



CITY COUNCIL MEETING

City Hall – Council Chamber
405 Bagshaw Way, Edgewood, Florida
Wednesday, August 21, 2024 at 6:30 PM

AGENDA

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 (5) 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, INVOCATION, & PLEDGE OF ALLEGIANCE

B. ROLL CALL & DETERMINATION OF QUORUM

C. PRESENTATIONS AND PROCLAMATIONS

D. CONSENT AGENDA

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.

1. July 16, 2024 City Council Meeting Minutes

E. ORDINANCES (FIRST READING)

1. Ordinance 2024-06: Tattoo Establishments
2. Ordinance 2024-07: Awnings

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

1. Ordinance 2024-05: Sign Regulations

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. Approval of Traffic Enforcement Agreement with Legacy at Lake Jessamine Homeowners Association

I. GENERAL INFORMATION

J. CITIZEN COMMENTS

K. BOARDS & COMMITTEES

L. STAFF REPORTS

City Attorney Smith

Police Chief DeSchryver

- 1. Chief's Report July 2024

City Clerk Riffle

M. MAYOR AND CITY COUNCIL REPORTS

Mayor Dowless

- 1. Budget Discussion

Council Member Lomas

Council Member McElroy

Council Member Rader

Council Member Steele

Council President Horn

N. ADJOURNMENT

UPCOMING MEETINGS

- Monday, September 9, 2024.....1st Budget Hearing 6:30pm
- Tuesday, September 10, 2024.....Planning & Zoning Meeting 6:30pm
- Tuesday, September 17, 2024.....City Council Meeting 6:30pm
- Friday, September 27, 2024.....Final Budget Hearing 6:30pm

Meeting Records Request

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.

Americans with Disabilities Act

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**.

CALL TO ORDER, INVOCATION, & PLEDGE OF ALLEGIANCE

ROLL CALL & DETERMINATION OF QUORUM

PRESENTATIONS & PROCLAMATIONS

CONSENT AGENDA



CITY COUNCIL MEETING

City Hall – Council Chamber
405 Bagshaw Way, Edgewood, Florida
Tuesday, July 16, 2024 at 6:30 PM

DRAFT MINUTES

A. CALL TO ORDER, INVOCATION, & PLEDGE OF ALLEGIANCE

Council President Horn called the meeting to order at 6:31 pm.

B. ROLL CALL & DETERMINATION OF QUORUM

City Clerk Riffle confirmed that a quorum was present. Councilmember Steele requested to be excused as she could not attend.

Council President Horn voted to excuse Councilmember Steele's absence; seconded by Councilmember Lomas. Motion approved by voice vote (4/0).

The following elected officials and staff were present:

Elected Officials:

John Dowless, Mayor
Richard A. Horn, Council President
Chris Rader, Council President Pro-Tem
Susan Lomas, Councilmember
Casey McElroy, Councilmember

Staff:

Sandra Riffle, City Clerk
Dean DeSchryver, Police Chief
Miguel Garcia, Deputy Police Chief
Shannon Patterson, Chief of Staff
Stacey Salemi, Code Enforcement Officer
Ellen Hardgrove, City Planner
Drew Smith, City Attorney

Absent:

Beth Steele, Councilmember

C. PRESENTATIONS AND PROCLAMATIONS

- Proclamation

Mayor Dowless presented a Proclamation in appreciation of Shannon Patterson for her service to Edgewood and to the Police Department upon her retirement.

D. CONSENT AGENDA

- June 18, 2024 City Council Meeting Minutes
- July 10, 2024 1st Budget Workshop Meeting Minutes

Councilmember Rader suggested removing “more designated fund lines” to “added designated fund lines” on page two of the minutes.

Councilmember Rader made a motion to approve the Consent Agenda as amended; seconded by Councilmember Lomas. Motion approved by voice vote (4/0).

E. ORDINANCES (FIRST READING)**• Ordinance 2024-06: Tattoo Establishments**

Attorney Smith said that the ordinance was presented for discussion, not first reading, as display advertisements will need to be placed. The request to consider allowing tattoo establishments in the ECD came from a request from an existing salon in the ECD.

Discussion ensued regarding allowable locations for tattoo establishments. Attorney Smith pointed out that the proposed 500-foot distance restriction from churches, schools, and daycare would eliminate this use from shopping centers.

Council President Horn expressed concern that the legislation would not benefit the community. He stated that legislation should not be based on a single request. Councilmembers Lomas and Rader agreed. Councilmember Rader added that he did not have an issue with tattoo establishments, as they are very different now from how they used to be.

Mayor Dowless said he was frustrated because at the last discussion, Council seemed to be okay with the use now they are not.

Attorney Smith said the issue is that the separation requirement would not allow the requestor to operate a tattoo establishment from their location and suggested removing the 500-foot separation language to make the use more accessible.

In response to Councilmember Lomas, Attorney Smith said there is an evolution in cities and codes are relaxing.

Attorney Smith said he was looking for direction on whether this proposed ordinance should go for first reading.

Public Comment:

Tina Demostene, an Edgewood resident, said she understands the use is becoming more common, but she would want some requirements. She also did not agree with spending taxpayer money on consultants for a single applicant. She made several suggestions to incorporate into the code.

Attorney Smith said that legislative change usually originates from a small number of interested people. Another interested person may ask to change the code to prohibit the use.

The ordinance will go for first reading at the next Council meeting.

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

- **Ordinance 2024-05 - Sign Regulations**

Attorney Smith read ordinance 2024-05 in title only.

Planner Hardgrove provided a recap of the proposed changes to the sign code. The purpose of the changes is to clarify the code, eliminate sign clutter, and protect the health, safety and welfare of the city's citizens, businesses, and visitors.

She said that signage is important for providing marketing, identification, and location of a business. Ground and wall signage are tailored for people in vehicles, and window signs are geared for pedestrians.

The 2018 sign regulations allow up to 25% coverage of all windows, and it has created a lot of clutter. This was not achieving the City's ECD vision for Orange Avenue. She noted that there is a correlation between property value and aesthetics.

Planner Hardgrove reviewed current window sign regulations, which allow one five-square-foot sign or two identical signs for a total of seven square feet. She proposed allowing one sign of a maximum of six square feet, which is a standard size.

She said staff member Brett Sollazzo suggested offering everyone six square feet to make it easier for code enforcement to identify whether signage is in compliance.

In addition, businesses would be allowed an area for decals, one neon sign per façade, and one large window sign in lieu of a wall sign.

In response to Mayor Dowless, Planner Hardgrove confirmed that the code can aid the uniformity within shopping centers but that it is a landlord issue. Mayor Dowless said that uniformity would help the plazas look better. Attorney Smith noted that leases are already in place at the shopping centers, and the City cannot interfere with existing contracts.

Mayor Dowless suggested making the option available to the shopping center, not to the tenants.

Planner Hardgrove said that single-occupant businesses are allowed a ground sign, a wall sign, and window signage that faces the parking lot. Multi-tenant parcels are permitted the owner's ground sign, a window sign, and a wall sign.

Further conversation ensued regarding what signage and banners should be available for each business.

Public Comment:

Tina Demostene suggested implementing standards to prevent a new wall sign from covering an entire wall face. She also recommended not exempting or grandfathering those businesses with big window signs and no wall signs but allowing them to get a two-year extension.

Attorney Smith suggested tabling the ordinance to a date certain.

Councilmember Lomas motioned to table the second reading of Ordinance 2024-05 to August 21st at 6:30 pm; seconded by Council President Horn. Motion approved by voice vote (4/0).

G. UNFINISHED BUSINESS

H. NEW BUSINESS

- **Mutual Aid Agreement**

Chief DeSchryver discussed the mutual aid agreement with the Orange County Sheriff’s Office. He said the previous agreement did not address that the DUI center is outside of the city boundaries. The updated agreement has language allowing the Edgewood Police Department to take someone outside of the city limits to gather evidence.

There was no public comment.

Council President Horn made a motion to approve the mutual aid agreement; seconded by Councilmember Lomas. Motion approved by roll call vote (4/0).

Councilmember McElroy	Favor
Councilmember Lomas	Favor
Councilmember Rader	Favor
Council President Horn	Favor
Councilmember Steele	Absent

- **Set Tentative Millage Rate and Public Hearing Date for Proposed FY 2024/2025 Budget**

City Clerk Riffle reminded the Council that the tentative millage rate should be set higher rather than lower, as they will not be able to raise it at the final hearing. However, they will be able to lower it. The current rate is 5.25 mills.

She explained that Orange County Fire and Rescue’s rate is projected to increase significantly from \$970,143 to \$1,325,120.

Mayor Dowless said that he spoke to Orange County about forming an MSTU; but was turned down.

Discussion followed about the projected budget and how to offset the unexpected increase. Council President Horn suggested adding fire as non-ad valorem. Attorney Smith said the cost would be the same. Councilmember Rader added that it is a direct pass-through and the City is not making money from it.

Attorney Smith said that Orange County has financial control over Edgewood for not having its own fire department. He suggested that the City might want to talk to Belle Isle about a joint

fire department. Council President Horn said that would provide control. Councilmember Rader said the mutual aid agreement would still be in place.

In response to Councilmember Lomas, Attorney Smith said a tentative millage rate of 5.75 would put the ad valorem collection close to where the City needs to be.

Councilmember Lomas moved to set the City's millage rate at 5.75 mills and direct the City Clerk to complete the DR420 and DR420MMP forms to provide to the Orange County Property Appraiser on or before noon on August 4, 2024. The motion was seconded by Councilmember McElroy.

The motion was approved (3/1) by roll call vote.

Councilmember McElroy	Favor
Councilmember Rader	Favor
Councilmember Lomas	Favor
Council President Horn	Oppose
Councilmember Steele	Absent

- **Discussion Item - 5028 S. Orange Avenue Bell Rentals**

Councilmember Rader said he wants action, specifically regarding the use of the Bell Rental property. He said storing RVs and other vehicles is not an acceptable use in the ECD or in the past when it was C-3. In the 2001 meeting minutes, when Orange Avenue beautification was discussed, storage was an accessory for the use of their own equipment and now they are outsourcing their parking lot.

Planner Hardgrove showed the progression of the property from 2001 and the addition of RV storage. Overnight storage was not permitted in 2001. She added that a nonconforming use cannot be expanded.

Attorney Smith said the use was a violation of the code, and code enforcement was in attendance to hear the direction.

- **Discussion Item - Personnel Policy**

Police Department Chief of Staff Shannon Patterson addressed the City Council and said that the current personnel policy was written in 2012. She would like to propose a new bracket of longevity for employees who have been with the City for more than 14 years, which is where the policy ends.

Chief of Staff Patterson said they she proposes to raise the available hours of PTO for civilian employees to 480 hours but to keep the payout the same as it is now for employees who leave the City. At this time, employees can accrue six weeks of PTO. Any additional hours are dropped on the 1st of October each year.

Attorney Smiths suggested a shared bank

Councilmember Rader said he is in support for medical needs but not a blanket payout.

Attorney Smith suggested offering a personal catastrophic leave and having a definition within the policy to define what is catastrophic.

A work group will meet to discuss ideas.

I. GENERAL INFORMATION

J. CITIZEN COMMENTS

K. BOARDS & COMMITTEES

- **Special Exception 2024-01: 220 Verzon Ct. - Guest Cottage**

Note: This item was moved to be heard after the Consent Agenda.

Planner Hardgrove said the applicant proposes to add a guest cottage on the property, which is zoned R-1A. She gave the definition for a guest cottage and explained the criteria for a special exception

She said that the property is a half-acre acre and there is room for the open space requirement. The only property impacted is to the north and they received a public notice letter. Parking should not be a problem because the driveway is long.

In response to Councilmember Lomas, Planner Hardgrove said the special exception would go with the land. Attaching the cottage would not work with the flow of the house.

In response to Councilmember Rader, Planner Hardgrove said it is similar to a cabana, and he responded that perhaps a pool house should require a special exception. Attorney Smith clarified that a guest cottage is meant to be habitable, which makes it a special exception. Attaching the cottage would not change the need for a special exception.

Alex Maldonado, the property owner, addressed the council and said they are asking for an addition to his home to care for a family member as they are elderly.

In response to Councilmember Rader, Attorney Smith said a separate address would not be assigned to the cottage.

Councilmember Lomas said her concern is for future owners and Attorney Smith said her concern would apply to any special exception.

Public Comment:

Edgewood resident Tina Demostene said that prohibiting 220V outlets would prevent a range from going in and making a kitchen.

In response to Council President Horn, Attorney Smith Drew said the code already prohibits a second kitchen. The City Clerk can record an order to go with the land.

Councilmember Rader made a motion for approval of a guest cottage at 220 Verizon Court with the following conditions: no installation of internal 220V outlets for kitchen use and remaining consistent with requirements of Code Section 134-1 that guest cottages shall not be rented or otherwise be used as a separate dwelling. Seconded by Councilmember McElroy. Motion approved by roll call vote (3/1).

