



MONDAY, JULY 13, 2026 PLANNING & ZONING MEETING

City Hall – Council Chamber
405 Bagshaw Way, Edgewood, Florida
Monday, July 13, 2026 at 6:30 PM

David Nelson
Chair

Caleb Castro
Vice-Chair

Evan Franco
Board Member

Todd Nolan
Board Member

Angie Sharp
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 & PLEDGE OF ALLEGIANCE

B. ROLL CALL AND DETERMINATION OF QUORUM

C. APPROVAL OF MINUTES

- 1. Monday, May 11, 2026 Planning & Zoning Meeting Minutes

D. NEW BUSINESS

- 1. Ordinance 2026-04: Manufactured & Modular Homes
- 2. Ordinance 2026-05: Fence Scrivener's Error
- 3. Ordinance 2026-06: Smoke Shop & Convenience Store Definitions
- 4. Discussion Item: Dumpster Regulations

E. UNFINISHED BUSINESS

F. COMMENTS/ANNOUNCEMENTS

- 1. Planning & Zoning Board Previous Recommendation(s) Follow-up

G. ADJOURNMENT

UPCOMING MEETINGS

- Tuesday, July 21, 2026.....City Council Meeting 6:30 PM
- Monday, August 10, 2026.....Planning & Zoning Meeting (TBD) 6:30 PM
- Tuesday, August 11, 2026.....2nd Budget Workshop 9:00 AM
- Tuesday, August 18, 2026.....City Council Meeting 6:30 PM
- Tuesday, September 1, 2026.....3rd Budget Workshop (if needed) 6:00 PM

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**.

CALL TO ORDER & PLEDGE OF ALLEGIANCE

ROLL CALL & DETERMINATION OF QUORUM

APPROVAL OF MINUTES



PLANNING AND ZONING BOARD MEETING

City Hall – Council Chamber
405 Bagshaw Way, Edgewood, Florida
May 11, 2026 at 6:30 PM

David Nelson
Chair

Caleb Castro
Vice-Chair

Evan Franco
Board Member

Todd Nolan
Board Member

Angie Sharp
Board Member

MINUTES

These minutes provide a summary of the key discussions and decisions made during the May 11, 2026 Planning & Zoning Board Meeting. A complete audio recording of the meeting is available for public review for one year. After one year, the City will dispose of the recording in accordance with applicable regulations. To access the recording, please contact Edgewood City Hall at 407-851-2920.

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Chair Nelson called the meeting to order at 6:30 pm and led everyone in the Pledge of Allegiance.

ROLL CALL AND DETERMINATION OF QUORUM

Administrative Project Manager Sollazzo confirmed a quorum with all five (5) board members present.

BOARD MEMBERS PRESENT

Chair David Nelson
Vice Chair Caleb Castro
Board Member Evan Franco
Board Member Todd Nolan
Board Member Angie Sharp

STAFF PRESENT

Brett Sollazzo. Administrative Project Manager
Drew Smith, City Attorney
Ellen Hardgrove, City Planner
Miguel Aponte, Officer

APPROVAL OF MINUTES

April 13, 2026 Planning & Zoning Meeting Minutes

MOTION & VOICE VOTE

Chair Nelson made a motion to approve the April 13, 2026 Planning and Zoning meeting minutes as presented. The motion was seconded by Vice Chair Castro and approved 5-0 by voice vote.

NEW BUSINESS

1. ORDINANCE 2026-02: NOISE VIOLATIONS

The Planning and Zoning Board reviewed Ordinance 2026-02, which amends Section 134-919 of the City of Edgewood Code of Ordinances to modernize local noise regulations and update the table of measured sound level limits.

Attorney Smith presented the proposed amendments and explained that, under certain conditions, obtaining technical decibel measurements can be impractical in the field. To address this issue, the ordinance establishes a new “plainly audible” sound standard, allowing enforcement officers to identify and enforce violations without the mandatory use of a sound level meter.

Under the proposed regulations, a noise violation would occur when an unamplified sound is plainly audible to an investigating officer beyond specified distance thresholds based on the receiving property’s zoning classification and the time of day. For residential zoning districts, the limits are 100 feet or more during daytime hours (7:00 a.m. to 10:00 p.m.) and 50 feet or more during nighttime hours (10:01 p.m. to 6:59 a.m.). For non-residential zoning districts, the limits are 200 feet or more during daytime hours and 100 feet or more during nighttime hours.

To ensure objective enforcement, the ordinance requires investigating officers to follow specific observation standards when determining a “plainly audible” violation. Officers must rely solely on their normal, unassisted hearing, maintain a direct line of sight and hearing to the source property, and utilize a distance-measuring device to verify the applicable distance threshold. The ordinance also includes standard provisions regarding severability, conflicts, codification, and an immediate effective date upon adoption.

PUBLIC COMMENT

There was no public comment.

MOTION & ROLL CALL VOTE

Chair Nelson made a motion to recommend approval of Ordinance 2026-02 as presented. The motion was seconded by Vice Chair Castro and approved 5-0 by roll call vote.

