A public hearing on any request for a waiver shall be held by the Planning and
820 Zoning Board at the first regular meeting of the Planning and Zoning Board that occurs
821 after the expiration of the period for publication of notice of the request for waiver. After
822 consideration of the request, the Planning and Zoning Board shall forward its
823 recommendation on the request to the City Council. A public hearing shall be held by the
824 ~~the~~ City Council at its next regular meeting after receipt of the Planning and Zoning
825 Board's recommendation.

826 (d) Notice of filing of a request for a waiver, and the date, time, and place of the
827 hearings thereon shall be published once at least 7 days prior to the hearing in a
828 newspaper of general circulation within the city limits.

829 (e) In reviewing an application for a waiver, the Planning and Zoning Board and the
830 City Council shall consider the following non-exclusive factors:

831 (1) The history of the subject property, including the date of purchase and the
832 history of uses on the subject property;

833 (42) The location of the subject property;

834 (53) The configuration of the subject property;

835 (64) The impact of the requested waivers on adjacent properties;

836 (75) All measures proposed by the Applicant to comply with the spirit or intent
837 of the provisions from which waiver is sought; and

838 (86) All measures proposed by the Applicant to prevent, reduce, or offset any
839 adverse impact the grant of the requested waiver would have on surrounding
840 properties.

841 * * *

842 **SECTION FOUR. Severability.** If any section, subsection, sentence, clause, phrase,
843 word or provision of this Ordinance is for any reason held invalid or unconstitutional by
844 any court of competent jurisdiction, whether for substantive, procedural, or any other
845 reason, such portion shall be deemed a separate, distinct and independent provision, and
846 such holding shall not affect the validity of the remaining portions of this Ordinance.

847 **SECTION FIVE. Conflicts.** In the event of a conflict or conflicts between this
848 Ordinance and any other ordinance or provision of law, this Ordinance controls to the extent of
849 the conflict, as allowable under the law.

850 **SECTION SIX. Codification.** It is the intent of the City Council of the City of
851 Edgewood that the provisions of this Ordinance shall be codified. The codifier is granted broad
852 and liberal authority in codifying the provisions of this Ordinance.

ORDINANCE NO. 2018-12

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, REZONING AND CHANGING THE OFFICIAL ZONING MAP CLASSIFICATION OF PROPERTIES LOCATED WITHIN THE STATE ROAD 527 CORRIDOR, DESIGNATED COMMERCIAL ON THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN, AND IDENTIFIED SPECIFICALLY HEREIN, FROM C-1 (RETAIL COMMERCIAL), C-2 (GENERAL COMMERCIAL, AND C-3 (WHOLESALE COMMERCIAL); P-O (PROFESSIONAL OFFICE); R-3 (MULTIPLE FAMILY RESIDENTIAL); AND R-1A (SINGLE FAMILY RESIDENTIAL) TO THE EDGEWOOD CENTRAL DISTRICT ZONING DISTRICT; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, by previous ordinance, the Edgewood City Council created the Edgewood Central District Zoning District; and

WHEREAS, pursuant to Section 13-121 of the Code of Ordinances, the Planning and Zoning Board, sitting as the Local Planning Agency, advertised and held a public hearing on October 8, 2018, to take public comment regarding the proposed rezoning and reclassification of properties described in Exhibit "A," attached hereto and incorporated herein, to the Edgewood Central District; and

WHEREAS, the Planning and Zoning Board recommended approval of the proposed rezoning and reclassification on the Official Zoning Map; and

WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, has determined that the proposed rezoning and reclassification on the Zoning Map will promote the public health, safety, welfare, economic order and aesthetics of both the region and the community; and

WHEREAS, the City has taken all actions relating to this Ordinance in accordance with the requirements and procedures mandated by State law and the City's Code of Ordinance, holding duly noticed public hearings on the proposed zoning change and receiving public input; and

WHEREAS, the City Council affirms that this Ordinance is consistent with the Comprehensive Plan and will promote the public health, safety, welfare, economic order and aesthetics of both the region and the community; and

WHEREAS, the City Council hereby adopts the foregoing "Whereas" clauses as its legislative findings.

NOW THEREFORE, BE IT ENACTED BY THE EDGEWOOD CITY COUNCIL AS FOLLOWS:

Section 1. Rezoning. Upon the enactment of this Ordinance, all properties listed by tax parcel identification numbers and owners on Exhibit "A" are rezoned and reclassified on the Official Zoning Map as Edgewood Central District.

Section 2. Zoning Map Amendment. Upon the effective date of this Ordinance, the City Clerk or designee shall amend the Official Zoning Map of the City of Edgewood to change the classifications of all parcels shown on Exhibit "B," attached hereto, from their current respective zoning classifications to Edgewood Central District, and to execute any other documents and take any other action as necessary to effectuate this change.

Section 3. Severability Clause. In the event that any term, provision, clause, sentence, or section, or Exhibit of this Ordinance shall be held by a court of competent jurisdiction to be partially or wholly unenforceable or invalid for any reason whatsoever, any such invalidity, illegality, or unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences, or sections of this Ordinance, and this Ordinance shall be read and/or applied as if the invalid, illegal, or unenforceable term, provision, clause, sentence or section did not exist.

Section 4. Ordinances in Conflict. All ordinances or parts thereof, which may be determined to be in conflict herewith, are hereby repealed and superseded by this Ordinance, to the extent of such conflict.

Section 5. Effective Date. This Ordinance shall become effective on the date adopted by City Council.

PASSED ON FIRST READING THIS 16th DAY OF October, 2018.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2018.

CITY OF EDGEWOOD, FLORIDA
CITY COUNCIL

John Dowless, Council President

ATTEST:

