



PLANNING AND ZONING BOARD MEETING

City Hall – Council Chamber
405 Bagshaw Way, Edgewood, Florida
Monday, June 13, 2022 at 6:30 PM

Steve Kreidt
Chair

Ryan Santurri
Vice-Chair

David Gragg
Board Member

David Nelson
Board Member

Melissa Gibson
Board Member

AGENDA

WELCOME! We are very glad you have joined us for today's Planning and Zoning meeting. The Planning and Zoning Board is an advisory board to City Council comprised of citizen members who voluntarily and without compensation devote their time and talents to a variety of zoning and land development issues in the community. All P&Z recommendations are subject to final action by City Council. The results of today's meeting will be presented at the noted City Council meeting for approval of recommended actions. Any person desiring to appeal a recommended action of the Board should observe the notice regarding appeals below. **CAUTION:** Untimely filing by any appellant shall result in an automatic denial of the appeal.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL AND DETERMINATION OF QUORUM

D. APPROVAL OF MINUTES

- [1.](#) May 9, 2022 P&Z draft meeting minutes

E. NEW BUSINESS

- [1.](#) Ordinance 2022-04 Lot Splits

AN ORDINANCE OF THE CITY OF EDGEWOOD AMENDING CHAPTER 126 OF THE CODE OF ORDINANCES, "SUBDIVISIONS," PROVIDING FOR A LOT SPLIT PROCEDURE FOR THE DIVISION OF A SINGLE LOT INTO TWO LOTS IN LIEU OF REPLATTING OR PLATTING UNDER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS AND AN EFFECTIVE DATE.

- [2.](#) Ordinance 2022-05 Site-Specific Zoning

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING CHAPTER 134 OF THE CODE OF ORDINANCES TO CREATE A NEW SITE-SPECIFIC PLAN ZONING CATEGORY; ESTABLISHING A PROCESS AND REQUIREMENTS FOR REZONING PROPERTY TO SITE-SPECIFIC PLAN ZONING; ESTABLISHING APPLICATION AND EVALUATION STANDARDS RELATED TO SITE-SPECIFIC PLAN ZONING REQUESTS; PROVIDING FOR PERMITTED, AND PROHIBITED USES WITHIN SUCH ZONING; PROVIDING FOR SITE AND DEVELOPMENT STANDARDS; PROVIDING FOR REGULATIONS AND ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND AN EFFECTIVE DATE.

F. UNFINISHED BUSINESS

G. COMMENTS/ANNOUNCEMENTS

H. ADJOURNMENT

UPCOMING MEETINGS

Tuesday, June 21, 2022.....City Council Meeting
Monday, July 11, 2022.....Planning and Zoning Meeting

General Rules of Order

You are welcome to attend and express your opinion. The Board is pleased to hear non-repetitive comments related to business before the Board; however, a **five (5) minute time limit per person** has been set by the Board. Large groups are asked to name a spokesperson. If you wish to appear before the Board, please fill out an Appearance Request Registration Form and give it to the City Clerk. When recognized, state your name and speak directly into the microphone. The City is guided by **Roberts Rules of Order** in governing the conduct of the meeting. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at (407) 851-2920 at least 24 hours in advance of the meeting.

We ask that all electronic devices (i.e. cell phones, pagers) be silenced during our meeting!

Thank you for participating in your government!

Appeals

According to Edgewood City Code Section 26-24 (2), “any person aggrieved by any recommendation of the Board acting either under its general powers or as a Board of Adjustment may file a notice of appeal to the City Council within seven (7) days after such recommendation is filed with the City Clerk. Per **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 proceeding 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**.



PLANNING AND ZONING BOARD MEETING

City Hall – Council Chamber
405 Bagshaw Way, Edgewood, Florida
Monday, May 09, 2022 at 6:30 PM

Steve Kreidt
Chair

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Vice-Chair

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Board Member

David Nelson
Board Member

Melissa Gibson
Board Member

PLANNING AND ZONING BOARD MEETING DRAFT MINUTES

CALL TO ORDER

Chair Kreidt called the meeting to order at 6:30 pm and led everyone in the Pledge of Allegiance, followed by an invocation.

ROLL CALL AND DETERMINATION OF QUORUM

The following Planning and Zoning and staff members were present:

Board Members:

Steve Kreidt, Chair

David Gragg, Board Member

David Nelson, Board Member

Absent:

Ryan Santurri, Board Member

Melissa Gibson, Board Member

Staff:

Sandra Riffle, Interim City Clerk

Brett Sollazzo, Administrative Assistant

David Ireland, Police Sergeant

Drew Smith, City Attorney

APPROVAL OF MINUTES

1. April 11, 2022 P&Z Meeting Minutes

Board Member Gragg made a motion to approve the April 11, 2022 meeting minutes as presented; seconded by Board Member Nelson. Approved (3/0).

NEW BUSINESS

- Variance 2022-03 - 600 Gatlin Ave. - Fence & Gate

Engineer Lane reviewed the variance request for 600 Gatlin Avenue to allow a fence and gate beyond the front building line higher than the allowable height of four feet. The applicant has requested a 5-foot-high fence with a 6-foot-high motor-operated gate.

Engineer Lane said CPH does not have any objections to the request.

In response to Chair Kreidt, Engineer Lane said adjacent properties have a mixture of fence types, including picket fences, 5-foot-high fences, and taller motorized gates.

Engineer Lane said the residence immediately to the west does not have a gate.

He said the proposed fence is decorative aluminum and will be similar to the gate. The applicant intends to plant short shrubs in front of the fence and taller shrubs behind the fence. The gate must be at least 20 feet off the road so a vehicle can be completely off the road when entering the driveway.

Discussion ensued regarding the characteristics of the property and Gatlin Avenue. There is a sidewalk on the south side of Gatlin Avenue, and vehicles will have to cross the sidewalk to see the roadway.

Engineer Lane noted that the fence does not come up to the sidewalk. He said the fence contractor has also considered visibility for egress for vehicles and pedestrian visibility.

In response to Attorney Smith, Engineer Lane said the variance from the allowable 4-foot to a 5-foot-high fence would not make conditions any worse or better because the standard sight visibility is between 2 and 7 feet.

Engineer Lane confirmed to Board Member Gragg that the fence does not come up to the sidewalk.

Public Comment:

Kathryn Peters, an Edgewood resident who resides on the abutting west property, spoke as an opponent to the variance request. She said the existing fences are on the east side of the property and were permitted in Orange County. The street is not very wide, and there is a difference between a 4 and 5 feet high fence, which might affect visibility. She said that if the applicant plants vegetation, he does not need a fence.

In response to Chair Kreidt, Ms. Peters said she would not disagree with a 4-foot fence, but she prefers vegetation.

Ms. Peters stated that contractors are working on the weekend and early in the morning. She said the applicant is removing trees and has also damaged and removed her driveway apron. She is concerned that they will build the fence in the same location as the old fence that was located on her property.

Ms. Peters responded to Board Member Gragg and said the nature of her objection is about pulling out of the driveway safely and destroying the community because he wants a compound. She said vegetation can serve the same purpose as a fence.

Scott Zeller, an Edgewood resident, confirmed and said the extra foot makes a difference. The street will not become any less busy. They don't have a fence because of pedestrians.