Councilmember Rader	Favor
Councilmember Lomas	Oppose
Councilmember McElroy	Favor
Council President Horn	Favor
Councilmember Steele	Absent

L. STAFF REPORTS

City Attorney Smith

- First Amendment Audits

Attorney Smith explained the purpose of First Amendment auditors and that it is important to be clear that they are permitted to be in public areas but not in office areas. City Clerk Riffle and City Attorney Smith will work on writing a policy.

Police Chief DeSchryver

- Chief's Report June 2024
 - Chief DeSchryver said he looked at signage and the City ordinance for no-thru trucks on Holden Avenue. He said the ordinance has no teeth because the violation is by the traffic control device and officers cannot go after the owner of the truck company.

To go beyond a standard 316 violation, an officer would have to be location on South Orange Blossom Trail and watch the truck go to Orange Avenue and vice versa.

Attorney Smith said the police would also have to verify that there wasn't a valid reason to travel that route.

Councilmember Lomas asked if Councilmembers could meet with Boise to discuss the truck traffic or send a letter alerting them of options. Councilmember Rader added that there are multiple 4-lane road alternatives to Holden Ave.

Chief DeSchryver said there is a coalition of big trucks, and it might be helpful to know more.

- Chief DeSchryver said they are compiling the historic list of Edgewood Police Chiefs and asked if anyone has any information.

- City Clerk Riffle– no report

M. MAYOR AND CITY COUNCIL REPORTS

Mayor Dowless – no report

Council Member Lomas– no report

Council Member McElroy– no report

Council Member Rader– no report

Council Member Steele– no report

Council President Horn– no report

N. ADJOURNMENT

Councilmember Rader made a motion to adjourn at 10:10 pm.

 Richard A. Horn, Council President

Attest:

 Sandra Riffle, City Clerk

Approved in the _____ Council Meeting

ORDINANCES (FIRST READING)

Memo

To: Mayor Dowless, Council President Horn,
Council Members Lomas, McElroy, Rader, and Steele

From: Brett Sollazzo, Administrative & Permitting Manager

Date: 8/15/2024

Re: Planning & Zoning Ordinance Report

The following ordinances were reviewed by the Planning and Zoning Board at the August 12, 2024 meeting:

1. Ordinance 2024-06: Tattoo Establishments

The following motion was made by the Planning and Zoning Board:

Chair Santurri made a motion to recommend approval of Ordinance 2024-06 with the following changes:

- 1) Change the allowable business hours on the property from 12 AM-8 AM to 9 PM-8 AM.***
- 2) Remove the requirement that a tattoo establishment shall not be established on any parcel located adjacent to an existing single family zoning district.***
- 3) Incorporate a direct-line distance measurement “as the crow flies” to determine if tattoo establishments are located within 1,500 feet of each other.***

The motion was seconded by Vice Chair Nelson. Approved (5/0) by roll call vote.

The motion was approved by roll call vote.

Chair Santurri	Favor
Vice Chair Nelson	Favor
Board Member Gragg	Favor
Board Member Nolan	Favor
Board Member Phillips	Favor

2. Ordinance 2024-07: Awning Definition

The following motion was made by the Planning and Zoning Board:

Chair Santurri made a motion to recommend approval of Ordinance 2024-07 with the following change:

- 1) Remove the last sentence that states the minimum vertical clearance for awnings from the underlying floor or ground level shall be 7’6”.***

The motion was seconded by Board Member Gragg. Approved (5/0) by roll call vote.

The motion was approved by roll call vote.

Chair Santurri	Favor
Vice Chair Nelson	Favor
Board Member Gragg	Favor
Board Member Nolan	Favor
Board Member Phillips	Favor

ORDINANCE 2024-06:

Tattoo Establishments

37 **SECTION TWO.** Chapter 134, “Zoning” is hereby amended as follows:

38 * * *

39 **Sec. 134-1. – Definitions.**

40 ***

41 Tattoo establishment means any permanent location, place, area, structure, or business where
42 tattooing is performed; provided, however, that beauty salons at which permanent makeup only is
43 applied shall not be considered tattoo establishments. For purposes of professional suites where
44 studio suites or chairs are rented, if tattooing is performed at such location, the entire location shall
45 be considered a single tattoo establishment regardless of the number of chairs rented to different
46 professionals.

47 ***

48 **Sec. 134-346. - Special exceptions.**

49 (a)The following uses may be permitted as a special exception in the C-1 district, provided
50 that any review and hearing of an application for a special exception shall consider the
51 character of the neighborhood in which the proposed use is to be located, its effect on the
52 value of surrounding lands, and the area of the site as it relates to the required open spaces
53 and off-street parking facilities.

54 (b)In addition, for any application for a special exception, the planning and zoning board
55 and the city council shall consider the following criteria:

56 (1)Compatibility of the proposed facility with the surrounding uses.

57 (2)The size of the lot on which the proposed facility will be located.

58 (3)The number of persons to be residing in the proposed facility.

59 (4)The amount of traffic generated by the proposed facility.

60 (5)The availability of adequate water and sewer facilities.

61 (6)Whether the location of the proposed facility will maintain the stability of residential
62 areas.

63 (7)The general health, safety and welfare of the community.

64 (c)Each application for a special exception shall be accompanied by a site plan
65 incorporating the regulations established herein. As part of the application, the site plan
66 shall include a simple plan drawn to an appropriate scale, including legal description, lot
67 area, site dimensions, right-of-way location and width, parking areas and number of
68 parking spaces, proposed building location and setbacks from lot lines, total floor area
69 proposed for any building, proposed points of access, location of signs, location of existing
70 easements and a general plan of proposed landscaping. Said site plan shall be submitted to

71 and considered by the city council after recommendation by the planning and zoning board
72 as provided for in article II of this chapter prior to the granting of a building permit. Upon
73 such approval, said site plan becomes part of the building permit and may be amended only
74 by the city council after recommendation by the planning and zoning board. Development
75 under the special exception shall comply with all applicable city codes and ordinances.

76 (1)Hotel and motels.

77 (2)Churches and schools.

78 (3)Day nurseries, kindergartens, and other child care centers.

79 (4)Hospitals, including veterinary hospitals.

80 (5)Clinics.

81 (6)Laundromats.

82 (7)One single-family dwelling which is accessory and attached to a permitted principal
83 building.

84 (8)Open air fruit, vegetable and farmers markets.

85 (9)Pet grooming establishments.

86 (10)Bowling alley.

87 (11)Civic clubs and fraternal lodges.

88 (12)Thrift stores or other similar uses.

89 (13)Christmas tree lots.

90 (14)Theaters, except drive-in theaters which shall be prohibited.

91 (15)Any retail commercial establishment occupying more than 50,000 square feet and less
92 than 100,000 square feet.

93 (16) Tattoo establishments.

94 **Sec. 134-347. - Uses prohibited.**

95 The following uses shall be prohibited in any C-1 retail commercial district:

96 (1) Title loan stores.

97 (2) Check cashing, payday advance stores, or other similar businesses.

98 (3) Labor pool offices.

99 (4) Bail bond offices.

100 (5) ~~Tattoo~~, ~~b~~Body piercing, massage parlors and fortunetelling shops.

- 101 (6) Soup kitchens.
- 102 (7) Runaway and related emergency shelters; homeless shelters.
- 103 (8) Convalescent facilities.
- 104 (9) Residential social service facilities; welfare, food stamp, and other social service offices
- 105 and institutional facilities.
- 106 (10) Treatment and recovery facilities.
- 107 (11) New and used automobile and boat sales.
- 108 (12) Medical marijuana dispensaries.
- 109 (13) Non-medical marijuana sales.
- 110 (14) Cannabis farm.
- 111 (15) Other similar uses consistent with this section.
- 112 (16) Any use or activity which is not in full compliance with all the requirements and
- 113 standards set forth in this division.
- 114 (17) Uses listed in section 134-403, except uses listed at subsection 134-403(1), or section
- 115 134-404 of the C-3, wholesale commercial district (article IV, division 9 of this chapter).
- 116 (18) Pain management clinics.

117 ***

118 **Sec. 134-374. - Prohibited uses.**

119 The following uses shall be prohibited in any C-2 general commercial district:

- 120 (1) Any use prohibited in the C-1 district.
- 121 (2) Title loan stores.
- 122 (3) Check cashing, payday advance stores, or other similar businesses.
- 123 (4) Labor pool offices.
- 124 (5) Bail bond offices.
- 125 (6) ~~Tattoo, b~~Body piercing, massage parlors and fortunetelling shops.
- 126 (7) Soup kitchens.
- 127 (8) Runaway and related emergency shelters; homeless shelters.
- 128 (9) Convalescent facilities.
- 129 (10) Residential social service facilities; welfare, food stamp, and other social service
- 130 offices and institutional facilities.

- 131 (11) Treatment and recovery facilities.
- 132 (12) Other similar uses consistent with this section.
- 133 (13) New and used automobile and boat sales.
- 134 (14) Pain management clinics.

135 **Sec. 134-375. - Special exceptions.**

136 (a)The following uses may be permitted as a special exception, provided that any review
137 and hearing of an application for a special exception shall consider the character of the
138 neighborhood in which the proposed use is to be located, its effect on the value of
139 surrounding lands, and the area of the site as it relates to the required open spaces and off-
140 street parking facilities.

141 (b)Each application for a special exception shall be accompanied by a site plan
142 incorporating the regulations established herein. As a part of the application, the site plan
143 shall include a simple plan drawn to an appropriate scale, including legal description, lot
144 area, site dimensions, right-of-way location and width, parking areas and number of
145 parking spaces, proposed building location and setbacks from lot lines, total floor area
146 proposed for any building, proposed points of access, location of signs, location of existing
147 easements, and a general plan of proposed landscaping. Said site plan shall be submitted
148 to and considered by the city council after recommendation by the planning and zoning
149 board as provided for in article II of this chapter prior to the granting of a building permit.
150 Upon such approval, said site plan becomes part of the building permit and may be
151 amended only by the city council after recommendation by the planning and zoning board.
152 Development under the special exception shall comply with all applicable city codes and
153 ordinances.

- 154 (1) Miniwarehouses for dry storage only.
- 155 (2) Open-air flea markets.
- 156 (3) Auctions.
- 157 (4) Living quarters in conjunction with a commercial use to be occupied by the owner of
158 the business or an employee.
- 159 (5) Institutional uses, public or private, such as churches, schools, hospitals, nursing homes,
160 libraries, community centers and universities.
- 161 (6) Zero lot line commercial developments.
- 162 (7) Radio broadcasting and telecasting stations, studios and offices.
- 163 (8) Car washes. (No fuel services provided.)
- 164 (9) Christmas tree lots.

- 165 (10) New car and boat sales and services.
166 (11) Adult congregate living facilities.
167 (12) Any general commercial establishment occupying more than 50,000 square feet and
168 less than 100,000 square feet.
169 (13) Tattoo establishments.

170 ***

171 **Sec. 134-404. - Prohibited uses.**

172 The following uses shall be prohibited in the C-3 wholesale commercial district:

173 (1)Any use or activity which is not in full compliance with all the requirements and
174 standards set forth in this article.

175 (2)Animal slaughtering, or the confinement of animals for feeding, finishing and
176 preparation for slaughter, including stockyards and feeding pens.

177 (3)Asphalt manufacturing or refining, or any similar petroleum or petrochemical refining
178 or manufacturing process.

179 (4)Asphalt or concrete paving, mixing or batching plant.

180 (5)Corrosive acid manufacture or bulk storage including, but not limited to, hydrochloric,
181 nitric, sulphuric or similar acids.

182 (6)Bone distillation or the reduction, rendering, incineration or storage of garbage, offal,
183 animals or animal waste, fats, fish or similar materials or products.

184 (7)Blast furnace, or similar heat or glare generating operations or incinerator or
185 crematorium.

186 (8)Cement, lime, gypsum or Plaster-of-Paris manufacture, or the open storage of raw
187 materials or finished products related to such manufacture.

188 (9)Glue, size or gelatin manufacture where the processes involve the refining or recovery
189 of such products from fish, animal or refuse materials.

190 (10)Tallow, grease, lard or vegetable oil refining.

191 (11)Junkyard, salvage yard, recycling or wrecking yard or structure wherein motor
192 vehicles, appliances or similar used equipment or material is stored, dismantled, or sorted
193 for display, sale or packing.

194 (12)New and used automobile and boat sales.

195 (13)Mobile and modular homes.

196 (14)Other uses which are similar to those listed above which are not specifically permitted
197 in section 134-403, the prohibition of which would promote the intent and purposes of this
198 district. Determination shall be made by authority and directive of the city council which
199 shall be after public notice and public hearing.

200 (15)Title loan stores; check cashing, payday advance stores, or other similar businesses;
201 labor pool offices; bail bond offices; ~~tattoo~~, body piercing, massage parlors; fortunetelling
202 shops; soup kitchens; runaway and related emergency shelters; homeless shelters;
203 convalescent facilities; residential social service facilities; addiction treatment and
204 recovery facilities; welfare, food stamp, and other social service offices and institutional
205 facilities; other similar uses consistent with this subsection.

