



# CITY COUNCIL REGULAR MEETING

City Hall – Council Chamber  
405 Bagshaw Way, Edgewood, Florida  
Tuesday, December 20, 2022 at 6:30 PM

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## AGENDA

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**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. PRESENTATION OF PROCLAMATION

- [1.](#) Citizens of the Year 2022

### 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.](#) November 15, 2022 City Council Meeting Minutes

### E. ORDINANCES

- [1.](#) December 12, 2022 Planning & Zoning Ordinances Report
- [2.](#) Ordinance 2022-08: Comprehensive Plan Amendment

AN ORDINANCE AMENDING THE CITY OF EDGEWOOD COMPREHENSIVE PLAN RELATED TO THE CREATION OF A SITE-SPECIFIC FUTURE LAND USE DESIGNATION AND GENERAL TEXT TO FUTURE LAND USE POLICY 1.1.6; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

- [3.](#) Ordinance 2022-09: Small Scale Comp Plan Amendment for County to City Zoning

AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA, TO AMEND THE FUTURE LAND USE MAP OF THE EDGEWOOD COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE DESIGNATION ON TWO PARCELS: 1) FROM COUNTY COMMERCIAL AND OFFICE TO CITY COMMERCIAL ON THE APPROXIMATELY 8.79 ACRE OAKWATER PROFESSIONAL

PARK AND 2) FROM HIGH DENSITY RESIDENTIAL TO COMMERCIAL ON APPROXIMATELY 0.78 ACRE LOCATED AT 5517 HANSEL AVENUE; FINDING THAT SUCH CHANGE IN THE FUTURE LAND USE MAP ARE SMALL SCALE AMENDMENTS UNDER SECTION 163.3187, *FLORIDA STATUTES*; PROVIDING FOR FINDINGS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

4. Ordinance 2022-10: CIE Annual Amendment Transmittal

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA, ADOPTING THE 2022/2023 FIVE YEAR CAPITAL IMPROVEMENT SCHEDULE ANNUAL UPDATE; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

5. Ordinance 2022-11: Boat Docks

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING CHAPTER 14 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES REGARDING RULES AND REGULATIONS FOR BOAT DOCK CONSTRUCTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE

6. Ordinance 2022-12: Rezoning Process

AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA AMENDING CHAPTER 134, "ZONING," SECTION 134-121, "REZONING PROCESS," SUBSECTION (d) RELATING TO NOTICE REQUIREMENTS FOR REZONINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND EFFECTIVE DATE.

7. Ordinance 2022-13: ECD Wall Locations

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING CHAPTER 134 OF THE CODE OF ORDINANCES RELATED TO THE EDGEWOOD CENTRAL DISTRICT TO CORRECT SCRIVENERS' ERRORS, PROVIDE CLARIFICATION OF ADOPTED REGULATIONS AND STANDARDS, AMEND CERTAIN DESIGN GUIDELINES AND STANDARDS, AND TO PROVIDE AMENDED REGULATIONS RELATED TO LOCATION OF WALLS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND AN EFFECTIVE DATE.

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

**G. UNFINISHED BUSINESS**

**H. NEW BUSINESS**

**I. GENERAL INFORMATION**

**J. CITIZEN COMMENTS**

**K. BOARDS & COMMITTEES**

**L. STAFF REPORTS**

City Attorney Smith

Police Chief Gauntlett

[1.](#) Chief Gauntlett November 2022 Report

City Clerk Riffle

[1.](#) 2023 Municipal Election

**M. MAYOR AND CITY COUNCIL REPORTS**

Mayor Dowless

Council Member Chotas

Council Member Pierce

Council Member Rader

Council Member Lomas

Council President Horn

**N. ADJOURNMENT**

**UPCOMING MEETINGS**

Monday, January 9, 2023.....Planning & Zoning Meeting

Tuesday, January 17, 2023.....City Council Meeting

**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**.



*Mayoral Proclamation for Dedication and Commitment to this Community*

**WHEREAS,** Dan and Janie Drummond have been strong and active members of the Edgewood community for all the years that they have lived in the City; and

**WHEREAS,** for seven years Dan has expertly flown Santa Claus safely to Edgewood City Hall ushering in the Spirit of the Holiday Season to the Edgewood Community; thus allowing the children to visit with Santa and experience the joy of the season; and

**WHEREAS,** Janie has enthusiastically and consistently donated her time, enthusiasm, and creativity to many City activities and events; and

**WHEREAS,** the City of Edgewood wishes to recognize and thank the Drummonds for their contributions to the community.

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

Section 1: Dan and Janie Drummond in recognition of their many valuable contributions and dedicated service to the City of Edgewood are declared as **Citizens of the Year for the City of Edgewood for 2022.**

Section 2: That a keepsake honoring Dan and Janie Drummond as Citizens of the Year of the City of Edgewood for 2022 shall be presented to them.

Section 3: That a copy of this proclamation recognizing Dan and Janie Drummond shall be presented to them as a further token of the sincere gratitude and appreciation of the City of Edgewood.

***IN WITNESS WHEREOF,*** I have hereunto set my hand and caused the Official Seal of the City of Edgewood to be affixed this **20<sup>th</sup>** day of **December 2022.**

City of Edgewood, Florida

\_\_\_\_\_  
John Dowless  
Mayor



**CITY COUNCIL REGULAR MEETING**  
City Hall – Council Chamber  
405 Bagshaw Way, Edgewood, Florida  
Tuesday, November 15, 2022 at 6:30 PM

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**DRAFT MINUTES**

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

Council President Horn called the meeting to order at 6:30 pm. He asked for a moment of silence and then led everyone in the Pledge of Allegiance.

**B. ROLL CALL & DETERMINATION OF QUORUM**

City Clerk Riffle announced a quorum with all Council Members and Mayor Dowless present.

**MAYOR/COUNCIL ATTENDEES**

Mayor John Dowless  
Council President Richard A. Horn  
Councilmember Lee Chotas  
Councilmember Susan Lomas  
Councilmember Ben Pierce  
Councilmember Chris Rader

**STAFF ATTENDEES**

Sandra Riffle, Interim City Clerk  
Pete Gauntlett, Interim Police Chief  
Tim Cardinal, Police Sergeant  
Scott Zane, Officer/IT Department  
Stacey Salemi, Code Compliance Officer  
Drew Smith, City Attorney  
Allen Lane, P.E. City Engineer

**C. PRESENTATION OF PROCLAMATION**

**D. CONSENT AGENDA**

1. October 18, 2022 Regular Meeting Draft Minutes
2. November 7, 2022 Special Meeting Draft Minutes

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

**E. ORDINANCES**

None

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

None

**G. UNFINISHED BUSINESS**

**1. 524 Harbour Island Rd. - Boat Dock**

Engineer Lane began the continuation of his review of the proposed boat dock. He said he took his kayak to the location and took measurements of the states and along the seawall. He said the dock would be located approximately 28 feet from the dock on the opposite side of the canal.

He said that Orange County Sheriff's Office checked the navigability and had no objections. The code requirement is 25% of the width of the canal. The canal width in this location is 48 feet, and 25% of that width would be 12.5 feet, the maximum amount the dock can extend into the canal. The clearance between the docks would be approximately 21 feet. Further discussion ensued regarding the canal and the location of the proposed boat dock.

Council President Horn asked applicant Rachel Wilson if there is a possibility to adjust the location to the east to allow a little extra space between the docks. Ms. Wilson said her plans meet Code requirements, and the dock is as narrow as she can make it. They discussed trying to move the dock but decided the dock needed to be in the proposed location.

**Public Comment**

Rich Browning, an Edgewood resident, requested to shift the dock to the east to provide a safer passage.

Joe Olear, an Edgewood resident, said a boat coming through straight would have less than 20 feet of navigability.

Reed Clary, an Edgewood resident, said he respectfully disagrees with the navigation assessment and the standard of 25 feet of clearance has not been met.

Attorney Smith said the property rights of the applicant extend over most of the canal width and asked the Council about the rights for someone to moor their boat on another's property. He clarified that riparian lake rights differ from canal property. Further conversation ensued regarding davits being considered part of the boat dock and the boat itself not being part of the dock's measurements.

Ms. Wilson said the dock meets the code.

***Councilmember Pierce made a motion to approve the construction of the proposed boat dock located at 524 Harbour Island Road. The motion was seconded by Councilmember Lomas. Motion approved (5/0).***

The motion was approved by roll call vote.

Councilmember Rader	Favor
Councilmember Pierce	Favor
Councilmember Lomas	Favor
Councilmember Chotas	Favor
Council President Horn	Favor

**H. NEW BUSINESS**

**1. Mecato's Bakery and Cafe Discussion of Approved Waivers**

Nelson Lerma showed a PowerPoint of the building at 5645 Hansel Avenue. Mr. Lerma said that after Council permitted him to tear the building down to the footers, they found there is little in the building that is workable. He said structural anomalies associated with the building, including 2-inch blocks to patch holes, stem walls 4 feet below the ground, and varying wall heights that are difficult to reuse, were discovered during the demolition process. He said there is no rebar in the whole building.

Mr. Lerma requested to be able to demolish the slab, stem wall around the building, and the footer and start over for structural integrity and to meet building code. He said the building would be built exactly as proposed, and the original bricks would be reused.

Attorney Smith said that allowing him to do what he proposes will allow the project to keep going. He said the reason Mr. Lerma has come before Council is that he is trying to keep as much of the original building as possible with full disclosure of the situation. He would like to be able to keep the approved waivers.

***Councilmember Lomas made a motion to allow the waivers to remain even though the footers and slab have to be removed to reconstruct the building. Councilmember Chotas seconded the motion. Motion approved (5/0) by voice vote.***

**2. Resolution 2022-07 Fiscal Year 2021-2022 Budget Amendment**

Attorney Smith read Resolution 2022-07 in title only.

City Clerk Riffle explained to Council that the City's accounting firm reviewed the City's budget for the 2021/2022 fiscal year. Overall, the City was under budget. Amendments occurred in the General Fund and Roads and Streets. The City was slightly over the 75% reserve requirement, so McDirmit increased the transfer from the general fund to roads and streets to cover the increased expenses. This would resolve the reserve requirement.

There was no public comment.

***Councilmember Chotas made a motion to approve the final budget Resolution 2022-07; seconded by Councilmember Pierce. Motion approved (5/0).***

The resolution was approved by roll call vote.

Councilmember Lomas	Favor
Councilmember Rader	Favor
Councilmember Chotas	Favor
Councilmember Pierce	Favor
Council President Horn	Favor

Councilmember Pierce left the meeting at 7:23 pm.

**I. GENERAL INFORMATION**

**J. CITIZEN COMMENTS**

Vernon Hargrave with Brinkman Accounting asked what could be done about the intersection at Gatlin and South Orange Avenue. He said the road has not changed but the number of people going through has increased. Mr. Hargrave showed two photos of north and southbound State Road 527 and asked if there could be a median instead of lines in the middle to stop people from driving the center lane.

Mr. Hargrave said a vehicle was driving in the bicycle lane and hit his wife in the crosswalk.

Councilmember Rader agreed there is a problem at the intersection; however, they are County and State roads, not the City's.

Mayor Dowless said conditions have worsened since the red light cameras have gone. He requested the accident reports from the Police Department, which he will forward to Planner Hardgrove.

Councilmember Chotas said the County is perpetuating an unsafe condition and could be liable in the future. Attorney Smith was the City might not be able to impel them to do anything.

Mayor Dowless reported that Commissioner Uribe said Orange County would look into improvements to the intersection, but the transportation tax did not pass. He noted that he would like to prepare a letter putting them on notice.

In response to Mayor Dowless, Chief Gauntlett said he would contact FDOT and if painting broad white stripes in the intersection would help.

**K. BOARDS & COMMITTEES**

**L. STAFF REPORTS**

**City Attorney Smith** – No report

**Police Chief Gauntlett**

Chief Gauntlett was welcomed by Mayor Dowless and City Council.



He said he is learning a lot and is impressed with what he has seen. He said they are working to overcome the vacancies and provide the level of service the residents and businesses are accustomed to.

### **City Clerk Riffle**

City Clerk Riffle said that she received the TRIM letter from the State of Florida stating that the City is in compliance.

She explained that during Hurricane Nicole, there was flooding on Harbour Island Road. She is working with Orange County because they last cleaned the drain baskets a long time ago, and the City's maintenance company has had to come in to clean the Orange County drains several times. The City would like to have the company that repaired the pipe in April come back and test to see if the repair held, with the concern being that the backup from the drains may have compromised the pipe's condition. There was no objection from Council.

Councilmember Rader said to be prepared for the County to come back and say that maintenance of the drains on City roads will be the City's responsibility.

Clerk Riffle said the City completed debris removal from Hurricane Ian, and the hauler will restore the temporary debris site to its original condition. The City is in line for reimbursement from FEMA.

Reimbursement for debris removal would be less than from Hurricane Ian because the State of Florida did not declare a disaster for Nicole. Reimbursement for debris removal would not be as much as from Hurricane Ian. The choices are for the City to hire a hauler to remove the debris or for residents and businesses to be responsible for their own debris removal. The third choice is to employ the debris hauler and monitor company but with no assurance of reimbursement from FEMA.

Mayor Dowless asked for consent from Council for the City to pay to remove the debris. The cost was projected to be between \$2,000 to \$5,000, but there is no estimate for the dumping fee. He said there was a sizable debris accumulation on Jessamine Lane and Sergeant Cardinal said there was also a large pile on Haverill Drive. There was no objection from Council.

Councilmember Lomas complimented the City on the cleanup. Mayor Dowless said the quick debris removal will be added to the City's talking points for annexations.