Chair Nelson	Favor
Vice Chair Castro	Favor
Board Member Franco	Favor
Board Member Nolan	Favor
Board Member Sharp	Favor

2. ORDINANCE 2026-03: PARKING REGULATIONS - FINAL REVIEW/DISCUSSION AND BOARD VOTE FOR RECOMMENDATION

Planner Hardgrove presented a summary of updates incorporated into the final draft of Ordinance 2026-03 following prior staff and Planning and Zoning Board reviews, along with several remaining policy items requiring Board direction.

Staff incorporated all recommendations from the April Planning and Zoning Board hearing and conducted an additional internal review to improve organizational structure, clarity, and legal consistency. Key revisions included eliminating mandatory parking reviews when a land use remains unchanged or transitions to a lower parking demand use, adding an “Artisan Food and Personal Goods Manufacturing” land use classification, and refining industrial use definitions by removing the redundant “Commercial Wholesale” category and recalibrating associated parking requirements. Additional definitions were also added for Critical Root Zone, Parking Encroachment, and Unsafe Condition (Parking).

Planner Hardgrove also explained that, following consultation with the City Attorney to ensure compliance with Florida Statutes, staff revised the enforcement structure related to unpaved parking violations. The previous Planning and Zoning Board recommendation establishing a flat \$5,000 per day fine was replaced with a statutory-compliant enforcement structure that allows for compounding daily penalties assessed per individual vehicle.

Planner Hardgrove then presented two remaining policy items for Board consideration prior to forwarding the ordinance for adoption.

The first item involved whether mandatory bicycle parking requirements should be moved from a Tier 2 parking reduction waiver requirement to a Tier 1 requirement. The proposed standard requires two bicycle parking spaces for the first ten vehicular parking spaces, plus one additional bicycle space for every ten additional vehicular spaces, with a maximum requirement of eight bicycle spaces per single tax parcel.

The second item involved whether temporary lighting should be required for unpaved parking areas utilized after sunset. Proposed language would require shielded, downward-directed lighting fixtures sufficient to ensure pedestrian and vehicular safety while preventing glare and light spillage onto adjacent properties and public rights-of-way.

Following discussion, the Board reached consensus on both items:

1. The Board unanimously agreed to move the mandatory bicycle parking requirements from Tier 2 to Tier 1 within the parking reduction waiver framework.
2. The Board unanimously agreed that any unpaved parking area proposed for use after sunset must provide temporary lighting sufficient to ensure pedestrian and vehicular safety. All lighting must be shielded and downward-directed to prevent glare and light spillage onto adjacent properties and public rights-of-way.

The Board and staff then conducted a line-by-line review of the ordinance and discussed additional revisions and clarifications. Most proposed edits involved grammatical and formatting corrections. During the review, the Planning and Zoning Board directed staff to add a parking ratio for Recreation Uses, revise the Maintenance and Restoration requirements related to Permanent Unpaved Parking, and further research the potential monetization of private parking lots.

PUBLIC COMMENT

There was no public comment.

MOTION & ROLL CALL VOTE

Chair Nelson made a motion to recommend approval of Ordinance 2026-03, including all grammatical and formatting revisions discussed by the Board, as well as the proposed amendments related to bicycle parking requirements for reduction waiver, temporary lighting requirements for unpaved parking areas, the addition of a parking ratio for Recreation Uses, and revisions to the Maintenance and Restoration requirements for Permanent Unpaved Parking.

The motion was seconded by Vice Chair Castro and approved 5-0 by roll call vote.

Chair Nelson	Favor
Vice Chair Castro	Favor
Board Member Franco	Favor
Board Member Nolan	Favor
Board Member Sharp	Favor

ADJOURNMENT

The meeting was adjourned at 7:14 PM.

David Nelson, Chair

Brett Sollazzo, Administrative Project Manager

NEW BUSINESS

Ordinance 2026-04
Manufactured & Modular
Homes



Date: June 25, 2026
To: Planning and Zoning Board
From: Ellen Hardgrove, City Planning Consultant
XC: Drew Smith, City Attorney
Brett Sollazzo, Administrative Project Manager
Scott Zane, City Code Enforcement Officer
Re: Ordinance Allowing Manufactured and Modular Homes in Single Family Zoning Districts

SUMMARY

Recent amendments to Chapter 553 of the Florida Statutes (Section 553.385, F.S.) explicitly preempt local governments from treating single-family homes built off-site any differently than traditional, site-built homes. Local governments **must permit** state-approved **modular buildings and HUD-compliant manufactured homes as of right in any zoning district** where site-built single-family detached homes are allowed.

KEY CITY IMPACT

Currently, the city does not allow off-site constructed dwellings in single family districts, such as R-1A and R-1AA. The permitted use listed in these single family districts is “Single Family dwellings and their customary accessory uses.” Code Section 134-1 defines “dwelling” as “*a building or portion thereof, designed or used exclusively for residential occupancy, but not including hotels, lodging houses, modular homes, motels, or mobile homes.*”

Under the new law, **this definition is invalid.** An "off-site constructed residential dwelling" is now legally classified as a single-family dwelling. Consequently, an applicant can now place a certified modular or qualifying manufactured home on any vacant lot zoned for a single family residence via standard administrative building permit review.

