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**ORDINANCE 2023-01**

**AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING CHAPTER 134 OF THE CODE OF ORDINANCES TO CREATE A NEW PLANNED DEVELOPEMENT ZONING CATEGORY; COMPREHENSIVE PLAN PLANNED DEVELOPMENT DISTRICT (CP PD); ESTABLISHING A PROCESS AND REQUIREMENTS FOR REZONING PROPERTY TO CP PD; ESTABLISHING APPLICATION AND EVALUATION STANDARDS RELATED TO CP PD REZONING 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**

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

**WHEREAS**, the City is desirous of encouraging creative solutions to development challenges; and

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

**WHEREAS**, the City Council finds that creating a Comprehensive Plan Planned Development (CP PD) zoning district, which allows for collaboration between the City, the developer, and neighboring property owners and stakeholders encourages dialogue and problem solving, can lead to mutually beneficial solutions to development challenges; and

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

**WHEREAS**, as of the effective date of this Ordinance, the City will have amended its Comprehensive Plan, to contemplate the new planned development district under certain circumstances; and

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

39  
40 **NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY**  
41 **OF EDGEWOOD, FLORIDA, AS FOLLOWS:**

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

45  
46 **SECTION TWO.** Chapter 134, “Zoning,” Article IV, “District Regulations,” is hereby  
47 amended as follows:

48  
49 **DIVISION 13. - COMPREHENSIVE PLAN PLANNED DEVELOPMENT- CPPD**  
50 **ZONING DISTRICT**

51 **Sec. 134-476. Intent and purpose of CP PD district.**

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

60 **Sec. 134-477. Uses permitted and prohibited.**

- 61 a) Uses Permitted. The permitted uses allowed in the CP PD shall be consistent with the  
62 corresponding comprehensive plan policy adopted at the time the Site Specific Plan future  
63 land use designation was established for the subject property.
- 64 b) Uses Prohibited. Any use prohibited in the C-1, C-2, C-3, I, ECD or Ind-CA district shall be  
65 prohibited in the CP PD district.
- 66 c) Development Agreement. The specific permitted uses for property zoned CP PD shall be set  
67 forth in a development agreement approved as provided herein, which shall be recorded in  
68 the official public records of Orange County, Florida.

69 **Sec. 134-478. Approval Procedure.**

70 a. Application Submittals.

- 71 (1) Formal Application and Payment of Fees for consideration of establishing a SSP future  
72 land use designation on the subject property; a corresponding Comprehensive Plan Future  
73 Land Use Element policy; and rezoning to CP PD. The application shall include the

74 applicant's name and contact information, full legal description of the property, acreage,  
75 owner's name and contact information, and agent authorization if applicant is not the owner  
76 of the property.

77 (2) Proposed Future Land Use Element Policy identifying, at a minimum, the proposed  
78 permitted uses and densities/intensities, consistent with the requirements as specified  
79 within F.S. ch. 163, pt. II, with a narrative explaining

- 80 a. The need and justification for the change;
- 81 b. The benefits the development will provide to the community;
- 82 c. The compatibility of the proposed land use with surrounding properties; and
- 83 d. How the proposed use is consistent with and/or furthers the goals, objectives and  
84 policies of the city's comprehensive plan.

85 (3) An analysis of potential land use compatibility issues and the proposed mitigation. Land  
86 use compatibility is of premier importance to this district. Compatible means a  
87 development, building and/or land use is designed to be able to exist or occur without  
88 conflict with its surroundings in terms of its uses, scale, height, massing and location on its  
89 site, as well as is without negative impact to public services and facilities. Land use  
90 compatibility analysis shall address visual impact, on-site operational impact, and impact  
91 to public services and facilities, including, but not limited to the area road network.  
92 Examples of mitigation measures include, but are in no way limited to, the examples listed  
93 below; often times, more than one mitigation strategy is necessary for each category.

- 94 a. Visual Impact; i.e., the three-dimensional scale of the structures onsite including height,  
95 bulk, width, and depth compared to adjacent uses. This not only includes the  
96 appearance of any structures, but also the effect of outdoor storage areas, as well  
97 as the long term maintenance of buildings, landscaping, etc. onsite.
  - 98 1. Providing large perimeter building setbacks which incorporate a significant amount  
99 of mature landscaping
  - 100 2. Providing gradual transition between smaller and larger buildings; e.g., stepping  
101 buildings down to a scale (building bulk, footprint size, and height) complementing  
102 adjacent development
  - 103 2. Incorporating architectural design and elevation features that complement adjacent  
104 lower-density/intensity development; e.g., breaking up massing of buildings by  
105 alternating/undulating facades and roof lines especially for buildings significantly  
106 longer, taller, or with more mass than buildings on adjacent property
  - 107 3. Avoiding blank walls on the building by incorporating windows and/or using  
108 design techniques such as evergreen vine wall (trellis or wire/vine system), a  
109 decorative masonry pattern of at least two types of materials, colors, textures, or  
110 architectural features