Ms. Peters said many times she cannot get a police officer to come out, and there are no police officers to come out on weekends. Mr. Zeller added that he is forwarded to Orange County dispatch when he calls. Sergeant Ireland said that he was not aware of their calls, and he would alert Chief Freeburg and dispatch.

Chair Kreidt said that a 4-foot-high fence is consistent with city guidelines and does not see why the fence cannot stay at the allowable height rather than the requested height.

Board Member Nelson noted that, from a structural standpoint, a 4-foot-high fence is not much different from a 5-foot-high fence.

Engineer Lane said the standard sight visibility range is between 2 and 7 feet, so the variance request does not affect the visibility range.

Board Member Gragg said he respects the homeowner's rights but complying with the allowable 4-foot- high fence does not seem to be an undue hardship.

Further discussion ensued regarding the characteristics of the property and the street.

Board Member Gragg said he does not think the request would be injurious to the neighborhood but stated his concerns about pedestrians. He also noted that some Gatlin Avenue residents have front yard fences.

Chair Kreidt said the request does not seem to be in harmony with the general intent and purpose of the Code.

Board Member Nelson made a motion to recommend denial of Variance 2022-03 to erect a gate and fence beyond the front building line greater than a height of four feet based on the following variance criteria not being met:

- ***That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.***
- ***That literal interpretation of the provisions contained in this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant***
- ***That approval of the variance will be in harmony with the general intent and purpose of this chapter and that such variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.***

The motion was seconded by Chair Kreidt. Approved (3/0).

A roll call vote was taken.

| | |
|-----------------------|--------|
| Chair Kreidt | Favor |
| Board Member Gragg | Favor |
| Board Member Nelson | Favor |
| Board Member Santurri | Absent |
| Board Member Gibson | Absent |

UNFINISHED BUSINESS - none

COMMENTS/ANNOUNCEMENTS - none

ADJOURNMENT

Chair Kreidt made a motion to adjourn the meeting at 7:23 pm.

Steve Kreidt, Chair

Sandra Riffle, Interim City Clerk



Date: June 8, 2022
To: Planning and Zoning (P&Z) Board
From: Ellen Hardgrove, City Planning Consultant
XC: Sandy Riffle, Interim City Clerk
Drew Smith, City Attorney
Re: Establishment of a Lot Split Process

This agenda item is for consideration of amending the City’s subdivision regulations, Code Chapter 126, to allow a simple process for dividing a single parcel into two, known as a “lot split.” Establishing this process was contemplated in 2005, when City Council adopted Resolution 2005-R002; however, the code was never amended to allow use of the simplified process. The proposed simplified process is in the best interest of the citizens of the City and is consistent with State statutes that define a “subdivision” as the creation of three or more lots.

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ORDINANCE 2022 – 04

AN ORDINANCE OF THE CITY OF EDGEWOOD AMENDING CHAPTER 126 OF THE CODE OF ORDINANCES, “SUBDIVISIONS,” PROVIDING FOR A LOT SPLIT PROCEDURE FOR THE DIVISION OF A SINGLE LOT INTO TWO LOTS IN LIEU OF REPLATTING OR PLATTING UNDER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Edgewood, Florida, finds it necessary and in the best interests of the citizens of the City to provide a lot split procedure for division of lots in lieu of re-platting or platting; and,

WHEREAS, the city of Edgewood has received several requests from property owners to divide single existing lots into two lots; and,

WHEREAS, within this Ordinance, deletions are identified by strikethrough text and additions are identified by underline text.

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 126.61 “Exemptions” is hereby amended as follows:

Sec. 126-61.

(a) For subdivisions where no new streets, water, sewer or drainage structures are involved, sections 126-62 through 126-67 and 126-93 through 126-95 may be waived; provided, however, that a sketch plan of the proposed subdivision shall be submitted to the office of the mayor for review by the planning and zoning board to ensure that the proposed subdivision conforms to other applicable requirements of this chapter and further compliance with sections 126-62 through 126-67 and 126-93 through 126-95.

(b) If the proposed subdivision is a proposal for the division of a single lot into two lots, in lieu of platting or replatting, the subdivider may conform to the procedural requirements to be known as a “Lot Split,” as set out in this section, or the subdivider may comply with the procedure for platting or replatting contained in this chapter at the applicant's option, except as otherwise determined pursuant to subsection (b)(3). A lot shall not be created by this process if a lot does not have legal access to a

35 public right-of-way, or the resulting lots is not conforming to applicable land
 36 development regulations governing lot dimensions or densities within the applicable
 37 zoning district. The Lot Split procedure shall not apply to a subdivision into more
 38 than two lots or additional lot splits on contiguous land or within the same existing
 39 subdivision. The intention being that this procedure may only be used once as it
 40 pertains to all or any portion of the lands involved in or previously utilizing or subject
 41 to this procedure.

42 (1) Lot Split Application. A subdivider shall apply to the city on an application form
 43 as well as submit to the city the subdivider's plans for development with the
 44 following minimum submittal requirements:

45 a. A sketch drawn to scale showing the existing lot and improvements,
 46 location of easements, names of bordering streets, proposed lot lines,
 47 minimum required building setbacks on each proposed lot, names and
 48 locations of all bodies of water, wetland, drain fields, and all other
 49 waterways and watercourses abutting or encroaching upon subject
 50 property. This sketch must also show existing buildings and lot dimensions.
 51 The scaled drawing may coincide with the certified boundary survey
 52 required below.

53 b. A brief description of all utilities and city services, including sewers,
 54 potable water facilities, and fire hydrants electric and telephone poles,
 55 streetlights, storm drains and any other utilities or services relevant to the
 56 maintenance of subject properties.

57 c. A listing of the names and addresses of the record owners abutting subject
 58 property.

59 d. A boundary survey of the lands subject to this procedure, as existing (i.e.,
 60 prior to the proposed lot split) and as proposed (i.e., after the proposed lot
 61 split), performed and prepared by a professional licensed surveyor and
 62 mapper. The survey shall be certified to and submitted to the city. Said
 63 surveys shall include the depiction of existing improvements and
 64 easements thereon.

65 e. Proposed legal instruments creating and granting proposed easements,
 66 conditions and restrictions upon the proposed lots.

67 f. A title opinion from a licensed attorney or title certificate from a title
 68 company certified to the city showing the ownership, easement, mortgage,
 69 and other lien and encumbrance information for the existing lot.

70 g. Executed joinder and consent to the proposed lot split from all owners of
 71 the property and mortgage holders, if applicable.

72 h. Application fee.

73 (2) Staff Review. Once the application is determined to be complete, staff shall
74 review the request for compliance with the code and providing necessary
75 easements and access for public services and utilities (e.g. compliance with lot
76 dimensions requirements, setbacks for existing buildings, easements, legal
77 access, etc.). A staff report, with or without conditions or restrictions, the
78 application, together with the recommendations, conditions and restrictions,
79 shall be presented to the Planning and Zoning board at its next available
80 regular meeting or session, for a recommendation of approval or disapproval.

81
82 (3) The city staff may require an applicant to follow the standard subdivision
83 procedure contained in this chapter if they determine that the lot-split procedure
84 is being utilized by an applicant in order to defeat the objectives of subdivision
85 requirements or the lot-split procedure would be inadequate to address matters
86 presented by the application that could be more adequately addressed through
87 the platting or replatting procedure.