While the state has preempted local control over *where* these homes can go, the City can establish architectural and structural standards **to ensure neighborhood compatibility**, provided those same rules apply to traditional site-built homes in that district. This could include roof pitch, siding materials, minimum square footage, permanent foundation, and connection to utilities.

STAFF RECOMMENDATION

The attached ordinance is drafted to bring our code into statutory compliance and includes specific standards for all single-family dwellings that must be met prior to the issuance of a certificate of occupancy. Additionally, the ordinance strengthens existing protections against the unauthorized conversion of single-family residences into multi-family dwellings by prohibiting the installation of redundant utility infrastructure and independent kitchen facilities.

END

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

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

41 **SECTION TWO.** The City of Edgewood Code of Ordinances is hereby amended as set
42 forth as follows (note: additions are indicated by underline, deletions are indicated by
43 ~~strikethrough~~, and portions of the Code that remain unchanged and which are not reprinted here
44 are indicated by ellipses (***)):

45 **Sec. 134-1. Definitions.**

46 ***

47 *Building* means any structure designed or built for the support, enclosure, shelter or protection
48 of persons, animals, chattels or property of any kind, ~~but not to include mobile home as hereinafter~~
49 ~~defined.~~

50 ***

51 *Dwelling* means a building or portion thereof, designed or used exclusively for residential
52 occupancy with independent cooking and sanitary facilities, but not including hotels, boarding
53 houses, lodging houses, or modular homes, motels, or mobile homes.

54 *Dwelling, multiple-family*, means a building designed for or occupied exclusively by two or
55 more families, or two (2) or more attached dwellings including, but not limited to, apartment
56 houses and condominiums.

57 *Dwelling, single-family*, means a detached dwelling containing only one kitchen and a single
58 set of complete housekeeping facilities for one family only, designed for or occupied exclusively
59 by one family for usual domestic purposes, and having no enclosed space or cooking or sanitary
60 facilities in common with any other dwelling and meeting all Architectural and Development
61 Standards, stated herein.

62 ***

63 *Kitchen* means any room or area within a building intended or used for the preparation,
64 cooking, or storage of food, which contains a sink and is equipped with, or has the capacity for, a
65 major appliance such as a stove, range, cooktop, or oven, or a 240-volt electrical receptacle or gas
66 line connection specifically configured for such appliance. This definition shall not include an
67 outdoor kitchen or similar food preparation area located outside the conditioned space of the
68 principal residential structure.

69 ***

70 *Mobile home*, which for the purposes of this Code is synonymous with the term "Manufactured
71 Home," means a structure, transportable in one or more sections, built on a permanent chassis and
72 designed to be used as a dwelling, that was constructed after June 15, 1976, in compliance with
73 the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended,
74 and satisfies all Architectural and Development Standards required of a "Dwelling, single-family"
75 prior to the issuance of a certificate of occupancy. The single-family dwelling Architectural and

76 Development Standards set forth herein shall not apply to structures explicitly approved for
77 temporary use at an active construction site, as allowed per Code, pursuant to a validly issued
78 temporary use permit, provided such temporary structures are removed no later than the date of
79 issuance of the final Certificate of Occupancy for the project, or upon the expiration of the building
80 permit, whichever occurs first. ~~means a movable or portable detached single-family dwelling~~
81 ~~designed for and capable of being used for longterm occupancy, or a temporary office, or a~~
82 ~~temporary storage building, designed to be transported after fabrication on its own permanent~~
83 ~~chassis and wheels, arriving at the site substantially complete. This definition shall also include~~
84 ~~motor homes which are defined as an automotive vehicle built on a truck or bus chassis and~~
85 ~~equipped as a self-contained traveling home.~~

86 *Modular home* means a building used for residential purposes, manufactured off-site and
87 transported to the point of use for installation or erection, that complies with the Florida Building
88 Code and Chapter 553, Florida Statutes, and satisfies all Architectural and Development standards
89 required of a "Dwelling, single-family" prior to the issuance of a certificate of occupancy. The
90 single-family dwelling Architectural and Development Standards set forth herein shall not apply
91 to structures explicitly approved for temporary use at an active construction site, as allowed per
92 Code, pursuant to a validly issued temporary use permit, provided such temporary structures are
93 removed no later than the date of issuance of the final Certificate of Occupancy for the project, or
94 upon the expiration of the building permit, whichever occurs first. ~~a transportable structure in one~~
95 ~~or more sections, built on a permanent chassis with plumbing, heating and electrical systems, and~~
96 ~~manufactured off-site.~~

97 ***

98 **Sec. 134-219. - Uses permitted.**

99 Only the following uses shall be permitted in any UE (urban estate), R-1-AAA, R-1-AA or R-1-A
100 single-family dwelling district:

101 (1) Single-family dwellings meeting the Architectural and Development Standards of Code
102 Section 134-529 and their customary accessory uses.

