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ORDINANCE NO 2022-13

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

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

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

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

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

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

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

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

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

* * *

134-468. - Site design.

* * *

(g) Building placement.

(1) Building placement applicable to all development:

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

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

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

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

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

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

64 * * *

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

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

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

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

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

CITY OF EDGEWOOD, FLORIDA
CITY COUNCIL

Richard A. Horn, Council President

ATTEST:

Sandra Riffle, City Clerk