## **M. MAYOR AND CITY COUNCIL REPORTS**

### **Mayor Dowless**

Mayor Dowless said that the City of Belle Isle to consider consolidating the Edgewood Police Department with Belle Isle's Police Department. He said that there would essentially be one Chief over both departments. He added that other states have done this, but not yet in Florida, although Belle Isle's City Manager, Bob Frances, has been through the consolidation in another state.

City Council Regular Meeting (updated) **MINUTES**

Mayor Dowless said that if the consolidation is made, he would insist on equal representation and would not sacrifice the level of service Edgewood's residents and businesses have come to expect.

Chief Gauntlett said today's challenges are recruiting and competition for staff. The consolidation process is a progressing way to increase resources, cost-saving, and a way to serve communities as a whole. He said Edgewood's and Belle Isle's agencies have great reputations.

Chief Gauntlett said the challenges of integrating staff are complex. Edgewood is fully accredited, and Belle Isle is not, which affects policies, including retirement and jurisdictional issues. A merger of this size has yet to be done in the State of Florida. He said the communities could be territorial, causing anxiety among staff. Both agencies would be disbanded to create one new agency. It is a complex process.

Chief Gauntlett said if the decision is not to move forward, it is necessary to find a new Edgewood Chief quickly.

Councilmember Chotas said Edgewood has a Police Department that works and stated his concern that a recreated agency would not work as well. He wants Edgewood's certification to continue, and he is against merging under joint control.

Councilmember Lomas said Edgewood's Police Department staff has been through enough lately.

Councilmember Rader said there would be an administrative burden, and even though there would be cost savings, he agrees with Councilmember Chotas. Mayor Dowless noted that the City of Edgewood exists because of the Police Department. He would not support an agreement based on population. He said he felt obligated to consider the idea as Edgewood searches for a new Chief. Chief Gauntlett confirmed that he would assist with either searching for a new Chief or for beginning the process of consolidating the two agencies.

Further discussion ensued regarding the administration and Edgewood's control as part of the agency.

Police Department Chief of Staff Patterson stated her concern about the effect the conversation would have on Police Department staff. She would like a decision on whether or not the City would move forward to consider consolidation.

Councilmember Rader said he is interested in efficiency and does not want the department's accreditation or service level to be affected.

Mayor Dowless said he would share that the consensus of the Council was not to pursue consolidation of police departments at this time.

Council Member Chotas - No report.

Council Member Pierce - No report.

Council Member Rader - No report.

Council Member Lomas - No report.

Council President Horn - No report.

**N. ADJOURNMENT**

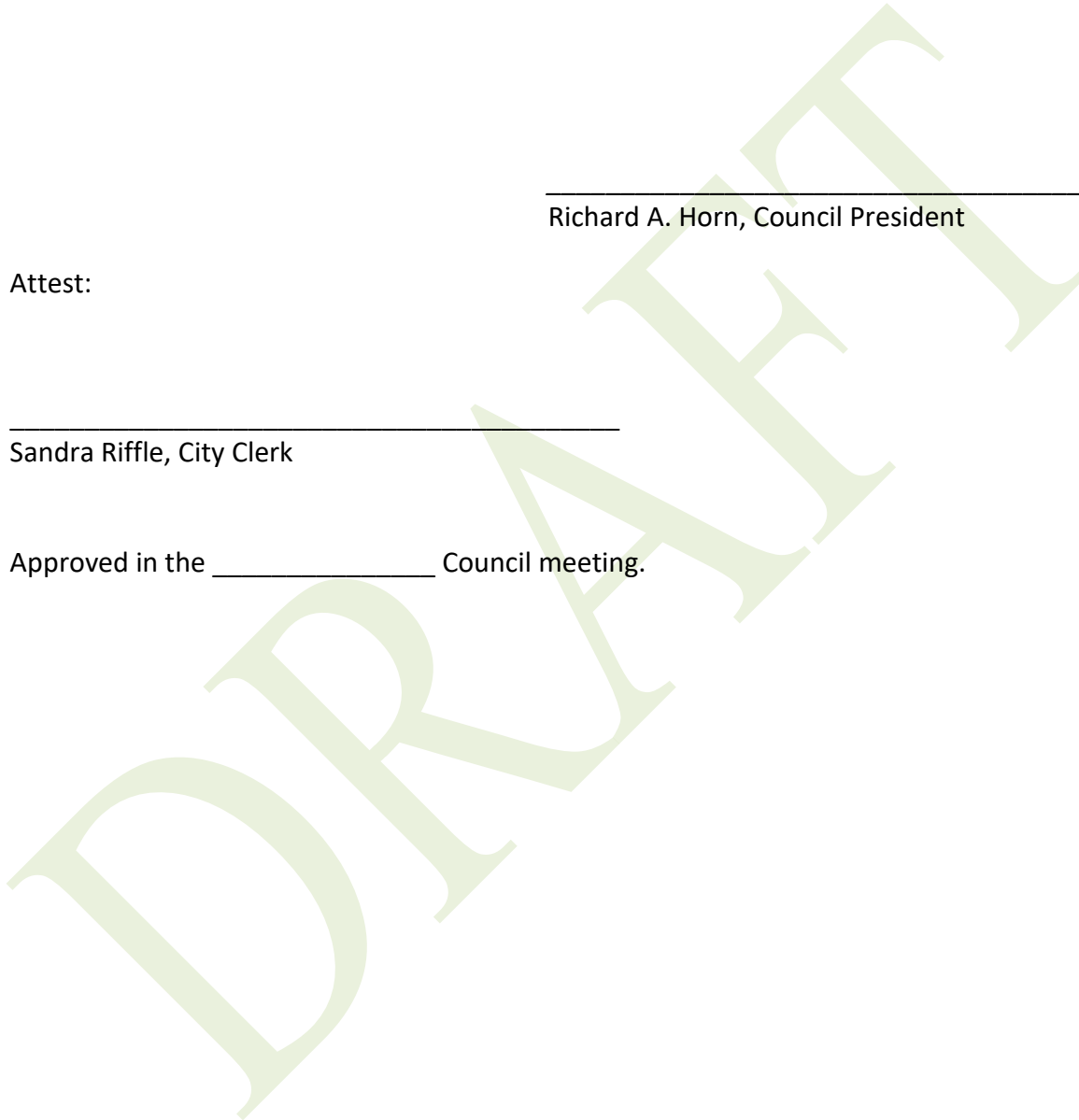
***Councilmember Rader motioned to adjourn the meeting; seconded by Councilmember Chotas. The meeting adjourned at 8:11 pm.***

\_\_\_\_\_  
Richard A. Horn, Council President

Attest:

\_\_\_\_\_  
Sandra Riffle, City Clerk

Approved in the \_\_\_\_\_ Council meeting.





# Memo

**To:** Mayor Dowless, Council President Horn,  
Council Members Chotas, Lomas, Pierce, and Rader

**From:** Brett Sollazzo, Administrative & Permitting Manager

**Date:** December 13, 2022

**Re:** Boards & Committees Ordinances Report

The following business item was reviewed by the Planning and Zoning Board at the November 14, 2022 meeting:

**1. Ordinance 2022-08: Comprehensive Plan Amendment**

AN ORDINANCE AMENDING THE CITY OF EDGEWOOD COMPREHENSIVE PLAN RELATED TO THE CREATION OF A SITE-SPECIFIC FUTURE LAND USE DESIGNATION AND GENERAL TEXT TO FUTURE LAND USE POLICY 1.1.6; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

*Board Member Gragg made a motion to recommend approval of Ordinance 2022-08 to modify Policy 1.1.6 of the Comprehensive Plan to add a site-specific plan designation as well as the general text applicable to all future land use designations that explains the density/intensity maximums are not an entitlement and are not achievable in all situation; seconded by Board Member Gibson. Approved (4/0).*

The motion was approved with a roll call vote.

Vice-Chair Santurri	Favor
Board Member Gragg	Favor
Board Member Gibson	Favor
Board Member Nolan	Favor
Board Member Nelson	Absent

The following business items were reviewed by the Planning and Zoning Board at the December 12, 2022 meeting:

**1. Ordinance 2022-09: Small Scale Comp Plan Amendment for County to City Zoning**

AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA, TO AMEND THE FUTURE LAND USE MAP OF THE EDGEWOOD COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE DESIGNATION ON TWO PARCELS: 1) FROM COUNTY COMMERCIAL AND OFFICE TO CITY COMMERCIAL ON THE APPROXIMATELY 8.79 ACRE OAKWATER PROFESSIONAL PARK AND 2) FROM HIGH DENSITY RESIDENTIAL TO COMMERCIAL ON APPROXIMATELY 0.78 ACRE LOCATED AT 5517 HANSEL AVENUE; FINDING THAT SUCH CHANGE IN THE FUTURE LAND USE MAP ARE SMALL SCALE AMENDMENTS UNDER SECTION 163.3187, FLORIDA STATUTES; PROVIDING FOR FINDINGS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

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

***Vice-Chair Santurri made a motion to recommend that City Council approve Ordinance 2022-09 to amend the Future Land Use Map as proposed; the motion was seconded by Board Member Nelson. Approved (4/0).***

The motion was approved by roll call vote.

Vice-Chair Santurri	Favor
Board Member Gibson	Favor
Board Member Nelson	Favor
Board Member Nolan	Favor
Board Member Gragg	Absent

**2. Ordinance 2022-10: CIE Annual Amendment Transmittal**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA, ADOPTING THE 2022/2023 FIVE YEAR CAPITAL IMPROVEMENT SCHEDULE ANNUAL UPDATE; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

***Board Member Nelson made a motion to recommend that City Council approve Ordinance 2022-10 as proposed for the five-year Capital Improvement Schedule; the motion was seconded by Vice Chair Santurri. Approved (4/0).***

The motion was approved by roll call vote.

Vice-Chair Santurri	Favor
Board Member Gibson	Favor
Board Member Nelson	Favor
Board Member Nolan	Favor
Board Member Gragg	Absent

**3. Ordinance 2022-11: Boat Docks**

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING CHAPTER 14 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES REGARDING RULES AND REGULATIONS FOR BOAT DOCK CONSTRUCTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE

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

***Vice-Chair Santurri made a motion to recommend that City Council approve Ordinance 2022-11 with the following changes:***

- ***Correct the typographical error in Sec. 14-4 on line 120 by adding the word "hour" after ten miles per***
- ***Remove the words "surface waters" from Sec. 14-11 line 193***

**The motion was seconded by Board Member Gibson. Approved (4/0).**

The motion was approved by roll call vote.

Vice-Chair Santurri	Favor
Board Member Gibson	Favor
Board Member Nelson	Favor
Board Member Nolan	Favor
Board Member Gragg	Absent

**4. Ordinance 2022-12: Rezoning Process**

AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA AMENDING CHAPTER 134, "ZONING," SECTION 134-121, "REZONING PROCESS," SUBSECTION (d) RELATING TO NOTICE REQUIREMENTS FOR REZONINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND EFFECTIVE DATE.

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

***Vice-Chair Santurri made a motion to recommend that City Council approve Ordinance 2022-12 as proposed; the motion was seconded by Board Member Nelson. Approved (4/0).***

The motion was approved by roll call vote.

Vice-Chair Santurri	Favor
Board Member Gibson	Favor
Board Member Nelson	Favor
Board Member Nolan	Favor
Board Member Gragg	Absent

**5. Ordinance 2022-13: ECD Wall Locations**

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING CHAPTER 134 OF THE CODE OF ORDINANCES RELATED TO THE EDGEWOOD CENTRAL DISTRICT TO CORRECT SCRIVENERS' ERRORS, PROVIDE CLARIFICATION OF ADOPTED REGULATIONS AND STANDARDS, AMEND CERTAIN DESIGN GUIDELINES AND STANDARDS, AND TO PROVIDE AMENDED REGULATIONS RELATED TO LOCATION OF WALLS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND AN EFFECTIVE DATE.

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

***Board Member Nelson made a motion to recommend that City Council approve Ordinance 2022-13 to correct the scriveners' errors with the following provisions:***

- ***Amend line 36 to state a wall shall be constructed within five feet from the property line.***
- ***In addition to the proposed change to the rear yard setback, the Board recommends making the same change to the wall setback for side yards.***

**The motion was seconded by Vice Chair Santurri. Approved (4/0).**

The motion was approved by roll call vote.

Vice-Chair Santurri	Favor
Board Member Gibson	Favor
Board Member Nelson	Favor
Board Member Nolan	Favor
Board Member Gragg	Absent



Date: December 13, 2022  
To: City Council  
From: Ellen Hardgrove, City Planning Consultant  
XC: Sandy Riffle, City Clerk  
Drew Smith, City Attorney  
Re: Proposed Comprehensive Plan Amendment – Site Specific Future Land Use Designation

This agenda item is for consideration of transmitting a proposed comprehensive plan amendment to add a new future land use designation, Site Specific Plan, to the Department of Economic Opportunity (DEO) for State review. This is the same amendment that was denied by Council in July 2022; however, based on new input, Council agreed to reconsider the amendment

Recapping, the proposed new designation would allow the consideration of a use that would require specific development standards to ensure land use compatibility with adjacent uses. Any use allowed in any of the other future land use designations could be considered consistent with the Site Specific Plan future land use designation.

The new policy requires that a proposed future land use map amendment to this new designation must be simultaneous considered with a correlated comprehensive plan policy specifically detailing, at a minimum, the allowable uses and densities/intensities for that parcel. Given the specific densities/intensities will be detailed in the required new policy, staff is recommending one change from the previously considered amendment; i.e., removal of the density/intensity caps from the proposed policy (reference lines 109-110 of the proposed ordinance).

