



# CITY COUNCIL REGULAR MEETING

City Hall – Council Chamber  
405 Bagshaw Way, Edgewood, Florida  
Tuesday, July 19, 2022 at 6:30 PM

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## AGENDA

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**Welcome!** We are very glad you have joined us for today's Council meeting. If you are not on the agenda, please complete an appearance form and hand it to the City Clerk. When you are recognized, state your name and address. The Council is pleased to hear relevant comments; however, a **five (5) minute limit** has been set by Council. Large groups are asked to name a spokesperson. **Robert's Rules of Order** guide the conduct of the meeting. **Please silence all cellular phones and pagers during the meeting.** Thank you for participating in your City Government.

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

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

**C. APPROVAL OF MINUTES**

- [1.](#) May 17, 2022 City Council Meeting Minutes with corrections
- [2.](#) June 21, 2022 City Council Meeting Minutes

**D. ORDINANCES (FIRST READINGS)**

- [1.](#) 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

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

- [1.](#) Ordinance 2022-03: Comp Plan Amendment

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

- [2.](#) 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

**F. NEW BUSINESS**

- [1.](#) Set tentative millage rate and set public hearing date for final millage and proposed FY 2022/2023 budget

**G. CITIZEN COMMENTS**

**H. STAFF REPORTS**

City Attorney Smith

Police Chief Freeburg

- [1.](#) Chief Freeburg June 2022 Report

Interim Clerk Riffle

**I. MAYOR AND CITY COUNCIL REPORTS**

Mayor Dowless

Council Member Chotas

Council Member Pierce

Council Member Rader

Council Member Lomas

Council President Horn

**J. ADJOURNMENT**

**UPCOMING MEETINGS**

Monday, August 8, 2022.....Planning & Zoning Meeting

Tuesday, August 16, 2022.....City Council Meeting

**Meeting Records Request**

You are welcome to attend and express your opinion. Please be advised that **Section 286.0105**, Florida Statutes state that if you decide to appeal a decision made with respect to any matter, you will need a record of the proceedings and may need to ensure that a verbatim record is made.

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**Americans with Disabilities Act**

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In accordance with the American Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, he or she should telephone the **City Clerk at (407) 851-2920**.



**CITY COUNCIL REGULAR MEETING**  
City Hall – Council Chamber  
405 Bagshaw Way, Edgewood, Florida  
Tuesday, May 17, 2022 at 6:30 PM

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**DRAFT MEETING MINUTES**

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**CALL TO ORDER**

Council President Horn called the meeting to order at 6:30 pm. He asked for a moment of silence, followed by leading everyone in the Pledge of Allegiance.

**ROLL CALL & DETERMINATION OF QUORUM**

*Councilmember Chotas made a motion to excuse Councilmember Pierce's absence; seconded by Councilmember Rader. Approved (4/0).*

**PRESENT**

Mayor John Dowless  
Council President Horn  
Councilmember Chotas  
Councilmember Lomas  
Councilmember Rader

**ABSENT**

Councilmember Pierce

**STAFF**

Sandra Riffle, Interim City Clerk  
John Freeburg, Police Chief  
Shannon Patterson, Police Department Chief of Staff  
Stacey Salami, Code Enforcement Officer  
Drew Smith, City Attorney  
Ellen Hardgrove, City Planner  
Galen Pugh, PLA, AICP Director Landscape Architecture, CPH  
David Mahler, P.E. Chief Operations Officer, CPH  
Michelle Tanner, Sr. Land Planner

**Applicants and Other Attendees**

Scott Howat, President, Foundation for OCPS  
Wellington Goulart, Art Stone Surfaces  
Rick Baldocchi, P.E., AVCON  
Tom Daly – Daly Design Group

**PRESENTATION AND PROCLAMATIONS**

- **Orange County Public Schools, One-mill Ad Valorem Millage**  
Scott Howat, President for the Foundation for OCPS, gave a PowerPoint presentation to Council regarding the August 23, 2022 primary ballot proposal supporting the continuation of the current one-mill ad valorem millage. The presentation was followed by a short discussion with City Council.

Councilmember Chotas explained to Mr. Howat that during the review of the proposed school on Holden Avenue, the Orange County School Board was exempt from fees that the Edgewood taxpayers had to pay. He suggested that the school board should consider absorbing the fees.

**APPROVAL OF MINUTES**

- **April 19, 2022 meeting minutes**

The following corrections were made to the April 19, 2022 minutes: Page 5 – The last two lines on the roll call vote: changed “Favor” to “Absent, and the last line changed “Lomas” to “Chotas”.

*Councilmember Rader made a motion to approve the April 19, 2022 meeting minutes with corrections; seconded by Councilmember Lomas*

**ORDINANCES FIRST READING**

- **Ordinance 2022-03 - Comprehensive Plan Amendment**

Attorney Smith read Ordinance 2022-03 in title only.

The Ordinance is a proposed comprehensive plan amendment to add a new future land use designation for uses that require site specific development standards to ensure land use and environmental compatibility. The proposed amendment adds a sixth future land use designation, Site Specific Plan, to Future Land Use Policy 1.1.6. to help the city plan for future growth and development. The proposed policy also requires that development on a property with this designation be rezoned to a new zoning district.

Planner Hardgrove said that during the April 19, 2022 meeting, Council voted not to transmit the amendments and tabled the Ordinance.

She said to use the new designation there needs to be a specific policy, a development agreement and rezoning. The Planning and Zoning Board has started to consider the creation of the new zoning district.

Discussion ensued regarding the approval procedure. City Hall will receive an application which will go to staff review. The applicant will then have a community meeting prior to the

Planning and Zoning meeting. The staff report will be submitted to Planning and Zoning and then to Council. A development agreement will also be required.

Councilmember Chotas requested additional information about the definitions of environmental compatibility and environmental sustainability. Planner Hardgrove said she could add those definitions and that the verbiage resulted from Planning and Zoning considering the need for sustainable development including using techniques such as for water conservation, LEED building design, and use of electric vehicles.

Attorney Smith said that Planning and Zoning was looking at potential bonuses. They wanted the ability to incorporate environmental sustainability into development. He added that what Council is currently considering is not Code; it is the Comprehensive Plan to allow the Code to be written.

Councilmember Chotas said he wanted words such as “environmental sustainability and compatibility” to have meaning. He said he would like to approve the transmittal but would like those terms to be deleted.

Councilmember Rader said he does not think there is a need to transmit the amendment. He said the concept is good, but does not like legislating to a single property; i.e., the Randall Knives property adjacent to Legacy. He understands flexibility. He does not see a benefit for other properties.

Councilmember Rader also stated his concerns about noise and traffic resulting from a commercial property on the Randall Knives property location.

Mayor Dowless said he thought this type of ordinance would benefit the City in more than one area. He said the City needs more commercial development to improve revenue.

Further discussion ensued regarding compatibility with abutting properties. Councilmember Rader said that putting C-3 zoning next to residential is not being a good neighbor. Councilmember Lomas expressed concern about controlling commercial noise close to a residential neighborhood. She is also concerned about trucks turning out of Orange Blossom Trail and then onto Holden Avenue. She said that she also understands that this could be a good tool to add some control.