88
89 (4) Planning and Zoning Board Review. The Planning and Zoning Board
90 recommendation may take the following actions:

- 91 a. Approve the application as recommended by staff.
- 92 b. Approve the application, deleting or supplementing the conditions and
93 restrictions of staff.
- 94 c. Approve the application, adding conditions and restrictions as determined
95 by the planning and zoning board.
- 96 d. Disapprove the application.

97
98 (5) City Council Review. The Planning and Zoning Board recommendation shall
99 be presented to the City Council at the next available Council meeting.

100 (6) Conditions. The city may condition the lot split upon the recording in the Orange
101 County public records legal instrument(s), in a form acceptable to the city,
102 showing the new boundaries of the lots created by the lot split and creating any
103 easements, conditions and restrictions upon the lots necessary for the orderly
104 and proper development of the lots.

105 If staff or the Planning and Zoning board determines that an easement or right-
106 of-way is necessary for the subdivision of the subject property, the applicant
107 must provide a proper and satisfactory executed deed of easement or right-of-
108 way prior to any final approval by the authority determining this necessity and
109 prior to approval by any subsequent authorities determining the application.

- 110 (7) Appeals. Appeals of any decision of the City Council shall follow that stated in
- 111 Section 126-590 of the Edgewood Code.
- 112
- 113

Sec. 134-476. Intent and purpose of SSP district.

- a) The intent and purpose of the SSP district is to implement the Site Specific Plan future land use designation of the City’s comprehensive plan, establishing a process that will ensure a proposed development is compatible with adjacent land uses, protect environmentally sensitive areas, and is coordinated with available public services and facilities
- b) In the event of any conflict with any other provision of this Code, the provisions of this Division shall prevail unless specifically provided otherwise.

Sec. 134-477. Uses permitted.

- a) *Uses Permitted.* Any use permitted in any zoning district within the City shall be considered a potential use in the SSP district unless such use is specifically enumerated as a prohibited use within the SSP district.
- b) *Development Agreement.* The specific permitted uses for property zoned SSP shall be set forth in a development agreement approved as provided herein, which shall be recorded in the official public records of Orange County, Florida.

Sec. 134-478. Prohibited Uses

- a) Any use prohibited in the C-1, C-2, or C-3 district shall be prohibited in the SSP district.
- b) Car washes

Sec. 134-479. Approval Procedure.

- a) The applicant shall submit to the City Clerk an application and payment of the application fees for consideration of comprehensive plan amendments (future land use map amendment and site specific policy detailing, at a minimum, the proposed use and density and/or intensity) and rezoning approval. The application shall include sufficient copies, as required by the city, of the following.
 - 1) Complete application form documenting the applicant’s name and contact information, full legal description of the property, acreage, owner’s name and contact information, and agent authorization if applicant is not the owner of the property
 - 2) The proposed comprehensive plan amendments per Section 134-480
 - 3) The Site Specific Plan per Section 134-481
 - 4) A statement of need and justification for the change

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- 5) An analysis of how the proposed use is consistent with and/or furthers the goals, objectives and policies of the city's comprehensive plan
 - 6) An analysis of potential land use compatibility issues and the proposed mitigation. Land use compatibility is of premier importance to this district. Compatible means, a development, building and/or land use that is designed to be able to exist or occur without conflict with its surroundings in terms of its uses, scale, height, massing and location on its site, as well as is without negative impact to public services and facilities. Land use compatibility analysis shall address visual impact, on-site operational impact, and impact to public services and facilities, including, but not limited to the area road network. Examples of mitigation measures include, but are in no way limited to, the following; often times, more than one mitigation strategy is necessary for each category.
 - a) Visual impact/Building Scale and Site Design Impact; i.e., the three-dimensional bulk of a structures onsite including height, width, and depth compared to adjacent uses. This not only includes the appearance of any structures, but also the effect of outdoor storage, as well as the long term maintenance of buildings, landscaping, etc. onsite. Mitigation for visual impact include, but are not limited to the following.
 - 1) Provide gradual transition between smaller and larger residential lots through the arrangement and scale of lots and/or by providing appropriately scaled buffers.
 - 2) Minimize the mass of buildings that directly face smaller, pre-existing buildings by: 1) reducing the visual impact with larger setbacks; 2) incorporating design and elevation features that complement adjacent lower-density/intensity development; 3) stepping buildings down to a scale (building bulk, footprint size, and height) complementing adjacent development; and/or 4) breaking up massing of buildings with architectural features.
 - 3) Design structures in a manner that provides a visual or height transition and complements the scale and form of adjacent development. This can be done through reducing building height, providing step-backs, varying massing, increasing setbacks, and other techniques.
 - 4) Alternate/undulate facades and roof lines, especially for buildings significantly longer than buildings on adjacent; i.e., variation in vertical and horizontal elevation and use of decorative elements.
 - 5) Avoid blank walls, by using design techniques such as evergreen vine wall (trellis or wire/vine system), variety or decorative masonry pattern of at least

- two types of materials, color, texture, or architectural feature (such as accents and relief elements), or use of faux windows.
- 6) Increase the use of landscaping, and building setbacks to reflect patterns in adjacent, lower-intensity residential areas.
 - 7) Use mature trees to improve compatibility in building scale.
 - 8) Locate, design, and manage stormwater management features (including retention and detention basins, swales, surface drainageways, constructed wetlands, and greenways) to provide visual amenities and opportunities for passive recreation.
 - 9) Use landscape, pedestrian ways, bioswales, and parking design to divide large parking lots into smaller blocks.
 - 10) Use significant landscaped buffers and screening to reduce the visual impact of parking facilities on adjacent residential areas.
 - 11) Place parking lots between taller commercial buildings and single family homes.
- b) Operational Impact; i.e., operational by-products such as noise, odors, dust, vibration, light, heat, electrical interference etc. that will negatively impact adjacent uses.
- 1) Contain operations within building walls to the maximum degree possible.
 - 2) Design the building layout to orient operations internal to the site.
 - 3) Use vertical screening to block visual effects of high-impact components such as mechanical equipment and service areas.
 - 4) Locate dumpsters away from adjacent residential areas.
 - 5) Direct light generated by higher intensity uses, including direct illumination of parking and service areas, signs, and structures, away from adjacent residential areas and public streets.
 - 6) Reduce noise through additional wall insulation, plantings, fences and walls, and strategic placement of doors and windows.
 - 7) Hours of operation—Low intensity uses such a residential generally have much more restricted activities than higher intensity uses such as industrial.
- c) Impact to public services and facilities.
- 1) Coordinate with the City/County/State to construct improvements necessary to mitigate the project's impact on the area road network.