~~The maximum density allowed shall be 16 units per acre for residential and 1.0 floor area ratio for nonresidential.~~ Simultaneously with establishing this designation on the Future Land Use Map, a policy amendment shall be approved that details the development program for the property including, at a minimum, specific permitted uses and maximum density/intensity.

The proposed amendment also requires that development on property with the Site Specific Plan designation be rezoned to a new Planned Development zoning district.

In addition to the new future land use designation, the proposed amendment includes general language applicable to all future land use designations that is intended to provide an understanding that the listed densities/intensities are not an entitlement.

The Planning and Zoning Board supports the amendment. Staff recommends Council approve transmittal to the DEO with staff’s recommended change to the text as noted above.

END



**ORDINANCE NO. 2022-08**

**AN ORDINANCE AMENDING THE CITY OF EDGEWOOD  
COMPREHENSIVE PLAN RELATED TO THE CREATION  
OF A SITE-SPECIFIC FUTURE LAND USE  
DESIGNATION; PROVIDING FOR CODIFICATION;  
PROVIDING FOR CONFLICT AND SEVERABILITY; AND  
PROVIDING AN EFFECTIVE DATE**

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**WHEREAS**, the City Council of the City of Edgewood adopted the City of Edgewood Comprehensive Plan by Ordinance No. 91-378 on December 17, 1991, pursuant to Chapter 163.3184, Florida Statutes; and

**WHEREAS**, the City Council of the City of Edgewood amended the City of Edgewood Comprehensive Plan by Ordinance No. 2013-04 on November 19, 2013, pursuant to Chapter 163.3184, Florida Statutes; and

**WHEREAS**, the City Council of the City of Edgewood amended the City of Edgewood Comprehensive Plan by Ordinance No. 2021-02 on December 21, 2021 pursuant to Chapter 163.3184, Florida Statutes; and

**WHEREAS**, the City of Edgewood Comprehensive Plan, is the product of an ongoing planning process; and

**WHEREAS**, an updated and current City of Edgewood Comprehensive Plan is essential to direct the City’s future planning programs; and

**WHEREAS**, in some circumstances, certain future land uses require a more detailed level of review to ensure adjacent land use compatibility and/or coordination with the limited availability public infrastructure; and

**WHEREAS**, the Local Planning Agency for the City of Edgewood received input and advice from its planners and staff; and

**WHEREAS**, the City Council of the City of Edgewood deems it necessary to make such revisions to the City of Edgewood Comprehensive Plan, as contained in this Ordinance; and

**WHEREAS**, all required public notices and public hearings for such amendment to the City of Edgewood Comprehensive Plan have been properly given and held; and

**WHEREAS**, amendments to the Comprehensive Plan as contained in this Ordinance are identified by underlined text.

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

**SECTION 1. LEGISLATIVE FINDINGS.** The Recitals set forth above are hereby adopted as legislative findings of the City Council of the City of Edgewood.

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**SECTION 2. COMPREHENSIVE PLAN AMENDMENT TEXT. .**

Policy 1.1.6 Development orders shall only be approved consistent with the adopted Future Land Use Map. The Future Land Use Map classifications are defined below:

Commercial: Activities within land areas that are predominantly connected with the sale, rental and distribution of products, or performance of services. Commercial uses will be at a relatively low to moderate intensity, consistent with existing uses. Maximum commercial intensity shall be 0.50 F.A.R. (floor area ratio), unless as set forth below.

Properties with a Commercial Future Land Use designation that have frontage on a roadway designated as "principal arterial", may have a mixed-use development pattern not exceeding 3.0 F.A.R. and up to 80 dwelling units per acre, when adequate public facilities and services are demonstrated to be available and land use compatibility demonstrated. This mixed-use pattern will promote infill and redevelopment, while also promoting a reduction in vehicle trips and promoting mobility. Properties developing under the mixed- use concept may develop meeting the following design components, implemented through the land development regulations:

1. Massing and scale building heights shall be permitted by land development regulations; however, floors over the first may be required to be stepped back to provide massing relief from adjacent properties with a residential designation.
2. All sides of mixed use buildings shall incorporate architectural detail and design elements so that there are no blank walls on the exterior, incorporating a variety of rooflines, windows, and visual relief through changes in building material, as well as horizontal and vertical changes in the building facades.
3. Active uses within mixed-use buildings, including parking areas, recreational facilities, and mechanical equipment shall be appropriately buffered to reduce impact on existing residential uses.
4. Lighting and signage shall be appropriately designed, scaled and shielded to reduce impact on surrounding residential areas.
5. Other compatibility measures and development standards as may be defined through the Planned Development and site plan review process.
6. Any site with a property line adjacent to a street that provides access to a residential neighborhood shall have no curb cuts onto the residential street, so as to minimize impact to the residential neighborhood, unless approved by

82 City Council in a public hearing as part of a Planned Development Zoning or  
83 a conditional use process.

84  
85 Low Density Residential: Low density residential land uses shall be at a density  
86 not exceeding 4 dwelling units per acre.

87  
88 Medium Density Residential: Medium density residential land uses shall be at a  
89 density greater than 4 dwellings units per acre and not exceeding 7 dwelling units  
90 per acre.

91  
92 High Density Residential: High density residential land uses shall be at a density  
93 exceeding 7 dwelling units per acre but not greater than 16 units per acre.

94  
95 Institutional: Activities within land areas that are predominantly connected with  
96 government, schools, hospitals, and medically related facilities. Institutional land  
97 uses will be at a relatively low to moderate intensity, consistent with existing  
98 uses. Maximum institutional intensity will be 0.50 F.A.R. (floor area ratio).

99  
100 Site Specific Plan: The Site Specific Plan designation is used for parcels that, due  
101 to the proposed use, residential and/or nonresidential, require a more detailed  
102 level of review to ensure land use compatibility. To be compatible means, a  
103 development, building and/or land use is designed to be able to exist or occur  
104 without conflict with its surroundings in terms of its uses, scale, height, massing,  
105 and location on its site, as well as to avoid negative impacts to public services and  
106 facilities. The permitted uses on property with a Site Specific Plan designation  
107 shall be those allowed in any of the other City future land use designations;  
108 however, the ability to develop any use on the property shall be conditioned on  
109 demonstration of adjacent land use compatibility. The maximum density allowed  
110 shall be 16 units per acre for residential and 1.0 floor area ratio for nonresidential.  
111 Simultaneously with establishing this designation on the Future Land Use Map, a  
112 policy amendment shall be approved that details the development program for the  
113 property including, at a minimum, specific permitted uses and maximum  
114 density/intensity. Any change to such policy directives shall require a  
115 comprehensive plan amendment. Development on properties with this designation  
116 shall be required to be rezoned to a Planned Development District to ensure a  
117 well-planned development program compatible with adjacent uses through  
118 consistency with site specific design standards and architectural controls.

119 The density/intensity maximums listed in this policy are not an entitlement and are  
120 not achievable in all situations. Many factors may limit the permitted use and/or  
121 density and/or intensity including, but not necessarily limited to, physical limitations  
122 imposed by property dimensions and onsite natural resources and environmental

123 systems; necessary land use compatibility design standards; compliance with smart  
124 growth development design including, but not limited to, the need to accommodate  
125 innovative technology for the provision of infrastructure needs such as electric  
126 charging stations and alternative energy sources, and green building design; the need  
127 to provide recreation space in employment as well as residential areas; as well as  
128 compliance with applicable code requirements such as, but not limited to parking,  
129 open space, setbacks, and impervious surface maximums.

130 **SECTION 3.** All ordinances or parts of ordinances in conflict with this Ordinance are  
131 hereby repealed.

132  
133 **SECTION 4.** After the first public hearing, this amendment was transmitted to the  
134 Department of Economic Opportunity, and a copy was submitted to each of: the East Central  
135 Florida Regional Planning Council, the St. Johns River Water Management District, the  
136 Department of Environmental Protection, the Department of State, the Department of  
137 Transportation, Orange County, and any other unit of local government or governmental agency  
138 in the State of Florida that has filed a written request with the Clerk of the City of Edgewood,  
139 Florida.

140  
141 **SECTION 5.** This Ordinance shall become effective 31 days after the Department of  
142 Economic Opportunity notifies the City that the Plan Amendment package is complete, or on the  
143 date a final order is issued by the Department of Economic Opportunity or Administration  
144 Commission finding the amendment in compliance, whichever occurs sooner. No development  
145 permits or land uses dependent on this amendment may be issued or commence before it has  
146 become effective.

147  
148 **FIRST READING** on the \_\_\_\_ day of \_\_\_\_\_, 2022.

149 **ADOPTED** by the City Council of the City of Edgewood, Florida, this \_\_\_\_ day of  
150 \_\_\_\_\_, 2022.

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152 \_\_\_\_\_  
153 Richard A. Horn, Council President

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156 *ATTEST:*

157  
158 \_\_\_\_\_  
159 Sandra Riffle, City Clerk

160

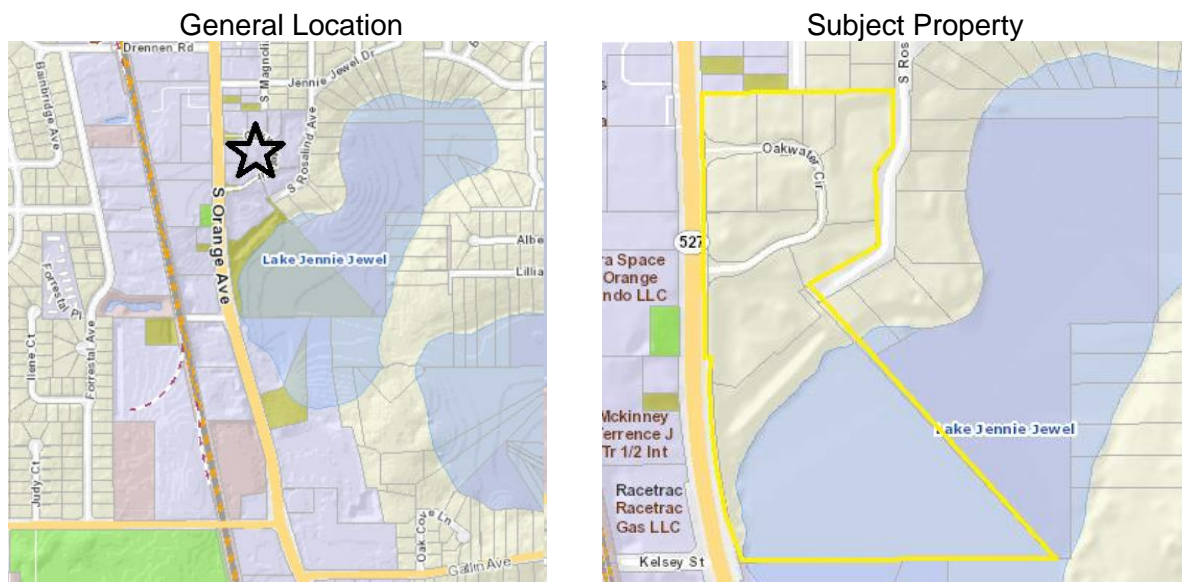


Date: December 13, 2022  
 To: City Council  
 From: Ellen Hardgrove, City Planning Consultant  
 XC: Sandy Riffle, City Clerk  
 Brett Sollazzo, Administrative Assistant  
 Drew Smith, City Attorney  
 Re: Small Scale Future Land Use Map Amendments/Ordinance 2022-09

This agenda item relates to the City’s effort to administratively rezone areas of the City that continue to have the County zoning after annexation to a City zoning district. Per Code Section 134-172, all territory that was annexed into the City is considered to be zoned in the same manner as existed when under the County zoning classification unless such classification is affirmatively changed by the City. The proposed rezonings will be to districts that are similar to their current County district. With a requirement that all rezonings must be consistent with the comprehensive plan, the City’s comprehensive plan’s future land use map needs to be amended before two of the necessary rezonings can be approved.

The first area is the Oakwater Office Park as shown in Exhibit 1. This area, comprising ±16.32 acres including ±7.4 acres of land in Lake Jennie Jewel, was annexed in 2020.