103 ***

104 **Sec. 134-255. - Permitted uses.**

105 Only the following principal and accessory uses and structures shall be permitted in any R-2
106 residential district:

107 (1) Single-family dwellings meeting the Architectural and Development Standards of Code
108 Section 134-529 ~~Detached~~ and attached dwellings, provided that not more than four dwelling units
109 shall be contained in any combination of attached dwellings, and their customary accessory uses.

110 ***

111 **Sec. 134-525. - Mobile homes and Modular Homes.**

112 Except for temporary structures as provided elsewhere herein, no mobile home or modular home
113 that is not consistent with the definitions of said terms as defined in section 134-1 may be utilized
114 for any purpose within the city.

115 ***

116 Sec. 134-529. Architectural and Development Standards for Single Family Dwellings.
117 Single Family Dwellings shall comply with the following standards prior to the issuance of a
118 certificate of occupancy:

119 1. Foundation and Perimeter Enclosure: The dwelling shall be permanently affixed to an
120 engineered foundation system utilizing supportive, load-bearing footings. It shall feature a
121 permanent, structurally sound perimeter foundation enclosure consisting of materials
122 architecturally compatible with site-built single-family masonry construction (such as
123 brick, stone, concrete block, or stuccoed masonry), extending continuously from the
124 ground to the lowest habitable finished floor.

125 2. Primary Entrance: The dwelling shall feature only one (1) principal entrance designed as
126 the primary point of access to the dwelling. The street-facing facade(s) shall not be
127 designed or configured to suggest the existence of multiple independent living units, such
128 as through the installation of two or more identical, side-by-side primary entrances or the
129 inclusion of multiple exterior primary entrances on different street-facing facades. This
130 provision shall not apply to secondary entrances leading to a porch, patio, or garage,
131 provided such entrances are not designed or configured to function as a primary point of
132 ingress/egress for the dwelling.

133 3. Internal Connection of Rooms: Except where explicitly authorized as a permitted
134 Accessory Dwelling Unit (ADU) under this Code, all heated and air-conditioned spaces
135 must maintain unhindered, internal architectural access within the primary dwelling. No
136 dead-bolts, padlocks, keyed locks, or structural partitions shall be installed on interior doors
137 that effectively isolate any bedroom, bonus room, or addition into a separate, non-
138 communicating living unit.

139 4. Food Preparation: The dwelling shall contain no more than one (1) kitchen. This excludes
140 an outdoor kitchen, provided that such cooking area is located entirely outside the climate-
141 controlled/conditioned space of the principal residential structure, such as on an open-air
142 patio, porch, or lanai.

143 5. Utility Infrastructure: No single-family dwelling shall be permitted to have more than one
144 (1) electrical service meter, one (1) natural gas meter, or one (1) master water meter serving
145 the dwelling, unless otherwise required for dedicated irrigation systems. Except as
146 otherwise provided herein, no accessory space, garage, guest room, or bonus area within
147 the dwelling shall feature a dedicated 220/240-volt electrical service outlet or wiring, or a
148 dedicated natural or propane gas line, configured or intended for an independent cooking
149 stove, range, or oven. No area of the dwelling, other than the kitchen, shall contain a
150 220/240-volt receptacle designed for or capable of supporting a residential cooking range,
151 cooktop, or oven. Exceptions to these prohibitions are permitted for the following:

152 A. An outdoor kitchen, provided such cooking infrastructure is located entirely outside the
153 climate-controlled/conditioned space of the principal residential structure;

154 B. Dedicated HVAC units, water heaters, or clothes dryers, provided such utilities are
155 physically confined within a non-habitable mechanical closet, laundry room, or garage,

156 and are clearly labeled on the electrical panel as dedicated to the specific appliance
157 served; and,

158 C. An electric vehicle charging station, provided such service is located within a garage
159 or on the exterior of the structure and is not located within any habitable space.

160 6. Garage: The dwelling shall feature an attached or detached garage constructed concurrently
161 with, and completed prior to the occupancy of, the principal structure. The garage shall
162 utilize a matching roof pitch and exterior finishing, roofing, or masonry materials identical
163 in quality, texture, and appearance to the principal structure.

164 7. Exterior Finishing Materials: Any facade facing a street shall incorporate a minimum of
165 two distinct exterior finish materials, with the secondary material comprising a minimum
166 of twenty percent (20%) of the total surface area of said facade (excluding windows and
167 doors), such as brick, stone, stucco, fiber-cement siding, or wood cladding, to ensure visual
168 interest and district compatibility. Material transitions shall occur only at logical
169 architectural breaks, such as corners, columns, or changes in wall planes.

170
171 **SECTION 3.** The provisions of this Ordinance shall be codified as and become and be
172 made a part of the Code of Ordinances of the City of Edgewood.

173 **SECTION 4.** If any section, sentence, phrase, word or portion of this ordinance is
174 determined to be invalid, unlawful or unconstitutional, said determination shall not be held to
175 invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or
176 portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

177 **SECTION 5.** All ordinances that are in conflict with this Ordinance are hereby repealed.

178 **SECTION 6.** This Ordinance shall become effective immediately upon its passage and
179 adoption.