Bea Meeks, City Clerk

Parcel ID	Owner Name(s)	Property Address	DOR Code Description	Name of Property	Zoning Code(s)
12-23-29-0000-00-037	LOCH INVESTMENTS LLC	4201 S ORANGE AVE	RETAIL RESTAURANT 1	JULIE'S WATERFRONT	C-1
12-23-29-0000-00-010	KBNA INVESTMENTS LLC	4309 S ORANGE AVE	VACANT COMMERCIAL		C-1
12-23-29-9087-00-010	MARTNI HOLDEN LLC	4401 S ORANGE AVE	RETAIL MULTI-TENANT	WATERS EDGE SHOP CENTER	C-1
12-23-29-7312-00-176	LAYSON ZED JR TR LAYSON PAMELA R TR	4809 S ORANGE AVE	STORES ONE STORY	REGAL CLEANERS	C-1
12-23-29-7312-00-180	DO LIEN B VALDERRAMA JOAQUIN	4851 S ORANGE AVE	STORES ONE STORY	STATEWIDE AUTO INSURANCE OF ORLANDO	C-1
13-23-29-2964-00-251	BRINKMAN RICHARD A BRINKMAN WINDY A	4853 S ORANGE AVE	OFFICE ONE STORY	BRINKMAN BOOKING	C-1
13-23-29-2490-00-001	EDGEWOOD PROFESSIONAL CENTER OWNERS ASSN INC	4861 S ORANGE AVE	VACANT CNDO ASOC		C-1
13-23-29-2490-01-010	MARCANO JOSE MARCANO MARIA T DIAZ	4861 S ORANGE AVE UNIT 1	CONDO-PROF. BLDG(AD)	EDGEWOOD PRO CENTER	C-1
13-23-29-2490-01-020	FLNY PROPERTY MANAGEMENT INC	4861 S ORANGE AVE UNIT 2	CONDO-PROF. BLDG(AD)	EDGEWOOD PRO CENTER	C-1
13-23-29-2490-01-030	KANTER KEITH G	4861 S ORANGE AVE UNIT 3	CONDO-PROF. BLDG(AD)	EDGEWOOD PRO CENTER	C-1
13-23-29-2490-02-040	CDN AND ASSOCIATES LLC	4861 S ORANGE AVE UNIT 4	CONDO-PROF. BLDG(AD)	EDGEWOOD PRO CENTER	C-1
13-23-29-2490-02-050	888 LLC	4861 S ORANGE AVE UNIT 5	CONDO-PROF. BLDG(AD)	EDGEWOOD PRO CENTER	C-1
13-23-29-2964-00-254	4893 S ORANGE AVE LLC	4893 S ORANGE AVE	STORES ONE STORY	EAST-WEST MUSIC / SHOE STORE	C-1
13-23-29-2964-00-260	STONEHINGED ENTERPRISES LLC	4901 S ORANGE AVE	MORTUARY	ALL FAITHS FUNERAL HOME	C-1
13-23-29-2964-00-270	STATEWIDE PROPERTIES OF ORANGE AVENUE INC	4905 S ORANGE AVE	RETAIL MULTI-TENANT	VERSAILLES III PLAZA	C-1
13-23-29-2964-00-250	SUN STATE ORANGE LLC	4945 S ORANGE AVE	RETAIL MULTI-TENANT	VERSAILLES III	C-1
13-23-29-2964-00-280	MINERVAS PLAZA LLC	4979 S ORANGE AVE	RETAIL MULTI-TENANT	MINERVA'S PLAZA	C-1
13-23-29-3364-00-021	5025 SOA LLC	5025 S ORANGE AVE	OFFICE LOW-RISE	ANTHONY PROPERTIES, INC	C-1
13-23-29-3365-00-010	ORLANDO CLINICAL RESEARCH CENTER INC	5055 S ORANGE AVE	OFFICE PROF SVC BLDG	ORLANDO CLINICAL RESEARCH CTR	C-1
13-23-29-3364-00-300	TA PROPERTIES OF ORLANDO LLC	5105 S ORANGE AVE	STORE/OFFICE/RESID	FREEDOM INSURANCE / TAX LINKS	C-1
13-23-29-3364-00-202	HANSEL PLAZA LTD	5127 S ORANGE AVE	OFFICE PROF SVC BLDG	HANSEL PLAZA	C-1
13-23-29-8752-00-010	KAPP HAE SOOK	5145 S ORANGE AVE	RETAIL RESTAURANT 1	BETH'S BURGER BAR	C-1
13-23-29-8752-00-030	VITHA MAHESH	5151 S ORANGE AVE	RETAIL MULTI-TENANT	SERVANTS HEART RECIEVING WAREHOUSE	C-1
13-23-29-8752-00-110	JERRY KINSLEY REVOCABLE TRUST	5205 S ORANGE AVE	OFFICE LOW-RISE	5205 OFFICE COMPLEX	C-1
13-23-29-0000-00-036	JOHN B FREEMAN FAMILY TRUST 1/2 INT GAIL D FREEMAN FAMILY TRUST 1/2 INT	5215 S ORANGE AVE	VACANT COMMERCIAL		C-1

EXHIBIT "A" - ORANGE AVENUE PROPERTIES

Parcel ID	Owner Name(s)	Property Address	DOR Code Description	Name of Property	Zoning Code(s)
13-23-29-0000-00-028	CENTRAL FLORIDA EDUCATORS FEDERAL CREDIT UNION	5301 S ORANGE AVE	FINANCIAL BLDG/BANK	CENTRAL FLA EDUCATOR CREDIT UNION	C-1
24-23-29-7332-00-052	EQUITY TRUST CO CUSTODIAN	5501 S ORANGE AVE	STORE/OFFICE/RESID	CELLULAR PHONE REPAIR CTR	C-1
24-23-29-7332-00-053	RIEDERICH DANIEL J RIEDERICH SHARON	5511 S ORANGE AVE	STORE/OFFICE/RESID	DAN'S SAW & TOOL	C-1
24-23-29-7332-00-050	BLANTON RENEE R	5515 S ORANGE AVE	WAREHOUSING		C-1
24-23-29-7332-00-051	DAWSON WALLCOVERINGS AND CARPET INC	5529 S ORANGE AVE	RETAIL MULTI-TENANT	MULTI-TENANT STORES	C-1
24-23-29-7332-00-065	TAGLT3 LAND TRUST	5545 S ORANGE AVE	OFFICE LOW-RISE	LIGHTHOUSE INSURANCE AGENCY	C-1
24-23-29-8040-01-000	HTA-ORLANDO SS HOSPITAL LLC	5579 S ORANGE AVE	HOSPITAL - PRIVATE	SELECT SPECIALTY HOSPITAL - ORANGE, INC.	C-1
24-23-29-3404-00-051	DCP EDGEWOOD ISLE LLLP	5601 S ORANGE AVE	RTL NBHD CTR	EDGEWOOD ISLE	C-1
24-23-29-3404-00-043	LINN STATION OF LONGWOOD INC	5699 S ORANGE AVE	STORES ONE STORY	FINE FRAMING & ART	C-1
13-23-29-3364-00-011	MIRACLE TEMPLE INC	5001 S ORANGE AVE	RELIGIOUS	MIRACLE TEMPLE INC.	R-1A
12-23-29-0000-00-051	WELLS FARGO BANK NA	4709 S ORANGE AVE	FINANCIAL BLDG/BANK	WELLS FARGO BANK@ FORT GATLIN	C-2
12-23-29-0000-00-023	4120 S ORANGE AVE LLC	4120 S ORANGE AVE	RETAIL RESTAURANT 1	VANBARRY'S	C-3
12-23-29-0000-00-032	BBH PROPERTIES LLC	4200 S ORANGE AVE	WAREHOUSING	HOWARD WHOLESAL	C-3
12-23-29-0000-00-024	DISCOVERY CHURCH INC	4400 S ORANGE AVE	RELIGIOUS	DISCOVERY CHURCH	C-3
12-23-29-0000-00-045	CHRISTENSEN FAMILY LTD	4698 S ORANGE AVE	TIRE DEALER	ACTION GATOR TIRES	C-3
12-23-29-7312-00-193	NORMA JEAN WAGNER TRUST 70% INT WAGNER KAREN JEAN 10% INT JANICE WAGNER BURNS TRUST 20% INT	4710 S ORANGE AVE	RETAIL MULTI-TENANT	ORANGE AND HOLDEN PLAZA	C-3
12-23-29-7312-00-181	CINNAMON INC	4800 S ORANGE AVE	RETAIL RESTAURANT 1	LE COQ AU VIN	C-3
12-23-29-7312-00-192	DAN FULFORD PROPERTIES INC	4822 S ORANGE AVE	WAREHOUSING	SOUTH ORANGE AVE WAREHOUSE	C-3
13-23-29-8700-00-010	4834 SOUTH ORANGE TIDE LLC	4834 S ORANGE AVE	VEHICLE REPAIR	PEP BOYS	C-3
13-23-29-1228-00-010	RON JONS AUTOMOTIVE INC	4854 S ORANGE AVE	VEHICLE REPAIR	RON JON'S AUTOMOTIVE	C-3
13-23-29-1228-00-020	SAX PROPERTIES LLC	4864 S ORANGE AVE	OFFICE ONE STORY	STRICKLAND REALTY GROUP	C-3
13-23-29-1228-00-030	J AND H PROPERTIES OF ORLANDO LLC	4874 S ORANGE AVE	OFFICE ONE STORY		C-3
13-23-29-8700-00-090	STARCEVICH ROD	4902 S ORANGE AVE	WAREHOUSING	STARCEVICH SYSTEMS	C-3