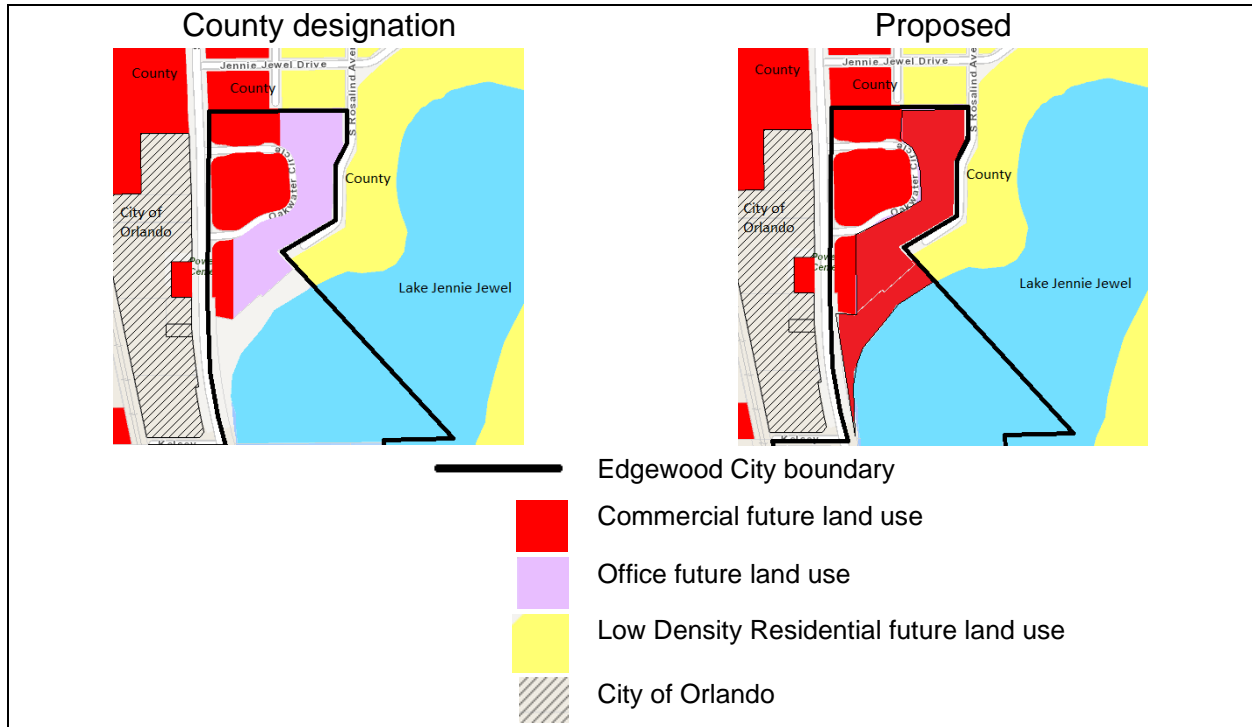
Exhibit 1 – Oakwater Office Park



As shown in Exhibit 2, the western portion of the property has a County Commercial future land use designation; the eastern portion is Office. The proposed future land use County to City Rezoning December 2022 Council Meeting

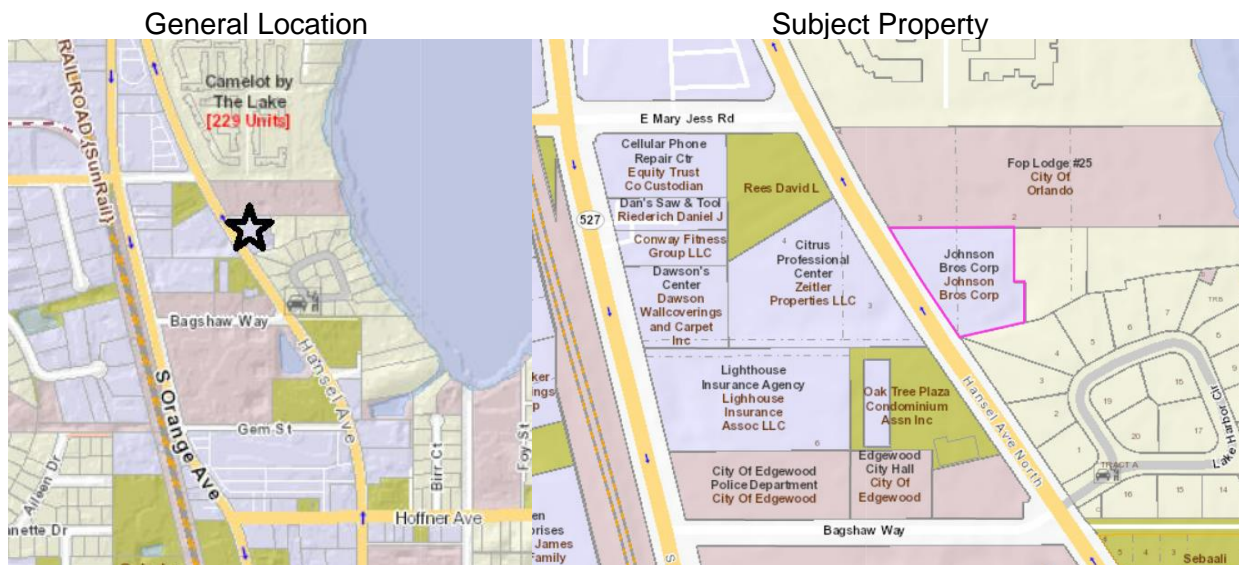
designation for the entire subdivision above the normal high water elevation of Lake Jennie Jewel is Commercial; Office is not an option as the City does not have an Office future land use designation.

Exhibit 2– Oakwater Office Park Existing/Proposed Future Land Use



The second area for a future land use map amendment is shown in Exhibit 3. The property is at 5517 Hansel Avenue, comprising ±0.78 acre, and is occupied by a one-story office building.

Exhibit 3 – Area 2



As shown in Exhibit 4, the property has a High Density Residential future land use designation even though the property is zoned PO (Professional Office). The proposed future land use is Commercial; as stated above, the City does not have an Office future land use designation.

Exhibit 4 – Area 2 Existing/Proposed Future Land Use



Given both recommended future land use map amendments are consistent with the development on the property, land use compatibility issues will not be created. The amendments will not change the demand for public facilities as redevelopment is not anticipated. Any redevelopment would require demonstration that adequate services and facilities are available to accommodate the new development.

Since each amendment involves less than 50 acres, the amendment can be processed as a “small scale comprehensive plan amendment,” which only requires one City Council hearing for approval. The State Department of Economic Opportunity review is eliminated from the typical amendment process. Per Chapter 163.3187, Florida Statutes, the amendments will not become effective until 31 days after adoption, provided the amendments are not challenged.

The Planning and Zoning Board recommended that City Council amend the Future Land Use Map as proposed.

**ORDINANCE NO 2022-09**

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**AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA, TO AMEND THE FUTURE LAND USE MAP OF THE EDGEWOOD COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE DESIGNATION ON TWO PARCELS: 1) FROM COUNTY COMMERCIAL AND OFFICE TO CITY COMMERCIAL ON THE APPROXIMATELY 8.79 ACRE OAKWATER PROFESSIONAL PARK AND 2) FROM HIGH DENSITY RESIDENTIAL TO COMMERCIAL ON APPROXIMATELY 0.78 ACRE LOCATED AT 5517 HANSEL AVENUE; FINDING THAT SUCH CHANGE IN THE FUTURE LAND USE MAP ARE SMALL SCALE AMENDMENTS UNDER SECTION 163.3187, *FLORIDA STATUTES*; PROVIDING FOR FINDINGS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Edgewood is committed to planning and managing the future growth and redevelopment of the City; and

**WHEREAS**, the City of Edgewood has the authority to amend its Comprehensive Plan pursuant to Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the City Council of Edgewood desires to adopt an amendment to the Comprehensive Plan, Future Land Use Map, to guide and control the future development of the City and to preserve, promote and protect the public’s health, safety and welfare; and

**WHEREAS**, the property satisfies the criteria for a small scale amendment under Section 163.3187, Florida Statutes; and

**WHEREAS**, each proposed amendment to the Comprehensive Plan, Future Land Use Map contemplated herein involves fewer than fifty acres; and

**WHEREAS**, the City of Edgewood’s Planning and Zoning Board, as the City’s local planning agency, held a public hearing to consider this amendment to the Future Land Use Map of the Future Land Use Plan Element of the City of Edgewood Comprehensive Plan; and

**WHEREAS**, the City Council as the City’s governing body, held a public hearing for adoption to consider the amendment to the City of Edgewood Comprehensive Plan in accordance with the controlling provisions of State law; and

**WHEREAS**, the City of Edgewood has complied with all requirements and procedures of Florida law in processing this small scale amendment to the City of Edgewood Comprehensive Plan.

**WHEREAS**, the City Council of the City of Edgewood hereby finds and determines that this Ordinance is internally consistent with the goals, objectives and



47 policies of the City of Edgewood Comprehensive Plan and other controlling law to  
48 include, but not limited to, Chapter 163, Florida Statutes, and the provisions of the State  
49 Comprehensive Plan as codified at Chapter 187, Florida Statutes.

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

53  
54 **Section 1:** The recitals set forth above are hereby adopted as legislative  
55 findings of the City Council of the City of Edgewood.

56  
57 **Section 2:** Small Scale Comprehensive Plan Amendments – Future Land Use  
58 Map:

59  
60 Ordinances adopting and amending the Comprehensive Plan of the City of  
61 Edgewood, Florida, be, are hereby amended to designate the property legally described as  
62  
63 The Oakwater Professional Park, Units 1-11, as described in Orange County Official  
64 Records Book 3633, Page 1930, less the area below the normal high water elevation of  
65 Lake Jennie Jewel; and

66  
67 Part of Lots 1, 2, and 3 of 3 J.J. REAVES SUBDIVISION as recorded in Plat Book "F",  
68 Page 66 of the Public Records of Orange County, Florida, lying East of State Road 527,  
69 being more particularly described as follows: Begin at the intersection of the Easterly  
70 Right-of-Way line of said State Road 527 and the Southerly line of the North 190.00 feet  
71 of said Lot 3; thence run North 89 degrees 46' 46" East, along said Southerly line, a  
72 distance of 229.00 feet; thence departing said Southerly line run South 00 degrees 13' 14"  
73 East a distance of 100.00 feet; thence North 89 degrees 46' 46" East, a distance of 20.00  
74 feet; thence South 00 degrees 13' 14" East, a distance of 74.10 feet; thence South 77  
75 degrees 35' 27" West, a distance of 122.65 feet to a point on the Easterly Right-of-Way  
76 line of said State Road 527; thence North 34 degrees 17' 47" West, along said Right-of-  
77 Way line, a distance of 41.26 feet to the point of curvature of a curve, concave  
78 Northeasterly, having a central angle of 02 degrees 58' 33" and a radius of 3,789.83 feet;  
79 thence run Northwesterly along the arc of said curve, a distance of 196.83 feet to the  
80 Point of Beginning as Commercial on the Future Land Map; in accordance with the  
81 Amended Future Land Map attached hereto as Exhibit "A" and incorporated herein.

82  
83 **Section 3:** The City Clerk is hereby directed to transmit a copy of this  
84 amendment of the Comprehensive Plan to the State Land Planning Agency.

85  
86 **Section 4:** All Ordinances or parts of Ordinances in conflict with any of the  
87 provisions of this Ordinance are hereby repealed to the extent of such conflict.

88  
89 **Section 5:** If any Section or portion of a Section of this Ordinance proves to  
90 be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the  
91 validity, force, or effect of any other Section or part of this Ordinance, it being the

92 legislative intent that this Ordinance shall stand notwithstanding the invalidity of any  
93 part.

94  
95 **Section 6:** This Ordinance and small scale amendment shall become effective  
96 31 days after adoption. If challenged within 30 days after adoption, said amendment  
97 shall not become effective until the State Land Planning Agency or the Administration  
98 Commission, respectively, issues a final order determining the adopted small scale  
99 amendment is in compliance, pursuant to *Florida Statute* 163.3187(3)(c).

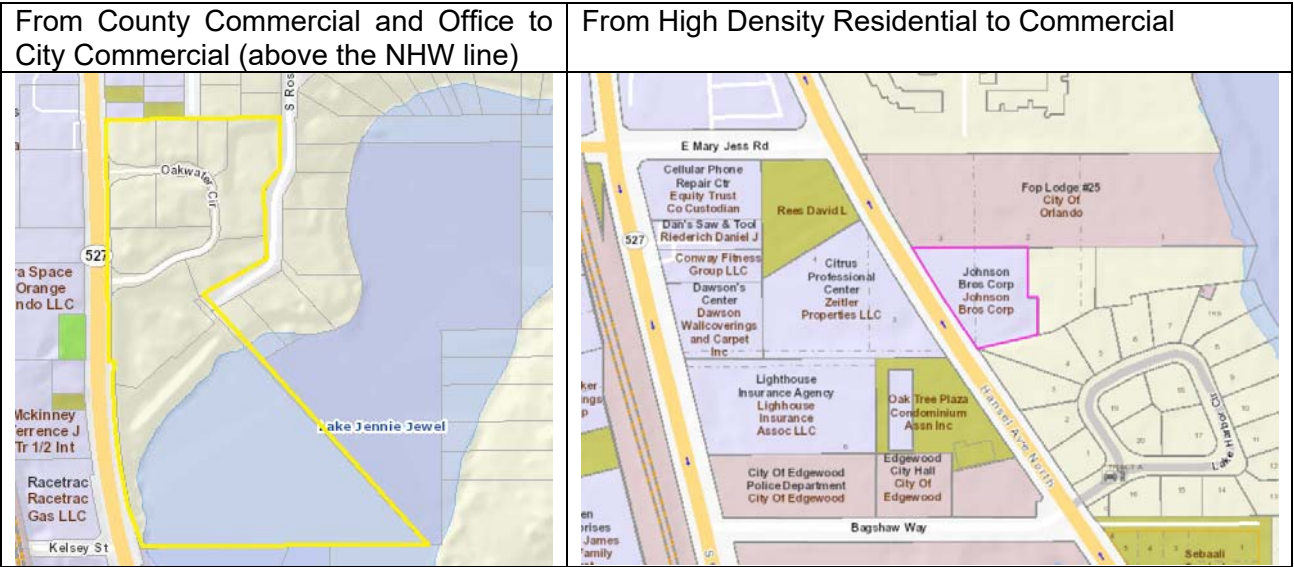
100  
101 PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2022, by the City  
102 Council of the City of Edgewood, Florida.

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105 \_\_\_\_\_  
106 John Dowless, Mayor  
107 City of Edgewood

108 Attest:  
109  
110 \_\_\_\_\_  
111 Sandra Riffle, City Clerk  
112 City of Edgewood  
113

114  
115

Exhibit A



116



Date: December 13, 2022  
To: City Council  
From: Ellen Hardgrove, City Planning Consultant  
XC: Sandy Riffle, City Clerk  
Brett Sollazzo, Administrative Assistant  
Drew Smith, City Attorney  
RE: Ordinance 2022-10 - Comprehensive Plan Capital Improvement Schedule Annual Update

This agenda item is for approval of the proposed comprehensive plan's fiscal years 22/23-26/27 Capital Improvement Schedule. It is a list of either funded or unfunded projects that are necessary to implement the City's comprehensive plan predominantly based on the adopted level of service standards. Pursuant to Section 163.3177(3)(b), Florida Statutes (FS), this schedule is required to be annually updated.