Planner Hardgrove said another part of the proposed amendment is to clarify the listed densities/intensities of the future land use designations are not an entitlement; but are instead a maximum.

There was no public comment.

***Councilmember Chotas made a motion to transmit the proposed amendment to the DEO as proposed in Ordinance 2022-03 with the deletion of “environmental compatibility” on line 24, “and/or environmental compatibility” on line 102, “and to provide environmental sustainability” on line 106, and “and environmental compatibility” on line 110.***

***The motion was seconded by Councilmember Lomas. Approved (3/1).***

The motion was approved by roll call vote.

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

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

- **Ordinance 2022-01 - County Zoning to City Zoning**

Attorney Smith read Ordinance 2022-01 in title only.

Planner Hardgrove said this Ordinance would create new zoning districts for properties annexed from Orange County into the City. The purpose is to maintain the site standards of the County to avoid nonconforming development standards of existing uses, while providing the City with permitted use control.

She said most County comparisons are similar to the City’s standards, but there are some differences such as the City’s R-1AA requires a minimum floor area of 2,200 square feet, and R-1A requires a minimum 1,800 square feet versus the County’s requirement of 1,200 square feet. In changing the minimum requirement, there is a possibility for legally nonconforming properties.

Planner Hardgrove confirmed to Councilmember Chotas that a legally nonconforming situation might not be allowed to rebuild if the County standards were changed to 1,800 or 2,200 square feet. She said the Ordinance, as written, avoids the probability of nonconformity.

Councilmember Chotas stated his reluctance to impose burdens without knowing the effect on homesteads.

There was no public comment.

***Councilmember Chotas made a motion to approve Ordinance 2022-01; Seconded by Councilmember Rader. Approved (4/0).***

The motion was approved with a roll call vote.

<b><i>Councilmember Lomas</i></b>	<b><i>Favor</i></b>
<b><i>Council President Horn</i></b>	<b><i>Favor</i></b>
<b><i>Councilmember Chotas</i></b>	<b><i>Favor</i></b>
<b><i>Councilmember Rader</i></b>	<b><i>Favor</i></b>

**UNFINISHED BUSINESS - none**

**NEW BUSINESS**

- **Resolution 2022-04 2nd Quarter Budget Amendment**

Interim City Clerk Riffle explained the budget amendments for Resolution 2022-04.

- Exhibit A - Adjusted to show the use of Restricted Funds.
- Exhibit B - Updated revenues not budgeted for receipt of payments for red light citations.
- Exhibit C - Adjusted the expense budget to show actual allocation from moving funds from interest to principal.
- Exhibit D - Moving unspent funds from the 2020/2021 Neighborhood Partnership Grants Program to the current budget. This was money set aside for the Harbour Island Association to install thirteen new light poles and underground wiring along Harbour Island Road, which is completed.

There was no public comment.

***Councilmember Rader made a motion to approve Resolution 2022-04; seconded by Councilmember Lomas. Approved (4/0).***

The motion was approved with a roll call vote:

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

**CITIZEN COMMENTS** - none

**BOARDS & COMMITTEES**

- **Special Exception 2022-02 - 169 Jamaica Ln. - Art Stone Granite**

Planner Hardgrove described the proposal to locate a granite and other stone showroom and manufacturing business, Art Stone Surfaces, at 169 Jamaica Lane. The business would entail storage of stone slabs, clientele visiting the site for material selection and ordering, and manufacturing (cut, fabricate, and polish) the product. Per Code Section 134-405, these uses are only allowed as a special exception within the C-3 district.

She said that Staff and Planning and Zoning recommended approval.

The surrounding properties consist of the railroad tracks to the east, heavy commercial to the west, heavy commercial to the north, and single family homes to the south on the other side of Jamaica Lane. She stated there is no access from Jamaica Lane to the residential neighborhood and that a fence was constructed along the residential property lines at the



time of the home construction. The existing heavy commercial uses on the north side of Jamaica Lane preceded the construction of the residential neighborhood.

She said there is sufficient parking for the proposed use, and according to the applicant, operating hours are 7 am to 7 pm, Monday through Friday.

Business owner Wellington Goulart said they would like to expand their operation in Georgia to Edgewood.

Mr. Goulart confirmed to Council President Horn that most of the product would be stored inside the warehouse, but remnant pieces would be stored outside for reuse.

Discussion ensued regarding height restriction or site attractiveness. Councilmember Rader proposed a landscape buffer in front of the property and Planner Hardgrove responded that the landscaping needed to be designed taking into consideration of delivery trucks and the need for irrigation. Mayor Dowless agreed with incorporating landscaping on the south side of the property.

There was no public comment.

***Councilmember Rader made a motion to approve Special Exception 2022-02 to allow the use of granite/stone sales and manufacturing, including outdoor storage of merchandise, parts, and other equipment, building material storage and sales (new, no junk), storage and wholesale warehouse adjacent to a residential zoning district or property with a residential future land use designation including those across a right-of-way with the following conditions:***

- ***specific use of granite/stone sales and manufacturing***
- ***outdoor storage of materials to be kept rear of the front building elevation,***
- ***allowable delivery hours of Monday through Friday, 8 am to 5 pm, and***
- ***incorporate additional irrigated landscaping at the front, subject to staff approval.***

***The motion was seconded by Councilmember Lomas.***

The motion was approved with a roll call vote.

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

**3. Holden Avenue PD/Haven Oaks Development Plan/Preliminary Subdivision Plan**

Planner Hardgrove said the Haven Oaks Planned Development (PD) was approved on February 16, 2021, and the Development Agreement (DA) was recorded on March 22, 2021.

The applicant has submitted the “Holden Avenue PD – Haven Oaks Development Plan/ Preliminary Subdivision Plan and landscape plans, which includes a comprehensive sign plan. The Planning and Zoning Board (P&Z) reviewed the submitted documents and recommended approval subject to several conditions, including some that required revision before the City Council’s public hearing. The revisions relative to Planning Staff review have been met.

The comprehensive sign plan would give the PD flexibility with the sign code. Code allows for one sign, and the PD requested an 8.5-foot-tall sign on both sides of the entrance road in front of the 6-foot-high wall.

Planning staff’s recommendation is approval of the plan received 4/7/2022 and the landscape plan dated 4/19/2022 conditioned on the following:

- A requirement that the DP/PSP be revised and resubmitted through the approval process should the preliminary construction drawings demonstrate the need to a) reduce the recreation areas below the minimum required per the Development Agreement or b) reduce the number of parking spaces shown on the Land Use Plan;
- A requirement to amend the DP/PSP to extend Tract J (lift station) to the west property line eliminating the “open space” of Tract F between Tract J and the west property line before final construction plan approval (without need for Council approval);
- Any other conditions the City Council would recommend related to issues identified in the City Engineer’s and Landscape Architect’s reports, which may include but are not limited to, a) a landscape buffer between the parking lot and Lot 21; and b) replacement trees for proposed tree removal; and, c) fire truck access through the front gate.

Discussion ensued regarding the configuration of the lots and green space.

Landscape Architect Galen Pugh CPH said the landscape plan on sheet L-102 and H-201 showed a 5’ separation between the parking lot sidewalk and lot 21. As a condition of approval, he requested the applicant shift the parking lot south to allow for a 10’ wide landscape buffer between the sidewalk and lot 21, to include a continuous 6’ high solid vinyl fence and evergreen understory trees, 20’ on center.