- 111 4. Using of low-maintenance exterior building materials and colors to aid in  
112 maintaining the appearance of the structure
- 113 5. Locating/designing stormwater management to provide a visual amenity and  
114 opportunities for passive recreation, e.g., wet bottom pond design as a lake with a  
115 fountain
- 116 6. Dividing large parking lots into smaller blocks using landscape, pedestrian ways,  
117 bioswales
- 118 7. Using of decorative masonry walls on property lines
- 119 b. Operational Impact; i.e., operational by-products such as noise, odors, dust, vibration,  
120 light, heat, electrical interference etc. that will negatively impact adjacent uses.
- 121 1. Containing operations within buildings to the maximum degree possible
- 122 2. Designing the building layout to orient operations internal to the site, particularly  
123 noise generating activities such as, but not necessarily limited to, deliveries,  
124 dumpster, parking lots, and activities where large groups can congregate
- 125 3. Using vertical screening to block effects of high-impact components such as  
126 mechanical equipment and service areas
- 127 4. Using of sound barrier walls along the property lines
- 128 5. Directing light generated by higher intensity uses, including direct illumination of  
129 parking and service areas, signs, and structures, away from adjacent residential  
130 areas and public streets
- 131 6. Reducing interior building noise through additional wall insulation, plantings, and  
132 strategic placement of doors and windows
- 133 7. Limiting hours of operation
- 134 c. Impact to public services and facilities.
- 135 1. Coordinating with the City/County/State to construct improvements necessary to  
136 mitigate the project's impact on the area road network.
- 137 2. Utilizing site designs, building groupings, and site features that accommodate and  
138 encourage the use of transportation alternatives, including pedestrian, bicycle, and  
139 public transportation. Examples of techniques include provision of wide sidewalks,  
140 provision of transit stops/shelters; visible and convenient bicycle parking facilities;  
141 and multi-use paths to building entrances.
- 142 3. Increasing the connectivity of the vehicle and pedestrian networks to reduce  
143 reliance on single routes for access.
- 144 4. Using the latest technology for energy use, stormwater management, potable water  
145 supply.

146 5. Designing the site using strategies to reduce opportunities for crime (reference  
147 Crime Prevention Through Environmental Design (CPTED, which include  
148 building entrances should have windows providing a view of entry locations,  
149 strategic design of pedestrian ways ensuring parking areas and building entrances  
150 are well lit with shielded lighting at a pedestrian scale, comprehensive wayfinding  
151 system for vehicles as well as pedestrians to main entryways, use of strategic  
152 lighting that minimizes glare and shadows, use of decorative see-through fencing  
153 along roads with low level maintained landscaping to provide ease of surveillance,  
154 avoidance of areas of concealment due to landscaping or structures within and  
155 outside buildings as well as parking areas).

156 (4) The Site Plan drawn to a scale of one inch equals 200 feet or larger, unless otherwise  
157 appropriate, and consisting of properly identified exhibits and support materials, clearly  
158 indicating the following

- 159 a. The project name, legal description, total acreage and location map,
- 160 b. Signed and sealed boundary survey
- 161 c. Topographic survey at one-foot contours based on the county datum (or as approved  
162 by the city engineer) and other natural features including, but not limited to, lakes,  
163 watercourses, wetland, and conservation areas.
- 164 d. On-site soil types (based on the soil conservation service classification system), flood  
165 hazard areas and generalized vegetation.
- 166 e. Existing uses, easements, and demolition plan
- 167 f. Proposed land use
  - 168 1. Proposed Residential. Total number of units; as well as number of units by type,  
169 i.e., within single family and multi family structures; residential land area, which is  
170 defined as the area, excluding natural water bodies and wetlands, to be occupied by  
171 residential use; density calculated by total number of units and proposed residential  
172 land area; minimum lot size, impervious surface maximum per lot, minimum air  
173 conditioned living floor area per unit, building height (in stories and feet), minimum  
174 building and accessory use setbacks, open space acreage delineated in tracts,  
175 recreation areas delineated in tracts and type of recreation facilities to be provided.
  - 176 2. Proposed Nonresidential. Specific types of uses; gross building floor area(s);  
177 building floor area ratio based on area to be used by nonresidential uses (excluding  
178 natural water bodies and wetlands); building height (in stories and feet); minimum  
179 building setbacks from all sides; maximum impervious surface per lot/tract;  
180 delineated areas where outdoor activities (including but not limited to outdoor  
181 storage areas, employee gathering areas) will take place with a listing of the type  
182 of outdoor activities proposed; and open space acreage delineated in tracts.