EXHIBIT "A" - ORANGE AVENUE PROPERTIES

Parcel ID	Owner Name(s)	Property Address	DOR Code Description	Name of Property	Zoning Code(s)
13-23-29-8700-00-120	EGRH INVESTMENTS LLC	4922 S ORANGE AVE	WAREHOUSING	BO'S TOWING & REPAIR	C-3
13-23-29-8700-00-140	IMPERIAL PROPERTIES OF ORLANDO LLC	4936 S ORANGE AVE	WAREHOUSING	IMPERIAL BLDG	C-3
13-23-29-8752-00-510	JERRY KINSLEY REVOCABLE TRUST	5205 S ORANGE AVE	STORE/OFFICE/RESID		PO
13-23-29-8700-00-160	FLOYD FAMILY ORANGE LLC 1/2 INT DSSB PROPERTIES LLC 1/2 INT	4950 S ORANGE AVE	VEHICLE REPAIR	TROPICAL CANVAS	C-3
13-23-29-8700-00-191	COMMON GROUND IMPORT & EXPORT LLC	4954 S ORANGE AVE	SALES WAREHOUSES	FLORIDA T-SHIRTS PLUS	C-3
13-23-29-8700-00-201	CLEAR CHANNEL OUTDOOR INC	4960 S ORANGE AVE	SIGN SITES	VACANT PARCAL (SIGN SITE)	C-3
13-23-29-2964-00-210	AJLM LLC	4964 S ORANGE AVE	STORE/OFFICE/RESID	ENTERPRISE RENT A CAR/S M D AUTOMOTIVES/ COMPUTER CASTLE	C-3
13-23-29-4527-00-005	LAKE JESSAMINE ESTATES HOMEOWNERS ASSN INC	5236 S ORANGE AVE	VACANT H.O.A.		R-1A
13-23-29-2964-00-231	BELL TONY G TR	5028 S ORANGE AVE	WAREHOUSING	BELL EQUIPMENT RENTAL	C-3
13-23-29-6864-00-011	ALUMI TECH INC	5104 S ORANGE AVE	WAREHOUSING	ALUMI TECH	C-3
13-23-29-6865-00-010	PINE CASTLE LODGE NO 2345 LOYAL ORDER OF MOOSE INC	5108 S ORANGE AVE	LODGE/UNION HALL	PINECASTLE MOOSE LODGE	C-3
13-23-29-6865-00-020	J AND K MOTORSPORTS LLC	5130 S ORANGE AVE	WAREHOUSING	CUSTOM EMPIRE/THE STABLE/BK MOTOR SPORTS	C-3
13-23-29-6864-00-041	MISSIONARY VENTURES INTERNATIONAL INC	5144 S ORANGE AVE	OFFICE ONE STORY	MISSIONARY VENTURES INTERNATIONAL INC	C-3
13-23-29-0000-00-007	SKORMAN THEODORE AARON TR SKORMAN LYNN MARIE TR	5156 S ORANGE AVE	OFFICE ONE STORY	T SKORMAN PRODUCTIONS	C-3
13-23-29-0000-00-008	HOOKER HOLDINGS LLLP 50% INT 5210 SOUTH ORANGE AVENUE LLC 50% INT	5210 S ORANGE AVE	WAREHOUSING	RUTLEDGE M BRADFORD PA/MARBO AMERICA	C-3
13-23-29-0000-00-042	ADRENALINE FILM PRODUCTION INC	5224 S ORANGE AVE	OFFICE LOW-RISE	ADRENALINE FILM PRODUCTION	C-3
13-23-29-0000-00-010	ORANGE AVENUE WAREHOUSES LLC	5232 S ORANGE AVE	WAREHOUSING	MULTI-TENANT WAREHOUSES	C-3
13-23-29-4527-00-004	LAKE JESSAMINE ESTATES HOMEOWNERS ASSN INC	5234 S ORANGE AVE	VACANT H.O.A.		C-3
13-23-29-4527-00-002	LAKE JESSAMINE ESTATES HOMEOWNERS ASSN INC	5238 S ORANGE AVE	VACANT H.O.A.		C-3
13-23-29-0000-00-026	ENGLISH GARY M ENGLISH DANA D	5242 S ORANGE AVE	VEHICLE REPAIR	CITY GARAGE / C & S TIRE CENTER	C-3

EXHIBIT "A" - ORANGE AVENUE PROPERTIES

Parcel ID	Owner Name(s)	Property Address	DOR Code Description	Name of Property	Zoning Code(s)
13-23-29-0000-00-029	CAMINO HEALING LLC	5250 S ORANGE AVE	OFFICE PROF SVC BLDG	PINE CASTLE ANIMAL CLINIC	C-3
13-23-29-0000-00-034	SUMMA VIA LLC	5262 S ORANGE AVE	VACANT COMMERCIAL		C-3
13-23-29-0000-00-035	HARRELL SMITH & WARREN CORP	5300 S ORANGE AVE	OFFICE LOW-RISE	BOB HARRELL PROP., INC.	C-3
13-23-29-0000-00-037	TORRES ITALIA	5380 S ORANGE AVE	WAREHOUSING	BOB'S AUTO WORKS	C-3
13-23-29-0000-00-004	WARD KATHLEEN R TR	5398 S ORANGE AVE	SELF STORAGE	WARD WAREHOUSES	C-3
13-23-29-6865-00-021	ALUMI TECH INC	S ORANGE AVE	WAREHOUSING	ALUMITECH OF ORLANDO	C-3