He also explained that for tree replacement, the applicant decided to replace inch for inch rather than tree for tree as required by Code. The applicant will need to ask the City Council to consider the inch per inch calculation they are proposing because the code does not allow for it.

He noted a scrivener’s error showing that tree #76 was saved, but it is located in the middle of the pond and was removed. This should be corrected on the plan sheet.

**Public Comment:**

Sandra DePorter, an Edgewood resident, said she had three concerns. She would like the gap by her property closed as she does not want people walking on her property, she would like to have the existing fence removed, and she would like the survey corrected to show her property in her name as the owner **at 1140 Holden Avenue**. Councilmember Rader reminded the applicant that the fence removal was mentioned several times during DRC and they promised Mrs. DePorter it would be removed. Mr. Daly said he will work with Mrs. DePorter.

Rick Baldocchi, with AVCON representing Toll Brothers, explained the need for the five feet space between Tract J and the property line: to maintain the wall easement. He also clarified there is no post planned in the middle of the gate and it will not be in the way of fire and rescue vehicles.

Further discussion ensued regarding tree replacement. Mr. Daly said they are saving 78 trees on 13 acres. Tom Daly with Daly Design Group said the replacement trees would be bigger than Code requirements, which will have a greater impact and benefits.

City Planner's conditions 2, 3a, 3b, and 3c were withdrawn.

Mr. Daly confirmed to Councilmember Rader the viburnums behind the sign would be maintained.

Councilmember Rader requested modification of the entrance area as he was concerned about incoming traffic cutting over to the exit lane, allowing for vehicles to sneak in the exit side of the gate. Mr. Daly confirmed they would do their best to rework the entrance. Councilmember Rader requested a condition for a mitigating measure to minimize the use of the exit for front entry.

Planner Hardgrove also included CPH's condition to shift the parking lot south 5 feet to allow a 10-foot landscape buffer between the sidewalk and lot 21.

***Councilmember Rader made a motion for approval of Haven Oaks Planned Development Preliminary Subdivision Plan with the following conditions:***

- ***A requirement that the DP/PSP be revised and resubmitted through the approval process should the preliminary construction drawings demonstrate the need to a) reduce the recreation areas below the minimum required per the Development Agreement or b) reduce the number of parking spaces shown on the Land Use Plan;***
- ***Condition for a mitigating measure during construction plan review to minimize the use of the exit for front entry;***
- ***Correct the scrivener's error on plan sheets to show that tree #76 was removed;***
- ***Avoid using the street trees and rear yard trees as replacement trees, or provide the same one-year warranty for all trees used for replacement trees on lots as provided for the common area/subdivision trees;***

- ***As a condition of approval, shift the parking lot to allow for the a 10’ wide landscape buffer between the sidewalk and lot 21 to a continuous 6’ high solid vinyl fence to begin at the front building setback of lot 21 extending to the west property line. The landscape buffer shall include evergreen understory trees, 20’ on center.***
- ***Preservation of the property boundary, at the wall, from the northernmost 30 feet of the west property line **to prevent access to the neighboring property.*****

***The motion was seconded by Councilmember Lomas. Approved (4/0).***

The motion was approved by a roll call vote.

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

• **School Concurrency Mitigation Agreement**

Attorney Smith referred to the interlocal agreement between the developer and the School Board.

***Councilmember Chotas made a motion to approve the Orange County Public School Mitigation Agreement; seconded by Councilmember Rader. Approved (4/0).***

The motion was approved by a roll call vote.

Councilmember Lomas	Favor
Councilmember Rader	Favor
Council President Horn	Favor
Councilmember Chotas	Favor
Councilmember Pierce	<b>Absent</b>

**STAFF REPORTS**

- City Planner Hardgrove – said that in 2005, Council approved a resolution to create a a simple subdivision process known as a lot split process. This is for a lot to be split into two without new roads or stormwater. The resolution was not followed up with an Ordinance.

She said creating the legislation for a lot split would avoid the need for the platting process. Attorney Smith said the Statute regarding platting is for more than two lots. She asked for direction from Council, and there was no objection.

- City Attorney Smith – no report
- Police Chief Freeburg

City Council Regular Meeting **DRAFT MEETING MINUTES**

- He sent his officers for active shooter training with other agencies. The Committee of 100 is assisting in funding the training.
- Councilmember Rader said that Florida Attorney General Ashley Moody complimented Chief Freeburg.
- The Police Department will receive its accreditation on June 16, 2022.
- Holden already seeing an increase in traffic due to the expansion on the west side of Orange Blossom Trail.
- The ARP annual report was submitted and accepted.
- The Code Enforcement truck is no longer serviceable and it will be sold at auction.

- **Interim City Clerk Riffle** – no report

**MAYOR AND CITY COUNCIL REPORTS**

- Mayor Dowless – no report
- Council Member Chotas – no report
- Council Member Pierce - absent
- Council Member Rader – no report
- Council Member Lomas – no report
- Council President Horn – Thanked Council for excusing his absence from the May 17, 2022 meeting. He said his daughter’s team made to the State Finals and won the Championship.

**ADJOURNMENT**

***Councilmember Rader made a motion to adjourn the meeting; seconded by Councilmember Chotas. Approved (4/0).***

**The meeting was adjourned at 9:25 pm.**

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

Attest:

\_\_\_\_\_  
Sandra Riffle, CMC, CBTO  
Interim City Clerk

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



**CITY COUNCIL REGULAR MEETING**  
City Hall – Council Chamber  
405 Bagshaw Way, Edgewood, Florida  
Tuesday, June 21, 2022 at 6:30 PM

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**MEETING MINUTES**

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**CALL TO ORDER**

Council Pro Tem Pierce called the meeting to order at 6:30 pm. He asked for a moment of silence, followed by leading everyone in the Pledge of Allegiance.

**ROLL CALL & DETERMINATION OF QUORUM**

Administrative Assistant Brett Sollazzo announced a quorum with four Councilmembers present, as well as Mayor Dowless. Council President Horn sent notice of his absence in advance.

*Councilmember Chotas made a motion to excuse Council President Horn's absence; seconded by Councilmember Lomas. Approved (4/0).*

**PRESENT**

- Mayor John Dowless
- Councilmember Chotas
- Councilmember Lomas
- Councilmember Pierce
- Councilmember Rader

**ABSENT**

- Council President Horn

**STAFF**

- Brett Sollazzo, Administrative Assistant
- Stacey Salami, Code Enforcement Officer
- David Ireland, Police Sergeant
- Drew Smith, City Attorney
- Ellen Hardgrove, City Planner
- Allen Lane, P.E. CPH, City Engineer

**APPLICANTS**

Jay Voelpel - 600 Gatlin Rd.

- **APPROVAL OF MINUTES**  
**May 17, 2022 City Council Meeting Minutes**

The following corrections were requested to the May 17, 2022 meeting minutes.

Councilmember Lomas requested clarification regarding the condition of approval for the Haven Oaks PD. Councilmember Rader motioned a condition of approval for the preservation of the property boundary at the wall, from the northernmost 30 feet of the west property line. Councilmember Lomas also requested for Mrs. DePorter’s address be reflected in the minutes that the survey would be corrected to show Mrs. DePorter’s ownership.