Per Section 163.3164(7), FS, capital improvements are physical assets, excluding items like operation and maintenance costs and studies. Per City Policy 8.1.1, only projects that are estimated to cost \$10,000 or more are included.

To note, since the City relies on outside providers for all service and facilities related to the adopted level of service standards except drainage, the listed projects are the responsibility of other agencies and governments. No drainage improvements are deemed necessary to maintain the adopted level of service.

The Capital Improvement Schedule is adopted by Ordinance (two hearings) and then transmitted to the Department of Economic Opportunity for information purpose only. It is not processed as a comprehensive plan amendment.

Staff's and P&Z's recommendation is Council's support for Ordinance 2020-10 and to move it for second hearing.

ESH

## CITY OF EDGEWOOD ADOPTED LEVEL OF SERVICE (LOS) STANDARDS

Facility	Adopted LOS	Responsible Agency
Sanitary Sewers:	225 gpd (without reclaimed water)	Orange County, City of Orlando
Potable Water:	325 gallons/dwelling unit/day (without reclaimed water)	Orlando Utilities Commission
Solid Waste:	Landfill Capacity: Disposal Rate: 6.0 lbs per day per person Collection: at least once/week, each household	Disposal: Orange County Collection: Edgewood (franchise)
Drainage:		
Bridges	50 year Design Storm/24-hr. storm event	Edgewood & Orange County
Canals, ditches or culverts for drainage external to the development	25 year Design Storm/24-hr. storm event	Edgewood & Orange County
Cross drains, storm sewers	10 year Design Storm/24-hr. storm event	Edgewood & Orange County
Roadside swales for drainage internal to the development	10 year Design Storm/24-hr. storm event	Edgewood & Orange County
Detention/Retention basins	25 year Design Storm/24-hr. storm event	Edgewood & Orange County
Retention/Detention basins (no positive outfall)	meet pre and post development runoff volumes and rates for the 25-year, 96-hour storm event	Edgewood & Orange County
<p>Water Quality: For a dry retention system retain 0.5 inch of runoff from the contributing basin or 1.25 inches of runoff from impervious areas, whichever is greater, plus half an inch of runoff from the contributing basin. For a wet detention system detain 1 inch of runoff from the contributing basin or 2.5 inches of runoff from the impervious areas, whichever is greater.</p> <p>Stormwater quantity: post development stormwater runoff flow rates, peaks, and velocities shall be equal to or less than levels which existed prior to development for the, 25 year, 24 hour storm event</p> <p>Stormwater quality: no degradation of existing water quality conditions in receiving water bodies below the minimum conditions necessary to ensure the suitability of the water for the designated use of its classification as established in Ch. 17-302, F. A. C.</p>		
Roadways (LOS for planning purposes only – not concurrency)		
Principal Arterials:		
Orange Avenue at Holden	E	Orange County/FDOT
Orange Avenue at the one-way pair	E	FDOT
Hansel Avenue at the one-way pair	E	FDOT
Collectors:		
Holden Avenue	E	Orange County
Gatlin Avenue	E	Orange County

Five-Year Capital Improvements Schedule

	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027
<b>SANITARY SEWERS ORANGE COUNTY 225 GPD (WITHOUT RECLAIMED WATER)</b> The identified expenditures are Orange County's responsibility. City is not fiscally responsible for the wastewater disposal capital improvements.					
Portion of Pump Station Package 35– Rehab of PS 3120 serving the City	\$25,000	\$253,000	\$253,000	\$253,000	\$0
Portion of Pump Station Package 38 – Relocation and rehab of PS 3220 serving the City	\$0	\$0	\$0	\$118,000	\$118,000
Gravity Package 29 – Rehab of existing gravity and manholes serving the City	\$15,000	\$161,000	\$267,000	\$267,000	\$96,000
<b>SANITARY SEWERS CITY OF ORLANDO 225 GPD (WITHOUT RECLAIMED WATER)</b>					
City of Orlando does not have sanitary sewer lines proximate the City limits with no plans within the next five years for extension to the City limits. Should extension occur in the future, Edgewood would not be fiscally responsible such extension.					
<b>POTABLE WATER ORLANDO UTILITIES COMMISSION 325 GALLONS/DWELLING UNIT/DAY (WITHOUT RECLAIMED WATER)</b>					
No known projects at this time.					
<b>SOLID WASTE: ORANGE COUNTY LANDFILL</b> The identified expenditures are Orange County's responsibility. City is not fiscally responsible for the landfill capital improvements.					
Class 3 Waste Disposal Cell 2	\$231,930	\$233,000	\$232,000	\$232,000	\$232,000
Landfill Cell 11	\$1,100,000	\$13,00,000	\$0	\$2,000,000	\$18,600,000
Central Expansion	\$0	\$0	\$1,700,000	\$1,700,000	\$1,700,000
<b>SOLID WASTE COLLECTION: FRANCHISE</b>					
Franchise has identified it has the physical assets to provide the contracted service					
<b>TRANSPORTATION</b> The City has no financial responsibility for maintaining the referenced levels of service standards. No transportation improvements within the City are scheduled in the Metropolitan Planning Organizations Unified Transportation Improvement Program in the next five years. The City must rely on the County, Lynx, and FDOT to accomplish the following projects which are listed as priorities in the City's Transportation Element.					
SunRail Station and associated bus facilities					
Holden Ave/Gatlin Road Intersection Realignment					
Orange Ave access management/medians					

## Sources:

- Charles Shultz (407.246.2658) City of Orlando Sewer service area includes only a small part of the City (Oakwater Professional Office Park). Currently there are no lines proximate the City limit and there are no plans for extension in the next 5 years. Closest lines are along Orange Avenue at Pine Loch, ±0.6 miles north of the City limits. No change in wastewater disposal for this north area is expected within the planning period.
- Chuck DiGerlando OUC 407.434.2563 OUC projects water demand on a five year basis to 2025 and at build-out in 2050. The analysis does not distinguish between City and non-City demand.
- OUC 2022 Water Supplies Facilities Work Program
- Christine Doan, P.E., Orange County Utilities Engineering Division 407-254-9921, Christine.Doan@ocfl.net
- Orange County Annual Budget FY 2022/2023
- CPH Engineering, Allen Lane
- MetroPlan Cost Feasible Plan and Transportation Improvement Program

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**ORDINANCE 2022-10**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA, ADOPTING THE 2022/2023 FIVE YEAR CAPITAL IMPROVEMENT SCHEDULE ANNUAL UPDATE; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 163.3177(3)(a), Florida Statutes, requires that local government comprehensive plans contain a capital improvements element designed to consider the need for and the location of public facilities; and

**WHEREAS**, Section 163.3177(3)(b), Florida Statutes, requires that local governments review the capital improvements element on an annual basis, and provides that modifications to update the five year capital improvements schedule may be accomplished by ordinance; and

**WHEREAS**, “capital improvement” generally means physical assets constructed or purchased to provide, improve, or replace a public facility, typically large scale, high in cost, and may require multi-year financing; and

**WHEREAS**, Section 163.3177(3)(a)4, Florida Statutes, requires that projects necessary to achieve and maintain adopted levels of service for the five-year planning period be included in the capital improvement schedule.

**NOW, THEREFORE**, BE IT IS HEREBY ORDAINED BY THE CITY OF EDGEWOOD AS FOLLOWS:

**SECTION 1: RECITALS/INTENT.** The recitals set forth above are true and correct and constitute legislative findings of the City Council.

**SECTION 2: AMENDMENT TO THE CAPITAL IMPROVEMENT SCHEDULE.** The Capital Improvement Program Annual Update is hereby adopted as set forth in Exhibit “A,” attached hereto and incorporated herein by reference.

**SECTION 3: EXCLUSION FROM CITY CODE/CODIFICATION.** It is the intent of the City of Edgewood City Council that the provisions of this Ordinance shall not be codified into the City of Edgewood Code of Ordinances.

**SECTION 4: EFFECTIVE DATE.** The effective date of this Ordinance shall be immediately upon adoption.

**SECTION 5: CONFLICTS.** This ordinance shall supersede any ordinances in conflict herewith to the extent that such conflict exists.

**SECTION 6: SEVERABILITY.** If any part of this ordinance is found to be invalid, preempted, or otherwise superseded, the remainder shall nevertheless be given full force and effect to the extent permitted by the severance of such invalid, preempted, or superseded part.



39 PASSED ON FIRST READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

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41 PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

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44 CITY OF EDGEWOOD, FLORIDA

45 CITY COUNCIL

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Richard A. Horn, Council President

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49 ATTEST:

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Sandra Riffle, City Clerk

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**ORDINANCE NO. 2022-11**

**AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING CHAPTER 14 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES REGARDING RULES AND REGULATIONS FOR BOAT DOCK CONSTRUCTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Edgewood Code of Ordinances includes rules and regulations as to where and how boat docks may be constructed; and

**WHEREAS**, City staff has recommended amendments to certain regulations regarding boat dock construction and permitting; and

**WHEREAS**, members of the public have requested amendments to certain regulations regarding boat dock construction and permitting; and

**WHEREAS**, Orange County has recently updated its boat dock construction regulations; and

**WHEREAS**, the Planning and Zoning Board has reviewed this Ordinance and recommended to the City Council approval of same; and

**WHEREAS**, the City Council finds the amendments contained herein are reasonable and appropriate and in the best interest of the health, safety, and welfare of the residents of the City of Edgewood; and

**WHEREAS**, deletions are identified herein by ~~striketrough~~, additions are identified by underscore and portions of the Code remaining unchanged which are not reprinted here are identified by ellipses \*\*\*).

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

**Section 1:** The recitals set forth above are hereby adopted as findings of the City Council.

**Section 2:** Chapter 14, “Boats, Docks and Waterways” is hereby amended to read as follows:

Chapter 14 - BOATS, DOCKS AND WATERWAYS

**Sec. 14-1. Definitions.**

For the purpose of this chapter, the following words and phrases shall have the meanings described to them by this section:

37 Access walkway means that portion of a dock that commences on the upland parcel and  
 38 terminates at the junction with the terminal platform. Dock accessories, including kayak and canoe  
 39 storage racks, or other cantilevered structures designed to store non-motorized craft, are not to be  
 40 included in the calculation of access walkway width if no part of the accessory extends below the  
 41 normal high water elevation.

42 ~~Boats means all rowboats, sailboats, canoes, dingies, skiffs, rafts, dugouts, dredges and other~~  
 43 ~~vehicles of transportation for use on water, including inboard and outboard motorboats, unless~~  
 44 ~~otherwise indicated; and any and all objects tied to or connected therewith while being propelled~~  
 45 ~~through the water. Refer to Vessel.~~

46 Dock means any permanently fixed or floating structure extending from the upland into the  
 47 water, capable of use for vessel mooring and other water-dependent recreational activities. The  
 48 term "dock" also includes any floating structure, boat lift or mooring piling, detached from the  
 49 land, capable of use for mooring vessels and/or for other water-dependent recreational activities.  
 50 The term "dock" also includes any area adjacent to the dock designated for mooring purposes when  
 51 a mooring feature, including but not limited to a piling or buoy anchored to the lake bottom, is  
 52 utilized to moor a vessel of any type. This term ~~does not include~~ excludes any vessel that is not  
 53 permanently docked, moored, or anchored.

54 Dock accessory means an item that is added to an access walkway or terminal platform that  
 55 makes the dock more useful, versatile, or attractive, including but not limited to bumpers, brackets,  
 56 mooring arms, lighting, kayak racks, benches, stairs, or canoe racks. A dock accessory does not  
 57 substantially preempt the use of the water or shoreline and is not included in the calculation of the  
 58 access walkway width or terminal platform size if no part of the accessory (excluding stairs)  
 59 extends below the normal high water elevation.

60 Dock accessory structure means an item that preempts the use of the water or shoreline,  
 61 including but not limited to floating vessel platforms, personal watercraft lifts, shore stations, or  
 62 any recreational item.

63 Inboard motorboat means any boat which is propelled by any stationary or built-in  
 64 mechanical device or means of power.

65 Littoral rights means rights incident to ownership of property abutting a lake, canal, or other  
 66 waters.

67 Mooring area means an area adjacent to any permanently fixed or floating structure where a  
 68 vessel may be secured.

69 Normal high water elevation (NHWE) means the landward edge of any natural surface water  
 70 during normal hydrological conditions as determined ~~normal high water elevation for a water body~~  
 71 ~~as established by Orange County, Florida.~~

72 Principal structure means the building or structure in which the principal use of the parcel or  
 73 lot is conducted. A dock cannot be the principal structure on a parcel or lot unless the parcel or  
 74 lot is within a residential subdivision and has been designated as recreation or a similar common  
 75 area or open space tract on the plat, commercial, institutional, or is government-owned property.

76 Principal use means a use of the upland parcel for residential, commercial, institutional, or  
 77 governmental purposes. At a minimum, a principal use must be established by the issuance of a  
 78 building permit for a principal structure. For the exception where a dock is allowed as the principal

79 structure, no building permit will be required to establish the principal use, however, a building  
80 permit must be obtained prior to any construction of the dock.

81 *Outboard motorboat* means any boat which is propelled by any mechanical device or means  
82 of power which is not stationary or built-in.

83 *Principal use* means a use of the upland parcel for residential, commercial or governmental  
84 purposes. At a minimum, a principal use shall be established by the issuance of a building permit  
85 for a principal structure.