180 **PASSED AND ADOPTED** this _____ day of _____, 2026, by the City
181 Council of the City of Edgewood, Florida.

182
183 PASSED ON FIRST READING: _____

184
185 PASSED ON SECOND READING: _____

186
187 _____
188 Richard A. Horn, Council President

189
190 *ATTEST:*
191 _____
192 _____

193 Sandy Riffle
194 City Clerk

Ordinance 2026-05: Fence Scrivener's Error



Date: June 25, 2026
To: Planning and Zoning Board (P&Z)
From: Ellen Hardgrove, City Planning Consultant
XC: Drew Smith, City Attorney
Sandy Riffle, City Clerk
Brett Sollazzo, Administrative & Permitting Manager
Scott Zane, Code Enforcement Officer
Re: Adding Wrought Iron and Powder-Coated Aluminum as Permissible Fencing Materials

This agenda item is a proposed ordinance to correct a clerical omission related to the list of "pre-approved" fence materials (such as wood and vinyl) that property owners can install by right with a standard permit. Any material *not* on that short list automatically requires a costly and time-consuming Special Exception hearing before the P&Z and City Council.

The proposed ordinance adds wrought iron and powder-coated aluminum designed to mimic wrought iron to that pre-approved list. Wrought iron and powder-coated aluminum designed to mimic wrought iron are recognized in other sections of the City's fence regulations. These materials were inadvertently omitted from the consolidated list of pre-approved permanent fence materials during the last fence regulation update in 2025.

END

ORDINANCE NO. 2026-05

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING SECTION 134-517, "FENCES/SCREENING WALLS," OF THE CODE OF ORDINANCES; AMENDING SUBSECTION (d)(1) TO FORMALLY INCLUDE WROUGHT IRON AND POWDER-COATED ALUMINUM IN A STYLE OF WROUGHT IRON WITHIN THE LIST OF PERMITTED FENCING AND WALL MATERIALS; ALIGNING MATERIAL STANDARDS FOR CONSISTENCY THROUGHOUT THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City of Edgewood maintains standards for fence and wall materials to ensure structural durability and aesthetic harmony within the community; and

WHEREAS, Section 134-517(d)(1) establishes a list of pre-approved permanent fencing materials that do not require a special exception for installation; and

WHEREAS, wrought iron and powder-coated aluminum designed in the style of wrought iron are widely recognized as high-quality, durable materials appropriate for residential and commercial applications; and

WHEREAS, these specific materials were previously referenced as permissible in other portions of the City's regulatory framework but were not explicitly carried forward into the consolidated list of approved materials in Section 134-517(d)(1); and

WHEREAS, the City Council finds that explicitly listing both wrought iron and powder-coated aluminum in a style of wrought iron will provide clarity to property owners and staff, reducing the need for unnecessary administrative or special exception hearings; and

WHEREAS, this amendment corrects a clerical omission and ensures the Code of Ordinances accurately reflects the City's long-standing policy on acceptable fencing materials.

NOW, THEREFORE, BE IT ENACTED 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 of the City Council pertaining to this Ordinance.

SECTION TWO. The City of Edgewood Code of Ordinances is hereby amended as set forth as follows (note: additions are indicated by underline, deletions are indicated by

~~struckthrough~~, and portions of the Code that remain unchanged and which are not reprinted here are indicated by ellipses (***):

Sec. 134-517. Fences/screening walls.

(d) *Standards applicable to all districts.*

(1) *Fence/wall material.* Permanent fencing or wall material other than chain link, wood, vinyl, masonry concrete, brick, wrought iron or powder-coated aluminum in a style of wrought iron, or pre-cast concrete may be approved only by special exception.

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

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

SECTION 5. All ordinances that are in conflict with this Ordinance are hereby repealed.

SECTION 6. This Ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2026, by the City Council of the City of Edgewood, Florida.

PASSED ON FIRST READING: _____

PASSED ON SECOND READING: _____

Richard A. Horn, Council President

ATTEST:

Sandy Riffle
City Clerk

Ordinance 2026-06

Smoke Shop &

Convenience Store

Definitions



Date: June 25, 2026
To: Planning and Zoning Board (P&Z)
From: Ellen Hardgrove, City Planning Consultant
XC: Drew Smith, City Attorney
Sandy Riffle, City Clerk
Brett Sollazzo, Administrative & Permitting Manager
Scott Zane, Code Enforcement Officer
Re: Zoning Code Text Amendment: Defining "Convenience Store" and "Tobacco and E-Cigarette/Vape Shop" & Establishing an Amortization Procedure

This agenda item proposes an ordinance to add formal definitions for "Convenience Store" and "Tobacco and E-Cigarette/Vape Shop" to the Zoning Code. This is needed because Tobacco/Vape shops are prohibited within the City and the existing code lacks standards necessary to differentiate them from standard retail, particularly convenience stores, which typically sell tobacco or vaping products as a minor, incidental portion of their inventory. The proposed ordinance amends Chapter 134 to establish measurable definitions based on floor area and product inventory. Furthermore, it creates a legally compliant framework to bring pre-existing, nonconforming retail operations into compliance over time.