Attorney Smith suggested tabling the approval of minutes until the next meeting so that Interim Clerk Riffle could provide a direct quote of the motion from the recording.

Councilmember Pierce noted that on the roll call vote on page 9, the vote after his name should state absent. Brett confirmed Interim Clerk Riffle would make the correction

***Councilmember Lomas made a motion to table the approval of the May 17, 2022 meeting minutes until the next meeting and have Interim Clerk Riffle confirm the exact wording of the motion from the audio recording; and correct Councilmember Pierce’s vote; seconded by Councilmember Rader. Approved (4/0)***

**ORDINANCES FIRST READING**

- **Ordinance 2022-04 LOT SPLITS**

Attorney Smith read Ordinance 2022-04 in title only. The Ordinance is a proposed amendment to Chapter 126 of the City Code to provide a lot split procedure instead of re-platting.

Attorney Smith stated that the Planning and Zoning Board reviewed Ordinance 2022-04 on Monday, June 13, 2022. Three Board members were present at the meeting, but Board Member Gragg had a voting conflict leaving two voting members who did not make a quorum. Their consensus was to recommend approval of the Ordinance.

Discussion ensued regarding the lot split procedure. Councilmember Chotas stated he wanted to be sure that any lot split would not negatively impact adjacent properties. Planner Hardgrove said she would add that to the Ordinance before the second reading.

City Council established the process with Resolution 2005-R002, but did not amend the Code to allow the revised process. Planner Hardgrove said the Ordinance would simplify the process for lot splits and is consistent with State statutes that define a “subdivision” as the creation of three or more lots. A lot split is the process of dividing a single parcel into two, and the process can only be done one time for the lot of record.

Planner Hardgrove confirmed to Councilmember Pierce that an applicant would be required to submit a drawing to scale and a boundary survey of both the existing and proposed lot. Councilmember Pierce suggested replacing the word “sketch” with “scaled drawing.”

There was no public comment.

***Councilmember Pierce made a motion to approve the first reading of Ordinance 2022-04 lot splits with conditions of approval that the verbiage “any lot split will not negatively impact adjacent properties” be added; and replace the word “sketch” with the term “scaled drawing”; seconded by Councilmember Lomas. Approved (4/0).***

The motion was approved with a roll call vote.

Council President Pro Tem Pierce	Favor
Councilmember Chotas	Favor
Councilmember Lomas	Favor
Councilmember Rader	Favor
Council President Horn	Absent

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

- **Ordinance 2022-02 Window Signage**

Attorney Smith read Ordinance 2022-02 in title only. The Ordinance is a proposed amendment to the Chapter 122 of City Code relating to window signs.

Planner Hardgrove stated that this is the second reading of the Ordinance, and no changes were made since the first reading.

There was no public comment.

***Councilmember Rader made a motion to approve Ordinance 2022-02; seconded by Councilmember Lomas. Approved (4/0).***

The motion was approved with a roll call vote

Council President Pro Tem Pierce	Favor
Councilmember Chotas	Favor
Councilmember Lomas	Favor
Councilmember Rader	Favor
Council President Horn	Absent

**NEW BUSINESS**

- **Fiscal Year 2022-2023 Non-ad Valorem Assessment**

Mayor Dowless explained that the City’s contract with FCC Environmental Services allows them to raise its collection rate by 3%, and there is no doubt Orange County will increase their disposal rate as well. If the City increases by the same amount would result in approximately \$8 more per year per parcel.

Mayor Dowless recommended increasing the non-ad valorem rate from \$292.96 to \$300.04. The reason for the increase is to ensure funds are available for hurricane cleanup. A rate of \$300.04 would add around \$6,000 per year, which would cover most administrative costs for City Hall.

Councilmember Lomas questioned if we would be adding a line item for this. Mayor Dowless said we would need to designate the funds. In the past, Waste Management had to loan the City money for cleanup. With the City not having utilities for revenue, this aligns with the proper use of funds.

There was no public comment.

***Councilmember Pierce made a motion to increase the 2022-2023 non-ad valorem assessment to \$300.00; seconded by Councilmember Rader. Approved (4/0).***

The motion was approved with a roll call vote.

Council President Pro Tem Pierce	Favor
Councilmember Chotas	Favor
Councilmember Lomas	Favor
Councilmember Rader	Favor
Council President Horn	Absent



**BOARDS & COMMITTEES**

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

City Engineer Allen Lane explained that the homeowner requested a variance for a proposed five-foot-high decorative aluminum fence and electronic gate to be constructed in front of the residence, taller than the four-foot-high allowed by Code.

Engineer Lane explained that Gatlin Avenue experiences heavy traffic, and the fence would offer better security. He presented Councilmembers with photos of different homes along Gatlin Avenue, which showed fences as tall or taller than the proposed fence. He also showed pictures of the proposed fence location and said it would be set far enough back to avoid traffic backup issues on Gatlin.

Engineer Lane then stated he had no objection to the variance. The Planning & Zoning recommended denial of the request as they determined the application did not meet three of the seven variance criteria.

Engineer Lane confirmed to Councilmember Chotas asked Engineer Lane that there is room for landscaping along the fence line.

Discussion ensued regarding other properties along Gatlin avenue with fences and gates taller than what Code permits. Attorney Smith explained that some properties may have been annexed from Orange County and may not have permitted their fences and gates with the City.

Planner Hardgrove confirmed to Councilmember Lomas that the four-foot height requirement was always in the Code.

Councilmember Lomas stated she agreed with Planning & Zoning's recommendation for denial. She said the current City Code should be upheld regardless of the permitting procedure prior to annexation.

Mayor Dowless questioned if needs have changed and if City Code should be updated. Councilmember Rader responded that HOA restrictions would supersede City Code.

Attorney Smith said four-foot is still a fairly common standard for front yards. Mayor Dowless stated that Gatlin Avenue is more of a major road as compared to a neighborhood road, and said there is sometimes different code for thoroughfares.

Property owner Jay Voepel, said his purpose was to have a safe and beautiful house with a five-foot fence in front of the property. He explained the property has more than sufficient space from the sidewalk to the property line and is willing to plant vegetation in front of the fence line. He said that a four-foot-high fence feels minor for such a major street. He expressed that he wants to keep the City beautiful and ensure he is not obstructing anyone's view.

Councilmember Chotas suggested that the fence could be moved back and vegetation could be added. He also brought up changing the character of Gatlin Avenue, especially with traffic increasing along that road.

Planner Hardgrove agreed with Councilmember Chotas' suggestion to add a provision to code for major roads. From a safety standpoint she would want a taller fence as well.

Councilmember Chotas said he thought the requirements for a variance have been met and would vote accordingly but would like to take steps towards changing the code so people in the future do not need to come in for this issue.

Councilmember Rader agreed that it made sense for this property to have a taller fence, but it is unclear if they meet the requirements for a variance. He then confirmed that he would rather see a change in Code than approve the variance. Councilmember Chotas followed up by stating while he supports changing the code, he does not want to vote no on this variance which would delay construction for Mr. Voelpel.

Attorney Smith responded to Councilmember Rader and said that variances do not set a precedent, but Council should act consistently. Councilmember Lomas said she would rather change the code to allow different kinds of roads to have specific requirements rather than approve the variance.