- 2) Utilize site designs, building groupings, and site features that accommodate and encourage the use of transportation alternatives, including pedestrian, bicycle, and public transportation. Examples of techniques include provision of wide sidewalks, provision of transit stops/shelters; visible and convenient bicycle parking facilities; and multi-use paths to building entrances.
 - 3) Increase the connectivity of the street network to reduce reliance on single routes for access.
 - 4) Use latest technology for energy use, stormwater management, potable water supply.
 - 7) An analysis of the availability of facilities and services including Potable Water, Wastewater, Stormwater Management, Solid Waste Disposal, Police and Fire Protection, and Transportation.
 - 8) An analysis of the suitability of the proposed development given the soils, topography, wetlands, floodplains, native vegetation, and environmentally sensitive areas on site.
 - 9) An analysis of how the proposed development promotes water and energy conservation.
 - 10) The proposed Development Agreement per Section 134-483.
 - 11) Statement from a certified appraiser relative to the effect on adjacent property values.
 - 12) Any supporting data the applicant deems necessary to support the request.
- b) *Distribution for Review* After determining the application is complete, the City Clerk shall distribute the application to pertinent city staff for review. An incomplete application will not be forwarded to staff, resulting in the delay of processing.
- c) *Staff/Applicant Meeting/Initial Review Comments*. The City Clerk will coordinate with the applicant and staff to schedule a meeting to discuss staffs' review comments, as well as guide further refinement of the application if necessary.
- d) *Community Meeting*. Prior to the final staff report preparation, the applicant shall schedule and attend a community meeting to provide an informal setting to present the project and gain input from area residents/businesses. A report prepared by the applicant summarizing the community meeting proceedings and any modifications to the proposal based on the input shall be submitted to the City Clerk for staff distribution.
- e) *Staff Report*. Following the applicant's report on the community meeting, a joint staff report addressing the comprehensive plan amendment and site specific plan will be prepared for the Planning and Zoning Board by staff, which will be sent to the applicant.

The applicant may request an additional staff/applicant meeting to discuss the report or request the City Clerk to schedule a public hearing before the Planning and Zoning Board.

- f) *Planning and Zoning Board Hearing.* The Planning and Zoning Board hearing date shall not be scheduled within 21 days of the City Clerk receiving the request from the applicant to proceed to public hearing unless the minimum time is waived by the City Clerk.
- g) *City Council Hearings.* The public hearing before the City Council shall be held at least ten days after the Planning and Zoning Board hearing, unless the time is waived by the City Clerk. The city shall process the comprehensive plan amendment in accordance with Chapter 163, Florida Statutes. Final approval of the zoning shall not occur until after the effective date of the comprehensive plan amendments.

Section 134-480 Preparation of the Comprehensive Plan Amendments

- a) The necessary amendments to the comprehensive plan (Future Land Use Map amendment and new policy identifying, at a minimum, the permitted uses and densities/intensities) shall conform to the requirements as specified within F.S. ch. 163, pt. II. and follow the process outlined below.
 - (1) The comprehensive plan text or map amendments shall be submitted to the Planning and Zoning Board for study and recommendation. The Planning and Zoning Board shall study such proposals to determine:
 - a. The need and justification for the change;
 - b. The effect of the change, if any, on the particular property and the surrounding properties;
 - c. The compatibility of the proposed land uses with surrounding properties; and
 - d. The relationship of the proposed amendment to the goals, objectives and policies and text of the city's comprehensive plan, with appropriate consideration as to whether the proposed change will further, or at least not be contrary to the comprehensive plan.
 - (2) No recommendation for transmittal or adoption of any amendment to the comprehensive plan shall be made by the Planning and Zoning Board until and unless a public hearing has been held. In addition to the public notice requirements of F.S. ch. 163, pt. II, written notice of the time and place of such meeting and the proposed action to be taken shall be posted upon the property and mailed to all owners of record of property within 2640 feet of the property requested for map amendment at least 15 days prior to the public hearing. The public notice posted on the property shall be erected to be in full view of the general public on each street side of said land and shall be erected by the applicant.

- (3) The Planning and Zoning Board, following their public hearing, may recommend approval, approval with conditions, denial or submit such request with no recommendation to the City Council in the case of a tie vote.
 - (4) Upon the filing of the recommendations report by the Planning and Zoning Board, the City Council shall hold the first of two public hearings to consider approval of the request in a timely fashion in accordance with Florida law. The second public hearing on the ordinance to consider approval will occur based on the timeline in Florida law, and with notice and hearings conducted in the manner prescribed by law. If the amendment qualifies as a small-scale amendment, review/recommendation by the Planning and Zoning Board and two public hearings by City Council shall occur after giving at least 15 days' notice of time and place of such hearings consistent with State law as well as posted upon the property by the applicant in full view of the general public on each street side of said land, and mailed to all owners of record of property within 2640 feet of the property.
- b) The proposed policy amendment shall restrict the range of permitted uses and development intensity/density. The City Council may also restrict or impose requirements such as, but not limited to, limitations on building size and height, minimum setbacks, other site design or building design or use features, and/or vehicle access configuration.

Sec. 134-481 The Specific Site Plan (SSP).

- a) The Specific Site plan shall address the use of all or a portion of the subject property. If the developer or applicant proposes to create a subdivision, a preliminary subdivision plan shall be processed concurrently with the site plan in accordance with Chapter 126 and shall be subject to approval by the City Council.
- b) The site plan, drawn to scale not to exceed one inch equals 200 feet, unless otherwise appropriate, and consisting of properly identified exhibits and support materials, shall clearly indicate the following.
 - (1) The project name, legal description, total acreage and location map.
 - (2) Existing topography at one-foot contours based on the county datum (or as approved by the city engineer) and other natural features including, but not limited to, lakes, watercourses, wetland, and conservation areas.
 - (3) On-site soil types (based on the soil conservation service classification system), flood hazard areas and generalized vegetation.
 - (4) Existing uses, easements, and demolition plan
 - (5) Proposed land uses and development intensity/density, with each phase of the total development identified if phasing is proposed

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- a. Proposed Residential. Maximum gross density, total number of units, type of unit(s), minimum lot size, minimum air conditioned living floor area per unit, building height (in stories and feet), impervious surface maximum per lot, minimum building and accessory use setbacks, open space acreage delineated in tracts, and recreation area delineated in tracts. Recreation and open space/excluding landscape buffers shall constitute 25% of the total acreage of the property (excluding water bodies and wetland). At least two recreation activities shall be provided per recreation tract.
 - b. Proposed Nonresidential. Specific types of uses; gross building floor area; building floor area ratio; building height (in stories and feet); minimum setbacks from all sides; maximum impervious surface per lot/tract; delineated areas where outdoor activities will take place, and a listing of the type of outdoor activities are proposed; and open space acreage delineated in tracts.
- (6) The phasing of development and the manner in which each phase of development can exist as an independent stable unit with all necessary public services and facilities.
 - (7) Identification of adjacent streets, and street intersections or rights-of-way within 500 feet of proposed access points, any major street setbacks, and planned right-of-way lines.
 - (8) Proposed method of providing the following services:
 - a. Water service (including fire flows), plus gallons-per-day requirement.
 - b. Sewage disposal, plus gallons per day generated.
 - (9) Proposed method of land use compatibility.
 - (10) Stormwater management system, including direction of surface drainage flow.
 - (11) Refuse storage areas locations.
 - (12) Proposed easements.
 - (13) Transportation facilities including roads, and pedestrian and bike facilities proposed in the development, including the proposed right-of-way, sidewalk and bike path widths.
 - (14) Projected vehicle traffic generation based on established standards. A traffic study shall be provided if determined to be necessary by the city engineer.
 - (15) Vehicular and bicycle parking spaces detailing location and size.
 - (16) Exterior lighting.
 - (17) Existing tree protection/preservation plan with an effort toward site layout that conserves and protects onsite mature trees to enhance community appearance, assist in the natural control of solar heat, soil conservation and erosion, oxygen
-

production, pollution, noise, and to provide a haven for community wildlife. At a minimum, the plan shall be consistent with Chapter 130. Removal of Historic and/or Specimen Trees shall be replaced with trees sold in 15-gallon containers of at least 1½ inches in diameter as measured three feet above soil level.