206 (16)Any individual, specific use whether or not contained within a shopping center, which
207 is not otherwise expressly permitted as an individual use pursuant to this section or sections
208 134-345, 134-373 and 134-403, as these sections may be amended or replaced from time
209 to time, or which is not expressly listed as a special exception pursuant to sections 134-
210 346, 134-375 or 134-405, as those sections may be amended or replaced from time to time.

211 (17)Any commercial establishment occupying more than 100,000 square feet.

212 (18)Any other use specifically prohibited in the C-1, C-2 or C-3 commercial districts.

213 (19)Professional auction houses.

214 (20)Dyeing, dry cleaning and laundering; this prohibition shall not include drop-off
215 facilities where the dyeing, dry cleaning or laundering occurs at an off-site location.

216 (21)Pain management clinics.

217 **Sec. 134-405. - Special exceptions.**

218 (a)The following uses may be permitted as a special exception, provided that any review
219 and hearing of an application for a special exception shall consider the character of the
220 neighborhood in which the proposed use is to be located, its effect on the value of
221 surrounding lands, and the area of the site as it relates to the required open spaces and off-
222 street parking facilities.

223 (b)Each application for a special exception shall be accompanied by a site plan
224 incorporating the regulations established herein. As a part of the application, the site plan
225 shall include a simple plan drawn to an appropriate scale, including legal description, lot
226 area, site dimensions, right-of-way location and width, parking areas and number of
227 parking spaces, proposed building location and setbacks from lot lines, total floor area
228 proposed for any building, proposed points of access, location of signs, location of existing
229 easements and a general plan of proposed landscaping. Said site plan shall be submitted to
230 and considered by the city council after recommendation by the planning and zoning board
231 as provided for in article II of this chapter prior to the granting of a building permit. Upon
232 such approval, said site plan becomes part of the building permit and may be amended only

233 by the city council after recommendation by the planning and zoning board. Development
234 under the special exception shall comply with all applicable city codes and ordinances.

235 (1) Dwelling unit in conjunction with a commercial use to be occupied by the owner,
236 operator or employee of the business.

237 (2) Institutional uses, public or private, such as churches, schools, hospitals, nursing homes,
238 libraries, community centers and universities.

239 (3) Zero lot line commercial developments.

240 (4) Bus, cab, light truck repair.

241 (5) Meat storage, cutting and distribution.

242 (6) Wholesale products distribution.

243 (7) Christmas tree lots.

244 (8) Any wholesale commercial establishment occupying more than 50,000 square feet and
245 less than 100,000 square feet.

246 (9) Machinery sales, rental and storage.

247 (10) Outdoor storage of merchandise, parts or other equipment.

248 (11) Building material storage and sales (new, no junk or used material).

249 (12) Contractors' storage and equipment yards, including well drilling equipment and land
250 clearing equipment.

251 (13) Miniwarehouses.

252 (14) Storage and wholesale distribution warehouse adjacent to a residential zoning district
253 or property with a residential future land use designation, including those across a right-of-
254 way.

255 (15) Tattoo establishments.

256 **Sec. 134-467. - Permitted uses within the Edgewood Central District.**

257 * * *

Tattoo and/or body piercing	—S
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258

259 * * *

260 (c) The review and hearing of an application for a special exception shall consider consistency
261 with the ECD Vision, the character and compatibility of the surrounding area in which the
262 proposed use is to be located, its effect on the value of surrounding lands, availability of public

263 services and facilities, and the area of the site as it relates to the required open spaces and off-
264 street parking facilities. Each application for a special exception shall be accompanied by a site
265 plan incorporating the regulations established herein. The site plan shall be drawn to an appropriate
266 scale, and include the property's legal description, lot area, site dimensions, adjacent right-of-way
267 location and width, existing and/or proposed parking areas and number of parking spaces, existing
268 and/or proposed building location and setbacks from lot lines, total floor area existing and/or
269 proposed for any building, proposed points of access, location of signs, location of existing
270 easements and a proposed landscaping plan. A special exception shall not be recommended by
271 the Planning and Zoning Board (Board) nor approved by the City Council unless and until the
272 Board and City Council make a finding that the granting of the special exception is consistent
273 with the comprehensive plan and ECD Vision, the use is similar and compatible with the
274 surrounding area, and will not act as a detrimental intrusion into the surrounding area nor
275 negatively impact the level of service of public services and facilities. Upon such approval, said
276 site plan becomes part of the building permit and may be amended only by the city council after
277 recommendation by the planning and zoning board. Development under the special exception shall
278 comply with all applicable city codes and ordinances.

279 * * *

280 134-527 Tattoo Establishments

281 In zoning districts where tattoo establishments are permitted as a special exception, the
282 following additional criteria must be complied with:

- 283 1) All activities conducted at the establishment shall be in accordance with applicable
284 state statutes and regulations;
- 285 2) Tattoo Establishments shall not have operating hours or be open to customers between
286 the hours of 9:00 p.m. and 8:00 a.m.;
- 287 3) Tattoo establishments shall not be established within 1,500 feet of an existing tattoo
288 establishment as measured in a straight line from the nearest point of each lot or parcel.

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

294 **SECTION FOUR.** Conflicts. In the event of a conflict or conflicts between this Ordinance
295 and any other ordinance or provision of law, this Ordinance controls to the extent of the conflict,
296 as allowable under the law.

297 **SECTION FIVE.** Codification. It is the intent of the City Council of the City of Edgewood
298 that the provisions of this Ordinance shall be codified. The codifier is granted broad and liberal
299 authority in codifying the provisions of this Ordinance.

300 **SECTION SIX.** Effective date. This Ordinance shall take effect immediately upon
301 adoption as provided by the Charter of the City of Edgewood.

302 PASSED ON FIRST READING THIS _____ DAY OF _____ 2024.

303 PASSED AND ADOPTED THIS _____ DAY OF _____ 2024.

CITY OF EDGEWOOD, FLORIDA
CITY COUNCIL

Richard A. Horn, Council President

ATTEST:

Sandra Riffle, City Clerk

304

ORDINANCE 2024-07:

Awnings

25 * * *

26 Awning means a shelter above a door or window, projecting from and supported by the exterior
27 wall of a building constructed of rigid or non-rigid durable, weather-resistant materials on a
28 supporting framework that may include a type that can be retracted, folded or collapsed against
29 the wall of a supporting building.

30 * * *

31 **Section 3.** The provisions of this Ordinance shall be codified as and become and be made a
32 part of the Code of Ordinances of the City of Edgewood.

33 **Section 4.** Severability. If any section, sentence, phrase, word or portion of this ordinance is
34 determined to be invalid, unlawful or unconstitutional, said determination shall not be held to
35 invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or
36 portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

37 **Section 5.** Conflicts. All ordinances that are in conflict with this Ordinance are hereby
38 repealed.

39 **Section 6.** Effective Date. This Ordinance shall become effective immediately upon its
40 passage and adoption.

41 **PASSED AND ADOPTED** this _____ day of _____, 2024, by the City
42 Council of the City of Edgewood, Florida.

43

44 PASSED ON FIRST READING: _____

45

46 PASSED ON SECOND READING: _____

47

48 _____

49

Richard Horn, Council President

50

51 *ATTEST:*

52

53

54 _____

Sandra Riffle

55 City Clerk

**PUBLIC HEARINGS
(ORDINANCES – SECOND
READINGS & RELATED
ACTION)**

ORDINANCE 2024-05:

Sign Regulations



Date: August 15, 2024
To: City Council
From: Ellen Hardgrove, City Planning Consultant
XC: Sandy Riffle, City Clerk
Drew Smith, City Attorney

This agenda item is the continuation of the second reading of proposed changes to the City’s sign regulation. To recap, the proposed ordinance reflects a full review of the regulation including changes proposed by staff, the Planning and Zoning Board, and City Council with the goals of clarity for all users, including code enforcement; elimination of sign clutter; and protection of the health and safety and welfare of the city’s citizens, businesses, and visitors. The highlighted text in the ordinance indicates changes that have been made based on the discussion at the July Council meeting. These changes are summarized below.

Line 263: “corrugated plastic” was added to the definition of Temporary sign.

Line 322: Allowable window signs are now exempt from permitting except for Window Signs in Lieu of Attached Signs. As such, a change was made to reflect the allowable copy area on nonresidential property is distributed amongst the ground sign and attached sign (Line 575) and the proposed waiver of the permitting fee when businesses were to bring their window signs into conformance with the new window sign regulations was deleted (Line 935).

Line 480: Related to the new category New Business Sign banners, the 30 day display period will begin when the business opens, not when the BTR is issued.

Line 688: Window Sign in Lieu of Attached Sign as modified at Council meeting.

Line 742: A new change proposed by staff since last Council meeting: an additional criteria for multi-occupant building wall signs - to not extend beyond the horizontal limits of the leased/owned space.

Line 927: Existing window signs on businesses that do not have an attached sign are allowed to continue even if they do not meet the Window Sign in Lieu of Attached Sign criteria.

The following summarizes the new sign regulation. The described signage has not changed since the last meeting.

Nonresidential Permanent Signage

- Single occupant building - one ground sign, one wall sign, one sign on glass (with option for two), one neon-like window sign, and one area for decals
- Multi-occupant building - For each business: one wall sign, one sign on glass (with the option for two), one neon-like window sign, and one area for decals; the owner of the parcel is allowed one ground sign where the multi-occupant business may be able to advertise
- For both – A larger window sign is an option instead of a wall sign, providing flexibility for businesses

The regulations apply to each facade facing a public road (and parking lot for window signs).

Nonresidential Temporary Signage

- One freestanding sign per parcel for when the business/property is for sale/lease or under construction
- Three freestanding signs per parcel 60 days prior to an election
- One free speech window sign permitted year-round
- One banner maximum 30 consecutive days, with a 60 day annual maximum One banner for new businesses maximum 30 consecutive days, not counted toward other banner limit

36 **WHEREAS**, the regulation of signs is necessary to protect the public health, safety and
37 welfare of the citizens, businesses and visitors to the City of Edgewood; and

38
39 **WHEREAS**, during the implementation of new sign regulations, the City has monitored
40 the effectiveness and efficiency of said regulations; and

41
42 **WHEREAS**, in order to optimize the effectiveness and efficiency of its sign regulation
43 program, the City Council finds it appropriate to amend certain definitions and regulations to better
44 address the needs of the community and provide greater clarity to applicants; and

45
46 **WHEREAS**, the City Council finds that this Ordinance is limited to the secondary effects
47 of speech including aesthetics and traffic safety, and is not intended to regulate viewpoints or
48 censor speech, and for those and other reasons that the foregoing provisions are not subject to, or
49 would not fail, a “prior restraint” analysis.

50
51 **NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY**
52 **OF EDGEWOOD, FLORIDA, AS FOLLOWS:**

53
54 **SECTION ONE.** The findings set forth in the recitals above are hereby adopted as
55 legislative findings of the City Council pertaining to this Ordinance.

56
57 **SECTION TWO.** Chapter 122, “Signs,” of the City of Edgewood Code of Ordinances is
58 hereby amended as set forth as follows (note: additions are indicated by underline, deletions are
59 indicated by ~~striketrough~~, and portions of the Code that remain unchanged and which are not
60 reprinted here are indicated by ellipses (***):

61
62 * * *

63 **Sec. 122-2. Definitions.**

64 *Abandoned sign:* A sign which for a period of a least 90 days no longer correctly relates to a
65 bona fide business, lessee, owner, or activity conducted on the premises where the sign is
66 displayed; and/or a sign that has been damaged when repairs and restoration are not started within
67 90 days of the date the damage occurred, or when repairs are not diligently pursued, once started.

68 *Alter:* To make a change to a sign or sign structure, including but not limited to, changes in
69 size, sign copy area to signs other than manual changeable copy signs, height, projection,
70 illumination, shape, materials, placement and location on a site. Altering a sign does not include
71 ordinary maintenance, repair or repainting an existing sign surface provided the sign copy area is
72 not increased.

73 *Anchor tenant:* The major store(s) upon a multiple-occupant parcel that occupies building
74 square footage on-site with a minimum area of 10,000 square feet.

75 *Animated sign:* A sign which has any visible moving part, color change, flashing or oscillating
76 lights, visible mechanical movement of any description, or other apparent visible movement
77 achieved by any means that move, change, flash, oscillate or visibly alters in appearance. The term
78 may include, but is not limited to, electronic changeable signs with optical illusion of movement,
79 color change, or change of lighting, to depict action or create a special effect or scene; and signs
80 using electronic ink, signs set in motion by wind or other movement of the atmosphere, any sign
81 set in motion by intentional movement by a person, any type of screen using animated or scrolling
82 displays, such as an LED (light emitting diode) screen or any other type of video display.

83 *Attached sign:* A sign permanently attached to a building or structure.

84 ~~*Awning:* A shelter projecting from and supported by the exterior wall of a building constructed
85 of rigid or non-rigid materials on a supporting framework that may include a type that can be
86 retracted, folded or collapsed against the wall of a supporting building.~~

87 *Awning sign:* A sign incorporated ~~into an~~ onto the material of an awning.