86 Private dock means a dock that may be used only by those persons living in a single-family  
87 residence on the upland parcel and their usual and customary guests.

88 Public dock means a dock that is accessible by members of the public. Docks associated with  
89 commercial establishments and activities and governmental or non-governmental institutions are  
90 included in the definition of “public dock.”

91 *Riparian rights* means the right of a landowner whose property borders on a body of navigable  
92 waters to make reasonable use of the water equal to the rights of other owners of land bordering  
93 on the same waters.

94 *Routine maintenance and repair* means those tasks necessary to keep a dock in a safe and  
95 useable condition consistent with the original design specifications and shall include replacement  
96 of the any walking surface but shall not include replacement of any structural load-bearing  
97 components.

98 Semi-private dock means a dock that may be used by a group of residents living in a  
99 subdivision or multi-family development and their usual and customary guests or by the  
100 membership of a private club or organization and their usual and customary guests. Semi-private  
101 docks must not be used by the general public.

102 *Terminal platform* means that portion of a dock designed and used for the storing, mooring,  
103 and launching of water vessels or other water-dependent activities.

104 Vessel is synonymous with boat, as referenced in section 1(b), article VII of the Florida  
105 Constitution and includes every description of watercraft, barge, and airboat used or capable of  
106 being used as a means of transportation on water. The term vessel does not distinguish between  
107 motorized and non-motorized. “Vessel” does not include a seaplane located on the water

108 *Water bodies* means and includes lakes, streams, waterways, bays, inlets, canals, and all other  
109 waters or bodies of water, whether natural or artificial, located within the boundaries of the City  
110 of Edgewood.

111 **Sec. 14-2. Responsibility of owner.**

112 The registered owner of a boat as well as others is responsible for all violations of this chapter  
113 by operators of any boat carrying his registered license.

114 **Sec. 14-3. Damaging or disturbing boats and setting hazardous objects adrift prohibited.**

115 It shall be unlawful for any person without the consent of the owner to set adrift any object  
116 which may constitute a hazard to the safe operation of any boat or person skiing.

117 **Sec. 14-4. Damage from wake or bow waves; speed limits near shorelines.**

118 Care shall be taken by the operators of all motorboats to prevent damage from their wake or  
 119 bow wave or from objects towed by such boats to persons, beaches, moored boats, docks, piers  
 120 and boathouses. It shall be unlawful to operate boats in excess of ten miles per within 150 feet of  
 121 any shoreline except when taking off or landing with a skier in tow.

122 **Sec. 14-5. Finding boats and hazardous objects adrift.**

123 Any person finding a boat or hazardous object adrift shall secure it at a safe moorage and  
 124 report such finding to the police department as soon as possible.

125 **Sec. 14-6. Rights-of-way.**

126 Canoes, rowboats and sailboats shall have the right-of-way when approached, passed or  
 127 overtaken by motorboats or boats under power. It shall be unlawful for such boat under power to  
 128 operate in the near proximity of or at such speed as to create a wash or wave which would endanger  
 129 the occupants of boats not under power.

130 **Sec. 14-7. Operation of motorboats near fishing boats.**

131 Motorboats or boats under power shall operate at a safe, reduced speed in the vicinity of, and  
 132 stay clear of by at least 50 feet, any boat anchored or used for fishing and shall at all times be  
 133 operated in such manner as will not endanger life and property.

134 **Sec. 14-8. Life preservers and fire extinguishers on boats.**

135 All boats shall carry at least one U.S. Coast Guard-approved life preserver for each person  
 136 aboard and all inboard motorboats shall carry at least one U.S. Coast Guard-approved fire  
 137 extinguisher.

138 **Sec. 14-9. Boat lights required.**

139 It shall be unlawful to operate any motor-driven boat at night unless provided with properly  
 140 mounted, functioning red and green running lights or a combination red and green running light.  
 141 All other boats in use after sunset shall carry flashlights or other adequate light for showing in  
 142 emergency.

143 **Sec. 14-10. Deposit of refuse or lowering level of lakes and canals.**

144 It shall be unlawful for any person to permit any refuse such as grass, logs or other debris to  
 145 be released or thrown into the lakes and canals covered by this chapter, or to in any way or manner  
 146 cause or permit the unlawful lowering of the water level in such lakes and canals.

147 **Sec. 14-11. Dock construction rules and regulations.**

148 (a) Applications submitted for new docks and alterations to existing docks ~~must~~ shall include all  
 149 of the following:

- 150 (1) Three copies of a site plan drawn to scale which depicts the exact location of the dock  
 151 and which includes the following:
- 152 a. An arrow indicating the northerly direction and the scale to which the plans were  
 153 prepared;
  - 154 b. The name of the water body upon which the dock is to be located;
  - 155 c. The exact distance between the existing shoreline, at the point where the dock is to  
 156 be located, and a permanent object or marker (e.g., house, tree, USGS benchmark)  
 157 to be used as a reference point;
  - 158 d. The exact setback distance from adjacent property lines and projected property lines  
 159 to all portions of the dock;
  - 160 e. Floor and roof elevations of the proposed dock structure connected to the dock, and  
 161 floor and roof elevations of any existing dock, including any structures currently or  
 162 proposed to be connected the dock;
  - 163 f. The current water depth at the end of the dock and at all proposed mooring locations  
 164 and the approximate depth of navigable waters beyond the dock and mooring  
 165 locations;
  - 166 g. The NHWE;
  - 167 h. The location of any lifts, hoists, mooring pilings, ~~or~~ mooring areas, and dock  
 168 accessory structures;
  - 169 i. The exact dimensions of the dock, including the terminal platform and access  
 170 walkway, and the specific individual dimensions of the terminal platform, access  
 171 walkway, and any roof structures; the length of the dock shall be measured from  
 172 the NHWE to the point of the dock furthest waterward from the NHWE;
  - 173 j. A survey of the property that accurately depicts current conditions; and
  - 174 k. The width of the water body at the location of the dock as measured from the  
 175 NHWE at the location where the dock is constructed or proposed to the NHWE  
 176 directly opposite the water body from such location.
  - 177 l. The exact distance between the existing shoreline at the point where the dock is to  
 178 be constructed or is currently located, and a permanent object or marker (e.g. house,  
 179 tree, or United States Geological Survey benchmark) to be used as a reference point;
  - 180 m. The location of any conservation easement area or wetland within twenty (20) feet  
 181 from any portion of the dock and a description of submerged and emergent  
 182 vegetation types occurring within the conservation easement area;
  - 183 n. A description of submerged and emergent vegetation types occurring within the  
 184 area
- 185 (2) Satisfactory evidence of title;
- 186 (3) Documentation showing the riparian rights of the property, such as an instrument  
 187 indicating ownership extends to the shoreline or legal permission to use the submerged  
 188 lands to construct or modify a dock on which the dock is located or proposed;

- 189 (4) A statement indicating whether any portion of the docks ~~are~~ is to be located on abutting  
190 properties; ~~and~~
- 191 (5) Three copies of engineered construction plans;
- 192 (6) A mitigation plan offsetting adverse impacts to conservation easement areas or wetlands  
193 resulting from the construction or modification of the terminal platform access walkway  
194 as may be required pursuant to this article; and
- 195 (7) A description of sediment and erosion control measures to be used during the  
196 construction or modification of the dock. These measures must be depicted on the site  
197 plan;

198 (b) To obtain a dock permit, the following criteria, at a minimum, must be satisfied:

199 (1) Minimum side setbacks. Private docks on lots or parcels having a shoreline frontage of  
200 one hundred (100) feet or less, including designated mooring areas, must have a  
201 minimum side setback of ten (10) feet from any property line or projected property line.  
202 Private docks on lots or parcels having a shoreline frontage of greater than one hundred  
203 (100) feet, including designated mooring areas, must have a minimum side setback of  
204 fifteen (15) feet from any property line or projected property line. Semi-private and  
205 public docks, including designated mooring areas, must have a minimum side setback  
206 of twenty-five (25) feet from any property line or projected property line. ~~Except as~~  
207 ~~otherwise provided below docks and associated structures shall have a minimum side~~  
208 ~~setback of 15 feet from the projected side property line of abutting shoreline owners. A~~  
209 ~~dock may encroach up to five feet into the 15-foot side setback if the applicant submits~~  
210 ~~as part of the application an original notarized letter of no objection from the owner of~~  
211 ~~the property on the side or sides within which such encroachment occurs. The letter of~~  
212 ~~no objection must identify the site plan and construction plan for the proposed dock, and~~  
213 ~~a copy of the site plan and construction plan must be attached to the letter submitted to~~  
214 ~~the city. For purposes of this determination, and in the absence of property lines that~~  
215 ~~already project into the water body, the projected property line of abutting shoreline~~  
216 ~~owners shall be construed to mean a line projecting from the shoreline into the water 90~~  
217 ~~degrees from the abutting property owner's shoreline.~~

218 (2) Length of docks. No dock shall extend further into a water body than where a reasonable  
219 water depth for a single vessel mooring and navigable water is achieved. A reasonable  
220 water depth may be defined by a determination that the dock does not extend further  
221 than the nearest permitted docks (within three hundred (300) feet or three (3) abutting  
222 lots) or a maximum of five (5) feet of water depth as measured from the NHWE,  
223 whichever is greater, unless the natural conditions of the surface water necessitate a  
224 greater dock length for water depth to achieve reasonable mooring conditions. The dock  
225 length necessary to achieve a reasonable water depth must not create a navigation hazard.  
226 and in no event shall such depth exceed five feet during normal hydrological conditions  
227 unless existing natural conditions of the water body necessitate a greater water depth to  
228 allow safe mooring conditions. No dock shall be constructed or extended to a length  
229 more than 25 percent of the navigable corridor or to a length that would adversely impact  
230 the rights of other persons use of and access to the water body. In no circumstance shall  
231 a dock be constructed or extended nor shall a vessel be moored at a dock in such a manner  
232 as would cause the navigable width of the water body at the location of the dock to fall

233 below 25 feet as measured from the most waterward point of the dock or moored boat to  
234 the nearest permanent obstruction to navigation.

235 (3) *Enclosed structures.* Other than for repair or reconstruction of existing structures, no  
236 structures having enclosed sidewalls are permitted. Enclosed shall be defined as, by way  
237 of example but not by limitation, screen houses, chain link fencing, lattice fencing and  
238 any form of paneling. In the case of existing enclosed structures or grandfathered  
239 structures, reconstruction, renovation, and repair shall be permitted as long as the  
240 footprint of the existing structures is maintained, the structure is not expanded as  
241 documented by the applicant, and adjacent property owners consent thereto in writing.  
242 Examples of such documentation may include but not be limited to surveys,  
243 photographs, contractors', engineers', or site plans.

244 (4) *Height of docks.* The minimum height of docks shall place them one foot above the  
245 NHWE of the applicable water body. The maximum allowable roof height shall be ~~13~~  
246 fifteen (15) feet above the NHWE of the applicable water body.

247 (5) *Square footage of docks.* The maximum allowable square footage of the terminal  
248 platform ~~is the calculation of shall not exceed the square footage of ten~~ twelve 12 times  
249 the linear shoreline frontage, ~~for the first 75 feet of shoreline and five times the linear~~  
250 ~~shoreline frontage for each foot in excess of 75 feet, not to exceed a maximum of~~ not to  
251 exceed one thousand (1,000) square feet. Access walkways shall not be included in the  
252 maximum square footage calculation. Roof eaves that do not extend more than three feet  
253 beyond the terminal platform shall not be included within the maximum square footage  
254 calculation.

255 (6) *Access walkways.* Access walkways shall not exceed five feet in width. Impacts to  
256 wetlands and surface waters must be avoided to the greatest extent practicable. Access  
257 walkways traversing any wetland must be elevated a minimum of three (3) feet above  
258 the ground surface. The city may require an access walkway be elevated above the  
259 minimum elevation to further minimize impacts to wetlands. Portions of access  
260 walkways over wetlands or surface waters shall be designed no higher than the nearest  
261 permitted docks (within three hundred (300) feet or three (3) abutting lots), unless the  
262 natural conditions of the surface water necessitate a greater walkway height to achieve  
263 reasonable access to the terminal platform. Access walkways may not extend over or  
264 across coves, bays, or canals unless there are no practicable alternatives that allow access  
265 to the terminal platform or navigable water.

266 (7) *Docks prohibited in easements.* No work shall be within areas which are legal easements  
267 for ingress or egress, drainage, or utilities.

268 (8) One dock shall be allowed on each water body to which a residential lot has frontage  
269 when there is no navigable connection between the water bodies. In no other  
270 circumstances shall more than one dock per residential lot be allowed.

271 (9) ~~Under no circumstances shall a dock be utilized for residential purposes.~~ Docks and  
272 dock accessory structures are prohibited for non-water dependent activities. Dock  
273 accessory structures are prohibited within wetlands.

274 (10) Board spacing on the structure should ensure light penetration underneath the structure.



275 (11) Docks must be designed to accommodate vessel use without bottom scouring or  
276 propellor dredging.

277 (12) There must not be any dredging or filling associated with construction of the dock other  
278 than that required for the installation of the dock pilings;

279 (13) On Outstanding Florida Waters, a reasonable demonstration that dock pilings will not  
280 cause degradation of ambient water quality consistent with Rules 62-302.300 and  
281 62.302.700, F.A.C. Acceptable measures include but are not limited to: wrapping pilings  
282 or using polymer coated pilings that have been installed or treated in a manner that will  
283 prevent the leaching of constituents contained in treated wood, or using alternative  
284 materials such as concrete or recycled plastic pilings.