In simple terms, a **place of business would be a Tobacco and E-Cigarette/Vape Shop if any of the following are true:**

- 1) it sells or displays tobacco/e-cigarette products on shelving that is equal to more than **10%** of the retail floor area, or more than three hundred (300) square feet, whichever is less;
- 2) it sells or displays *any* tobacco/smoking related paraphernalia (such as pipes, water pipes, hookahs, bongs, or grinders), regardless of the percentage of floor area it occupies; or,
- 3) it displays or houses any tobacco products or e-cigarette products in a manner that is accessible to customer self-service, or fails to conduct all such transactions exclusively via "behind-the-counter" interactions managed solely by employee personnel.

END

ORDINANCE NO. 2026-06

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING CHAPTER 134 “ZONING”, ARTICLE I “IN GENERAL”, SECTION 134-1 “DEFINITIONS” OF THE CITY OF EDGEWOOD CODE OF ORDINANCES TO ADD DEFINITIONS FOR "CONVENIENCE STORE" AND "TOBACCO AND E-CIGARETTE/VAPE SHOP"; PROVIDING FOR AN AMORTIZATION AND COMPLIANCE PERIOD FOR EXISTING NONCONFORMING USES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Tobacco and E-cigarette/Vape Shops, commercial businesses focused primarily on the sale of tobacco products, electronic cigarettes, vaporizers, liquid nicotine, and related smoking or vaping paraphernalia, are not permitted uses within any zoning district in the City of Edgewood; and

WHEREAS, standard permitted retail stores, including traditional convenience stores, routinely offer tobacco products, electronic smoking devices, and nicotine products for sale as an incidental and subordinate part of their broader inventory; and

WHEREAS, a distinct clarity is required so that the public and City staff can clearly differentiate when a standard retail establishment, including a traditional convenience store, crosses the line into becoming a prohibited Tobacco and E-cigarette/Vape Shops; and

WHEREAS, establishing clear, objective land use definitions based on floor area, product display space, and product offerings is necessary to ensure the effective, uniform enforcement of the City's zoning restrictions and prohibitions regarding these uses; and

WHEREAS, the City Council desires to establish a fair, systematic, and legally compliant framework to bring any pre-existing, lawfully operating retail establishment that exceeds these established thresholds into conformity over time to protect established investments while safeguarding municipal zoning integrity; and

WHEREAS, the City Council finds that these clarifying definitions and amendments are consistent with the City of Edgewood Comprehensive Plan; and

WHEREAS, the City Council of the City of Edgewood finds that this Ordinance is in the best interest of the health, safety, and welfare of citizens, businesses, and visitors to the City of Edgewood.

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 134-1, "Definitions," of the City of Edgewood Code of Ordinances is hereby amended as follows (note: additions are indicated by underline, deletions are indicated by ~~striketrough~~, and portions of the Code that remain unchanged and which are not reprinted here are indicated by ellipses (* * *):

Sec. 134-1. Definitions.

* * *

Convenience Store shall mean a retail establishment whose primary business purpose is the sale of essential daily goods (e.g., milk, bread, snacks) and a general line of pre-packaged food and household items for off-site consumption. The sale or display of tobacco or nicotine products, limited to pre-packaged commercial cigarettes, cigars, rolling papers, tobacco, and disposable e-cigarettes, is strictly accessory to the primary retail use. All such sales or display must be conducted exclusively via "behind-the-counter" transactions, inaccessible to customer self-service. Tobacco and nicotine products shall occupy no more than 10% of the total retail floor area (excluding off-floor stockrooms) or a maximum of three hundred (300) square feet, whichever is less. For the purposes of this calculation, the occupied area shall be determined by the aggregate surface area of shelving, racks, cabinetry, and floor-standing display units used to house such products (excluding off-floor stockrooms). This definition specifically excludes "Tobacco and E-cigarette/Vape Shops," and prohibits the sale of Tobacco/Smoking Related Paraphernalia as defined within the definition of *Tobacco and E-cigarette/Vape Shop*.

* * *

Tobacco and E-cigarette/Vape Shop means any place of business that meets any of the following thresholds:

- Floor Area Threshold: Dedicates more than 10% of its total retail floor area (excluding off-floor stockrooms) or more than three hundred (300) square feet, whichever is less, to the display or sale of the products listed in Schedule I below. For the purposes of this calculation, the occupied area shall be determined by the aggregate surface area of shelving, racks, cabinetry, and floor-standing display units used to house such products (excluding off-floor stockrooms); or,
- Tobacco/Smoking Related Paraphernalia Threshold: Offers for sale, displays, barter, exchanges, gives away, or otherwise distributes any items listed in category (3) of Schedule I below, regardless of the percentage of floor area occupied; or,
- Customer Access Threshold: Displays or houses any products listed in categories (1) or (2) of Schedule I below in a manner that is accessible to customer self-service, or fails to conduct all such transactions exclusively via "behind-the-counter" interactions managed solely by employee personnel.

Schedule I:

1. Tobacco Products: Including but not limited to cigarettes, cigars, pipe tobacco, chewing tobacco, snuff, and rolling papers.