EXHIBIT "A" - ORANGE AVENUE PROPERTIES

Parcel ID	Owner Name(s)	Property Address	DOR Code Description	Zoning Code(s)
12-23-29-7312-00-184	BRYAN N COLE LIVING TRUST	116 GATLIN AVE	OFFICE ONE STORY	C-1
13-23-29-3689-00-010	GBM ENTERPRISES LLC	120 GATLIN AVE	OFFICE ONE STORY	C-1
12-23-29-7312-00-179	MARTNI HOLDEN LLC	75 GATLIN AVE	RETAIL MULTI-TENANT	C-2
12-23-29-7312-00-173	WARD FRANKLIN N 1/6 INT BAEZ IGNACIO A 1/3 INT JOURD INVESTMENTS LLC 1/2 INT (AS THEIR INTEREST SHALL APPEAR) JOURD INVESTMENTS LLC	300 GATLIN AVE	OFFICE PROF SVC BLDG	PO
12-23-29-7312-00-182	WARD FRANKLIN N 1/6 INT BAEZ IGNACIO A 1/3 INT JOURD INVESTMENTS LLC 1/2 {AS THEIR INTERESTS SHALL APPEAR} WARD FRANKLIN N 1/2 INT BLDG 1 JOURD INVESTMENTS LLC 1/2 INT BLDG 1 BAEZ IGNACIO A IN BLDG 2	300 GATLIN AVE	OFFICE PROF SVC BLDG	PO
12-23-29-7312-00-175	BORGON FRANK A BORGON SANDRA T	400 GATLIN AVE	OFFICE ONE STORY	PO
LAKE GATLIN ROAD PARCELS				
12-23-29-7312-00-186	HSAG Holdings LLC	11 Lake Gatlin Road		C-1
13-23-29-3689-00-020	Baez, Ignacio A	Lake Gatlin Road		C-1

EXHIBIT "A" - GATLIN AVENUE PROPERTIES

Parcel ID	Owner Name(s)	Property Address	DOR Code Description	Zoning Code(s)
13-23-29-0000-00-038	YIANILOS KATHERINE A TR THOMAS THEODORA Y TR	5406 HANSEL AVE	RETAIL RESTAURANT 1	C-1
13-23-29-0000-00-020	I B GOLF ASSOCIATES	5416 HANSEL AVE	RETAIL MULTI-TENANT	C-1
24-23-29-7332-00-040	REES DAVID L REES MARIA V	5506 HANSEL AVE	VACANT COMMERCIAL	C-1
24-23-29-7332-00-030	ZEITLER MARK T	5520 HANSEL AVE	OFFICE ONE STORY	C-1
24-23-29-6079-00-040	CORTES LUIS MONTERO DIANA	5524 HANSEL AVE UNIT 4	CONDO-PROF. BLDG	C-1
24-23-29-6079-00-050	CORTES LUIS MONTERO DIANA	5526 HANSEL AVE UNIT 5	CONDO-PROF. BLDG	C-1
24-23-29-6079-00-060	CORTES LUIS MONTERO DIANA	5528 HANSEL AVE UNIT 6	CONDO-PROF. BLDG	C-1
24-23-29-6079-00-070	GGH 50 LLC	5530 HANSEL AVE UNIT 7	CONDO-PROF. BLDG	C-1
24-23-29-6079-00-080	GGH 50 LLC	5532 HANSEL AVE UNIT 8	CONDO-PROF. BLDG	C-1
24-23-29-6079-00-090	MANES ERALDO JR MANES MAIDA BELLISSIMO	5534 HANSEL AVE UNIT 9	CONDO-PROF. BLDG	C-1
24-23-29-6079-00-100	DYNAMI ENTERPRISES II LLC	5536 HANSEL AVE UNIT 10	CONDO-PROF. BLDG	C-1
24-23-29-6079-00-110	SANTIAGO ANGEL L	5538 HANSEL AVE UNIT 11	CONDO-PROF. BLDG	C-1
24-23-29-6079-00-030	HATE NITIN M HATE VIDYA N	5540 HANSEL AVE UNIT 3	CONDO-PROF. BLDG	C-1
24-23-29-6079-00-020	HATE NITIN M HATE VIDYA N	5542 HANSEL AVE UNIT 2	CONDO-PROF. BLDG	C-1
24-23-29-6079-00-010	HATE NITIN M HATE VIDYA N	5544 HANSEL AVE UNIT 1	CONDO-PROF. BLDG	C-1
24-23-29-3400-00-012	NEWMAN SUSAN B 1/2 INT CRANE HUSTON R TR 1/4 INT	5639 HANSEL AVE	OFFICE LOW-RISE	C-1
24-23-29-3400-00-017	SAHGAL VIJENDRA K SAHGAL GEETA D	5643 HANSEL AVE	VACANT COMMERCIAL	C-1
24-23-29-3400-00-014	5645 HANSEL AVENUE CORP	5645 HANSEL AVE	FINANCIAL BLDG/BANK	C-1
24-23-29-3404-00-048	7-ELEVEN INC	5650 HANSEL AVE	RETAIL CONV STORE	C-1
24-23-29-8040-02-000	SELECT MEDICAL PROPERTY VENTURES LLC	HANSEL AVE	VACANT COMMERCIAL	C-1

EXHIBIT "A" - HANSEL/HOFFNER AVENUE PROPERTIES

24-23-29-6079-00-001	OAK TREE PLAZA CONDOMINIUM ASSN INC	HANSEL AVE	VAC COM ASOC	C-1
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HOFFNER PARCELS

24-23-29-3404-00-042	Ella Grace Inc.	627 Hoffner Ave		C-1
24-23-29-3404-00-046	DCP Edgewood Isle	637 Hoffner Ave		C-1
24-23-29-3404-00-047	DCP Edgewood Isle	645 Hoffner Ave		C-1
24-23-29-3354-00-060	Newman, James and Susan	809 Hoffner Ave		C-1
24-23-29-3354-00-050	Newman, James and Susan	813 Hoffner Ave		R-3



PROPOSED ECD ZONING

ZONING MAP FOR THE CITY OF EDGEWOOD

ORANGE COUNTY, FLORIDA
TOWNSHIP 23 SOUTH RANGE 29 EAST

PROPOSED 1985 REVISIONS

NO.	DATE	DESCRIPTION	BY
1	11/15/85	ADOPTED	...
2	12/15/85
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AGENDA DEVELOPMENT OFFICE

201 South Rosalind Avenue • Reply To: Post Office Box 1393 • Orlando, Florida 32802-1393
407-836-5426 • Fax: 407-836-2899 • www.orangecountyfl.net

November 20, 2018

The Honorable Ray Bagshaw
Mayor, City of Edgewood
405 Larue Avenue
Edgewood, FL 32809

Subject: City of Edgewood Representative on the Community Action Board

Dear Mayor Bagshaw:

The enabling legislation for the Orange County Community Action Board (CAB) designates three seats on the board for currently serving elected officials from three different municipalities within Orange County on a rotating basis. The CAB is charged with the advisory oversight for development, planning, implementation, and evaluation of programs to serve Orange County's low income communities. The CAB meets the second Wednesday of each month at 4:00 p.m. at the County Administration Center. A copy of the enabling legislation is enclosed for your review.