285 (c) *Application procedures.*

286 (1) The dock permit application and application fee shall be submitted to the city clerk's  
287 office. Any question regarding the dock permit application will be answered by that  
288 department, the city engineer, or city building official. The city clerk shall forward the  
289 application and all pertinent documents to the city engineer for his/her review and  
290 recommendation. Unless a variance from the provisions hereof is requested or required,  
291 the city engineer is authorized to approve such applications meeting the requirements of  
292 this article following the receipt of a complete application.

293 (2) *Notices to neighboring shoreline property owners.* Upon receiving the application, the  
294 clerk shall send notices by first-class mail to the owners of the properties abutting the  
295 property, other property owners who could be affected by the new dock because of any  
296 unusual configuration of the shoreline as determined by the city engineer or designee,  
297 and any other shoreline property owners within 300 feet of the property on which the  
298 dock is to be located. All such notices shall require that written comments on the  
299 proposed dock permit application be sent to the clerk within 15 calendar days from the  
300 date such notices are sent. If no written objections are returned by property owners  
301 receiving notice, such owners shall be deemed to have given consent and to have waived  
302 their right to object to the construction of the dock. If notices sent by first-class mail to  
303 nearby properties are returned to the city, or if the city has reason to believe that the  
304 notice is undeliverable as addressed, the city shall use its best efforts to determine the  
305 current address of any neighboring property owners entitled to notice herein and shall  
306 use its best efforts to notify such current neighboring property owners of the proposed  
307 dock.

308 (3) *Approval by the city engineer.* Except as provided by paragraph (c)(5), below, the city  
309 engineer is authorized to approve such applications after 15 calendar days from the date  
310 notices are sent so long as the minimum criteria are met and the application is complete  
311 in all other respects pursuant to this article.

312 (4) *Appeal of city engineer's decision.* The applicant or any person entitled to notice under  
313 this article may appeal a decision of the city engineer regarding the interpretation of the  
314 contents of the application or the minimum criteria set forth in this section. City council  
315 shall consider such appeal at its next available regularly scheduled meeting.

316 (5) *Decision by city council.* The city engineer is not authorized to approve any applications  
317 where there are objections from any shoreline property owner within 300 feet of the

318 property or other property owner entitled to notice under subsection (c)(2) above, or  
319 where the city engineer or building official, in his or her discretion, believes the  
320 application should be decided by city council.

321 a. When city council must decide the application for a dock permit, city council shall  
322 approve, deny, or approve with conditions the application to construct the dock at  
323 its next available regularly scheduled meeting. Notices of the hearing before city  
324 council shall be sent to the applicant and any person entitled to notice under this  
325 article. In determining whether to approve, deny, or approve with conditions the  
326 application, city council shall determine whether the application has been  
327 satisfactorily completed and whether the minimum criteria set forth above for  
328 issuance of the dock permit have been met. In addition, city council shall consider  
329 the following factors:

- 330 1. Possible obstruction to navigability;
- 331 2. Unreasonable impairment of lake view visibility from abutting properties;
- 332 3. Hazardous conditions; and
- 333 4. Whether the proposed structure unreasonably interferes with the riparian or  
334 littoral rights of other property owners. "Unreasonable interference" shall  
335 include but not be limited to: (a) proximity of docks of abutting property  
336 owners; (b) access for boaters and swimmers; and (c) any unusual  
337 configuration of the shoreline which would cause the proposed dock to restrict  
338 access to sections of the waterway.

339 b. The decision of the city council shall be in writing and shall indicate the date of the  
340 decision. Copies of the decision shall be sent by regular mail to the applicant and  
341 to those who previously filed written objections to the application. The decision of  
342 city council shall be final.

343 (d) *Variances.*

344 (1) An application for variance from the requirements of this article may be submitted to the  
345 city. When a variance is requested, the applicant shall submit to the city clerk's office  
346 nine site plans and three sets of engineered construction plans in addition to the required  
347 application fee. At a minimum, the applicant shall identify the paragraphs of this article  
348 from which the applicant seeks a variance and the extent of the requested variance. An  
349 application for a variance may be processed at the same time or prior to an application  
350 for a dock permit. Notice of all hearings on a requested variance, including hearings  
351 before the planning and zoning board and city council, shall be provided to the applicant  
352 and any person entitled to receive notice under this chapter as provided in subsection 14-  
353 11(c)(2).

354 (2) The planning and zoning board shall hear and make a recommendation to the city council  
355 on any application for variance. To recommend to the city council such variance, the  
356 following factors shall be considered:

- 357 a. Average length of other docks in the surrounding 300-foot area;
- 358 b. The reasonable use of the property by the owner;

- 359 c. The effects the dock will have on navigation and safety of boaters;
  - 360 d. The overall general welfare of the neighborhood;
  - 361 e. Whether special conditions exist such that strict compliance with the provisions of
  - 362 this article would impose a unique and unnecessary hardship on the applicant;
  - 363 f. The effect of the proposed variance on abutting shoreline property owners;
  - 364 g. Whether the granting of the variance would be contrary to the intent and purpose
  - 365 and this article; and
  - 366 h. A variance may be granted if it is necessary to reach a water depth suitable for
  - 367 boating, but in no event shall a dock be extended in length beyond where the water
  - 368 depth will exceed five feet as measured from the normal high water elevation.
- 369 (3) The city council shall receive the planning and zoning board's recommendation and shall
- 370 make a final decision on the variance application after consideration of the same factors
- 371 described in paragraph (d)(2), above.
- 372 (e) *Compliance checks.* Once a permit has been issued for the construction of a dock by either
  - 373 the city engineer or the city council, the permit holder and/or designated agent must submit a
  - 374 notice of completion to the city engineer or designee within 30 days of completion of the
  - 375 construction of the dock so that a compliance check may be performed by the city engineer.
  - 376 The compliance check shall determine if the dock was built according to the permit issued by
  - 377 the city.
  - 378 (f) *Building permit.* Following the approval of a dock application, either by the city engineer or
  - 379 by city council, the applicant is also required to obtain a building permit prior to commencing
  - 380 construction. In the event electricity is run to the dock, the proper electrical permit must also
  - 381 be obtained. All construction must be commenced and completed within the guidelines
  - 382 established by the city and any other agency having jurisdiction. The applicant is responsible
  - 383 for all fees associated with the procurement of necessary permits.
  - 384 (g) *Maintenance and repair.* Routine maintenance and repair of docks may be conducted on any
  - 385 dock for which a dock permit was obtained from the city provided that no portion of the dock
  - 386 shall be expanded, enlarged, or enclosed as a result of such maintenance or repair activity.
  - 387 (h) Approval of a dock permit by the City of Edgewood will not eliminate the application of any
  - 388 other government requirements or the necessity for any other governmentally required
  - 389 permit(s).

390 **Sec. 14-12. Dock regulation: intent and purpose.**

- 391 (a) The purpose of this article is to regulate the construction of docks such that the navigation of
- 392 water bodies is not unreasonably impeded.
- 393 (b) An intent of the city council is to protect and enhance the city's water bodies so that the public
- 394 can continue to enjoy the traditional recreational uses of those waters such as swimming,
- 395 boating, and fishing.
- 396 (c) It is further the intent of the city council to apply these regulations in a manner sensitive to
- 397 the riparian and littoral rights and other property rights of the applicant, riparian and littoral

398 rights and other property rights of the waterfront property owners, and the right of the public  
399 to the traditional uses and enjoyment of water bodies in the city.

400 **Sec. 14-13. Permits required; fees.**

401 (a) No dock shall be constructed in the city without first seeking and obtaining a dock permit.  
402 Applications are available in the office of the city clerk.

403 (b) By resolution, the city council may from time to time establish fees to be applicable to all  
404 permits, variances, appeals, or other regulatory activities authorized in this article. Payment  
405 of any application fees shall in no way guarantee issuance of a dock permit, and such fee is  
406 nonrefundable.

407 **Section 3:** Conflicts. All ordinances or parts thereof in conflict herewith are hereby  
408 repealed to the extent of such conflict.

409  
410 **Section 4:** Severability. If any section, paragraph, subsection, sentence, clause, phrase or  
411 portion of this ordinance is for any reason held invalid or unconstitutional by any court of  
412 competent jurisdiction, such portion shall be deemed a separate, distinct, and independent  
413 provision and such holding shall not affect the validity of the remaining portions hereof.

414  
415 **Section 5:** Codification. The provisions of this Ordinance shall be codified as and become  
416 and be made a part of the *Code of Ordinances of the City of Edgewood*. The Sections of this  
417 Ordinance may be renumbered or relettered to accomplish such intention and the word  
418 “Ordinance”, or similar words, may be changed to “Section,” “Article”, or other appropriate word.  
419 The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

420  
421 **Section 6:** This ordinance shall take effect immediately upon its adoption.

422  
423 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by the City Council  
424 of the City of Edgewood, Florida.

425  
426  
427 PASSED ON FIRST READING: \_\_\_\_\_

428  
429 PASSED ON SECOND READING: \_\_\_\_\_

430  
431  
432  
433 \_\_\_\_\_  
434 Richard A. Horn, Council President

435 **ATTEST:**  
436 \_\_\_\_\_  
437 Sandy Riffle  
438 City Clerk  
439

ORDINANCE NO. 2022-12

AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA AMENDING CHAPTER 134, "ZONING," SECTION 134-121, "REZONING PROCESS," SUBSECTION (d) RELATING TO NOTICE REQUIREMENTS FOR REZONINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND EFFECTIVE DATE.

WHEREAS, Section 134-121 (d) currently establishes the variance notice standards as the notice standard to be used for the Planning and Zoning Board hearing of rezonings; and

WHEREAS, Section 134-121 (d) currently establishes required statutory notice as the notice standard to be used for the Council hearing of rezonings; and

WHEREAS, Jurisdictions are allowed to establish higher standards for notice than that required by State law; however, the notice standard for variances (a typically single site specific application) are not well tailored to rezonings (usually including many properties); and

WHEREAS, the statutory notice requirements are sufficient minimum notice requirements for the City to use as evidenced by its longstanding use of statutory notice for Council hearings of rezonings.

NOW, THEREFORE, BE IT ENACTED by the City Council of the City of Edgewood, Florida as follows:

NOTE: Underlined words constitute additions to the City of Edgewood Code of Ordinances, strikethrough constitutes deletions from the original Code of Ordinances, and asterisks (\*\*\*) indicate an omission from the existing text which is intended to remain unchanged.

Section 1. Chapter 134, Section 134-121 (d) of the City of Edgewood Code of Ordinances shall be amended as follows:

Sec. 134-121. - Rezoning process.

(d)Review process.

- (1) Planning and zoning board. The planning and zoning board shall hold a public hearing with due public notice to consider the rezoning. Based on the zoning request and the requirements of this chapter, the board shall prepare recommendations for the consideration of the city council.

46 (2) City council. Following review by the planning and zoning board, the rezoning  
47 request shall be forwarded to the city council. The city council shall hold a de  
48 novo public hearing with due public notice to consider the rezoning. Based on  
49 the request, the requirements of this chapter and the recommendations of the  
50 planning and zoning board, the city council shall approve or deny the rezoning.  
51

52 (3) Hearing requirements. The notice requirements for these public hearings shall  
53 be the same as required by State law for variance requests, ~~except that hearings~~  
54 ~~before the council shall be noticed as required in F.S. § 166.041.~~ The procedure  
55 for the hearings shall be set from time to time by the board and the city council.  
56 The board and the city council shall have the power to administer oaths and to  
57 compel the attendance of witnesses at all hearings.  
58

59 (4) Reapplication time limit. Unless specifically permitted otherwise by city  
60 council, no application for any rezoning shall be considered by the planning and  
61 zoning board within nine months from the time the property described in such  
62 application has been decisively acted upon by the city council as a result of a  
63 previous application.  
64

65 **Section 2.** The provisions of this Ordinance shall be codified as and become and be  
66 made a part of the Code of Ordinances of the City of Edgewood.  
67

68 **Section 3.** If any section, sentence, phrase, word or portion of this ordinance is  
69 determined to be invalid, unlawful or unconstitutional, said determination shall not be held to  
70 invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or  
71 portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.  
72

73 **Section 4.** All ordinances that are in conflict with this Ordinance are hereby repealed.  
74

75 **Section 5.** This Ordinance shall become effective immediately upon its passage and  
76 adoption.  
77

78 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by the City  
79 Council of the City of Edgewood, Florida.  
80

81 PASSED ON FIRST READING: \_\_\_\_\_  
82

83 PASSED ON SECOND READING: \_\_\_\_\_  
84

85 \_\_\_\_\_  
86 Richard A. Horn, Council President

87 *ATTEST:*  
88 \_\_\_\_\_  
89 \_\_\_\_\_  
90 Sandy Riffle  
91 City Clerk



Date: December 13, 2022  
To: City Council  
From: Ellen Hardgrove, City Planning Consultant  
XC: Sandy Riffle, Interim City Clerk  
Brett Sollazzo, Administrative Assistant  
Drew Smith, City Attorney  
Re: Scrivener’s Error ECD Ordinance 2021-03 and Amendment to Code Section 134-468 related to the location of walls in the ECD.

This agenda item relates to the location of the required wall when a proposed ECD development will be adjacent to a property with a Low Density Residential Future Land Use designation. An amendment to this requirement was approved by Council in 2021 (Ordinance 2021-03). The draft ordinance presented to Council at the first reading of Ordinance 2021-03 referenced the location of the wall as five feet from the property line.

The Council’s direction at first reading of Ordinance 2021-03 was to delete text referencing the five (5) feet setback, requiring the wall to on the property line. This deletion was made when the property line was a lot “side,” but inadvertently not in the regulation pertaining to a lot “rear.”