2. Electronic Smoking Devices: Including e-cigarettes, vape pens, vaporizers, e-liquids, cartridges, and their individual components or rebuildable parts (e.g., atomizers).
3. Tobacco/Smoking Related Paraphernalia: Including but not limited to pipes, water pipes, hookahs, bongs, and grinders.

* * *

SECTION THREE. Amortization of Nonconforming Tobacco and E-cigarette/Vape Shops.

(a) Purpose. The City Council finds that the operations of specialized tobacco and e-cigarette/vape shops, as defined in Section 134-1, possess distinct characteristics that warrant regulation and separation from residential areas, schools, parks, and traditional retail uses to protect public health and the economic vitality of commercial corridors. To achieve conformity over time while respecting the investment of business operators, this section provides for the systematic amortization and termination of legally nonconforming tobacco and e-cigarette/vape shops.

(b) Amortization Period. Any place of business lawfully existing on the effective date of this Ordinance that becomes nonconforming solely due to the application of the definitions and regulations associated with a "Tobacco and E-cigarette/Vape Shop" shall be permitted to continue operations as a nonconforming use, subject to the following limitations:

- (1) Compliance Period. All such nonconforming establishments shall conform to the standards set forth herein within three hundred sixty-five (365) days from the effective date of this Ordinance.
- (2) Maintenance of Status. During the amortization period, the nonconforming use shall not be expanded, enlarged, or extended to occupy a greater area of land or floor space than was occupied on the effective date of this Ordinance.

(c) Application for Extension of Amortization Period. Any owner or operator of a nonconforming establishment may apply to the City Council for an extension of the one-year amortization period based on a claim of economic hardship or the need to amortize a substantial capital investment.

- (1) Filing Deadline. An application for an extension must be submitted in writing to the City Clerk no later than one hundred eighty (180) days prior to the expiration of the one-year amortization period. Failure to file within this timeframe shall constitute a waiver of any right to seek an extension.
- (2) Public Hearing. The City Council shall hold a quasi-judicial public hearing to consider the application. The applicant shall bear the burden of proof to demonstrate with competent substantial evidence that the one-year amortization period would cause a unique and substantial hardship on the applicant.
- (3) Criteria for Consideration. In determining whether to grant an extension, and the length of any such extension, the City Council shall consider the following factors:

- a. The total amount of initial and subsequent capital investment in the business structure and fixed improvements, excluding inventory, made prior to the effective date of this Ordinance.
- b. The extent to which such investment has been recovered through depreciation or past profits.
- c. The remaining term of any commercial lease executed prior to the effective date of this Ordinance, and the feasibility of renegotiating or subleasing the premises.
- d. The degree of incompatibility or negative secondary effects of the nonconforming use on surrounding properties.

(d) Decision by City Council. Following the public hearing, the City Council may deny the extension, grant the extension as requested, or grant an extension for an alternative duration deemed sufficient to allow the applicant to amortize their investment, provided that no extension shall exceed an additional three hundred sixty-five days. The decision of the City Council shall be final.

(e) Violations. Any tobacco and e-cigarette/vape shop that continues to operate in violation of this section after the expiration of the amortization period (or any granted extension) shall be deemed an unlawful use and be subject to code enforcement proceedings, fines, and injunctive relief as provided by law.

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

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

SECTION SIX. This Ordinance shall take effect immediately upon its adoption by the City Council.

PASSED AND ADOPTED this _____ day of _____, 2026, by the City Council of the City of Edgewood, Florida.

PASSED ON FIRST READING: _____

PASSED ON SECOND READING: _____

Richard A. Horn, Council President

ATTEST:

Sandy Riffle, City Clerk



Date: June 25, 2026
 To: Planning and Zoning Board (P&Z)
 From: Ellen Hardgrove, City Planning Consultant
 Brett Sollazzo, Administrative & Permitting Manager
 XC: Drew Smith, City Attorney
 Sandy Riffle, City Clerk
 Scott Zane, Code Enforcement Officer
 Re: Comprehensive Dumpster & Solid Waste Screening Ordinance (Amending Chapters 30, 114, and 134)

INTRODUCTION

A future P&Z agenda item will be a proposed ordinance related to dumpsters in the City. Currently, regulatory provisions governing dumpsters are scattered across three separate chapters (Chapters 30, 114, and 134), sometimes providing conflicting requirements. **When read together, these current regulations dictate that a dumpster cannot be located:**

#1 In any front yard (generally a minimum of 25 feet), but it can be on a side street (if a corner lot) provided it is not visible from adjacent named streets or from an adjacent residential property. [Front yard for a corner lot is defined as the side facing the street with the highest traffic count];

#2 In any side yard, unless it is a side street lot, which reverts to the rule above. (See standard side yard zoning district setbacks below);

District	Required Minimum Side Yard (Feet)
P-O	ten feet for one-story and two-story buildings, plus two ft. for each additional story
C-1	zero, or 15 ft. where abutting residential district; 15 from any side street
C-2	five; 15 where abutting residential district; 15 from any side street
C-3	five; 25 where abutting residential district; 15 from any side street

#3 In a rear yard unless it is not visible from an adjacent residence or from a road; and,

District	Required Minimum Rear Yard (Feet)
P-O	30
C-1	20
C-2	15; 20 where abutting residential district
C-3	15; 30 where abutting residential district

#4 Within the interior of the lot (outside of a required yard) if a customer can see it or if it can be seen from a road. If it is visible from either, it must be screened on three sides by a 6-foot-high masonry wall.