There is a vacancy on the CAB for a currently serving elected official from an Orange County municipality, and the City of Edgewood is next on the list of rotating municipalities.

I would greatly appreciate your assistance in nominating a candidate to fill this vacancy. A completed advisory board application is required of the nominee. I have enclosed a blank application for this purpose or the nominee may apply online at <https://apps.ocfl.net/secure/mmrmb/boardapplicationpartone.asp>.

Please advise me of your decision at your earliest convenience.

Respectfully yours,

A handwritten signature in black ink that reads "Cheryl J. Gillespie".

Cheryl J. Gillespie
Supervisor

Enclosures

cc: Lavon Williams, Esq., AICP, Manager, Community Action Division (w/o enclosures)



Advisory Board Application for Appointment

The information from this application will be used by the Orange County Board of County Commissioners when considering appointments to advisory boards, authorities, and commissions. Please complete the application in type or print clearly (black ink only). Note: A resume or separate sheet with additional information may be included, but will not be accepted as a substitute for the completed application. Return the completed application to:

Agenda Development Office
P.O. Box 1393
Orlando, Florida 32802-1393
(407) 836-5426

Date: _____ Email: _____

Name: (Last, First, and Middle) _____

Address: (H) _____ Zip _____

(W) _____ Zip _____

Phone: (H) (____) _____ (W) (____) _____

Place of Employment: _____

Job Title: _____ Length of Employment: _____

1. Education

Name of School _____ Degree(s) Earned _____

2. List of Advisory Boards (for which you are applying)

3. Professional License, Occupational License, Registration or Certification

License/Registration/Certificate	Issue Date	Issuing Authority	Disciplinary Action/Date
_____	_____	_____	_____

4. State your experience, interests, or elements of your personal history that qualify you for appointment to the advisory board(s) you have chosen.

5. Have you, members of your immediate family, or businesses of which you or members of your immediate family have been an owner, officer, or employee, had any contractual or other dealing during the last three years with any Orange County Government agency, including the board to which you seek appointment?

YES NO If "YES", please explain: _____

6. List three persons who have known you well within the past five years. Include a current daytime telephone number and the capacity in which you have know them e.g., personal, business, supervisor. Do not list the person's job title as the capacity.

Name	Phone Number	Capacity
_____	(____) _____	_____
_____	(____) _____	_____
_____	(____) _____	_____

7. List any business, professional, civic, or fraternal organizations of which you are a CURRENT member.

8. Are you a resident of Orange County? YES NO

9. Are you a registered voter in Orange County? YES NO

10. County Commission District in which you reside: _____
(This information can be found on your voter's registration card.)

11. Are you currently serving on an Orange County board? YES NO
If "YES," please state the name of the board(s).

12. Have you ever served on an Orange County board? YES NO
If "YES," please state the name of the board(s) and dates served.

Note: You are not required to answer the following questions. However, they are asked in order that boards, commissions, and authorities to which the Board of County Commissioners makes appointments may reflect the demographics of Orange County.

13. Are you of Hispanic Origin? Yes No

14. Race: African-American American Indian or Alaskan Native Asian or Pacific Islander
Caucasian Other (explain) _____

15. Gender: Male Female

16. Disabled: No Yes

I understand the responsibilities associated with being a board member, and I have adequate time to serve on the above board(s).

Signature: _____ Date: _____

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RESOLUTION

6

of the

8

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

10

regarding

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**CLARIFICATION OF THE PUBLIC SECTOR MEMBERSHIP
OF THE ORANGE COUNTY COMMUNITY ACTION BOARD;
SETTING FORTH THE TERMS OF OFFICE FOR SUCH
BOARD MEMBERS; REVISING THE DEFINITION OF SUCH
BOARD'S QUORUM; PROVIDING FOR THE
ESTABLISHMENT OF COMMITTEES; EFFECT OF THE
RESOLUTION TO AMEND, REPLACE AND SUPERCEDE ALL
PRIOR ACTIONS CONCERNING THE COMMUNITY ACTION
BOARD; AND PROVIDING FOR AN EFFECTIVE DATE.**

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Resolution No. 2007-M-19

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WHEREAS, it is the desire of the Board of County Commissioners (the "Board") to provide stimulation and incentive through community action to combat poverty; and

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WHEREAS, in order to make the entire community more responsive to the needs and interests of the economically disadvantaged community by mobilizing available private, federal, state, and local resources, the Board created the Orange County Community Action Board (the "CAB") on April 24, 1969; and

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WHEREAS, the CAB is charged with the advisory oversight for development, planning, implementation, and evaluation of programs to serve Orange County's low income communities; and

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WHEREAS, the CAB desires to clarify information regarding its membership and operation.

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NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY

42 COMMISSIONERS OF ORANGE COUNTY:

Section 1. Powers and Duties. The CAB shall have the following powers and duties:

44 a. To advise in the administration of federal, state, and local
programs to address the needs of the disadvantaged citizens of Orange County.

46 b. To assist in the planning and development of community priorities,
goals, and objectives among projects, activities, and areas.

48 c. To advise in the plans and development of programs to serve the
economically disadvantaged community in a manner that maximizes their participation.

50 d. To advocate for the human rights of Orange County's
economically disadvantaged residents.

52 *Section 2. Exemption.* The CAB is not an advisory board as defined in section 2-203,
Orange County Code, and is exempt from requirements of sections 2-203(a)(1) and (2).

54 *Section 3. Membership.*

a. The membership of the CAB shall number not less than twenty-
56 four (24) representatives. The total membership shall always be divisible by three (3). Members
shall reside in Orange County except for the member outlined in Section 3 (b) (3). Members
58 shall be registered voters. The membership of each of the three sectors shall have those
qualifications which are set forth as follows:

60 b. *Public Sector.* One-third of the members (eight) shall be elected
public officials who represent Orange County and its political subdivisions. The Board of County
62 Commissioners shall make appointment of members to the public sector. Terms of office shall be
for four (4) years. Each member shall serve until his or her successor is chosen or as long as such

public official is currently holding office. All members serve at the pleasure of the Board and may be removed without cause and without entitlement to a hearing upon a vote of five (5) members of the Board. A public sector member may only serve two full (2) terms. A public sector member appointed to fill an unexpired term shall be eligible for two full terms thereafter.