88 *Banner:* A sign applied to cloth, plastic, paper, fabric or other light pliable material of any kind
89 either with or without frames; and which is suspended, mounted or attached across its longest side
90 to ~~a buildings or attached at two ends to building, poles or natural elements.~~

91 *Beacon:* A stationary or revolving light which flashes or projects illumination, single color or
92 multicolored, in any manner which has the effect of attracting or diverting attention, except,
93 however, this term does not include any kind of lighting device which is required or necessary
94 under the safety regulations of the Federal Aviation Administration or other similar agency. This
95 definition does not apply to any similar type of lighting device contained entirely within a structure
96 and which does not project light to the exterior of the structure.

97 *Bench sign:* A sign on an outdoor bench.

98 *Billboard:* Any off-site sign or sign structure.

99 *Building frontage:* With the exception of the term building frontage used in the Code section
100 related to attached signage on multi-occupant parcels, The vertical side of a building which faces
101 a public right of way and is built to the principle plane. building frontage is the part of the principal
102 building's facade that faces and is parallel to a street. For irregular wall surfaces, a single straight
103 line is used to determine the frontage length.

104 *Changeable copy sign:* A non-electronic sign, or portion thereof, that is designed so that
105 characters, letters or illustrations can be manually changed or rearranged without altering the sign
106 face.

107 *Clearance:* The distance between the finished grade to the lower-most portion of the sign
108 cabinet or face.

109 *Cold air inflatable sign:* A balloon-type sign with a blower (fan) system which runs to keep
110 the sign inflated.

111 *Commercial message:* Any sign wording, logo, or other representation or image that directly
112 or indirectly names, advertises, or calls attention to a product, service, sale or sales event or other
113 commercial activity.

114 ~~*Construction sign:* A temporary on-site sign identifying the ongoing construction activity~~
115 ~~during the time that a building permit is active and prior to completion of the work for which the~~
116 ~~permit was issued, and containing sign copy that is limited to the ongoing construction activity~~
117 ~~and identifying the contractor, professionals and/or any subcontractor engaged to perform~~
118 ~~construction activity on the site.~~

119 *Copy:* The combination of individual letters, numbers, symbols, depictions and the like, which
120 are intended to inform, direct or otherwise transmit information.

121 *Copy area:* The entire area of the sign which could be used for copy. For wall signs and
122 window signage, copy area is measured by enclosing by one continuous perimeter line the extreme
123 limits of the sign which contains copy, including all ornamental attachments, insignias, symbols,
124 logos, trademarks, interconnecting links and the like, and any stripe, frame or border, with such
125 perimeter forming any regular geometric figure which would enclose all parts of the copy. For
126 other signs (e.g., ground signs and hanging signs), the copy area is synonymous with "sign face"
127 and includes all features, decorative glass, plastic, masonry, or other materials. Copy area does not
128 include the main support structure of the sign unless it contains copy. The calculation for a double-
129 faced sign shall be the area of one face only. When signs are enclosed in a cabinet or border, the
130 internal perimeter of such cabinet or border will be used to calculate copy area.

131 *Display time:* The time interval that a static message or frame remains on an electronic
132 changeable message sign before transitioning to the next message or frame.

133 *Dissolve:* A mode of message transition on an electronic changeable message sign
134 accomplished by varying the light intensity or pattern, where the first message gradually appears
135 to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the
136 second message.

137 *Electronic changeable message sign:* A sign that uses changing lights or an electronic medium
138 to form an image, picture, or message of any kind, whether the image, picture, or message is
139 moving or stationary, wherein the sequence of the messages and the rate of change are
140 electronically programmed and can be modified by electronic processes. Electronic changeable
141 signs include LED signs (light emitting diode technology or other similar semiconductor
142 technology), OLED signs (transmissive, organic light emitting diodes), LEP signs (light emitting
143 polymer), OEL signs (organic electro luminescence), or any similar technology.

144 *Erect:* To construct, assemble, attach, hang, place, suspend, affix or alter a sign. Does not
145 include ordinary maintenance, repair or repainting of an existing sign surface provided the copy
146 area is not increased.

147 *Fade:* A mode of message transition on an electronic changeable message sign accomplished
148 by varying the light intensity, where the first message gradually reduces intensity to the point of
149 not being legible and the subsequent message gradually increases intensity to the point of legibility.

150 *Feather Flag:* A freestanding vertical sign with a tapered, blade-shaped copy area that is
151 designed to be displayed outdoors attached to a flexible pole inserted securely into the ground.

152 *Flag:* A piece of fabric of distinctive design of which the narrowest side is attached to a
153 permanent staff, halyard, structure, or flag pole. Flags are not banners.

154 *Flashing:* A rapid on and off display of messages, also defined as a message being displayed
155 for less than the identified display time in the regulation.

156 *Frame:* A complete, static display screen on an electronic changeable message sign.

157 *Freestanding sign:* Any sign supported by structures or supports that are placed on or anchored
158 in the ground and that are independent of any building or other structure.

159 *Fuel pump sign:* A sign located upon or integrated into a fuel pump.

160 *Governmental right-of-way signs:* A sign erected by a governmental agency upon a public
161 right-of-way.

162 *Ground sign:* A freestanding sign placed in or upon the ground, specifically a Low Profile
163 Sign, Tall Profile Sign, or, if qualified, a Large Parcel Sign.

164 *Hanging sign:* An attached sign that hangs or projects below the underside of an awning,
165 canopy, arcade, eave, overhang, or other covering that projects outward from the face of a building.

166 *Illuminance:* The amount of light striking a lit object at a given distance (in this case a
167 passersby eye), measured in footcandles.

168 *Illuminated sign:* A sign illuminated by an internal light source or an external light source
169 primarily designed to illuminate the sign.

170 *Interactive sign:* A sign that has the ability to change the display based on the person or vehicle
171 passing by.

172 *Large parcel sign:* A freestanding sign with sign height no greater than 16 feet with a solid
173 appearing base located on the ground with no airspace between the base and the sign cabinet. Large
174 parcel signs are only allowed upon multi-occupant parcels at least five acres in size that have a
175 parcel depth of at least 375 feet measured from the front property line to the rear property line.

176 *Low-profile sign:* A freestanding sign, erected on and permanently attached to a concrete
177 foundation, with a sign height no greater than 8½ feet that either has: 1) a solid appearing base
178 located on the ground with no more than two feet of airspace between the base and the sign cabinet
179 or sign face; or 2) is supported by one or more vertical supports with no more than two feet of
180 airspace between the ground or base and the bottom of the sign cabinet or sign face.

181 *Maintenance:* The repairing or repainting of a portion of a sign or sign structure when neither
182 the sign size nor copy area are altered; or manually changing changeable copy or renewing the

183 copy for signs which have been made unusable by ordinary wear provided neither the sign size nor
184 copy area are altered.

185 *Multi-occupant parcel:* A tax parcel that contains two or more distinct occupants internally
186 separated by firewalls or demising walls, or in separate buildings.

187 *Non-commercial message:* Any message that is not a commercial message.

188 *Nonconforming sign:* Any sign that was lawful when it was erected but does not meet the
189 requirements of this chapter at the time of its effective date.

190 *Off-site sign:* A sign that identifies activities conducted or products or services that are not
191 available on the premises on which the sign is located.

192 *On-site sign:* A sign that: (1) is located on the premises to which the sign pertains; (2) identifies
193 an activity conducted or products or services available on the premises where the sign is located;
194 (3) displays a non-commercial message; or (4) is any combination of the first three.

195 *Permanent sign:* Any sign which, when installed, is intended for permanent use. The materials
196 and installation method are intended for long-term use, able to withstand weather conditions and
197 not designed to be easily moved or removed. ~~For the purposes of this chapter, any sign with an~~
198 ~~intended use in excess of 90 days from the date of installation shall be deemed a permanent sign~~
199 ~~unless otherwise indicated elsewhere in this chapter.~~

200 *Person:* Any person or persons, individual or groups of individuals, company, firm,
201 corporation, partnership, organization or association.

202 *Pole sign:* A freestanding sign that is supported from the ground up by one or more vertical
203 supports and which does not meet the definition of a low-profile sign or tall-profile sign. The
204 definition of pole sign does not include flags, traffic control device signs, or parking space
205 identifications signs.

206 *Portable sign:* A sign that is not permanently affixed to or planted in the ground or permanently
207 affixed to a permanent structure utilizing standard construction procedures and materials that will
208 not deteriorate.

209 *Premises:* A lot together with all buildings and structures if any.

210 *Principal Building:* The main building in which the principal use(s) on a lot is conducted; the
211 term excludes accessory buildings and structures.

212 *Projecting sign:* An attached sign permanently affixed to a building or other structure in such
213 a manner that the sign face is not parallel with the wall or structural component to which it is
214 attached.

215 *Roof signs:* Any sign erected, constructed and maintained wholly upon or above the edge of
216 the roof eave of any building with the principal support along or atop the roof structure.

217 *Safety sign:* See *Warning signs*.

218 *Scrolling*: A mode of message transition on an electronic changeable message sign where the
219 message appears to move vertically down or up the display surface.

220 *Sign*: Any surface, fabric, device or display which bears lettered, pictorial or sculptured matter,
221 including forms shaped to resemble any human, animal or product designed to convey information
222 to the public and is visible from an abutting property, from a public street, sidewalk or right-of-
223 way, or from a body of water. For the purpose of this development code, the term "sign" shall
224 include all structural members including the base. A sign shall be construed to form a single unit.
225 In cases where matter is displayed in a random or unconnected manner without organized
226 relationship of the components, each such component shall be considered a single sign. The term
227 sign shall not include: holiday or seasonal decorations, merchandise displays located within a
228 building, cemetery markers, or machinery or equipment signs.

229 *Sign cabinet*: A frame or external structure that encloses the edges of one or more sign panels.

230 *Sign face*: The part of the sign that is or can be used to identify, display, advertise, communicate
231 information, or for visual representation which attracts or intends to attract the attention of the
232 public for any purpose.

233 *Sign height*: The vertical distance measured from the natural contour of the parcel to the
234 topmost point of the sign structure.

235 *Sign panel*: A single surface upon which copy is printed which can be installed in a sign cabinet
236 or attached to a sign structure.

237 *Sign structure*: Any structure which is designed specifically for the purpose of supporting a
238 sign, has supported, or is capable of supporting a sign. This definition shall include any decorative
239 covers, braces, wires, supports, or components attached to or placed around the sign structure.

240 *Single Occupant Parcel*: A tax parcel with a building(s) occupied by only one business or
241 tenant who leases the entire space. There are no other businesses or individuals renting portions of
242 the property.

243 *Snipe sign*: Any sign tacked, nailed, fastened, affixed to, painted, posted, pasted, glued or
244 otherwise attached to trees or other vegetation (living or dead), telephone poles, utility poles, or
245 fences, with the message appearing thereon not applicable to the owner of utility poles or present
246 use of the premises upon which the sign is located.

247 *Static*: Motionless.

248 *Statutory sign*: A sign required by any statute of the State of Florida or the United States.

249 *Street address sign*: Any sign denoting the street address of the premises on which it is attached
250 or located.

251 *Tall-profile sign:* A freestanding sign, erected on and permanently attached to a concrete
252 foundation, that has a sign height no greater than 16 feet and the bottom of the sign cabinet or sign
253 face no lower than seven feet above ground and which has the appearance of a single vertical
254 support that is at least one-fifth the width of the sign face or 12 inches in width, whichever is
255 greater, and no more than one-third of the width of the sign face. Vertical supports or support
256 casings shall be constructed of durable non-corrosive material, permanently affixed to the ground
257 and sign face or sign cabinet and shall be either be monotone or utilize brick or stone of a single
258 color.

259 *Temporary sign:* ~~A sign which is not designed, constructed, or intended to be placed for a~~
260 ~~period of 60 days or fewer.~~ Any sign that is not permanently affixed to any structure, window,
261 door, or building, or permanently installed in the ground. Temporary signs are intended for a
262 limited period of use and are typically constructed of non-durable, lightweight materials such as
263 corrugated plastic, fabric, or wood.

264 *Traffic control device sign:* Any sign located within the right-of-way or on private property
265 that is used as a traffic control device and that is described and identified in the Manual on Uniform
266 Traffic Control Devices (MUTCD) and approved by the Federal Highway Administrator as the
267 national standard. A traffic control device sign includes those signs that are classified and defined
268 by their function as regulatory signs (that give notice of traffic laws or regulations), warning signs
269 (that give notice of a situation that might not readily be apparent), and guide signs (that show route
270 designations, directions, distances, services, points of interest, and other geographical,
271 recreational, or cultural information). Some traffic control device signs may be portable.

272 *Transition:* A visual effect used on an electronic changeable message sign to change from one
273 message to another.

274 *Traveling:* A mode of message transition on an electronic changeable message sign where the
275 message appears to move horizontally across the display surface.