- (18) Landscape plan, to include species, quantity, and sizes, not only for land use compatibility mitigation, but also for the enjoyment of site users (employees and/or residents). The plan shall be exceed the standards of Chapter 114.
 - (19) Sustainability plan that documents the inclusion of innovative technology for the provision of infrastructure needs such as electric charging stations and alternative energy sources as well as green building design.
 - (20) Design elevations or renderings of structures.
 - (21) Sign plan, including scaled plans of proposed signs.
 - (22) School age population (if applicable).
 - (23) Requested waivers from the subdivision regulations or other development standards shall be indicated on the site plan or submitted in writing detailing the particular provisions of the Code requested to be waived and basis for the request.
- c) The SSP shall serve as the basis for the required new comprehensive policy, SSP zoning district ordinance, and the required Development Agreement.

Sec. 134-482 Site and Building Standards

- a) Maximum Height shall be determined during SSP review.
- b) Parking quantity shall be consistent with code standards unless competent and substantial evidence demonstrates a reduce quantity is appropriate.
- c) Landscaping shall exceed the minimum code standards and shall be provided to mitigate compatibility issues.
- d) Where other site standards have not been specifically delineated in the Site Specific Plan, the Code requirements shall apply.

Sec. 134-483 Development Agreement: The draft Development Agreement is required to be submitted at the time of application. The document shall detail covenants, conditions, restrictions, and agreements that govern the use, maintenance and continued protection of minimum standards established by the rezoning/comprehensive plan policy, as well as maintenance and protection of the building structures, infrastructure, recreation areas, and landscaping. Finalization of the Development Agreement shall occur at least two weeks prior to the Planning and Zoning Board’s public hearing.

Sec. 134-484. Amendments to the Site Specific Plan.

- a) Amendments to the approved Site Specific Plan shall be classified as either substantial or nonsubstantial amendments.
- b) A substantial amendment is an amendment that would result in any of the following:
 - (1) A change that would include a land use not previously permitted under the approved Site Specific Plan zoning.
 - (2) A change that would alter the location of a building within 300 feet of a property boundary, except when it is a reduction in the mass or height
 - (3) A change that would require an amendment to the city's conditions of approval.
 - (4) A change that would increase the land use intensity.
 - (5) An amendment to the phasing that would propose a land use in advance of the development it was designed to support.
- c) The determination of a substantial or non-substantial amendment shall be made jointly by the city engineer and city planner. If an agreement is not reached, the determination shall be made by the City Council.
- d) Where the developer proposes to reduce the number of units or floor area in one phase of the project, a corresponding increase in the number of units or floor area in another phase may be administratively approved, if all other conditions of approval are not adversely affected, and no other change is proposed that would be considered a substantial amendment.
- e) Substantial amendments must be approved at applicable public hearings, which could include amendment to the comprehensive plan.

Sec. 134-485. Control of development following approval.

- a) Upon the approval of the Site Specific Plan, the use of land and the construction or modification of any buildings or structures on the property shall be in accordance with the approved Site Specific Plan, rather than with the other provisions of this chapter. However, all other city codes, ordinances, policies and resolutions shall apply to the project.
- b) The city engineer and city planner shall be responsible for certifying that all aspects of the development, including conditions of approval have been satisfactorily completed prior to the issuance of a certificate of completion.
- c) After certification, no changes may be made to the approved development plan except that:
 - (1) Any structural extension, alteration or modification of existing building structures that are consistent with the approved site plan may be authorized by the city engineer or other city designee.

- (2) A building or structure that is destroyed may be reconstructed only in compliance with the development plan unless an amendment to the site plan is approved under the provisions of this division.

Sec. 134-486. Other requirements.

- a) Off-site improvements may be required in conjunction with the Site Specific Plan approval in order to offset the impacts on public facilities and services created by the proposed development.
- b) All projects shall provide an adequate level of public facilities and services to accommodate the project as proposed in the development plan.
- c) At the time of development, the development shall comply with all regulations and ordinances in force at the time of engineering plan approval, unless specifically addressed by the Development Agreement.
- d) Projects that have not been developed and which the City Council considers to be inconsistent with the provisions of this division may be required to update the site plan or may be subject to administrative rezoning if the project is not vested under the applicable law.

Sec. 134-487 Enforcement and penalties.

In the event of a noncompliance with this article, the City Council shall have the authority to suspend construction activity and revoke any building permit issued under this article, and to take all actions necessary to halt construction until such time as the provisions herein are complied with. In the event legal action is necessary, and professional fees and costs are incurred by the city enforcing compliance, these expenses shall be borne by the developer or parties violating the terms of this article. These penalties are in addition to any other penalties provided by law.

1 AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA,
 2 AMENDING CHAPTER 134 OF THE CODE OF ORDINANCES TO
 3 CREATE A NEW SITE SPECIFIC PLAN ZONING CATEGORY;
 4 ESTABLISHING A PROCESS AND REQUIREMENTS FOR REZONING
 5 PROPERTY TO SITE SPECIFIC PLAN ZONING; ESTABLISHING
 6 APPLICATION AND EVALUATION STANDARDS RELATED TO SITE
 7 SPECIFIC PLAN ZONING REQUESTS; PROVIDING FOR PERMITTED,
 8 AND PROHIBITED USES WITHIN SUCH ZONING; PROVIDING FOR
 9 SITE AND DEVELOPMENT STANDARDS; PROVIDING FOR
 10 REGULATIONS AND ENFORCEMENT; PROVIDING FOR
 11 SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND
 12 AN EFFECTIVE DATE

13
 14 WHEREAS, certain parcels of land located within the City may present unique
 15 development challenges due to configuration and surrounding uses; and

16
 17 WHEREAS, the City is desirous of encouraging creative solutions to development
 18 challenges; and

19
 20 WHEREAS, Euclidean zoning sometimes does not allow the necessary flexibility to
 21 implement such creative solutions; and

22
 23 WHEREAS, the City Council finds that creating a Site Specific Plan zoning district that
 24 allows for collaboration between the City, the developer, and neighboring property owners and
 25 stakeholders encourages dialogue and problem solving that can lead to mutually beneficial
 26 solutions to development challenges; and

27
 28 WHEREAS, the City Council also finds that it is necessary to implement regulations
 29 governing the appropriateness, limitations, and implementation of site specific zonings; and

30
 31 WHEREAS, as of the effective date of this Ordinance, the City will have amended its
 32 Comprehensive Plan, to contemplate site specific zonings under certain circumstances; and

33
 34 WHEREAS, within this Ordinance, deletions are identified by ~~striketrough~~ text,
 35 additions are identified by underline text, and portions of the Code that remain unchanged and
 36 which are not reprinted here are indicated by ellipses (***)

37
 38 NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
 39 OF EDGEWOOD, FLORIDA, AS FOLLOWS:

40
 41 SECTION ONE. The findings set forth in the recitals above are hereby adopted as
 42 legislative findings of the City Council pertaining to this Ordinance.