The intent of the proposed ordinance is to establish Chapter 30, Section 30-49 as the single, absolute standard for dumpster compliance, eliminating any conflicts amongst the other chapters, and ensuring that dumpster installations are compatible with surrounding land uses.

We will begin discussing the changes at the July meeting. In preparation for our initial discussion, staff highly recommends that the P&Z Board members conduct a field review of the city's commercial properties—particularly along Force Four Parkway and Commerce Drive (off Mary Jess Road)—to gain a clear understanding of current real-world conditions.

During your field review, you will notice many dumpsters sitting in locations that directly contradict current code requirements. For critical context, ALL dumpsters in the City are legally required to be compliant with the following rules due to an established mandatory amortization deadline of 2001; **there are no grandfathered exemptions to these two rules.**

No dumpster shall be located in any required front yard.

No dumpster shall be located in any side or rear yard that fronts a public road unless it is screened so it cannot be seen from any road or adjacent residence.

Please take note of the following specific dumpster locations during your drive.

- On Force Four Parkway: 5502 (in the front yard along Mary Jess Road), 5518, 5525, and 5550. Plus, one is sitting by itself at the end of the cul de sac.
- On Commerce Drive: 5516, 5611, 5635, and 5644. There are dumpsters opposite 5603, which may belong to 5524.
- Other locations to view:
 - The dumpster on the west side of Zen (Orange Avenue side).
 - The dumpster on the empty lot on the east side of Magnolia Avenue (behind Beth's Burgers).
 - The dumpster at the State Insurance building in the northeast corner of Orange Avenue and Lake Gatlin Drive.

The currently drafted new location criteria for Chapter 30 is as follows:

Location. Dumpsters and their enclosure shall not be located in any yard required along a street (front or side street) or required side yard, as specified in chapter 134. Dumpsters and their enclosures shall not be located within 25 feet of a residential zoned property unless a waiver is granted by the City Council during the site plan approval process.

We are looking forward to the initial discussion at the July meeting, particularly a plan to address the enforcement/compliance strategy for the existing, non-compliant dumpsters once the new regulation is adopted.

END

UNFINISHED BUSINESS

COMMENTS & ANNOUNCEMENTS

**Planning & Zoning Board
Previous Recommendation(s)
Follow-up**

Memo

To: Chair Nelson, Vice Chair Castro, Board Members Franco, Nolan, and Sharp
From: Brett Sollazzo, Administrative Project Manager
Date: 6/29/2026
Re: Planning & Zoning Board Previous Recommendation(s) Follow-up

1. Ordinance 2026-03: Parking Regulations

City Council Final Action

The Edgewood City Council held the first and second readings of Ordinance 2026-03 on May 19, 2026, and June 16, 2026, respectively. The Council reviewed the Ordinance, the Staff Report, and the Planning & Zoning Board's recommendation for approval. Following discussion during both public hearings, the Council approved the Ordinance by a unanimous 5-0 vote with the following substantive changes to the Planning & Zoning Board's recommended ordinance:

- Added "beer, or wine" to clarify applications where generic alcohol terminology is used.
- Modified the requirement for a professional parking study from mandatory to "if needed."
- Revised the parking ratio for Assisted/Group Living Facilities to be based on applicant-provided documentation of comparable group living facilities, considering operations, resident capacity, and staffing levels.
- Revised the Tier 2 waiver requirement for pre-1973 properties to generalize dumpster design standards in anticipation of the Planning & Zoning Board's upcoming review of the City's dumpster regulations.
- Revised the driveway throat length requirement for local streets to allow the City Engineer to approve a waiver when unique physical site constraints exist.
- Clarified that the requirement for off-duty police officers or certified flaggers for special events utilizing unpaved parking applies only to traffic control within the public right-of-way and not on private property.
- Added a provision allowing the City Council to approve a one-year extension for properties to achieve compliance with parking lot maintenance requirements. The Council also added a provision allowing existing businesses to restripe parking lots using their legally established 9-foot parking stall width during routine maintenance without reducing existing parking capacity.

2. Ordinance 2026-02: Noise

City Council Final Action

The Edgewood City Council held the first and second readings of Ordinance 2026-02 on May 19, 2026, and June 16, 2026, respectively. The Council reviewed the Ordinance, the Staff Report, and the Planning & Zoning Board's recommendation for approval. Following discussion during both public hearings, the Council approved the Ordinance by a unanimous 5-0 vote with no substantiate changes.

Should the Board require further clarification on either of these Ordinances, I am happy to provide additional context. Additionally, the City Council meeting minutes offer a detailed record of the discussion and the final logic supporting the vote.

Thank you,



Brett Sollazzo
Administrative Project Manager

ADJOURNMENT