**Public Comment:**

**Adrianna Sekula**, an Edgewood resident, spoke in favor of the variance request and stated that it should be up to the homeowner about what level of safety and privacy they have on their property. She noted the gate and fence would not affect the neighbors on either side.

**Kathryn Peters**, an Edgewood resident, and abutting neighbor, submitted a written comment before the meeting, “We object to this variance. We do not need a compound. Vegetation will work.” The comment was read aloud by Administrative Assistant Brett Sollazzo.

***Councilmember Chotas made a motion to approve Variance 2022-03 with a condition of approval that the fence would be moved back sufficiently from the property line in order to have landscaping on the applicant’s property rather than on the public right-of-way, and landscaping will be part of the construction; seconded by Councilmember Pierce. Approved (3/1).***

The motion was approved with a roll call vote

Council President Pro Tem Pierce	Favor
Councilmember Chotas	Favor
Councilmember Lomas	Oppose
Councilmember Rader	Favor
Council President Horn	Absent

**STAFF REPORTS**

**Police Chief Freeburg – May 2022 Report**

- Chief Freeburg was unable to attend the meeting due to being sick. Sergeant David Ireland reported in his place to provide a staff report.
- Detective Nicole Crock was awarded Crisis Intervention Team (C.I.T.) Officer of the Year for 2020 and Officer Adam Lafan was presented with C.I.T. Officer of the Year for 2021.
- Edgewood Police Department Honor Guard participated in the annual Law Enforcement Memorial Service at the Orange County Courthouse.
- Edgewood Police Department partnered up with the G.R.O.W. Central Florida Program, where they gave sports balls to children in hopes of increasing the bond between our officers and the community.
- Starting May 23rd, the Edgewood Police Department participated in the Click It or Ticket campaign. During this time, 44 seat belt violations were given.

- Detective Nicolle Crock and Officer Chris Meade spent time with children at the Shining Star Academy teaching them all about their Police Cars

Interim City Clerk Riffle - absent

**MAYOR AND CITY COUNCIL REPORTS**

**Mayor Dowless**

- Retired Lieutenant Vincent Jackson passed away. Service was at Pine Castle Baptist. There was a lot of representation from the City and community members.
- Chief of Staff Shannon Patterson’s son, Florida Wildlife Commissioner Officer Kyle Patterson, died in a head on collision. Police Department support has been incredible with the love and support for Shannon and her family.
- The Orange County Holden realignment meeting was re-scheduled due to incorrect notice. Mayor Dowless proposed that Council to hire a lobbyist to get the needed votes. He will present lobbyist quotes during a future Council meeting.

**Councilmember Rader**

- Asked the status of the ARPA Funds and about appointing a committee.

**Councilmember Lomas**

- Drove with Interim Clerk Riffle to look at sidewalks, and note any damage and/or repairs needed throughout the City.

**ADJOURNMENT**

***Councilmember Chotas made a motion to adjourn the meeting; seconded by Councilmember Pierce. Council President Pro Tem Pierce adjourned the meeting at 7:39 pm.***

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

Attest:

\_\_\_\_\_  
Sandra Riffle, CMC, CBTO  
Interim City Clerk

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



Date: July 12, 2022  
To: City Council  
From: Ellen Hardgrove, City Planning Consultant  
XC: Sandy Riffle, Interim City Clerk  
Brett Sollazzo, Administrative Assistant  
Drew Smith, City Attorney  
Re: Proposed New Zoning District to Implement the Proposed Site Specific Future Land Use Designation

This agenda item is the first reading for a new zoning district that would implement the proposed Site Specific Plan Future Land Use designation. Staff recommends using this first reading only as an introduction of the ordinance: reading only the title and delaying full review and consideration until the second reading. This staff recommendation allows the Planning and Zoning Board (P&Z) to hold a hearing to gain public input as well as add their expertise to the proposed regulation prior to Council's consideration. P&Z postponed their review of the proposed ordinance until August due to the duration of the public hearings that preceded this agenda item. Council's second reading will continue to coincide with the new Future Land Use designation's effective date (if approved); i.e., 30 days after the Council's adoption of the comprehensive plan amendment.

ESH

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,  
12 AND 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 ~~strikethrough~~ 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  
39 CITY 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 13. - 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  
58 considered a potential use in the SSP district unless such use is specifically enumerated as a  
59 prohibited 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, C-3, I, or Ind-CA district shall be prohibited in the SSP  
66 district.
- 67 b) Car washes

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

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

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

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



- 154                    3) Increase the connectivity of the street network to reduce reliance on single  
155                    routes for access.
- 156                    4) Use latest technology for energy use, stormwater management, potable water  
157                    supply.
- 158                    7) An analysis of the availability of facilities and services including Potable Water,  
159                    Wastewater, Stormwater Management, Solid Waste Disposal, Police and Fire  
160                    Protection, and Transportation.
- 161                    8) An analysis of the suitability of the proposed development given the soils,  
162                    topography, wetlands, floodplains, native vegetation, and environmentally  
163                    sensitive areas on site.
- 164                    9) The proposed Development Agreement per Section 134-483.
- 165                    10) Statement from a certified appraiser relative to the effect on adjacent property  
166                    values.
- 167                    11) 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 staff’s review comments, as well as  
173    guide 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  
178    input 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  
180    report addressing the comprehensive plan amendment and site specific plan will be  
181    prepared for the Planning and Zoning Board by staff, which will be sent to the applicant.  
182    The applicant shall either request an additional staff/applicant meeting to discuss the report  
183    or request the City Clerk to schedule a public hearing before the Planning and Zoning  
184    Board.
- 185    f) Planning and Zoning Board Hearing. The Planning and Zoning Board hearing date shall  
186    not be scheduled within 21 days of the City Clerk receiving the request from the applicant  
187    to proceed to public hearing unless the minimum time is waived by the City Clerk.
- 188    g) City Council Hearings. The public hearing before the City Council shall be held at least ten  
189    days after the Planning and Zoning Board hearing, unless the time is waived by the City  
190    Clerk. The city shall process the comprehensive plan amendment in accordance with

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

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

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

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

- 201 a. The need and justification for the change;
- 202 b. The effect of the change, if any, on the particular property and the surrounding  
203 properties;
- 204 c. The compatibility of the proposed land uses with surrounding properties; and
- 205 d. The relationship of the proposed amendment to the goals, objectives and  
206 policies and text of the city's comprehensive plan, with appropriate  
207 consideration as to whether the proposed change will further, or at least not be  
208 contrary to the comprehensive plan.

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

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

221 (4) Following the recommendations report of the Planning and Zoning Board, the City  
222 Council shall hold the first of two public hearings to consider approval of the request in  
223 a timely fashion in accordance with Florida law. The second public hearing on the  
224 ordinance to consider approval will occur based on the timeline in Florida law, and with  
225 notice and hearings conducted in the manner prescribed by law and that required per  
226 Section 134-479(f). If the amendment qualifies as a small-scale amendment,  
227 review/recommendation by the Planning and Zoning Board and two public hearings by  
228 City Council shall occur after giving at least 15 days' notice of time and place of such  
229 hearings consistent with State law as well as posted upon the property by the applicant

230 in full view of the general public on each street side of said land, and mailed to all  
231 owners of record of property within 2640 feet of the property.