43

44 SECTION TWO. Chapter 134, "Zoning," Article IV, "District Regulations," is hereby
45 amended as follows:

46

47 **DIVISION 12. - SSP SITE SPECIFIC PLAN ZONING DISTRICT**

48 **Sec. 134-476. Intent and purpose of SSP district.**

- 49 a) There is hereby created the Site Specific Plan (SSP) zoning district.
- 50 b) The intent and purpose of the SSP district is to implement the Site Specific Plan future land
51 use designation of the City's comprehensive plan, establishing a process that will ensure a
52 proposed development is compatible with adjacent land uses, protect environmentally
53 sensitive areas, and is coordinated with available public services and facilities
- 54 c) In the event of any conflict with any other provision of this Code, the provisions of this
55 Division shall prevail unless specifically provided otherwise.

56 **Sec. 134-477. Uses permitted.**

- 57 a) Uses Permitted. Any use permitted in any zoning district within the City shall be considered
58 a potential use in the SSP district unless such use is specifically enumerated as a prohibited
59 use within the SSP district.
- 60 b) Development Agreement. The specific permitted uses for property zoned SSP shall be set
61 forth in a development agreement approved as provided herein, which shall be recorded in
62 the official public records of Orange County, Florida.

63

64 **Sec. 134-478. Prohibited Uses**

- 65 a) Any use prohibited in the C-1, C-2, or C-3 district shall be prohibited in the SSP district.
- 66 b) Car washes

67 **Sec. 134-479. Approval Procedure.**

- 68 a) The applicant shall submit to the City Clerk an application and payment of the application
69 fees for consideration of comprehensive plan amendments (future land use map amendment
70 and site specific policy detailing, at a minimum, the proposed use and density and/or
71 intensity) and rezoning approval. The application shall include sufficient copies, as required
72 by the city, of the following.
 - 73 1) Complete application form documenting the applicant's name and contact information,
74 full legal description of the property, acreage, owner's name and contact information,
75 and agent authorization if applicant is not the owner of the property
 - 76 2) The proposed comprehensive plan amendments per Section 134-480
 - 77 3) The Site Specific Plan per Section 134-481

- 78 4) A statement of need and justification for the change
- 79 5) An analysis of how the proposed use is consistent with and/or furthers the goals,
80 objectives and policies of the city's comprehensive plan
- 81 6) An analysis of potential land use compatibility issues and the proposed mitigation. Land
82 use compatibility is of premier importance to this district. Compatible means, a
83 development, building and/or land use that is designed to be able to exist or occur without
84 conflict with its surroundings in terms of its uses, scale, height, massing and location on
85 its site, as well as is without negative impact to public services and facilities. Land use
86 compatibility analysis shall address visual impact, on-site operational impact, and impact
87 to public services and facilities, including, but not limited to the area road network.
88 Examples of mitigation measures include, but are in no way limited to, the following;
89 often times, more than one mitigation strategy is necessary for each category.
- 90 a) Visual impact/Building Scale and Site Design Impact; i.e., the three-dimensional
91 bulk of a structures onsite including height, width, and depth compared to adjacent
92 uses. This not only includes the appearance of any structures, but also the
93 effect of outdoor storage, as well as the long term maintenance of buildings,
94 landscaping, etc. onsite. Mitigation for visual impact include, but are not limited
95 to the following.
- 96 1) Provide gradual transition between smaller and larger residential lots through
97 the arrangement and scale of lots and/or by providing appropriately scaled
98 buffers.
- 99 2) Minimize the mass of buildings that directly face smaller, pre-existing
100 buildings by: 1) reducing the visual impact with larger setbacks; 2)
101 incorporating design and elevation features that complement adjacent lower-
102 density/intensity development; 3) stepping buildings down to a scale (building
103 bulk, footprint size, and height) complementing adjacent development; and/or
104 4) breaking up massing of buildings with architectural features.
- 105 3) Design structures in a manner that provides a visual or height transition and
106 complements the scale and form of adjacent development. This can be done
107 through reducing building height, providing step-backs, varying massing,
108 increasing setbacks, and other techniques.
- 109 4) Alternate/undulate facades and roof lines, especially for buildings significantly
110 longer than buildings on adjacent; i.e., variation in vertical and horizontal
111 elevation and use of decorative elements.
- 112 5) Avoid blank walls, by using design techniques such as evergreen vine wall
113 (trellis or wire/vine system), variety or decorative masonry pattern of at least
114 two types of materials, color, texture, or architectural feature (such as accents
115 and relief elements), or use of faux windows.

- 116 6) Increase the use of landscaping, and building setbacks to reflect patterns in
 117 adjacent, lower-intensity residential areas.
- 118 7) Use mature trees to improve compatibility in building scale.
- 119 8) Locate, design, and manage stormwater management features (including
 120 retention and detention basins, swales, surface drainageways, constructed
 121 wetlands, and greenways) to provide visual amenities and opportunities for
 122 passive recreation.
- 123 9) Use landscape, pedestrian ways, bioswales, and parking design to divide large
 124 parking lots into smaller blocks.
- 125 10) Use significant landscaped buffers and screening to reduce the visual impact
 126 of parking facilities on adjacent residential areas.
- 127 11) Place parking lots between taller commercial buildings and single family
 128 homes.
- 129 b) Operational Impact; i.e., operational by-products such as noise, odors, dust,
 130 vibration, light, heat, electrical interference etc. that will negatively impact adjacent
 131 uses.
- 132 1) Contain operations within building walls to the maximum degree possible.
- 133 2) Design the building layout to orient operations internal to the site.
- 134 3) Use vertical screening to block visual effects of high-impact components such
 135 as mechanical equipment and service areas.
- 136 4) Locate dumpsters away from adjacent residential areas.
- 137 5) Direct light generated by higher intensity uses, including direct illumination
 138 of parking and service areas, signs, and structures, away from adjacent
 139 residential areas and public streets.
- 140 6) Reduce noise through additional wall insulation, plantings, fences and walls,
 141 and strategic placement of doors and windows.
- 142 7) Hours of operation—Low intensity uses such a residential generally have
 143 much more restricted activities than higher intensity uses such as industrial.
- 144 c) Impact to public services and facilities.
- 145 1) Coordinate with the City/County/State to construct improvements necessary to
 146 mitigate the project’s impact on the area road network.
- 147 2) Utilize site designs, building groupings, and site features that accommodate
 148 and encourage the use of transportation alternatives, including pedestrian,
 149 bicycle, and public transportation. Examples of techniques include provision
 150 of wide sidewalks, provision of transit stops/shelters; visible and convenient
 151 bicycle parking facilities; and multi-use paths to building entrances.