68 Each member may choose one alternate to serve in his/her place when the member is unavailable to attend a meeting. The alternate serves at the pleasure of the member represented and the term
70 of membership of the alternate shall be the same as that of the member represented. Alternates must be residents of Orange County and registered voters. Alternates do not need to be elected
72 public officials themselves and shall have the full authority and voting privileges of the public official they represent. The member/alternate shall be recognized as one position for the purpose
74 of attendance. Any member/alternate missing three consecutive meetings or more than twenty-five (25) percent of the meetings in a calendar year shall be replaced. A member shall be
76 considered absent if not present during fifty (50) percent or more of the duration of a meeting. A letter affirming the continued participation of each member of this sector shall be generated by
78 the fourth Wednesday of January each year and signed by the Orange County Mayor unless the member's term has expired. The membership of the public sector shall consist of the following:

80 1. Up to three (3) members shall be current members of the Board of County Commissioners, appointed by the County Mayor and confirmed by the Board.

82 2. Up to three (3) members shall be currently serving elected officials from three (3) different municipalities located within Orange County as follows, each nominated by
84 the Mayor of the respective municipality on a rotating, alphabetical basis and appointed by the Board. The members will represent the following municipalities: Apopka, Belle Isle, Eatonville,
86 Edgewood, Maitland, Oakland, Ocoee, Orlando, Winter Garden, Winter Park, and Windermere.

3. Up to two members shall be a currently serving as an elected state or
88 federal official representing the state of Florida or the United States Congress, nominated and
appointed by the Board.

90 4. One (1) member shall be a current member of the Orange County School
Board, nominated by the chairperson of the Orange County School Board and appointed by the
92 Board.

5. If three (3) elected Orange County Commissioners or three (3) elected
94 officials from the municipalities are not available or willing to serve, then up to two (2) elected
public officials, one (1) from the State of Florida and/or one (1) from the United State Congress
96 may be nominated and appointed for membership by the Board.

(b) *Low Income Community Sector:* One-third of the members (eight) shall be
98 representatives of the economically disadvantaged community. Terms of office shall be for four
(4) years. Each member shall serve until his or her successor is chosen. The members of this
100 sector shall be selected for membership in the manner described in Chapter 9B-22, Florida
Administrative Code, and according to CAB approved procedures. These members shall be
102 chosen in accordance with democratic selection procedures adequate to assure that they are
representative of the low income community who reside in the areas served.

104 Members shall reside in Orange County and shall be registered voters. Each member may
choose one alternate to serve in his/her place when the member is unavailable to attend a
106 meeting. The alternate serves at the pleasure of the member represented and the term of
membership of the alternate shall be the same as that of the member represented. Alternates must
108 be residents of Orange County and registered voters. Alternates shall have the full authority and
voting privileges of the member represented. The member/alternate shall be recognized as one

position for the purpose of attendance. Any member/alternate missing three consecutive meetings or more than twenty-five (25) percent of the meetings in a calendar year shall be replaced.

(c) *Private Sector:* The remaining one-third of the members (eight) shall be officials or members of business, labor organizations, major employers, religious organizations, private social service and charitable agencies, private community-based and professional organizations, minority organizations, and the Head Start Policy Council. Terms of office shall be for four (4) years. Each member shall serve until his or her successor is chosen. The members of this sector shall be selected by the CAB in accordance with CAB approved procedures. Members shall reside in Orange County and shall be registered voters. Each member may choose one alternate to serve in his/her place when the member is unavailable to attend a meeting. The alternate serves at the pleasure of the member represented and the term of membership of the alternate shall be the same as that of the member represented. Alternates must be residents of Orange County and registered voters. Alternates shall have the full authority and voting privileges of the member represented. The member/alternate shall be recognized as one position for the purpose of attendance. Any member/alternate missing three consecutive meetings or more than twenty-five (25) percent of the meetings in a calendar year shall be replaced.

Section 3. Meetings; Quorum; Voting; Minutes. The CAB shall hold monthly meetings in a county facility or county-approved venue. The presence of at least fifty percent (50%) of the members plus one shall constitute a quorum. All actions of the CAB shall be in accordance with all applicable laws, including, but not limited to, the Code of Ethics for Public Officers and Employees (Part III of Chapter 112, Florida Statutes), the Florida Public Records Law (Chapter 119, Florida Statutes), and the Florida "Government-in-the-Sunshine Law"

(Section 286.0141, Florida Statutes). Action may be taken by the CAB upon a vote of a majority
134 of the members present, unless the bylaws require a larger number. Further, the CAB shall keep
a record of its transactions and the attendance and votes of its members. All meetings shall be
136 open to the public. Meetings shall be posted and minutes submitted to the Board in accordance
with Orange County Administrative Regulation 2.09.01.

138 **Section 4. Officers.** The CAB shall select its own Chairperson, Vice Chairperson,
Secretary, and Treasurer, and such other officers, as it deems necessary. Elections shall be held
140 at the January meeting each year, and those elected shall take office immediately.

Section 5. Committees. The CAB may form committees as it sees fit to address
142 issues of the community and the business of the CAB.

Section 6. Effect of Resolution. This resolution amends, replaces, and supersedes all
144 portions and provisions of prior motions or resolutions of the Board of County Commissioners
regarding the CAB or any predecessor board to the CAB if any such portions or provisions are
146 inconsistent with the provisions contained herein.

Section 7. Effective date. This Resolution shall take effect upon the date of its adoption.

148 ADOPTED THIS 5th DAY OF June, 2007.

150 ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

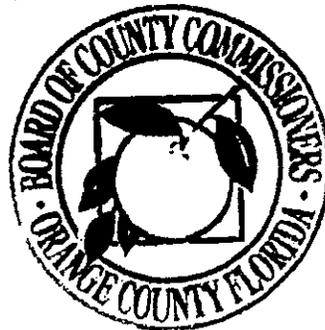
152 By: Richard T. Crotty
154 Richard T. Crotty
County Mayor

156 ATTEST: Martha O. Haynie, County Comptroller
158 As Clerk of the Board of County Commissioners

160 By: Martha O. Haynie
Deputy Clerk

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164 S:\CHawkins\ORDRES\CAB Resolution - FINAL.rtf



RESOLUTION NO. 2018-09

A RESOLUTION OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING THE FEE SCHEDULE FOR CERTAIN CITY SERVICES; ESTABLISHING A FEE FOR ZONING VERIFICATION LETTERS AND A FEE FOR WAIVER APPLICATIONS WITHIN THE EDGEWOOD CENTRAL ZONING DISTRICT; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has adopted fees for certain City services to offset the costs incurred by the City for such services; and

WHEREAS, the City does not currently charge for zoning verification letters; and

WHEREAS, the City incurs a cost in the completion of zoning verification letters; and

WHEREAS, the Edgewood Central Zoning District provides a process by which property owners can request a waiver from certain district regulations and provided such applications would be accompanied by a fee established by resolution; and

WHEREAS, the City Council finds that the fees contained herein are reasonable fees necessary to offset the costs incurred by the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA, as follows:

Section 1. The City's adopted fee schedule is amended as follows (Note, additions are indicated by underline and deletions are indicated by strikethrough):