276 *Vehicle sign:* One or more signs on any vehicle or trailer which have a total sign area in excess
277 of ten square feet, when the vehicle or trailer is not regularly used in the conduct of the business
278 or activity advertised on the vehicle, and: (a) is visible from a street right-of-way within 100 feet
279 of the vehicle; and (b) is parked for more than five consecutive hours within 100 feet of any street
280 right-of-way; for the purposes of this definition, a vehicle shall not be considered "regularly used
281 in the conduct of the business or activity" if the vehicle is used primarily for advertising.

282 *Wall sign:* An attached sign permanently affixed to a building or other structure in such a
283 manner that the sign face is flush against and parallel with the wall or structural component to
284 which it is attached.

285 *Warning sign or safety sign:* A sign that provides warning of a dangerous condition or situation
286 that might not be readily apparent or that poses a threat of serious injury (e.g., gas line, high
287 voltage, condemned building, etc.) or that provides warning of a violation of law (e.g., no
288 trespassing, no hunting allowed, etc.).

289 *Window sign:* Any sign attached to, suspended behind, placed or painted upon, the window or
290 glass door of a building, which is intended for viewing from the exterior of the building.

291 * * *

292 **Sec. 122-9. Exemptions from sign permitting.**

293 The following signs are exempt from permitting under this chapter 122:

- 294 (1) A sign, other than a window sign, located entirely inside the premises of a building or
295 enclosed space.
- 296 (2) Governmental right-of-way signs.
- 297 (3) Decals or insignia normally associated with equipment, machinery, or vehicles which
298 are affixed to or painted on equipment, machinery or vehicles.
- 299 (4) Temporary on-site signs erected pursuant to and in accordance with section 122-12,
300 excluding banners, which require permits.
- 301 (5) Traffic control devices signs.
- 302 (6) For 911 and emergency response purposes, street address signs with copy between four
303 inches and 12 inches in height located in a place that is clearly visible from the right-
304 of-way.
- 305 (7) Up to three flags meeting the following criteria. For one flag on a parcel, the flag shall
306 be located so the flag when fully extended is at least ten feet from any right-of-way the
307 front property line and at least 20 feet from side property lines, mounted on hardware
308 permanently attached to a structure or pole not exceeding 35 feet in height and that is
309 permanently anchored within the ground with concrete or a pole attached to a building
310 in a permanent anchor. When more than one flag is located on a parcel, the flags, when
311 fully extended, shall be at least 20 feet from side property lines; the flag poles or wall
312 anchors shall be clustered to be no further apart than the flag width when completely
313 extended; and located within 15 feet of the front of the principal building or at least 30
314 feet from a right-of-way, whichever is furthest from the right-of-way. On a parcel
315 zoned for residential purpose, the highest point of the flag or flag pole shall be a
316 maximum of 20 feet above the natural ground elevation and the flag shall be a
317 maximum 5 feet x 8 feet in size; for non-residential zoned property, the highest point
318 of the flag/flag pole shall be a maximum of 35 feet above the natural ground elevation
319 and the flag shall be a maximum 6 feet x 10 feet.
- 320 (8) Warning/Safety Signs
- 321 (9) Statutory Signs
- 322 (10) Allowable Window/Glass Door signs (See Sections 122-13(b)(1)d. and 122-
323 13(b)(2)c.), except Window Signs in Lieu of Attached Signs

324 **Sec. 122-10. Prohibited signs.**

325 The following types of signs are prohibited:

- 326 (1) Abandoned signs.
- 327 (2) Balloons, cold air inflatables, streamers and pennants.
- 328 (3) Banner signs except as expressly allowed in section 122-12 herein.
- 329 (4) Bench signs, other than the identification of the transit company or its route schedule.
- 330 (5) Billboards.
- 331 (6) Electronic changeable message signs except as specifically allowed in subsection 122-
- 332 13(b)(4)a.5, herein.
- 333 (7) Pavement markings, except street addresses and vehicle directional arrows.
- 334 (8) Portable signs except as expressly authorized in section 122-12 herein.
- 335 (9) Pole signs.
- 336 (10) Roof signs.
- 337 (11) Signs in or upon any lake or other body of water.
- 338 (12) Signs erected by other than a governmental entity on or extending into publicly-owned
- 339 land, easements or rights-of-way.
- 340 (13) Signs that emit sound, vapor, smoke, odor, particles or gaseous matter.
- 341 (14) Signs that have unshielded illuminating devices or which reflect lighting onto public
- 342 rights-of-way thereby creating a potential traffic or pedestrian hazard.
- 343 (15) Animated signs or signs that appear to display motion in any way whatsoever, including
- 344 beacons.
- 345 (16) Signs that obstruct, conceal, hide, or otherwise obscure from view any traffic control
- 346 device sign or official traffic signal.
- 347 (17) ~~Snipe signs.~~ Any sign tacked, nailed, fastened, affixed to, painted, posted, pasted, glued
- 348 or otherwise attached to trees or other vegetation (living or dead), telephone poles,
- 349 utility poles, or fences, with the message appearing thereon not applicable to the owner
- 350 of utility poles or present use of the premises upon which the sign is located, includes,
- 351 but is not limited to, snipe signs.
- 352 (18) Obscene signs.
- 353 (19) Hazardous signs.
- 354 (20) Vehicle signs.
- 355 (21) Any sign that is not specifically described or enumerated as permitted.

- 356 (22) Signs attached to temporary structures, except as expressly allowed within this chapter.
- 357 (23) Window signage except as expressly allowed within this chapter. ~~Window signage~~
- 358 ~~lawfully existing as of June 21, 2022, shall be allowed to remain until the earlier of: 1)~~
- 359 ~~voluntary removal of the window signage; or 2) a change of occupancy in the unit upon~~
- 360 ~~which the window signage is located.~~
- 361 (24) Signs projected on building façades or other structures, also may be known as hologram
- 362 signs, projection mapping signs, video projection, or outdoor building projection signs.
- 363 (25) Any sign bordered or containing string lights or light strips, including LED strips,
- 364 except as expressly allowed in this chapter.
- 365 (26) More than three flags on one parcel.
- 366 (27) Changeable copy on any sign
- 367 (28) Feather flags

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

- 369 (a) *Distance requirements.* Except as otherwise provided herein, no sign shall be located within
- 370 20 feet of any side property line of a parcel and at least 20 feet from existing public road curbs
- 371 or pavement. No freestanding sign shall be located within 50 feet of any other permanent
- 372 freestanding sign, including those on adjacent property.

373 * * *

- 374 (g) *Sight visibility triangles.* No sign shall be located within a sight visibility triangle as defined
- 375 below:

376 (1) *Driveway/road corner:* The area on both sides of a driveway formed by the intersection

377 of the driveway and the public or private right-of-way line with two sides of each triangle

378 being ten feet in length from the point of intersection and the third side being a line

379 connecting the ends of the other sides. The driveway measurement shall be along the

380 driveway curb front, or pavement if no curb exists. The right-of-way length shall be

381 measured along the right-of-way line.

382 (2) *Road/road corner:* The area of property located at a corner formed by the intersection

383 of two ~~public~~ rights-of-way, public or private, with two sides of the triangular area being

384 measured 30 feet in length along the right-of-way lines from their point of intersection,

385 and the third being a line connecting the ends of the other two lines.

386 A larger sight visibility triangle may be required, or reduced, by the city's engineer where

387 necessary or appropriate because of roadway alignments or design, traffic patterns and

388 volume, traffic control devices, site features, or project design features.

389 * * *

390 **Sec. 122-12. Supplemental temporary sign standards. Temporary sign standards.**

391 ~~In addition to any other applicable provision of this article and chapter, the following~~
392 ~~minimum standards shall apply to all temporary signs:~~

393 ~~(1) Temporary signs shall be removed within three days after the date upon which the sign~~
394 ~~has fulfilled its purpose (e.g., a scheduled event or occurrence has concluded).~~

395 ~~(2) On property zoned residential:~~

396 ~~a. One temporary freestanding sign no greater than six square feet in copy area with~~
397 ~~sign height no greater than three feet shall be allowed on the premises at any time.~~

398 ~~b. In addition to the sign allowed in subsection (2)a., above, one temporary~~
399 ~~freestanding sign no greater than nine square feet in copy area with sign height no~~
400 ~~greater than six feet shall be allowed on the premises during any period in which~~
401 ~~the property upon which such sign is located is listed for sale or lease.~~

402 ~~c. In addition to the signs allowed in subsections (2)a. and b., above, two temporary~~
403 ~~freestanding signs no greater than six square feet in copy area with sign height no~~
404 ~~greater than three feet shall be allowed on the premises during any period beginning~~
405 ~~60 days prior to any local, state or federal election and lasting until three days after~~
406 ~~such election.~~

407 ~~(3) On property zoned other than residential:~~

408 ~~a. One temporary banner sign no greater than 40 square feet in copy area attached to~~
409 ~~a building and subject to the following conditions:~~

410 ~~1. Any banner sign may not be displayed on any premises for more than 30~~
411 ~~consecutive days;~~

412 ~~2. Any banner sign may not be displayed on any premises for more than 60~~
413 ~~cumulative days in a calendar year;~~

414 ~~3. Prior to display of any banner sign, the party erecting such sign must provide~~
415 ~~notice to the city clerk's office on a form provided by the city including at a~~
416 ~~minimum, the property address, dates the banners sign will displayed, and~~
417 ~~dimensions of the banner sign.~~

418 ~~b. One temporary sign no greater than 18 square feet in copy area with sign height no~~
419 ~~greater than six feet shall be allowed on the premises during any period in which~~
420 ~~any portion of the property upon which the sign is located is for sale or lease or~~
421 ~~during any period in which any portion of the property is under construction.~~

422 ~~c. In addition to the signs allowed in subsections (3)a., and b., one temporary~~
423 ~~freestanding sign per 75 linear feet of any property line of the parcel which abuts a~~

424 public road right of way; provided, however, no more than four temporary signs of
425 any category provided in this section shall be allowed on a tax parcel at any one
426 time: said signs shall be no greater than six square feet in copy area with sign height
427 no greater than three feet.

428 d. — In addition to the signs allowed in subsections (3)a. and b., above, three temporary
429 signs no greater than six square feet each in copy area with sign height no greater
430 than three feet shall be allowed on the premises during any period beginning 60
431 days prior to any local, state or federal election and lasting until three days after
432 such election.

433 (4) — Temporary signs must be at least five feet from any right of way and at least ten feet
434 from the side and rear property lines.

435 (5) — Temporary signs shall not be illuminated.

436 (6) — Temporary signs shall be repaired or removed immediately if they become faded, worn,
437 broken, decayed, or otherwise fall into poor repair.

438 (a) General Rules:

439 (1) Temporary signs shall be removed within three days after the date upon which the sign has
440 fulfilled its purpose (e.g., a scheduled event or occurrence has concluded) or on the
441 regulatory deadline expressly stated in this chapter. The City will acquire a temporary sign
442 that remains after the allowable time limit.

443 (2) Temporary signs shall not be illuminated.

444 (3) Temporary signs shall be repaired or removed immediately if they become faded, worn,
445 broken, decayed, or otherwise fall into poor repair.

446 (b) On property in a residential zoned district, except property occupied by a place of worship that
447 has been authorized by special exception approval, the following signs shall be allowed
448 provided the signs are not located in or extend into any right-of-way, driveway, or sidewalk.

449 (1) One temporary freestanding sign no greater than six square feet in copy area with sign
450 height no greater than three feet shall be allowed on the premises at any time.

451 (2) In addition to the sign allowed in subsection (b)(1) above, one temporary freestanding sign
452 no greater than nine square feet in copy area with sign height no greater than six feet shall
453 be allowed on the premises during any period in which the property upon which such sign
454 is located is listed for sale or lease.

455 (3) In addition to the signs allowed in subsections (b)(1) and (2) above, two temporary
456 freestanding signs no greater than six square feet in copy area with sign height no greater
457 than three feet shall be allowed on the premises during any period beginning 60 days prior
458 to any local, state or federal election and lasting until three days after such election.

459 (c) On property in a non-residential zoned district or occupied by a place of worship that has been
460 authorized by special exception approval in a residential zoned district, the following
461 temporary signs shall be allowed along each public road frontage.

462 (1) Banner Signs: One banner sign no greater than 40 square feet in copy area attached to a
463 building and subject to the following conditions:

464 a. The banner sign shall not be displayed on any premises for more than 30 consecutive
465 days;

466 b. The banner sign may not be displayed on any premises for more than 60 cumulative
467 days in a calendar year with the exception of new business banners as described herein;

468 c. Prior to display of any banner sign, the party erecting such sign must provide notice to
469 the city clerk's office on a form provided by the city, which includes at a minimum, the
470 property address, dates the banner sign will be displayed, and dimensions of the banner
471 sign.

472 d. Banner signs shall not cover a building address or hung in a manner that would impede
473 pedestrian travel; the minimum vertical clearance for a banner positioned over a
474 pedestrian path shall be 7'6".