- 152 3) Increase the connectivity of the street network to reduce reliance on single
153 routes for access.
- 154 4) Use latest technology for energy use, stormwater management, potable water
155 supply.
- 156 7) An analysis of the availability of facilities and services including Potable Water,
157 Wastewater, Stormwater Management, Solid Waste Disposal, Police and Fire
158 Protection, and Transportation.
- 159 8) An analysis of the suitability of the proposed development given the soils,
160 topography, wetlands, floodplains, native vegetation, and environmentally
161 sensitive areas on site.
- 162 9) An analysis of how the proposed development promotes water and energy
163 conservation.
- 164 10) The proposed Development Agreement per Section 134-483.
- 165 11) Statement from a certified appraiser relative to the effect on adjacent property
166 values.
- 167 12) Any supporting data the applicant deems necessary to support the request.
- 168 b) *Distribution for Review* After determining the application is complete, the City Clerk shall
169 distribute the application to pertinent city staff for review. An incomplete application will
170 not be forwarded to staff, resulting in the delay of processing.
- 171 c) *Staff/Applicant Meeting/Initial Review Comments.* The City Clerk will coordinate with the
172 applicant and staff to schedule a meeting to discuss staffs' review comments, as well as guide
173 further refinement of the application if necessary.
- 174 d) *Community Meeting.* Prior to the final staff report preparation, the applicant shall schedule
175 and attend a community meeting to provide an informal setting to present the project and
176 gain input from area residents/businesses. A report prepared by the applicant summarizing
177 the community meeting proceedings and any modifications to the proposal based on the input
178 shall be submitted to the City Clerk for staff distribution.
- 179 e) *Staff Report.* Following the applicant's report on the community meeting, a joint staff report
180 addressing the comprehensive plan amendment and site specific plan will be prepared for the
181 Planning and Zoning Board by staff, which will be sent to the applicant. The applicant may
182 request an additional staff/applicant meeting to discuss the report or request the City Clerk
183 to schedule a public hearing before the Planning and Zoning Board.
- 184 f) *Planning and Zoning Board Hearing.* The Planning and Zoning Board hearing date shall not
185 be scheduled within 21 days of the City Clerk receiving the request from the applicant to
186 proceed to public hearing unless the minimum time is waived by the City Clerk.
- 187 g) *City Council Hearings.* The public hearing before the City Council shall be held at least ten
188 days after the Planning and Zoning Board hearing, unless the time is waived by the City
189 Clerk. The city shall process the comprehensive plan amendment in accordance with Chapter

190 163, Florida Statutes. Final approval of the zoning shall not occur until after the effective
 191 date of the comprehensive plan amendments.

192 **Section 134-480 Preparation of the Comprehensive Plan Amendments**

193 a) The necessary amendments to the comprehensive plan (Future Land Use Map amendment
 194 and new policy identifying, at a minimum, the permitted uses and densities/intensities) shall
 195 conform to the requirements as specified within F.S. ch. 163, pt. II. and follow the process
 196 outlined below.

197 (1) The comprehensive plan text or map amendments shall be submitted to the Planning
 198 and Zoning Board for study and recommendation. The Planning and Zoning Board
 199 shall study such proposals to determine:

200 a. The need and justification for the change;

201 b. The effect of the change, if any, on the particular property and the surrounding
 202 properties;

203 c. The compatibility of the proposed land uses with surrounding properties; and

204 d. The relationship of the proposed amendment to the goals, objectives and policies
 205 and text of the city's comprehensive plan, with appropriate consideration as to
 206 whether the proposed change will further, or at least not be contrary to the
 207 comprehensive plan.

208 (2) No recommendation for transmittal or adoption of any amendment to the comprehensive
 209 plan shall be made by the Planning and Zoning Board until and unless a public hearing
 210 has been held. In addition to the public notice requirements of F.S. ch. 163, pt. II, written
 211 notice of the time and place of such meeting and the proposed action to be taken shall be
 212 posted upon the property and mailed to all owners of record of property within 2640 feet
 213 of the property requested for map amendment at least 15 days prior to the public hearing.
 214 The public notice posted on the property shall be erected to be in full view of the general
 215 public on each street side of said land and shall be erected by the applicant.

216 (3) The Planning and Zoning Board, following their public hearing, may recommend
 217 approval, approval with conditions, denial or submit such request with no
 218 recommendation to the City Council in the case of a tie vote.

219 (4) Upon the filing of the recommendations report by the Planning and Zoning Board, the
 220 City Council shall hold the first of two public hearings to consider approval of the request
 221 in a timely fashion in accordance with Florida law. The second public hearing on the
 222 ordinance to consider approval will occur based on the timeline in Florida law, and with
 223 notice and hearings conducted in the manner prescribed by law. If the amendment
 224 qualifies as a small-scale amendment, review/recommendation by the Planning and
 225 Zoning Board and two public hearings by City Council shall occur after giving at least
 226 15 days' notice of time and place of such hearings consistent with State law as well as
 227 posted upon the property by the applicant in full view of the general public on each street

228 side of said land, and mailed to all owners of record of property within 2640 feet of the
229 property.

230 b) The proposed policy amendment shall restrict the range of permitted uses and development
231 intensity/density. The City Council may also restrict or impose requirements such as, but not
232 limited to, limitations on building size and height, minimum setbacks, other site design or
233 building design or use features, and/or vehicle access configuration.

234
235 **Sec. 134-481 The Specific Site Plan (SSP).**

236 a) The Specific Site plan shall address the use of all or a portion of the subject property. If the
237 developer or applicant proposes to create a subdivision, a preliminary subdivision plan shall
238 be processed concurrently with the site plan in accordance with Chapter 126 and shall be
239 subject to approval by the City Council.

240 b) The site plan, drawn to scale not to exceed one inch equals 200 feet, unless otherwise
241 appropriate, and consisting of properly identified exhibits and support materials, shall clearly
242 indicate the following.

243 (1) The project name, legal description, total acreage and location map.

244 (2) Existing topography at one-foot contours based on the county datum (or as approved
245 by the city engineer) and other natural features including, but not limited to, lakes,
246 watercourses, wetland, and conservation areas.

247 (3) On-site soil types (based on the soil conservation service classification system), flood
248 hazard areas and generalized vegetation.

249 (4) Existing uses, easements, and demolition plan

250 (5) Proposed land uses and development intensity/density, with each phase of the total
251 development identified if phasing is proposed

252 a. Proposed Residential. Maximum gross density, total number of units, type of unit(s),
253 minimum lot size, minimum air conditioned living floor area per unit, building height
254 (in stories and feet), impervious surface maximum per lot, minimum building and
255 accessory use setbacks, open space acreage delineated in tracts, and recreation area
256 delineated in tracts. Recreation and open space/excluding landscape buffers shall
257 constitute 25% of the total acreage of the property (excluding water bodies and
258 wetland). At least two recreation activities shall be provided per recreation tract.

259 b. Proposed Nonresidential. Specific types of uses; gross building floor area;, building
260 floor area ratio; building height (in stories and feet); minimum setbacks from all
261 sides;, maximum impervious surface per lot/tract; delineated areas where outdoor
262 activities will take place, and a listing of the type of outdoor activities are proposed;
263 and open space acreage delineated in tracts.

264 (6) The phasing of development and the manner in which each phase of development can
265 exist as an independent stable unit with all necessary public services and facilities.