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

237

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

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

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

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

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

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

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

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

255 a. Proposed Residential. Maximum gross density, total number of units, type of  
256 unit(s), minimum lot size, minimum air conditioned living floor area per unit,  
257 building height (in stories and feet), impervious surface maximum per lot, minimum  
258 building and accessory use setbacks, open space acreage delineated in tracts, and  
259 recreation area delineated in tracts.

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

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

- 267 (7) Identification of adjacent streets, and street intersections or rights-of-way within 500  
268 feet of proposed access points, any major street setbacks, and planned right-of-way  
269 lines.
- 270 (8) Proposed method of providing the following services:
  - 271 a. Water service (including fire flows), plus gallons-per-day requirement.
  - 272 b. Sewage disposal, plus gallons per day generated.
- 273 (9) Stormwater management system, including direction of surface drainage flow.
- 274 (10) Refuse storage areas locations.
- 275 (11) Proposed easements.
- 276 (12) 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 (13) 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 (14) Vehicular and bicycle parking spaces detailing location and size.
- 282 (15) Exterior lighting.
- 283 (16) At least 25% of the gross land area shall consist of open space as defined in Code  
284 Section 114-31 and shall be designed consistent with Code Section 114-35. Of the  
285 open space provided, a minimum of 25% shall be within a delineated recreation  
286 tract that shall include at least two different active recreation activities appropriate  
287 for the projected users of the site.
- 288 (17) Existing tree protection/preservation plan with an effort toward site layout that  
289 conserves and protects onsite mature trees to enhance community appearance,  
290 assist in the natural control of solar heat, soil conservation and erosion, oxygen  
291 production, pollution, noise, and to provide a haven for community wildlife. At a  
292 minimum, the plan shall be consistent with Chapter 130. Removal of Historic  
293 and/or Specimen Trees shall be replaced with trees sold in 15-gallon containers of  
294 at least 1½ inches in diameter as measured three feet above soil level.
- 295 (18) Landscape plan, to include species, quantity, and sizes, not only for land use  
296 compatibility mitigation, but also for the enjoyment of site users (employees and/or  
297 residents). The plan shall exceed the standards of Chapter 114.
- 298 (19) A list of measures that will be used to mitigate identified compatibility issues as  
299 well as those that will benefit the community.
- 300 (20) Design elevations or renderings of structures.
- 301 (21) Sign plan, including scaled plans of proposed signs.
- 302 (22) School age population (if applicable).

303 (23) Requested waivers from the subdivision regulations or other development standards  
304 shall be indicated on the site plan or submitted in writing detailing the particular  
305 provisions of the Code requested to be waived and basis for the request.

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

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

309 a) Maximum Height shall be determined during SSP review.

310 b) Parking quantity shall be consistent with code standards unless competent and substantial  
311 evidence demonstrates a reduced quantity is appropriate.

312 c) Landscaping shall exceed the minimum code standards of Chapter 114 and shall be  
313 provided to mitigate compatibility issues as well as for aesthetics.

314 d) Where other site standards have not been specifically delineated in the Site Specific Plan,  
315 the Code requirements shall apply.

316  
317 **Sec. 134-483 Development Agreement:** The draft Development Agreement is required to be  
318 submitted at the time of application. The document shall detail covenants, conditions,  
319 restrictions, and agreements that govern the use, maintenance and continued protection of  
320 minimum standards established by the rezoning/comprehensive plan policy; the maintenance and  
321 protection of the building structures, infrastructure, recreation areas, and landscaping; and a list  
322 of the measures that will be used to mitigate identified compatibility issues. Finalization of the  
323 Development Agreement shall occur at least two weeks prior to the Planning and Zoning Board’s  
324 public hearing.

325  
326 **Sec. 134-484. Amendments to the Site Specific Plan.**

327 a) Amendments to the approved Site Specific Plan shall be classified as either substantial or  
328 nonsubstantial amendments.

329 b) A substantial amendment is an amendment that would result in any of the following:

330 (1) A change that would include a land use not previously permitted under the approved  
331 Site Specific Plan zoning.

332 (2) A change that would alter the location of a building within 300 feet of a property  
333 boundary, except when it is a reduction in the mass or height

334 (3) A change that would require an amendment to the city's conditions of approval.

335 (4) A change that would increase the land use intensity.

336 (5) An amendment to the phasing that would propose a land use in advance of the  
337 development it was designed to support.

- 338 c) The determination of a substantial or nonsubstantial amendment shall be made jointly by  
 339 the city engineer and city planner. If an agreement is not reached, the determination shall  
 340 be made by the City Council.
- 341 d) Where the developer proposes to reduce the number of units or floor area in one phase of  
 342 the project, a corresponding increase in the number of units or floor area in another phase  
 343 may be administratively approved, if all other conditions of approval are not adversely  
 344 affected, and no other change is proposed that would be considered a substantial  
 345 amendment.
- 346 e) Substantial amendments must be approved at applicable public hearings, which could  
 347 include amendment to the comprehensive plan.
- 348 f) A proposed amendment deemed nonsubstantial may be processed without public hearing.

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

- 350 a) Upon the approval of the Site Specific Plan, the use of land and the construction or  
 351 modification of any buildings or structures on the property shall be in accordance with the  
 352 approved Site Specific Plan, rather than with the other provisions of this chapter. However,  
 353 all other city codes, ordinances, policies and resolutions shall apply to the project.
- 354 b) The city engineer and city planner shall be responsible for certifying that all aspects of the  
 355 development, including conditions of approval have been satisfactorily completed prior to  
 356 the issuance of a certificate of completion.
- 357 c) After certification, no changes may be made to the approved development plan except that:
- 358 (1) Any structural extension, alteration or modification of existing building structures that  
 359 are consistent with the approved site plan may be authorized by the city engineer or  
 360 other city designee.
- 361 (2) A building or structure that is destroyed may be reconstructed only in compliance with  
 362 the SSP unless an amendment to the SSP is approved under the provisions of this  
 363 division.

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

- 365 a) Off-site improvements may be required in conjunction with the Site Specific Plan approval  
 366 in order to offset the impacts on public facilities and services created by the proposed  
 367 development.
- 368 b) All projects shall provide an adequate level of public facilities and services to  
 369 accommodate the project as proposed in the development plan.
- 370 c) At the time of development, the development shall comply with all regulations and  
 371 ordinances in force at the time of engineering plan approval, unless specifically addressed  
 372 by the Development Agreement.

373 d) Projects that have not been developed and which the City Council considers to be  
374 inconsistent with the provisions of this division may be required to update the SSP or may  
375 be subject to administrative rezoning if the project is not vested under the applicable law.

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

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

384  
385 **SECTION THREE.** The provisions of this Ordinance shall be codified as and become  
386 and be made a part of the Code of Ordinances of the City of Edgewood.

387  
388 **SECTION FOUR.** If any section, sentence, phrase, word or portion of this ordinance  
389 is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to  
390 invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or  
391 portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

392  
393 **SECTION FIVE.** All ordinances that are in conflict with this Ordinance are hereby  
394 repealed.

395  
396 **SECTION SIX.** This Ordinance shall become effective immediately upon its passage  
397 and adoption.