475 e. Notwithstanding the aforementioned regulations regarding banner signs, a newly
476 established business, or an existing business relocating to a completely new address (as
477 evidenced by a new Business Tax Receipt [BTR]), may display a temporary banner
478 sign that complies with the established banner sign requirements outlined herein. This
479 temporary display shall be permitted for a maximum duration of thirty (30) consecutive
480 days, commencing on a date substantially contemporaneous with the business opening;
481 such date must be registered with the City of Edgewood at the time of permit
482 application. This temporary allowance does not contribute to the previously mentioned
483 time limitations on banner displays.

484 (2) Freestanding Signs: The following freestanding signs shall be allowed provided the signs
485 are at least five feet from any right-of-way, at least ten feet from the side and rear property
486 lines, outside all Sight Visibility Triangles, and do not extend into any drive aisle, sidewalk,
487 or parking space.

488 a. One temporary sign no greater than 18 square feet in copy area with sign height no
489 greater than six feet shall be allowed on the premises during any period in which any
490 portion of the property upon which the sign is located is for sale or lease or during any
491 period in which any portion of the property is under construction.

492 b. In addition to other allowable temporary signs, three temporary signs no greater than
493 six square feet each in copy area with sign height no greater than three feet shall be
494 allowed on the premises during any period beginning 60 days prior to any local, state
495 or federal election and lasting until three days after such election.

496 **Sec. 122-13. Signs subject to permitting Permanent Signs.**

497 ~~(a) Residential.~~ The following signs shall be permitted in all residential zoning districts:

498 ~~(1) One permanent freestanding sign up to 64 square feet of total copy area and up to eight~~
499 ~~feet in height may be erected at each entrance into a single family subdivision or multi-~~
500 ~~family development. In lieu of one 64 square foot sign, two permanent single faced signs~~
501 ~~not exceeding 32 square feet in total sign face area each may be located at each entrance,~~
502 ~~provided that such signs are placed in a symmetrical manner, are located on opposite~~
503 ~~sides of the entrance to which they are oriented, and will not conflict with the principal~~
504 ~~permitted use of the site or adjoining sites. Such signs shall only be erected on privately-~~
505 ~~owned property. All such signs shall be installed in a landscaped and irrigated area~~
506 ~~consisting of shrubs and/or ground cover not less than three feet in width around the~~
507 ~~entire base of the sign. Notwithstanding the above, existing permanent freestanding signs~~
508 ~~located at the entrance into a single family subdivision or multifamily development are~~
509 ~~hereby grandfathered and may be replaced with new signage of the same dimensions and~~
510 ~~in the same footprint of such existing signage.~~

511 ~~(2) Governmental right of way signs.~~

512 ~~(b) Non-residential.~~

513 ~~(1) Unless otherwise specified, including copy area limitations of the ECD, a maximum total~~
514 ~~copy area of two square feet for each linear foot of building frontage or 100 square feet,~~
515 ~~whichever is less, shall be allowed per parcel. The allowable copy area may be~~
516 ~~distributed amongst the ground sign, attached sign, and window signage at the owner's~~
517 ~~discretion provided such is consistent with chapter 122.~~

518 ~~(2) Multi-occupant parcels at least five acres in size with at least 375 feet of parcel depth~~
519 ~~measured from the front property line to the rear property line shall be allowed a~~
520 ~~maximum total copy area of two square feet for each linear foot of building frontage or~~
521 ~~200 square feet, whichever is less.~~

522 ~~(3) For parcels abutting multiple rights of way, an additional maximum total copy area of~~
523 ~~one square foot for each linear foot of building frontage along each additional right of-~~
524 ~~way or 100 square feet, whichever is less, shall be allowed. Any additional copy area~~
525 ~~allowed pursuant to this paragraph must be utilized along and directed toward the~~
526 ~~additional public rights of way.~~

527 ~~(4) Subject to the maximum total copy area, the following signs shall be permitted in all~~
528 ~~non-residential zoning districts:~~

529 ~~a. Ground signs.~~ Ground signs shall be permitted pursuant to the following:

530 ~~1. One low profile sign, one tall profile sign, consistent with the definitions for~~
531 ~~same, or one electronic changeable message sign consistent with the~~

532 requirements in subsection 122-13(b)(4)a.5 below, shall be allowed along each
533 public road right of way the parcel abuts.

534 2. ~~On multi-occupant parcels at least five acres in size with at least 375 feet of~~
535 ~~parcel depth measured from the front property line to the rear property line,~~
536 ~~one large parcel sign, consistent with the definition for same, shall be allowed~~
537 ~~in lieu of a low profile, tall profile, or electronic changeable message sign.~~

538 3. ~~On parcels abutting multiple public road rights of way, one additional ground~~
539 ~~sign shall be allowed per secondary road frontage. The sign location along the~~
540 ~~secondary frontage shall be at least 100 feet from the point of road intersection~~
541 ~~with the primary road, as measured along the right of way. The secondary~~
542 ~~frontage shall be the road with the lowest traffic count.~~

543 4. ~~With the exception of electronic changeable message signs, ground signs may~~
544 ~~include multiple sign panels subject to the following:~~

545 i. ~~No airspace shall exist between sign panels or sign cabinets;~~

546 ii. ~~Sign panels located on the same horizontal plane shall be of the same~~
547 ~~height and configured so that the top and bottom edge of each panel~~
548 ~~is aligned; and~~

549 iii. ~~When multiple sign panels are located on the same horizontal plane~~
550 ~~immediately above or below another row of multiple sign panels, all~~
551 ~~sign panels in such rows shall be of equal width and aligned so that~~
552 ~~the left and right edge of each panel is aligned.~~

553 (a) Residential Communities. The following signs shall be permitted to identify a residential
554 community.

555 One permanent freestanding sign up to 64 square feet of total copy area and up to eight feet
556 in height may be erected at each entrance into a single-family subdivision or multi-family
557 development. In lieu of one 64 square foot sign, two permanent single-faced signs each not
558 exceeding 32 square feet in total sign face area may be located at each entrance, provided that
559 such signs are placed in a symmetrical manner, are located on opposite sides of the entrance
560 road to which they are oriented and outside all sight visibility triangles. Such signs shall only
561 be erected on privately-owned property. All such signs shall be installed in a landscaped and
562 irrigated area consisting of shrubs and/or ground cover not less than three feet in width around
563 the entire base of the sign. Notwithstanding the above, existing permanent freestanding signs
564 located at the entrance into a single-family subdivision or multifamily development are hereby
565 grandfathered and may be replaced with new signage of the same dimensions and in the same
566 footprint of such existing signage.

567 (b) Uses on property in a non-residential zoned district or a place of worship that has been
568 authorized by special exception approval in a residential zoned district. Signage shall be
569 allowed as noted below.

570 (1) Single Occupant Parcel

571 a. Allowable Copy Area:

572 i. Unless otherwise specified, a single occupant parcel shall be allowed a
573 maximum total copy area of 1.5 square feet for each linear foot of building
574 frontage when the parcel abuts one public right-of-way or 100 square feet,
575 whichever is less. The allowable copy area may be distributed amongst the
576 ground sign and attached sign at the owner's discretion provided such is
577 consistent with Chapter 122.

578 ii. Parcels abutting more than one public right-of-way (secondary frontage) shall
579 be eligible for additional copy area to be used exclusively for signage oriented
580 toward the secondary frontage. This allowance is calculated as the lesser of
581 either 1.0 square foot of copy area for each linear foot of building frontage along
582 the secondary right-of-way, or 100 square feet. The secondary frontage shall be
583 the road with the lowest traffic count. The secondary frontage signage shall be
584 consistent with the same standards as for the primary frontage signage as well
585 as Section 122-13(b)(1)b.ii.

586 b. Ground Sign:

587 i. One Low Profile or Tall Profile Sign ground sign shall be allowed with a
588 maximum ground sign face of 72 square feet.

589 ii. The ground sign shall be located at least 20 feet from any side property line;
590 setback at least 20 feet from the existing back of road curb or edge of pavement,
591 if no curb exists; outside any Sight Visibility Triangle; and separated at least 50
592 feet from any other permanent freestanding sign, including those on adjacent
593 property.

594 iii. For parcels eligible for a secondary ground sign pursuant to a.ii., above, the
595 ground sign face shall not exceed 32 square feet or 50% of the square footage
596 of the ground sign along the primary road right of way, whichever is greater.
597 The sign location along the secondary frontage shall meet all ground sign
598 location criteria. In addition, the sign shall be at least 100 feet from the point of
599 road intersection with the primary road, as measured along the rights-of-way.
600 The secondary frontage shall be the road with the lowest traffic count.

601 c. Attached Sign:

602 i. General: One Attached Sign shall be allowed per principal building façade
603 facing a public road right-of-way for each principal building located on a parcel;
604 such sign or signs allowed herein do not have to be located on the building
605 façade facing the public road right-of-way, but only one such sign shall be

606 allowed per building façade. The Attached Sign(s) can be a wall sign,
607 projecting sign, hanging sign, or awning sign. See Allowable Window and
608 Glass Door Signs for option to forego an Attached Sign; i.e., Window Sign in
609 Lieu of Attached Sign.

610 ii. Types of Allowable Attached Signs

- 611 1. Wall Sign: A wall sign and its supporting structure shall meet the following.
 - 612 • Shall not project more than twelve (12) inches from the building wall.
 - 613 • Shall not disrupt the architectural features of the building such as block a
614 door or window opening.
 - 615 • Shall not extend above the building's roofline or the top of an exterior
616 parapet wall that projects above the roofline.
 - 617 • The horizontal width of the sign shall not extend beyond the limits of the
618 leased/owned frontage.
 - 619 • Shall not extend over any public right-of-way.
 - 620 • Shall be architecturally compatible and consistent with the building's
621 overall design.
- 622 2. Projecting Sign: No projecting sign shall extend more than three feet beyond
623 the face of the building. No sign face of any projecting sign may be greater
624 than six square feet in area. A projecting sign shall be hung at a 90-degree
625 angle from the face of the building and the bottom of the projecting sign
626 shall be at least seven feet six inches above grade.
- 627 3. Hanging Sign: The edge of any hanging sign furthest from the building shall
628 not extend beyond the edge of the roofline. No sign face of any hanging
629 sign may be greater than six square feet in area. A hanging sign shall be
630 hung either parallel to or at a 90-degree angle from the face of the building.
631 The bottom of the hanging sign shall be at least seven feet six inches above
632 grade.
- 633 4. Awning Sign: One awning sign shall be allowed to be installed upon an
634 awning on the principal building located upon the premises. The maximum
635 copy area on the awning shall be one-half of a square foot for each linear
636 foot of awning parallel to the public right-of-way or drive aisle as measured
637 along the lower edge of the awning parallel to the ground; the copy area
638 shall not exceed a height of 1.5 feet.

639 d. Window and Glass Door Signs.

640 i. General:

- 641 (a) With the exception of signage expressly permitted under these regulations,
642 all windows and glass doors of the building shall be transparent; superfluous

643 signs, such as but not limited to signs hanging in the window on hooks or
644 suction cups not identified as window or door signs, are prohibited.
645 (b) Window and glass door signs shall be allowed only on the ground floor of
646 a building.
647 (c) Interior window coverings for privacy or sun protection are permitted
648 provided they are constructed from a uniform material and presented in a
649 uniform solid color. This does not require all windows to be covered.
650 (d) Copy area is the area within the rectangular perimeter of the extreme limits
651 of copy, including, but not necessarily limited to text, numbers, ornamental
652 attachments, insignias, symbols, logos, trademarks, any stripe, frame or
653 border, and solid color background.
654 (e) The term window used herein is defined as individual panes of glass, and
655 not the entire glass area across the façade.
656 ii. Allowable Window and Glass Door Signage:
657 (a) Permanently Adhered to or Painted on Door/Window Signage
658 Either one sign not exceeding six square feet in copy area permanently
659 adhered to or painted on the glass of a business; or two signs with a
660 cumulative total of six square feet permanently adhered to or painted on
661 adjacent windows or glass doors, or an adjacent window and glass door. For
662 businesses with windows/glass doors on more than one side of the building,
663 possibly due to their corner location, the permanently adhered to or painted
664 on the glass sign regulation applies to each side.
665 (b) Hung Neon Tubing/LED Tubing Sign
666 One traditional neon or LED neon tubing shall be allowed to be displayed
667 in one ground floor window along each building frontage that faces a right-
668 of-way or parking lot conditioned that such sign meets all of the following.
669 ❖ must not be attached to the window
670 ❖ shall not be in a window that faces a residential zoning district,
671 regardless if the residential zoning is across a road
672 ❖ shall not exceed 2 square feet in total sign copy area as measured by
673 forming a rectangle enclosing all parts of the sign
674 ❖ shall not blink, flash, twinkle, flicker, pulse, rotate, or otherwise display
675 movement
676 ❖ shall not change colors within a 24 hour period
677 ❖ shall be clear/non-colored/transparent except for the illuminated tubing
678 of the sign
679 (c) Small Decals on Doors and Windows
680 One 9”x 9” area of one door or one window adjacent to the door can be used
681 for decals. Use of multiple decals shall be either stacked or positioned side
682 by side in a linear manner.