The property line location for the wall was discussed at the Planning and Zoning Board’s hearing; their recommendation to Council is to build some flexibility into the regulation for both the rear and side property lines, which is reflected in the attached draft of Ordinance 2022-13. Please see the ~~striketrough~~ and underlined text in the attached draft ordinance. Essentially the recommendation is to allow the wall be on or within five feet of the rear or side property line, when such line is adjacent to a Low Density Residential Future Land Use designated property.

Suggested Motion: Acceptance of the proposed change to the wall location in the ECD when a rear or side yard abuts a property with a Low Density Residential Future Land Use designation and move the ordinance to second reading.

END

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**ORDINANCE NO 2022-13**

**AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING CHAPTER 134 OF THE CODE OF ORDINANCES RELATED TO THE EDGEWOOD CENTRAL DISTRICT TO CORRECT SCRIVENERS’ ERRORS, PROVIDE CLARIFICATION OF ADOPTED REGULATIONS AND STANDARDS, AMEND CERTAIN DESIGN GUIDELINES AND STANDARDS, AND TO PROVIDE AMENDED REGULATIONS RELATED TO LOCATION OF WALLS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City adopted Ordinance No. 2018-09 which created the Edgewood Central District zoning district and provided for development requirements within said district; and

**WHEREAS**, The City adopted Ordinance No. 2018-15 , which amended certain sections of Ordinance 2018-09,

**WHEREAS**, The City adopted Ordinance No. 2021-03 , which amended certain sections of Ordinance 2018-15,

**WHEREAS**, the City desires to correct scriveners’ errors contained in Ordinance No. 2021-03 related to the location of required walls; and

**WHEREAS**, in this Ordinance additions to the Code of Ordinances are indicated by underline, deletions are indicated by ~~strikethrough~~, and portions of the Code that remain unchanged and which are not reprinted here are indicated by ellipses (\*\*\*) .

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

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

**SECTION TWO.** Chapter 134, “Zoning,” Section 134-468 is hereby amended as follows:

\* \* \*

**134-468. - Site design.**

\* \* \*

(g) *Building placement.*

(1) *Building placement applicable to all development:*

- a. Minimum rear yard/rear building setback width and use. Buildings shall be setback a minimum of 20 feet from the rear property line. Where EC District is adjacent to property with a low density residential future land use designation, a seven-foot high opaque brick wall, of colors normally



36 found in manufactured fired brick, shall be constructed within five feet from the property line  
37 ~~adjacent to a~~ between the property with a low density residential future land use designation and the  
38 ECD zoned property; ~~the wall setback is intended to provide space for maintenance and footers.~~

39 The wall in proximity to any street or driveway intersection shall be designed to avoid a traffic  
40 safety hazard. In addition to the wall, broadleaf evergreen shade trees shall be planted within a  
41 planting area at least eight feet in depth from the wall at a rate where, at maturity, the canopies  
42 provide full screening, but in no case less than one tree/35 linear feet. Such trees shall be a  
43 minimum of ten feet tall, with a minimum two-inch caliper. Broadleaf evergreen understory trees,  
44 planted 15 feet on center, ten feet in height with five-foot spread at planting can be an alternative  
45 to the shade trees. A hedge may be substituted for the tree requirement, upon approval of city  
46 council, if the intended screening coverage can be provided.

47 b. Minimum side yard/building setback width and use.

48 1. The minimum side building setback is zero unless adjacent to property with a low density  
49 residential future land use designation or abutting a side street or natural surface water body. If  
50 zero setback is used, a plan for side building maintenance shall be presented with the development  
51 application and roof slopes shall be away from the zero setback property line to avoid a negative  
52 impact to the abutting property.

53 2. The minimum side building setback for properties abutting property with a low density  
54 residential future land use designation shall be 25 feet. Where EC District is adjacent to property  
55 with a low density residential future land use designation, a seven-foot high opaque brick wall, of  
56 colors normally found in manufactured fired brick, shall be constructed within five feet from ~~on~~  
57 the property line between the property with a low density residential future land use designation  
58 and EC zoned property. The wall in proximity to any street or driveway intersection shall be  
59 designed to avoid a traffic safety hazard. In addition to the wall, broadleaf evergreen shade trees  
60 shall be planted within a planting area at least eight feet in depth from the wall at a rate where, at  
61 maturity, the canopies provide full screening, but in no case less than one tree/35 linear feet. A  
62 hedge may be substituted for the tree requirement, upon approval of city council, if the intended  
63 screening coverage can be provided.

64 \* \* \*

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

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

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

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

78 PASSED ON FIRST READING THIS 20th DAY OF December, 2022. PASSED AND  
79 ADOPTED THIS 17th DAY OF January, 2023

CITY OF EDGEWOOD, FLORIDA  
CITY COUNCIL

\_\_\_\_\_  
Richard A. Horn, Council President

ATTEST:

\_\_\_\_\_  
Sandra Riffle, City Clerk

**Edgewood Police Department  
City Council Report  
November 2022**

	<b>October</b>	<b>November</b>
<b>Residential Burglaries</b>	0	1
<b>Commercial Burglaries</b>	0	1
<b>Auto Burglaries</b>	1	4
<b>Theft</b>	1	1
<b>Assault/Battery</b>	5	5
<b>Sexual Battery</b>	0	0
<b>Homicides</b>	0	0
<b>Robbery</b>	0	0
<b>Traffic Accident</b>	15	10
<b>Traffic Citations</b>	57	46
<b>Traffic Warnings</b>	86	41
<b>Felony Arrests</b>	3	1
<b>Misdemeanor Arrests</b>	7	6
<b>Warrant Arrests</b>	2	0
<b>Traffic Arrests</b>	3	1
<b>DUI Arrests</b>	4	1
<b>Code Compliance Reports</b>	12	11

**Department Highlights:**

- On November 9<sup>th</sup> the Edgewood Police Department prepared the City and Staff for Hurricane Nicole to make way through the City of Edgewood. On November 10<sup>th</sup> the Edgewood Police Department Officers made their way through the City to find the areas in need of assistance with flooding, and tree removal.
- On November 17<sup>th</sup> the Edgewood Police Department started the annual collection of toys and nonperishable food donations.
- Thanks to the kind generosity of Gold Key Roofing, on November 18<sup>th</sup> Edgewood Police Department Staff had help in preparing the City Hall and Bagshaw Park with decorations for the Santa Fly-In.
- On November 22<sup>nd</sup> Sergeant Cardinal and his family assisted in handing out Thanksgiving Food Donations with the Foster Adoptive Care Team hosted by FK Your Diet.
- On November 23<sup>rd</sup>, a volunteer with the Florida Youth Challenge Academy came to the Police Department and helped staff decorate both inside and out in preparation for the Annual Santa Fly- In.
- On December 2<sup>nd</sup>, the City of Edgewood and The Edgewood Police Department hosted the 7<sup>th</sup> Annual Santa Fly-In which went off without a hitch!

## 2023 ELECTION CALENDAR

*The City of Edgewood's Municipal Election is Tuesday, March 14, 2023*

*(Open seats: Chris Rader and Susan Lomas)*

DATE	EVENT
Thursday, December 29, 2022	Council to announce date of election / election notices posted at City Hall (required at least 75 days prior to election day)
Monday, December 12, 2023 Thursday, December 15, 2023	Notice of Election ad to be published in a newspaper of general circulation; must be posted at City Hall (F.S. 100.021). [During the 30 days prior to the beginning of qualifying, the Department of State shall have the notice published two times in a newspaper of general circulation in English and Spanish.
Monday, January 23, 2023 9 am thru Friday, January 27, 2023 Noon	Qualifying begins at 9 a.m. on Monday, January 13, 2023, and ends at Noon on Friday, January 27, 2023 City Code Sec. 6.03 - A candidate for elected office must file his or her application with the city clerk by hand delivery or by registered mail at least forty-six (46) days prior to the election day.
Friday, January 13, 2023	Qualifying ends at 12 noon
Monday, February 13, 2023	Last day to register with Orange County Supervisor of Elections in order to vote in March 14, 2023 election [must be registered 29 days before election].
Tuesday, February 21, 2023 10:00 a.m.	Public Test at Orange County Supervisor of Election's Office - 119 W. Kaley St., Orlando, FL 32806
Tuesday, March 14, 2023	General Election for the City of Edgewood
Tuesday, March 21, 2023	Newly elected council members take office. Per §3.05, City Charter, Terms commence and begin at the next regularly scheduled council meeting.
<b>CAMPAIGN TREASURER REPORTING DATES</b>	
Friday, February 17, 2023 12:00 NOON	Campaign Treasurer Report due (25 days prior to election) [G1 Report/ January 1 – February 10, 2023].
Friday, March 3, 2023 12:00 NOON	Campaign Treasurer Report due (11 days prior to election) [G2 Report/February 11 – 24, 2023.
Friday, March 10, 2023 12:00 NOON	Campaign Treasurer Report due (4 days prior to election) [G3 Report/February 25 – March 9, 2023].
Monday, June 12, 2023	90-Day Termination Report due if <u>unopposed</u> after qualifying ends on January 27, 2023.

<p><b>Monday, June 12, 2023</b></p>	<p>Campaign Treasurer Report due (TR Report/ 90-day termination) REPORT <u>if elected or defeated</u> on March 14, 2023. Covering period March 14, 2023 through date report filed. [March 5 – June 7, 2023].</p>
<p><b><i>LAST DAY TO RECEIVE CAMPAIGN CONTRIBUTIONS PRIOR TO THE MARCH 14, 2023 ELECTION IS MIDNIGHT, THURSDAY, MARCH 9, 2023</i></b>  <b><i>F.S. §106.08(3) (a)</i></b> Any contribution received by a candidate with opposition in an election or by the campaign treasurer or a deputy campaign treasurer of such a candidate on the day of that election or less than 5 days before the day of that election must be returned by him or her to the person or committee contributing it and may not be used or expended by or on behalf of the candidate.</p>	

**REPORTS:** All reports must be received by 4:00 p.m. (12 Noon on Friday) on the due date in the City Clerk’s Office **UNLESS** the report envelope is postmarked by the US Postal Service no later than midnight of the day designated is deemed timely filed. A candidate failing to file a report on the designated due date shall be subject to a fine payable only from personal funds of the candidate. The reports must be filed on the dates provided in the calendar above.

Florida Statute 106.07(7): In any reporting period when there has been no activity in the account (no funds expended or received), the filing of the required report is waived. However, the filing officer must be notified in writing on the prescribed reporting date that no report is being filed (Form DS-DE-87).

Forms may be obtained from the state at <http://election.dos.state.fl.us/forms/index.shtml> then under “Candidate Forms” select “Statewide or Multicounty Candidates”. You can fill them in and print them but you can’t save them via a computer.

Candidates are responsible for reading and understanding Florida Statute Chapter 106, Campaign Financing. The City Clerk and/or City Staff cannot assist any candidate in filling out their treasurer’s report.

Offices Open – Offices currently opened are held by **Councilmembers Susan Lomas and Chris Rader**. The candidates elected as a councilmember will serve three (3) year terms. Voting in the City of Edgewood is at-large and the two candidates receiving the highest number of votes are elected.

i Filing of required, periodic Campaign Treasurer’s Reports.

A candidate will be provided with an election cycle calendar of campaign treasurer’s reporting dates. **The reports must be filed when due even if a bank account HAS NOT been opened.** Reports must be filed even if the candidate accepts no contributions or makes no expenditures. As a courtesy, candidates will be sent reminder notices when reports are due. F.S. 106.06 - 106.07



## Memo

**To:** The Honorable Mayor and City Council  
**From:** Sandra Riffle, City Clerk  
**Date:** December 16, 2022  
**Re:** Appointment of Canvassing Board

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Pursuant to Edgewood's agreement with the Orange County Supervisor of Elections, it is necessary to appoint a local canvassing board to canvass absentee and provisional ballots and to certify the municipal election scheduled for Tuesday, March 14, 2023. Generally speaking, the role of the canvassing board is to make a determination as to questioned ballots (e.g. signatures do not match, etc.). The canvassing board will also need to conduct a manual audit of one randomly selected race pursuant to Section 101 .591 *Florida Statutes* (i.e. hand count of ballots).

Although Edgewood's *Charter* and *Code* are silent as to the composition of the canvassing board, on the municipal level, the canvassing board typically consists of the City Clerk and two members of the city council. Any sitting councilmember who is also a candidate, cannot serve on the canvassing board. It should be noted that the canvassing board for the 2013 municipal election consisted of the City Clerk, one Councilmember, and one resident.

The canvassing board must convene as follows:

- **On election night** (Tuesday, March 14, 2023), the canvassing board must meet to determine which voted absentee ballots are to be tabulated. Along this line, the City Council also needs to designate the City Clerk to assist the election staff with the opening and handling of absentee ballots (generally earlier in the afternoon on election day).
- **On the occasion of the Logic and Accuracy Test** (Thursday, February 21, 2022 at 10 a.m.) to observe a pre-election test of the automatic tabulating equipment to ascertain that the equipment will correctly count the votes for all offices and on all measures. On this particular date, the canvassing board can designate one of its members to attend on its behalf, although all members will need to sign the test certificate. Please note, the City Clerk does attend the test.

All meetings of the canvassing board will be held at the Orange County Supervisor of Elections Office at 119 West Kaley Street, Orlando, Florida. All meetings will be officially advertised.

**Recommendations:** (1) Appoint the City Clerk and two members of City Council (name not on the ballot) to serve on the canvassing board for the City of Edgewood, *or* appoint the City Clerk, one city councilmember and one resident to serve on the canvassing board; (2) Designate the City Clerk to assist the Orange County Election staff with the opening and handling of absentee ballots (if needed).

**RECOMMENDATION: Appoint the City Clerk, one Councilmember, and one resident.**