398  
399 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by the City  
400 Council of the City of Edgewood, Florida.

401 PASSED ON FIRST READING: \_\_\_\_\_

402 PASSED ON SECOND READING: \_\_\_\_\_

403  
404  
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406 \_\_\_\_\_  
407 Richard A. Horn, Council President

408 *ATTEST:*  
409  
410 \_\_\_\_\_  
411 Sandy Riffle  
412 Interim City Clerk

413





Date: July 9, 2022  
To: City Council  
From: Ellen Hardgrove, City Planning Consultant  
XC: Sandy Riffle, Interim City Clerk  
Brett Sollazzo, Administrative Assistant  
Drew Smith, City Attorney  
Re: Proposed Comprehensive Plan Amendment – Site Specific Future Land Use Designation

This agenda item is for consideration of adoption (second reading) of a proposed comprehensive plan amendment to add a new future land use designation: Site Specific Plan. This new designation is proposed to allow the consideration of uses that would require specific development standards to ensure land use compatibility with adjacent uses.

If adopted as currently proposed, any use allowed in any of the other future land use designations could be considered consistent with the Site Specific Plan future land use designation; however, approval of the new future land use designation on a parcel requires simultaneous approval of a correlated comprehensive plan policy specifically detailing, at a minimum, the allowable uses and densities/intensities for that parcel.

The proposed amendment also requires that development on property with the Site Specific Plan designation be rezoned to the Site Specific Plan zoning district, a new district to be considered by Council if the proposed amendment is adopted.

A second part of the proposed amendment is to add general language, applicable to all future land use designations, to provide an understanding that the listed densities/intensities are not an entitlement.

Neither the Florida Department of Economic Opportunity nor any review agency presented comments or objections related to the proposed amendment. The necessary action is to adopt, adopt with changes, or not adopt the proposed amendment within 180 days of June 23, 2022.

ESH

**ORDINANCE NO. 2022-03**

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

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

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

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

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

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

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

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

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

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

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

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

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

40 **SECTION 2. COMPREHENSIVE PLAN AMENDMENT TEXT. .**  
41 Policy 1.1.6 Development orders shall only be approved consistent with the adopted  
42 Future Land Use Map. The Future Land Use Map classifications are defined below:  
43

44 Commercial: Activities within land areas that are predominantly connected with  
45 the sale, rental and distribution of products, or performance of services.  
46 Commercial uses will be at a relatively low to moderate intensity, consistent with  
47 existing uses. Maximum commercial intensity shall be 0.50 F.A.R. (floor area  
48 ratio), unless as set forth below.  
49

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

- 59 1. Massing and scale building heights shall be permitted by land development  
60 regulations; however, floors over the first may be required to be stepped back  
61 to provide massing relief from adjacent properties with a residential  
62 designation.  
63
- 64 2. All sides of mixed use buildings shall incorporate architectural detail and  
65 design elements so that there are no blank walls on the exterior, incorporating  
66 a variety of rooflines, windows, and visual relief through changes in building  
67 material, as well as horizontal and vertical changes in the building facades.  
68
- 69 3. Active uses within mixed-use buildings, including parking areas, recreational  
70 facilities, and mechanical equipment shall be appropriately buffered to reduce  
71 impact on existing residential uses.  
72
- 73 4. Lighting and signage shall be appropriately designed, scaled and shielded to  
74 reduce impact on surrounding residential areas.  
75
- 76 5. Other compatibility measures and development standards as may be defined  
77 through the Planned Development and site plan review process.  
78
- 79 6. Any site with a property line adjacent to a street that provides access to a  
80 residential neighborhood shall have no curb cuts onto the residential street, so  
81 as to minimize impact to the residential neighborhood, unless approved by

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

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

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

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

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

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

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

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

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

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

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

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

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

151  
152 \_\_\_\_\_  
153 Richard A. Horn, Council President

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156 *ATTEST:*

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

160



Date: July 7, 2022  
To: City Council  
From: Ellen Hardgrove, City Planning Consultant  
XC: Sandy Riffle, Interim City Clerk  
Brett Sollazzo, Administrative Assistant  
Drew Smith, City Attorney  
Re: Establishment of a Lot Split Process

This agenda item is for second reading of the proposed ordinance that will amend Code Chapter 126 to allow a simple process for dividing a single parcel into two, to be 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.

Since first reading, the following changes have been made to the ordinance:

(b) If the proposed subdivision is for the division of a single unplatted parcel into two parcels, 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 new parcel shall not be created by this process if it does not have legal access to a public right-of-way, or the resulting parcels are not conforming to land development regulations or comprehensive plan requirements, or if the lot split will negatively impact surrounding properties. The Lot Split procedure shall not apply to a subdivision into more than two parcels. The intention being that this procedure may only be used once as it pertains to all or any portion of the lands involved in or previously utilizing or subject to this procedure.

(1) Lot Split Application. A subdivider shall apply to the City on an application form as well as submit to the City the plan for subdivision with the following minimum submittal requirements:

A scaled drawing showing the existing parcel...

The “second read” ordinance also includes minor, non-substantial changes made for clarity or to correct grammatical errors.

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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; 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 for the division of a single unplatted parcel into two parcels, 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 new parcel shall not be created by this process if it does not have legal access to a public right-of-way, or the resulting parcels are not

35 conforming to land development regulations or comprehensive plan requirements,  
 36 or if the lot split will negatively impact surrounding properties. The Lot Split  
 37 procedure shall not apply to a subdivision into more than two parcels. The intention  
 38 being that this procedure may only be used once as it pertains to all or any portion  
 39 of the lands involved in or previously utilizing or subject to this procedure.

40 (1) Lot Split Application. A subdivider shall apply to the City on an application  
 41 form as well as submit to the City the plan for subdivision with the following  
 42 minimum submittal requirements:

- 43 a. A scaled drawing showing the existing parcel and improvements,  
 44 location of easements, names of bordering streets, proposed parcel  
 45 boundaries, minimum required building setbacks on each proposed  
 46 parcel, names and locations of all bodies of water, wetland, drain fields,  
 47 and all other waterways and watercourses abutting or encroaching upon  
 48 subject property. This drawing must also show existing buildings and  
 49 parcel dimensions. The scaled drawing may coincide with the certified  
 50 boundary survey required below.
- 51 b. A brief description of all utilities and City services, including sewers,  
 52 potable water facilities, and fire hydrants, electric and telephone poles,  
 53 streetlights, storm drains and any other utilities or services relevant to  
 54 the maintenance of subject properties.
- 55 c. A listing of the names and addresses of the record owners abutting  
 56 subject property.
- 57 d. A boundary survey of the lands subject to this procedure, as existing  
 58 (i.e., prior to the proposed lot split) and as proposed (i.e., after the  
 59 proposed lot split), performed and prepared by a professional, Florida  
 60 licensed surveyor and mapper. The survey shall be certified to and  
 61 submitted to the City. Said surveys shall include the depiction of existing  
 62 improvements and easements thereon.
- 63 e. Proposed legal instruments creating and granting proposed easements,  
 64 conditions and restrictions upon the proposed lots.
- 65 f. Application fee.