- Stacking: When decals are positioned one above the other, the left or right edges of the decals shall be aligned,
- Side-by-Side Placement: For decals applied next to each other, the tops or bottoms of the decals shall be aligned.

These decals shall not be counted as window signs.

(d) Window Sign in Lieu of Attached Sign

Businesses without an Attached Sign may utilize one window sign to substitute for the primary purpose of an Attached Sign. In these cases, one window sign is permitted per building facade facing a public right-of-way, with a maximum copy area of 12 square feet. Font size shall be between 8 and 12 inches in height. One Permanently Attached or Painted on Door/Window sign not exceeding three square feet is allowed with this option. Other Permanently Attached or Painted on Door/Window Signage is prohibited.

(2) Multi-Occupant Parcel.

a. Ground Signs:

- A multi-occupant tax parcel shall be allowed one Low Profile, Tall Profile, or Large Parcel, if qualified. The maximum total sign face for a ground sign shall be equal to 1.5 square feet for each linear foot of building frontage or 72 square feet, whichever is less, unless the tax parcel qualifies for a Large Parcel Sign, then the maximum ground sign face shall be 200 square feet. The building frontage for this specific code section shall include all sides that have the primary business entrances regardless if the sides face different roads or the parking lot. A single occupant building existing on a multi-occupant parcel shall be treated as part of the calculation as if the building was connected to the multi-occupant structure.
- The ground sign shall be located at least 20 feet from any side property line; setback at least 20 feet from the existing back of road curb or pavement, if no curb exists; outside any Site Visibility Triangle; and separated at least 50 feet from any other permanent freestanding sign, including those on adjacent property.
- For any parcel abutting multiple public road rights-of-way, one additional ground sign shall be allowed per secondary road frontage. The additional ground sign face shall not exceed 32 square feet or 50% of the square footage of the sign face along the primary road right of way, whichever is greater. The sign location along the secondary frontage shall meet all ground sign location criteria in addition to being located at least 100 feet from the point of road intersection with the primary road, as measured along the right-of-way. The secondary frontage shall be the road with the lowest traffic count.

722 iv. Ground signs on multi-occupant parcels may include multiple sign panels
723 subject to the following:

- 724 1. No airspace shall exist between sign panels or sign cabinets;
- 725 2. Sign panels located on the same horizontal plane shall be of the same height
726 and configured so that the top and bottom edge of each panel is aligned; and
- 727 3. When multiple sign panels are located on the same horizontal plane
728 immediately above or below another row of multiple sign panels, all sign
729 panels in such rows shall be of equal width and aligned so that the left and
730 right edge of each panel is aligned.

731 b. Attached Sign:

732 i. General:

- 733 1. In addition to the ground sign, each business location with an individual
734 exterior entrance location within a building on a multiple occupant parcel,
735 shall be permitted one of the following attached signs: Wall Sign, Projecting
736 Sign, Hanging Sign, Awning Sign, or Anchor Tenant Sign, if applicable.
737 See Allowable Window and Glass Door Signs for option to forego an
738 Attached Sign; i.e., Window Sign in Lieu of Attached Sign.
- 739 2. The type of attached signs shall be consistent within the development (e.g.,
740 all tenants use only wall signs).
- 741 3. Such signs shall be located proximate to the primary entrance of the
742 business location. Attached signage shall not extend beyond the horizontal
743 limits of the leased/owned space.
- 744 4. The total maximum copy area for the attached signs available for each
745 occupant shall be based on a formula of 1.5 square feet of copy area for each
746 linear foot of building frontage on the multi-occupant parcel. Each occupant
747 of the building(s) shall then be allocated sign copy area square footage
748 based on their rental (or owned) gross square footage percentage of the total
749 available gross square footage in the building(s). In no event, however, may
750 any one business location attached sign exceed a maximum of 72 square
751 feet of total copy area except as otherwise authorized for an anchor tenant.
752 The building frontage for this specific code section shall include all sides
753 that have the primary business entrances regardless if the sides face different
754 roads or the parking lot. A single occupant building existing on a multi-
755 occupant parcel shall be treated as part of the calculation as if the building
756 was connected to the multi-occupant structure.

757 ii. Types of Allowable Attached Signs

- 758 1. Wall Sign: A wall sign and its supporting structure shall meet the following.
759 • Shall not project more than twelve (12) inches from the building wall.

- 760 • Shall not disrupt the architectural features of the building such as block a
- 761 door or window opening.
- 762 • Shall not extend above the building's roofline or the top of an exterior
- 763 parapet wall that projects above the roofline.
- 764 • The horizontal width of the sign shall not extend beyond the limits of the
- 765 leased/owned frontage.
- 766 • Shall not extend over any public right-of-way.
- 767 • Shall be architecturally compatible and consistent with the building's
- 768 overall design.
- 769 2. Projecting Sign: No projecting sign shall extend more than three feet
- 770 beyond the face of the building. No sign face of any projecting sign may be
- 771 greater than six square feet in area. A projecting sign shall be hung at a 90-
- 772 degree angle from the face of the building and the bottom of the projecting
- 773 sign shall be at least seven feet six inches above grade.
- 774 3. Hanging Sign: The edge of any hanging sign furthest from the building shall
- 775 not extend beyond the edge of the roofline. No sign face of any hanging
- 776 sign may be greater than six square feet in area. A hanging sign shall be
- 777 hung either parallel to or at a 90-degree angle from the face of the building.
- 778 The bottom of the hanging sign shall be at least seven feet six inches above
- 779 grade.
- 780 4. Anchor Tenant Sign: The attached sign for an anchor tenant shall be allowed
- 781 an additional one square foot of attached sign copy area for each linear foot
- 782 of building frontage of that portion of the building occupied by the anchor
- 783 tenant over 100 linear feet. Said additional copy area shall not exceed 120
- 784 square feet of copy area per anchor.
- 785 5. Awning Sign: One awning sign shall be allowed to be installed upon an
- 786 awning on the principal building. The maximum copy area permitted on the
- 787 awning shall be one-half of a square foot for each linear foot of awning
- 788 parallel to the public right-of-way or drive aisle, as measured along the
- 789 lower edge of the awning parallel to the ground; the copy area shall not
- 790 exceed a height of 1.5 feet.

791 c. Window and Glass Door Signs.

792 i. General:

- 793 (a) With the exception of signage expressly permitted under these regulations,
- 794 all windows and glass doors of the building shall be transparent; superfluous
- 795 signs, such as but not limited to signs hanging in the window on hooks or
- 796 suction cups not identified as window or door signs, are prohibited.
- 797 (b) Window and glass door signs shall be allowed only on the ground floor of
- 798 a building. Other than the allowable signage, all windows and glass doors

799 of the building shall be transparent; superfluous signs, such as but not
800 limited to, signs hanging in the window on hooks or suction cups not
801 identified as window or glass door signs are prohibited.

802 (c) Interior window coverings for privacy or sun protection are permitted
803 provided they are constructed from a uniform material and presented in a
804 uniform solid color. This does not require all windows to be covered.

805 (d) Copy area is the area within the rectangular perimeter of the extreme limits
806 of copy, including, but not necessarily limited to text, numbers, ornamental
807 attachments, insignias, symbols, logos, trademarks, any stripe, frame or
808 border, and solid color background.

809 (e) The term window used herein is defined as individual panes of glass, and
810 not the entire glass area across the façade.

811 ii. Allowable Window and Glass Door Signage:

812 (a) Permanently Adhered to or Painted on Door/Window Signage

813 Either one (1) sign not exceeding six (6) square feet in copy area
814 permanently adhered to or painted on the glass of a business; or two (2)
815 signs with a cumulative total of six (6) square feet permanently adhered to
816 or painted on adjacent windows or glass doors, or an adjacent window and
817 glass door. For businesses with windows/glass doors on more than one side
818 of the building, possibly due to their corner location, the permanently
819 adhered to or painted on the glass sign regulation applies to each side.

820 (b) Hung Neon Tubing/LED Tubing Sign:

821 One traditional neon or LED neon tubing shall be allowed to be displayed
822 on the inside of one ground floor window along each building frontage that
823 faces a right-of-way or parking lot conditioned such sign meets all of the
824 following.

- 825 ❖ must not be attached to the window
- 826 ❖ shall not be in a window that faces a residential zoning district,
827 regardless if the residential zoning is across a road
- 828 ❖ shall not exceed 2 square feet in total sign copy area as measured by
829 forming a rectangle enclosing all parts of the sign
- 830 ❖ shall not blink, flash, twinkle, flicker, pulse, rotate, or otherwise display
831 movement
- 832 ❖ shall not change colors within a 24 hour period
- 833 ❖ shall be clear/non-colored/transparent except for the illuminated tubing
834 of the sign

835 (c) Small Decals on Doors and Windows:

836 One 9”x 9” area of one door or one window adjacent to the door can be used
837 for decals. Use of multiple decals shall be either stacked or positioned side
838 by side in a linear manner.

- 839 • Stacking: When decals are positioned one above the other, the left or
840 right edges of the decals shall be aligned,
841 • Side-by-Side Placement: For decals applied next to each other, the tops
842 or bottoms of the decals shall be aligned.

843 These decals shall not be counted as window signs.

844 (d) Window Sign in Lieu of Attached Sign:

845 Businesses without an Attached Sign may utilize one window sign to
846 substitute for the primary purpose of an Attached Sign. In these cases, one
847 window sign is permitted per building facade facing a public right-of-way,
848 with a maximum copy area of 12 square feet. Font size shall be between 8
849 and 12 inches in height. One Permanently Attached or Painted on
850 Door/Window sign not exceeding three square feet is allowed with this
851 option. Other Permanently Attached or Painted on Door/Window Signage
852 is prohibited.

853 (4) Gas Stations

854 One fuel pump sign with copy area no greater than two square feet located upon a
855 functional and properly licensed fuel pump. Fuel pump signs shall not be included in
856 the calculation of maximum total copy area.

857 (5) Electronic changeable message signs shall be subject to the following requirements

858 * * *

859 ~~b. Attached signs. The following attached signs shall be permitted:~~

860 ~~1. One wall sign, one projecting sign, or one hanging sign shall be allowed per~~
861 ~~principal building façade facing a public road right-of-way for each principal~~
862 ~~building located on a parcel; such sign or signs allowed herein do not have to~~
863 ~~be located on the building façade facing the public road right-of-way, but only~~
864 ~~one such sign shall be allowed per building façade.~~

865 ~~i. No wall sign or supporting structure for a wall sign shall project~~
866 ~~more than 12 inches from the wall of a building nor over any public~~
867 ~~right-of-way. Wall signs may not disrupt architectural features of the~~
868 ~~building and must be architecturally compatible and consistent with~~
869 ~~the building. Further, no wall sign shall extend above the roofline~~
870 ~~except where an exterior parapet wall projects above the roofline, in~~
871 ~~which case such sign may extend to the top of such wall.~~

872 ~~ii. No projecting sign shall extend beyond three feet beyond the face of~~
873 ~~the building. No sign face of any projecting sign may be greater than~~
874 ~~six square feet in area. A projecting sign shall be hung at a 90-degree~~
875 ~~angle from the face of the building and the bottom of the projecting~~
876 ~~sign shall be at least seven feet above grade.~~

877 iii.— ~~The edge of any hanging sign furthest from the building shall not~~
878 ~~extend beyond the edge of the roofline. No sign face of any hanging~~
879 ~~sign may be greater than six square feet in area. A hanging sign shall~~
880 ~~be hung either parallel to or at a 90-degree angle from the face of the~~
881 ~~building. The bottom of the hanging sign shall be at least seven feet~~
882 ~~above grade.~~

883 2.— ~~One awning sign shall be allowed per awning installed upon the principal~~
884 ~~buildings located upon the premises. The maximum copy area permitted on~~
885 ~~any awning shall be one half of a square foot for each linear foot of awning~~
886 ~~parallel to the public right of way, as measured along the lower edge of the~~
887 ~~awning parallel to the ground; the copy area shall not exceed a height of 1.5~~
888 ~~feet.~~

889 e.— ~~Window signs. Window signs shall be allowed only on the ground floor of a~~
890 ~~building. One window sign not exceeding five square feet in copy area or two~~
891 ~~matching window signs with each sign located on a different window in a~~
892 ~~symmetrical manner not exceeding a cumulative seven square feet in copy area~~
893 ~~shall be allowed. Window signs shall be counted in the total copy area allowed. The~~
894 ~~remaining windows shall remain transparent. A glass door shall be categorized as a~~
895 ~~window for this regulation.~~

896 d.— ~~One fuel pump sign with copy area no greater than two square feet located upon a~~
897 ~~functional and properly licensed fuel pump. Fuel pump signs shall not be included~~
898 ~~in the calculation of maximum total copy area.~~

899 e.— ~~Governmental right of way signs.~~

900 (5) ~~In addition to the maximum number of signs and total square footage allowed per parcel,~~
901 ~~each business location located within a multiple-occupant building with an individual~~
902 ~~exterior entrance location, shall be permitted one attached sign consistent with~~
903 ~~subsection 122-13(b)(4)b. and window signage consistent with subsection 122-~~
904 ~~13(b)(4)c., which signs shall be located proximate to the primary entrance to such~~
905 ~~business location. Such multiple-occupant signage shall be subject to the following:~~

906 a.— ~~The total maximum copy area available for such multiple-occupant signage per~~
907 ~~parcel shall be two square feet of copy area for each linear foot of building frontage~~
908 ~~of the building. Each occupant of the building shall then be allocated sign square~~
909 ~~footage based on their rental (or owned) square footage percentage of the total~~
910 ~~available square footage in the building. In no event, however, may any one~~
911 ~~business location exceed a maximum of 100 square feet of total copy area except~~
912 ~~as otherwise authorized for an anchor tenant.~~

913 b.— ~~Anchor tenants upon a multiple-occupant parcel shall be allowed an additional one~~
914 ~~square foot of copy area for each linear foot of building frontage of that portion of~~

915 the building occupied by the anchor tenant over 100 linear feet. Said additional copy
916 area shall not exceed 200 square feet of copy area per anchor. The copy area allowed
917 within this paragraph shall be wall signage, awning signage, or a combination
918 thereof.