- 266 (7) Identification of adjacent streets, and street intersections or rights-of-way within 500
 267 feet of proposed access points, any major street setbacks, and planned right-of-way
 268 lines.
- 269 (8) Proposed method of providing the following services:
 270 a. Water service (including fire flows), plus gallons-per-day requirement.
 271 b. Sewage disposal, plus gallons per day generated.
- 272 (9) Proposed method of land use compatibility.
- 273 (10) Stormwater management system, including direction of surface drainage flow.
- 274 (11) Refuse storage areas locations.
- 275 (12) Proposed easements.
- 276 (13) Transportation facilities including roads, and pedestrian and bike facilities proposed
 277 in the development, including the proposed right-of-way, sidewalk and bike path
 278 widths.
- 279 (14) Projected vehicle traffic generation based on established standards. A traffic study
 280 shall be provided if determined to be necessary by the city engineer.
- 281 (15) Vehicular and bicycle parking spaces detailing location and size.
- 282 (16) Exterior lighting.
- 283 (17) Existing tree protection/preservation plan with an effort toward site layout that
 284 conserves and protects onsite mature trees to enhance community appearance, assist
 285 in the natural control of solar heat, soil conservation and erosion, oxygen
 286 production, pollution, noise, and to provide a haven for community wildlife. At a
 287 minimum, the plan shall be consistent with Chapter 130. Removal of Historic and/or
 288 Specimen Trees shall be replaced with trees sold in 15-gallon containers of at least
 289 1½ inches in diameter as measured three feet above soil level.
- 290 (18) Landscape plan, to include species, quantity, and sizes, not only for land use
 291 compatibility mitigation, but also for the enjoyment of site users (employees and/or
 292 residents). The plan shall exceed the standards of Chapter 114.
- 293 (19) Sustainability plan that documents the inclusion of innovative technology for the
 294 provision of infrastructure needs such as electric charging stations and alternative
 295 energy sources as well as green building design.
- 296 (20) Design elevations or renderings of structures.
- 297 (21) Sign plan, including scaled plans of proposed signs.
- 298 (22) School age population (if applicable).
- 299 (23) Requested waivers from the subdivision regulations or other development standards
 300 shall be indicated on the site plan or submitted in writing detailing the particular
 301 provisions of the Code requested to be waived and basis for the request.

302 c) The SSP shall serve as the basis for the required new comprehensive policy, SSP zoning
303 district ordinance, and the required Development Agreement.

304 **Sec. 134-482 Site and Building Standards**

- 305 a) Maximum Height shall be determined during SSP review.
- 306 b) Parking quantity shall be consistent with code standards unless competent and substantial
307 evidence demonstrates a reduce quantity is appropriate.
- 308 c) Landscaping shall exceed the minimum code standards and shall be provided to mitigate
309 compatibility issues.
- 310 d) Where other site standards have not been specifically delineated in the Site Specific Plan,
311 the Code requirements shall apply.

312
313 **Sec. 134-483 Development Agreement:** The draft Development Agreement is required to be
314 submitted at the time of application. The document shall detail covenants, conditions, restrictions,
315 and agreements that govern the use, maintenance and continued protection of minimum standards
316 established by the rezoning/comprehensive plan policy, as well as maintenance and protection of
317 the building structures, infrastructure, recreation areas, and landscaping. Finalization of the
318 Development Agreement shall occur at least two weeks prior to the Planning and Zoning Board’s
319 public hearing.

320
321 **Sec. 134-484. Amendments to the Site Specific Plan.**

- 322 a) Amendments to the approved Site Specific Plan shall be classified as either substantial or
323 nonsubstantial amendments.
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 - 325 (1) A change that would include a land use not previously permitted under the approved Site
326 Specific Plan zoning.
 - 327 (2) A change that would alter the location of a building within 300 feet of a property
328 boundary, except when it is a reduction in the mass or height
 - 329 (3) A change that would require an amendment to the city's conditions of approval.
 - 330 (4) A change that would increase the land use intensity.
 - 331 (5) An amendment to the phasing that would propose a land use in advance of the
332 development it was designed to support.
- 333 c) The determination of a substantial or non-substantial amendment shall be made jointly by
334 the city engineer and city planner. If an agreement is not reached, the determination shall be
335 made by the City Council.
- 336 d) Where the developer proposes to reduce the number of units or floor area in one phase of the
337 project, a corresponding increase in the number of units or floor area in another phase may

338 be administratively approved, if all other conditions of approval are not adversely affected,
 339 and no other change is proposed that would be considered a substantial amendment.

340 e) Substantial amendments must be approved at applicable public hearings, which could include
 341 amendment to the comprehensive plan.

342 **Sec. 134-485. Control of development following approval.**

343 a) Upon the approval of the Site Specific Plan, the use of land and the construction or
 344 modification of any buildings or structures on the property shall be in accordance with the
 345 approved Site Specific Plan, rather than with the other provisions of this chapter. However,
 346 all other city codes, ordinances, policies and resolutions shall apply to the project.

347 b) The city engineer and city planner shall be responsible for certifying that all aspects of the
 348 development, including conditions of approval have been satisfactorily completed prior to
 349 the issuance of a certificate of completion.

350 c) After certification, no changes may be made to the approved development plan except that:
 351 (1) Any structural extension, alteration or modification of existing building structures that
 352 are consistent with the approved site plan may be authorized by the city engineer or other
 353 city designee.

354 (2) A building or structure that is destroyed may be reconstructed only in compliance with
 355 the development plan unless an amendment to the site plan is approved under the
 356 provisions of this division.

357 **Sec. 134-486. Other requirements.**

358 a) Off-site improvements may be required in conjunction with the Site Specific Plan approval
 359 in order to offset the impacts on public facilities and services created by the proposed
 360 development.

361 b) All projects shall provide an adequate level of public facilities and services to accommodate
 362 the project as proposed in the development plan.

363 c) At the time of development, the development shall comply with all regulations and
 364 ordinances in force at the time of engineering plan approval, unless specifically addressed
 365 by the Development Agreement.

366 d) Projects that have not been developed and which the City Council considers to be
 367 inconsistent with the provisions of this division may be required to update the site plan or
 368 may be subject to administrative rezoning if the project is not vested under the applicable
 369 law.

370 **Sec. 134-487 Enforcement and penalties.**

371 In the event of a noncompliance with this article, the City Council shall have the authority
 372 to suspend construction activity and revoke any building permit issued under this article, and to

373 take all actions necessary to halt construction until such time as the provisions herein are complied
374 with. In the event legal action is necessary, and professional fees and costs are incurred by the city
375 enforcing compliance, these expenses shall be borne by the developer or parties violating the terms
376 of this article. These penalties are in addition to any other penalties provided by law.

377

378 **SECTION THREE.** The provisions of this Ordinance shall be codified as and become
379 and be made a part of the Code of Ordinances of the City of Edgewood.

380

381 **SECTION FOUR.** If any section, sentence, phrase, word or portion of this ordinance
382 is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to
383 invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or
384 portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

385

386 **SECTION FIVE.** All ordinances that are in conflict with this Ordinance are hereby
387 repealed.

388

389 **SECTION SIX.** This Ordinance shall become effective immediately upon its passage and
390 adoption.

391

392 **PASSED AND ADOPTED** this _____ day of _____, 2022, by the City
393 Council of the City of Edgewood, Florida.

394

395 PASSED ON FIRST READING: _____

396

397 PASSED ON SECOND READING: _____

398

399 _____

400

401 Richard A. Horn, Council President

402 *ATTEST:*

403

404 _____

405 Sandy Riffle
406 Interim City Clerk

407