66 (2) Staff Review. Once the application is determined to be complete, staff shall  
 67 review the request for compliance with the code and the provision of  
 68 necessary easements and access for public services and utilities (e.g.  
 69 compliance with lot dimensions requirements, setbacks for existing buildings,  
 70 easements, legal access, etc.). A staff report/recommendation, with or without  
 71 conditions or restrictions, and the application shall be presented to the



72 Planning and Zoning Board at its next available regular meeting or session,  
73 for a recommendation of approval or disapproval.

74  
75 (3) The City staff may require an applicant to follow the standard subdivision  
76 procedure contained in this chapter if they determine that the lot-split  
77 procedure is being utilized by an applicant in order to defeat the objectives of  
78 subdivision requirements or the lot-split procedure would be inadequate to  
79 address matters presented by the application that could be more adequately  
80 addressed through the platting or replatting procedure.

81  
82 (4) Planning and Zoning Board Review. The Planning and Zoning Board may  
83 take the following actions:

- 84 a. Recommend approval of the application as recommended by staff.
- 85 b. Recommend approval of the application, deleting or supplementing the  
86 conditions and restrictions of staff.
- 87 c. Recommend approval of the application, adding conditions and  
88 restrictions as determined by the Planning and Zoning Board.
- 89 d. Recommend denial of the application.

90  
91 (5) City Council Review. The Planning and Zoning Board recommendation shall  
92 be presented to the City Council at the next available Council meeting for  
93 Council’s consideration of approval.

94 (6) Conditions. The City may condition the lot split upon the recording in the  
95 Orange County public records legal instrument(s), in a form acceptable to the  
96 City, showing the new boundaries of the parcels created by the lot split and  
97 creating any easements, conditions and restrictions upon the created parcels  
98 necessary for the orderly and proper development of the land.

99 If staff or the Planning and Zoning Board determines that an easement or  
100 right-of-way is necessary for the subdivision of the subject property, the  
101 applicant must provide a proper and satisfactory executed deed of easement  
102 or right-of-way prior to any final approval by City Council.

103 (7) Appeals. Appeals of any decision of the City Council shall follow that stated in  
104 Section 126-590 of the Edgewood Code.

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

107  
108 **SECTION FOUR.** If any section, sentence, phrase, word or portion of this ordinance is

109 determined to be invalid, unlawful or unconstitutional, said determination shall not be  
110 held to invalidate or impair the validity, force or effect of any other section, sentence,  
111 phrase, word or portion of this Ordinance not otherwise determined to be invalid,  
112 unlawful or unconstitutional.

113  
114 **SECTION FIVE.** All ordinances that are in conflict with this Ordinance are hereby  
115 repealed.

116  
117 **SECTION SIX.** This Ordinance shall become effective immediately upon its passage  
118 and adoption.

119  
120 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by the City  
121 Council of the City of Edgewood, Florida.

122  
123 PASSED ON FIRST READING: \_\_\_\_\_

124  
125 PASSED ON SECOND READING: \_\_\_\_\_

126  
127 \_\_\_\_\_  
128 Richard A. Horn, Council President

129 *ATTEST:*  
130  
131 \_\_\_\_\_  
132 Sandy Riffle  
133 Interim City Clerk



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

CC: City Attorney Smith

DATE: July 11, 2022

RE: Set tentative millage rate and set public hearing date for final millage and proposed FY 2022/2023 budget

I am in receipt of Orange County's preliminary tax roll for real and personal property for the City of Edgewood. The City must complete and return to the Orange County Property Appraiser, on or before noon on July 30, 2022, the DR-420 and DR-420MMP. For this reason, Council must set the tentative millage rate and set the public hearings for the proposed millage and the final millage rate and budget.

Orange County's Preliminary Tax Roll 2021 vs. 2022

	<b>2021/2022</b>		<b>2022/2023</b>
Real Property	\$392,374,107	Real Property	\$423,293,537
Personal Tangible Property	\$ 33,349,074	Personal Tangible Property	\$ 33,329,049
<b>TOTAL</b>	<b>\$425,723,181</b>	<b>TOTAL</b>	<b>\$456,622,586</b>

The following is a chart to provide you with what the City's 2022/2023 ad valorem revenue would be, based on the millage rate set.

<b>Millage</b>	<b>Ad Valorem</b>	<b>Personal Tangible Property</b>	<b>Total</b>
5.25 (current rate)	\$2,111,176	\$163,792	\$2,274,968
5.35	\$2,151,389	\$169,394	\$2,320,783
5.40	\$2,171,495	\$179,976	\$2,351,471
Calculation: Current Year Gross Taxable Value for Operating Purposes $\$391,979,665 \times .95 \times 5.25/1000 = \$1,992,237$			

**RECOMMENDATION:** Approve a millage rate higher than the current millage rate of 5.25. This is only a tentative millage rate and can be adjusted in the first public hearing on September 7, 2022.



**Please use this form of the Motion: I move to set the City's millage rate at \_\_\_\_\_ %, and direct the City Clerk to complete the DR420 and DR420MMP forms to provide to Orange County Property Appraiser, on or before noon on July 31, 2022.**

**Important Dates:**

Thursday, July 28, 2022 at 9 am	First Budget Workshop
Tuesday, September 6, 2022 at 6:30 pm	Special Council meeting to adopt the tentative budget and proposed millage rate.
September 20, 2022 at 6:30 pm.	Second/final public hearing to adopt the millage rate and budget will be in the regular City Council meeting scheduled for September 20, 2022 at 6:30 pm.

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

	<b>May</b>	<b>June</b>
<b>Residential Burglaries</b>	0	0
<b>Commercial Burglaries</b>	1	4
<b>Auto Burglaries</b>	0	0
<b>Theft</b>	4	1
<b>Assault/Battery</b>	1	0
<b>Sexual Battery</b>	0	2
<b>Homicides</b>	0	0
<b>Robbery</b>	0	0
<b>Traffic Accident</b>	10	15
<b>Traffic Citations</b>	136	142
<b>Traffic Warnings</b>	132	103
<b>Felony Arrests</b>	1	5
<b>Misdemeanor Arrests</b>	0	1
<b>Warrant Arrests</b>	0	1
<b>Traffic Arrests</b>	2	6
<b>DUI Arrests</b>	2	4
<b>Code Compliance Reports</b>	32	54

**Department Highlights:**

- On June 6<sup>th</sup> Chief of Police John Freeburg and Code Compliance Officer Stacey Salemi attended the annual Harbour Island Home Owner's Association meeting to give the residents a chance to ask questions and get up to date information regarding the Police Department and Code Compliance.
- On June 11<sup>th</sup>, multiple Edgewood Police Department Officers, staff and previous employees of the Edgewood Police Department attended the funeral of retired Lieutenant Vincent Jackson. On June 17<sup>th</sup>, Edgewood Police Department Officers and staff members attended the funeral, processional and burial of Shannon Patterson's son Florida Fish and Wildlife Commission Senior Investigator Kyle Patterson.
- The week of June 12<sup>th</sup> through the 17<sup>th</sup>, Accreditation Manager Adam Lafan attended the Accreditation Conference. At this conference, the Edgewood Police Department received its 6<sup>th</sup> Accreditation Certificate.
- On June 14<sup>th</sup> the Edgewood Police Department hosted the Blood Bank Bus.