SERVICE	FEE	CODE/STATUTORY REFERENCE (if applicable)
Appeal of lien	\$150	Section 2-127 (Ord. No. 2004-09 adopted on 1/4/2005)
Service charge for lien search	\$50 – Provided within three working days of receipt by the City of the request same day of request	Section 2-129 (Ordinance No. 2004-09 adopted on 1/4/2005)
Application for boat dock construction	\$350	Section 14-11(10) (Ord. No. 2001-04 adopted on 2/6/2001)
Application for mobile vendor permit	\$20.00	Chapter 34, Article VI "Mobile Food Service Operations" (as adopted 12/16/2014)

Service charges for false security alarms	\$50 for 2 nd & 3 rd false alarm \$100 for each false alarm thereafter	Section 22-31(b) (Ord. No. 2003-08 adopted on 7/15/2003)
Appeals of service fees & penalties for false security alarms	\$150	Section 22-32 (Ord. No. 2003-08 adopted on 7/15/2003)
Appeal of no response determination for frequent false alarm	\$150	Section 22-33 (Ord. No. 2004-08 adopted on 7/15/2003)
Variance from dumpster requirements	\$350	Section 30-49(7) (Ord. No. 339 adopted 7/19/1988)
Bingo permits	\$5,000	Section 34-70 (Ord. No. 1993-16 adopted on 4/27/1993)
Solicitor or peddler permit	\$20	Section 34-103 (Ord. No. 2003-03 adopted on 6/3/2003)
Solicitor or peddler permit duration and validity	\$20	Section 34-107 (Ord. No. 2003-03 adopted on 6/3/2003)
Waiver to parking and storage restrictions upon recreational equipment in residential districts	\$350	Section 62-33(d) (Ord. No. 2001-3 adopted on 1/23/2001)
Building permit fees (related to land use review associated with building permit requests)	\$50 – residential -commercial (see site plan fee)	Section 102-19 (Ord. 380 adopted on 6/16/1992) Note: Ord. No. 2005-07 (adopted on 10/18/2005) approved an interlocal agreement with Orange County providing for building, electrical, gas, mechanical, plumbing, and related inspection functions. Accordingly, Orange County's building permit fees for unincorporated areas were adopted as part of this action. The only building permit related fee charged by the City of Edgewood relates to land use review (e.g. zoning classification, setbacks, etc.)
Sign permit required	\$100	Section 122-9 (Ord. 295 adopted on 5/21/1985)

Subdivisions – preliminary plans	\$1,000 plus \$10 per residential lot (initial fee) plus advertising fee per resolution \$1,000 plus \$10 per acre for non-residential (initial fee) plus advertising fee per resolution	Section 126-121 (Ord. No. 1999-452 adopted on 3/2/1999)
Subdivision – final plan	\$500 plus \$10 per lot for residential \$500 plus \$10 per acre for non-residential	Section 126-122 (Ord. No. 1999-452 adopted on 3/2/1999)
Tree removal permit fee (Single family)	\$25 for first tree removed \$25 for each additional tree removed under the same permit with a maximum fee of \$100	Section 130-5(a) (Ord. No. 2001-13 adopted on 8/21/2001)
Tree removal permit fee (Multiple tenant structures or commercial property)	\$250 for first tree removed \$ 25 for each additional tree removed under the same permit with a maximum fee of \$1,000	Section 130-5(b)(3) (Ord. No. 2001-13 adopted on 8/21/2001)

Appeal of city clerk's interpretation of zoning chapter	\$150	Section 134-5 (Ord. 89-346 adopted on 3/21/1989)
Rezoning	\$750 plus advertising costs per <i>Florida Statutes</i>	Section 134-36(h) (Ord. No. 89-346 adopted on 3/21/1989)
Applications other than rezoning	-Appeals - \$150 -Special Exceptions - \$750 -Residential variance - \$350 -Variance for non residential use - \$750 -Waiver from Edgewood Central District minimum standards - \$750	Section 134-105(3) (Ord. No. 89-346 adopted on 3/21/1989) <u>134-464 (Ord. No. 2018-09)</u>
Appeals – review of Planning & Zoning Board's decisions	\$150	Section 134-109(d) (Ord. No. 89-346 adopted on 3/21/1989)
Site development permit fee (also reference site plan application fee)	1.5% of site development costs	Section 134-138(c) (Ord. No. 2001-13 adopted on 8/21/2001)
Temporary structures	\$25	Section 134-486 (Ord. No. 1989-346 adopted on 3/21/1989)
Planned development (PD) development plan	\$1,000 plus \$10 per dwelling unit for residential \$1,000 plus \$50 per acre for non residential	Section 134-458(1) & (3) (Ord. No. 2004-04 adopted on 12/28/2004)
Antenna permit fee	\$25 residential \$50 commercial	Section 134-521(d)(2) (Ord. No. 1989-346 adopted on 3/21/1989)
Antenna variance fee	\$350	Section 134-521(e) Ord. No. 1989-346 adopted on 3/21/1989
Special exception for communication towers/antennas	\$750	Section 134-687(b)(4) (Ord. No. 1999-453 adopted on 8/17/1999)
Noise variances	\$350	Section 134-919(k)(3) (Ord. No. 2004-01 adopted on 11/16/2004)
Comprehensive Plan Amendment (Small Scale)	\$1,000 plus advertising costs	Reference Florida Statutes 163.3187
Comprehensive Plan Amendment (Large Scale)	\$2,500 plus advertising costs	Reference Florida Statutes 163.3184
Right-of-Way Use Permit	\$250	
Site Plan Application (Commercial/Industrial)	\$500	
Special permit for adult amusement arcade center	\$250	
Development agreement	\$2,000	
Amendment to development agreement	\$2,000	
Annexation	None	Reference Florida Statutes 171.044
Deannexation	\$1,000 plus advertising costs per <i>Florida Statutes</i> .	Reference Florida Statutes 171.051
Lot split application	\$500 for residential \$1,000 for non residential	Reference Res. No. 2005-02 adopted on 2/15/2005 as to summary procedures
Lot split appeal	\$150	
Meeting of Development Review Committee	\$500 for pre-application meetings. Mandatory for subdivisions and commercial site plans. Optional for all others.	Reference Res. No. 2002-05 adopted on 5/7/2002
Right-of-way abandonment	\$400 plus advertising costs	Reference Florida Statutes

		336.09 & 336.10
Plat/easement vacation	\$400 plus advertising costs	Reference Florida Statutes 177.101
Similar and Compatible Use Determination	\$350	Reference Section 134-316(38) and Section 134-345(15). Also reference Section 134-373(a)(9), 134-403(27), and 134-433(2).
Zoning Verification Letter	\$50	