919 * * *

920 **Sec. 122-15. Nonconforming signs.**

921 * * *

922 (e) *Elimination of nonconforming signs.*

923 * * *

924 (4) ~~Temporary signs, including window signs, shall be brought into compliance with the~~
925 ~~provisions of this chapter no later than March 31, 2018. Effective December 31, 2024,~~
926 ~~all window signs must comply with the Window/Glass Door sign regulations set forth~~
927 ~~herein except for businesses without a wall sign as of the effective date of this ordinance.~~
928 Such businesses may be granted an exception to retain their existing window signage.
929 However, such signs must remain unaltered or unmodified, except for adjustments
930 necessary to achieve full compliance with the "window sign in lieu of attached sign"
931 option allowed herein.

932 (5) Nothing provided herein shall limit the authority of the City of Edgewood to require
933 removal or remove unsafe signs, abandoned signs, signs erected without permits, or
934 signs unlawfully located on city property.

935 (6) ~~Sign permit application fees shall be waived for any application made prior to July 31,~~
936 ~~2018 to bring any existing nonconforming sign into compliance with this chapter.~~

937 (7) ~~A party adversely affected by this section 122-15 may petition the city council for relief~~
938 ~~from its strict application as follows:~~

939 a. ~~A petition for relief shall: 1) state the specific subsection or subsections claimed to~~
940 ~~adversely affect the party; 2) identify the sign or signs at issue; 3) state the date of~~
941 ~~construction of the sign or signs at issue; 4) include a copy of all permits related to~~
942 ~~the sign or signs at issue or a statement as to why copies of such permits are not~~
943 ~~available; 5) include the cost or approximate cost of the sign or signs when~~
944 ~~originally constructed or a statement as to why such cost or approximation of cost~~
945 ~~cannot be provided; 6) include an estimate of the depreciated value of the sign~~
946 ~~structure; 7) provide an estimate of the cost to modify the sign or signs in a manner~~
947 ~~consistent with this chapter or state the reasons why the sign or signs cannot be~~
948 ~~modified in a manner consistent with this chapter; 8) provide an estimate of the cost~~
949 ~~to replace the sign or signs in a manner consistent with this chapter; 9) include a~~
950 ~~statement of the relief requested; and 10) include a non-refundable filing fee in the~~
951 ~~amount of \$250.00.~~

952 b. ~~Upon receipt of a petition for relief, the city shall schedule a public hearing before~~
953 ~~the city council. Any pending action by the city related to the sign or signs at issue~~
954 ~~in the petition shall be abated until after the hearing and determination on the~~
955 ~~petition by the city council.~~

956 c. ~~At the hearing on the petition, the city council shall consider all competent,~~
957 ~~substantial evidence presented and shall, at a minimum, consider the following~~
958 ~~factors:~~

959 1. ~~The age of the sign or signs at issue;~~

960 2. ~~The condition of the sign or signs at issue;~~

961 3. ~~The value of the sign structure or structures at issue;~~

962 4. ~~Any other value claimed intrinsic to the sign or signs at issue;~~

963 5. ~~The adverse impact claimed by the petitioner and how such impacts would be~~
964 ~~caused by strict application of this section 122-15;~~

965 6. ~~How strict application of this section 122-15 would deprive the petitioner of~~
966 ~~rights enjoyed by similarly situated parties subject to this chapter;~~

967 7. ~~The available methods and estimated costs of bringing the sign or signs into~~
968 ~~compliance with this chapter;~~

969 8. ~~The available methods; estimated costs; and potential impacts of mitigating~~
970 ~~any nonconformities in ways that may not fully comply with the terms of this~~
971 ~~chapter.~~

972 d. ~~At the conclusion of the public hearing and after reviewing the evidence and~~
973 ~~testimony placed before it, the city council shall act upon the request either to~~
974 ~~approve, deny, or approve in part and deny in part the request for relief made by the~~
975 ~~applicant.~~

976 * * *

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

982
983 **SECTION FOUR.** It is the intent of the City Council of the City of Edgewood that the
984 provisions of this Ordinance shall be codified. The codifier is granted broad and liberal authority
985 in codifying the provisions of this Ordinance.

UNFINISHED BUSINESS

NEW BUSINESS

Approval of Traffic Enforcement Agreement with Legacy at Lake Jessamine Homeowners Association

**AGREEMENT FOR
TRAFFIC CONTROL ON PRIVATE ROADS**

This Agreement for Traffic Control on Private Roads is entered into by and between the City of Edgewood (hereinafter referred to as the “City”), and the Legacy at Lake Jessamine Homeowners Association, Inc., a Florida Not for Profit Corporation (hereinafter referred to as the “Association”) this ____ day of _____, 2024.

WITNESSETH:

WHEREAS, the Association owns fee simple title to all the private roadways lying within a gated community (hereinafter “Private Roads”) which are more specifically described in Exhibit “A” attached hereto; and

WHEREAS, Section 316.006(2)(b), *Florida Statutes*, provides that a city may exercise jurisdiction over any private roads if the city and the party owning such roads provide for city traffic control jurisdiction by a written agreement approved by the City Council; and

WHEREAS, the Association wants the City to exercise traffic control jurisdiction upon the Private Roads; and

WHEREAS, the City of Edgewood Police Department is willing to exercise traffic control jurisdiction upon the Private Roads; and

WHEREAS, the Association, at a duly called meeting of the Board of Directors, has approved this Agreement and authorized its undersigned representative to execute this Agreement; and

WHEREAS, the parties desire to set forth the terms and conditions required for such an agreement.

NOW, THEREFORE, in consideration of the covenants and conditions herein, the City and the Association hereby agree as follows:

1. **INCORPORATION OF RECITALS.** The above recitals are true and correct, and are incorporated herein by reference and form a material part of this Agreement.
2. **JURISDICTION.** The Association authorizes the City to exercise jurisdiction over traffic control upon the Private Roads pursuant to the terms and conditions expressed in Sections 316.006(2)(b) and 316.008(1)(b), *Florida Statutes*, and as amended.
3. **SIGNAGE.** All traffic signage must comply with Department of Transportation requirements prior to any enforcement action related to signage.
4. **AUTHORITY IN ADDITION TO EXISTING AUTHORITY.** The City’s exercise of traffic control jurisdiction pursuant to this Agreement shall be in addition to any other authority presently exercised by the City over the Private Roads, and nothing herein shall

be construed to limit or remove any such authority. The City agrees to continue to provide such police services as are required by law.

5. **MEANS AND METHODS OF ENFORCEMENT.** The City shall have sole discretion for the means and methods of enforcement including and not limited to the scheduling of patrols and the use of enforcement devices. The Association may provide input relating to desired scheduling of patrols, all subject to the City's sole determinations as to time and frequency of patrols and the use of radars.

6. **CITY TO RETAIN REVENUES.** All revenue from the fines, costs and penalties imposed by the traffic citations issued for violation of traffic laws on the Private Roads shall be retained by the City and apportioned in the manner set forth in applicable statutes.

7. **LIABILITY NOT INCREASED.** Neither the existence of this Agreement nor anything contained herein shall limit the City's or its employees sovereign immunity nor shall it give rise to any greater liability on the part of the City than that which the City would ordinarily be subjected to when providing its normal police services.

8. **INDEMNIFICATION.** To the fullest extent permitted by law, the Association shall indemnify, defend, and hold the City harmless from any loss, cost, damage or expense, including attorney's fees, for any action arising out of, related to, or stemming from, either directly or indirectly, the maintenance, repair and/or reconstruction of any roads, road drainage or signage or any matter related to providing traffic control enforcement pursuant to this Agreement. To ensure its ability to fulfill its obligation under this paragraph, the Association shall provide, pay for and maintain in full force at all times during the term of this Agreement a General Liability insurance in the minimum amount of One Million Dollars (\$1,000,000.00), and shall file with the City current certificates of the required insurance providing a 30-day advance written notice of cancellation. Such insurance shall (a) name the City as an additional insured as it relates to activities conducted pursuant to this contract and (b) be issued by companies authorized to do business under the laws of the State of Florida and acceptable to the City.

9. **ROAD MAINTENANCE.** Neither the existence of the Agreement nor anything contained herein is intended to create any obligation or duty upon the City to provide maintenance on and/or drainage of the Private Roads. The maintenance, repair, and construction or reconstruction of all roads, drainage and signage located upon the property of the Association shall at all times be solely and exclusively the responsibility of the Association.

10. **TERM.** The term of this Agreement shall commence on the date of this Agreement and continue for a period of one (1) year, and shall thereafter automatically continue for successive one year terms unless terminated by either party by thirty (30) days written notice; provided. The provisions of Paragraph 8 herein shall survive the termination of this Agreement.

11. **ENTIRE AGREEMENT.** This Agreement, including the Exhibit attached hereto, constitutes the entire understanding and agreement between the parties and may not be

changed, altered, or otherwise modified except when reduced to writing and executed in the same manner, with the approval of the City Council.

12. **NOTICE.** All notices to be given shall be in writing and sent by certified mail, return receipt requested, to the following:

TO THE CITY: Mayor
City of Edgewood
405 Bagshaw Way
Edgewood, Florida 32809

TO THE ASSOCIATION: SRK Residential Communities, LLC
7800 Southland Blvd.
Suite 104
Orlando, FL 32809

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates indicated below.

CITY OF EDGEWOOD

ATTEST:

By: _____
John Dowless, Mayor

Sandy Riffle, City Clerk

**LEGACY AT LAKE JESSAMINE
HOMEOWNERS ASSOCIATION, INC.**

By: _____
_____, President

GENERAL INFORMATION

CITIZEN COMMENTS

BOARDS AND COMMITTEES

STAFF REPORTS

City Attorney Smith

Police Chief DeSchryver

**Edgewood Police Department
City Council Report
July 2024**

	June	July
Residential Burglaries	0	0
Commercial Burglaries	1	0
Auto Burglaries	1	1
Theft	2	1
Assault/Battery	0	3
Sexual Battery	0	0
Homicides	0	0
Robbery	0	0
Traffic Accident	5	16
Traffic Citations	119	61
Traffic Warnings	82	49
Felony Arrests	3	0
Misdemeanor Arrests	1	3
Warrant Arrests	1	0
Traffic Arrests	1	0
DUI Arrests	0	0
Code Compliance Reports	14	7

Department Highlights:

- From July 15th through July 20th, the Edgewood Police Department participated in Operation Sothern Slow Down where Florida, Georgia, Alabama South Carolina and Tennessee conduct a week long speed and aggressive driving enforcement campaign.
- On July 30th a manhole cover on S. Orange Avenue at Jamaica Lane was driven over by a semi-truck who crack the cover unknowingly. This incident let Officers to preform traffic detours until the cover could be replaced. Once replaced Officer left the scene. Moments later another semi-truck ran over the newly replaced cover and it broke again and this time caused damage to the gas tank of the vehicle. This incident resulted in a large gas spill across all of Orange Avenue closing the road completely for hours of clean up and to reset the entire manhole cover and setting. No one was injured during this incident.
- Trainings during July -
 NIBRS training: Stacey Salemi
 eAgent Training: Stacey Salemi
 Blue to Gold Hot and Fresh Pursuit: Chief DeSchryver, Officer Meade, Officer Barreto
 Surviving the Legal Aftermath of a shooting: Officer Meade, Officer Barreto
 Glock Armor Recertification: Sgt. Fraticelli, Officer Meade

Reporting Dates: July 1st – July 31st

Edgewood Police Department
City Council Report
July 2024

Taser Instructor Recertification: Sgt. Fraticelli, Officer Meade
Instructor Techniques: Sgt. Fraticelli
First Aid Instructor: Detective Crock

Reporting Dates: July 1st – July 31st

City Clerk Riffle

MAYOR & CITY COUNCIL REPORTS

Mayor Dowless

Budget Discussion

Council Member Lomas

Council Member Rader

Council Member Steele

Council President Horn

ADJOURN