ITEM	FEE	NOTES
Photocopies: 8½" x 11" per page 8½" x 14" per page 8½" x 11" double sided 8½" x 14" double sided 11" x 17" per page	\$ 0.15 \$ 0.15 \$ 0.20 \$ 0.20 \$ 0.25	Pursuant to Florida Statute Section 119.07, for copies of public records only. Copy work requiring in excess of one hour to complete will incur labor costs based on the employee's time and hourly rate. If it is believed that the copy work will take over one hour, an estimate will be provided prior to the work being started.
Certification of documents	\$ 1.00	Per document certified.
Notary Public Services	\$ 5.00*	*No charge for City residents. Per document notarized.
Audio/video Media (each) Audio/video (Media provided)	\$1.00 \$.50	City provides the Media. Customer provides the Media.
Zoning Maps – Large (black & white) Zoning Maps – Small (11" x 17")	Cost of reproduction incurred by City \$ 0.25	The City must utilize the services of an outside business to reproduce large zoning maps. The customer will be charged the actual cost incurred by the City.
Code of Ordinances (bound)	Cost of reproduction incurred by City	Note: Supplement service only available through Municipal Code Corporation
Zoning Code Reprint	Cost of reproduction incurred by City	Note: Supplement service only available through Municipal Code Corporation.
City of Edgewood Auto Tags	\$ 5.00	
Fingerprinting	No Charge \$ 20.00 \$ 30.00	City residents. Cash, check or credit Card Fingerprinting with AHCA Photo
Accident Reports	\$0.15 per page \$0.20 per double sided	Police Department
Building Plans	Cost of reproduction incurred by City	The City must utilize the services of an outside business to reproduce building plans. The customer will be charged the actual cost incurred by the City.
Returned Check Fee	Cost charged to the City by its financial institution	

Section 2. **Conflicts.** All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Section 3. **Severability.** If any section or portion of a section of this resolution proves to be invalid, unlawful or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section, subsection or portion of a section of this resolution.

Section 4. **Effective Date.** This resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this _____ day of December, 2018.

John Dowless, Council President

ATTEST:

Bea Meeks, City Clerk

RESOLUTION NO. 2018-10

A RESOLUTION OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING RESOLUTION 2013-04 TO CORRECT A SCRIVENER'S ERROR AND TO PERMIT THE CITY CLERK TO DESIGNATE AN EXISTING STAFF MEMBER IN THE CITY CLERK'S ABSENCE TO ACT AS THE CLERK TO THE LOCAL HEARING OFFICER FOR RED LIGHT CAMERA INFRACTION HEARINGS PURSUANT TO CHAPTER 62, ARTICLE IV OF THE EDGEWOOD CITY CODE; PROVIDING OF CONFLICTS; PROVIDING FOR SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, the City Council for the City of Edgewood adopted Ordinance 2013-03 expanding Chapter 62 of the Edgewood City Code, to include Article IV entitled the "Traffic Light Safety Act"; and

WHEREAS, pursuant to Ordinance 2013-03, and consistent with section 316.0083, Florida Statutes, the "Mark Wandall Traffic Safety Act", the City adopted Resolution 2013-04 to designate the City Clerk to serve as the clerk for the local hearing officer for red light camera infraction hearings; and

WHEREAS, Resolution 2013-04 contained a scrivener's error in the recitals; and

WHEREAS, consistent with Ordinance 2013-3 and section 316.0083, Florida Statutes, the City of Edgewood desires to amend Resolution 2013-04 to correct the scrivener's error and to designate an additional existing staff member, in the City Clerk's absence, to serve as the clerk for the local hearing officer for red light camera infraction hearings; and

WHEREAS, this Resolution is adopted pursuant to Section 3.13(A) of Edgewood City Code, Ordinance 2013-03, and Section 166.041, Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA:

Section 1. Recitals: The following recitals are hereby affirmed and ratified.

Section 2. The City Council of the City of Edgewood, pursuant to Section 3.13(A) of the Edgewood City Code and Section 166.041, Florida Statutes, hereby approves the following amendments to Resolution 2013-04 as set forth in Section 3 below. The text of the amendments reflects the changes by showing additions with underlining and deletions with ~~striketrough~~ type.

Section 3. Resolution 2013-04 is hereby amended as follows:

The following recital is amended due a scrivener's error:

WHEREAS, pursuant to Ordinance 2013-03, and consistent with section 316.0083, Florida Statutes, the "Mark Wandall Traffic Safety Act", the City is required to designate an existing staff member to serve as the clerk to the local hearing officer for red light camera infraction hearings;

Section 2 of Resolution 2013-04 is amended as follows:

Section 2. Appointment: The City Council of the City of Edgewood hereby confirms the appointment of the City Clerk or, in the City Clerk's absence, a designee of the City Clerk, who is an existing staff member with authority to administer the oath, to function as the clerk to the local hearing officer for red light camera infraction hearings.

Section 4. Conflict: Any and all resolutions in conflict herewith are hereby repealed.

Section 5. Severability: If any section, subsection, sentence, clause, phrase or portion of this resolution 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 portion thereto.

Section 6. Effective Date: This resolution shall become effective upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Edgewood, Florida on the _____ day of _____, 2018.

John Dowless, Council President

ATTEST:

Bea Meeks
City Clerk

Edgewood Police Department

City Council Report

November 8, 2018 – December 7, 2018

Residential Burglaries	1
Commercial Burglaries	0
Auto Burglaries	4
Theft	2
Assault/Battery	1
Sexual Battery	1
Homicides	0
Robbery	0
Traffic Accident	9
Traffic Citations	138
Red Light Citations	571
Traffic Warnings	180
Felony Arrests	2
Misdemeanor Arrests	4
Warrant Arrests	3
Traffic Arrests	3
DUI Arrests	0

Department Highlights:

- The City of Edgewood was given a pallet of water from the State of Florida Logistics Response Center. The Edgewood Police Department dispersed half to Nathaniel's Hope and half to the Russell Home.
- Members of the Edgewood Police Department assisted Mayor Bagshaw and his wife in decorating the park and department for the Holiday Season.
- Starting in November the department have been collecting toys and other items to donate them between the Ronald McDonald House of Orlando and the Orlando Rescue Mission.
- On December 12th members of the Edgewood Police department cooked and served a dinner at the Ronald McDonald house.
- Sergeant Cardinal and Analyst Salemi attended the Giving Thanks breakfast thrown by Nathaniel's Hope. This is the kick-off for their collection period.
- Sergeant Cardinal was able to assist a victim in getting back a stolen Rolex from a pawn shop without any cost to the victim.
- The Edgewood Police Department responded to an industrial accident at 4948 S Orange Ave. An employee had an accident while working and was declared deceased after arriving at hospital. OSHA and the department are investigating.
- The Edgewood Police Department rolled out on-line payments on the City Website for parking tickets.
- The city has seen a small increase in vehicle burglaries. The Police department has increased patrol of the neighborhoods, including foot patrol. We have distributed over 100 Lock It or Lose It cards so far this month.
- Have a Safe Holiday Season and great New Year!!