- 183 g. The phasing of development and the manner in which each phase of development can  
184 exist as an independent unit with all necessary public services and facilities.
- 185 h. Adjacent streets and rights-of-way within 500 feet of proposed access points, any major  
186 street setbacks, and planned right-of-way lines.
- 187 i. Utility Providers
- 188 1. Water service (including fire flows), plus gallons-per-day requirement.
- 189 2. Sewage disposal, plus gallons per day generated.
- 190 j. Stormwater management system plan, including direction of surface drainage flow and  
191 drainage calculations.
- 192 k. Refuse storage areas locations.
- 193 l. Proposed easements.
- 194 m. Transportation facilities including proposed internal roads and offsite road and transit  
195 improvements, and pedestrian and bike facilities, including the proposed right-of-way,  
196 sidewalk and bike path widths.
- 197 n. Projected vehicle traffic generation based on established standards. A traffic study shall  
198 be provided if determined to be necessary by the city engineer.
- 199 o. Vehicular and bicycle parking spaces detailing location and size.
- 200 p. Exterior Lighting Plan prepared by a professional engineer, landscape architect or  
201 professional architect registered in Florida and prepared in a scale that is easily legible  
202 and shall include a photometric plan for the exterior lighting coverage that  
203 demonstrates that outdoor areas are safe and secure, particularly in parking areas, all  
204 building entrances, and other areas of special security concern. The exterior lighting  
205 plan shall be coordinated with the landscape plans ensuring no conflicts between the  
206 proposed lighting and landscaping will exist. Except for bollard type lights, light  
207 poles shall be set a minimum distance of 17.5 feet from tree trunk edges. The plan  
208 shall provide pole, fixture, and lamp technical specifications. The minimum foot  
209 candle where pedestrians will be present is one.
- 210 q. Open Space Plan demonstrating that at least 25% of the gross land area consists of open  
211 space as defined in Code Section 114-31 and is designed and counted consistent with  
212 Code Section 114-35, with the exception that 50% of that required open space, shall be  
213 “land use compatibility open space” used to enhance/buffer land use compatibility with  
214 adjacent uses. The enhancement/buffer shall be provided parallel and adjacent to  
215 the boundaries shared with properties needing buffering due to compatibility issues or  
216 conflicts. The width of such boundary buffers shall be such to sustain a substantial and  
217 continuous linear massing of evergreen trees to mitigate visual and operational impacts  
218 as determined by City Council, with Code Section 114-5 establishing the minimum

219 width of the buffer (as determined by the listed uses not the referenced zoning districts  
220 in this Code Section). The evergreen tree massing shall be a minimum of two rows  
221 deep. Use of berms are strongly encouraged if noise abatement is necessary in addition  
222 to the evergreen tree mass planting. Pervious areas such as stormwater retention or  
223 detention ponds, parking lot islands or landscape planting areas around  
224 building foundations shall not be counted toward the land use compatibility open  
225 space.

226 r. Existing Tree Protection/Preservation Plan with an effort toward site layout that  
227 conserves and protects onsite mature trees to enhance community appearance, assist in  
228 the natural control of solar heat, soil conservation and erosion, oxygen production,  
229 pollution, noise, and to provide a haven for community wildlife. At a minimum, the  
230 plan shall be consistent with Chapter 130. Removal of Historic and/or Specimen Trees  
231 shall be replaced with trees sold in 15-gallon containers of at least 1½ inches in  
232 diameter as measured three feet above soil level.

233 s. Landscape Plan, to include species, quantity, and sizes, not only for land use  
234 compatibility mitigation, but also for the enjoyment of site users (employees and/or  
235 residents). The plan shall exceed the standards of Chapter 114.

236 t. Inclusion of compatibility mitigative measures identified in the development  
237 agreement.

238 u. Design elevations/renderings of structures.

239 v. Sign Plan, including scaled plans of proposed signs.

240 w. School age population (if applicable).

241 x. Requested waivers from the subdivision regulations or other development standards; if  
242 any requested, written justification shall be presented as part of the application  
243 submittals detailing the particular provisions of the Code requested to be waived and  
244 basis for the request.

245 (5) Subdivision Plan. If the developer or applicant proposes to create a subdivision, a  
246 preliminary subdivision plan shall be processed concurrently with the site plan in  
247 accordance with Chapter 126 and shall be subject to approval by the City Council.

248 (6) Letters from utility providers of the availability of facilities and services including Potable  
249 Water, Wastewater, Solid Waste Disposal, Fire Protection.

250 (7) An Environmental Study if required by the City's Engineer or Planner analyzing the  
251 suitability of the proposed development given the soils, topography, wetlands, floodplains,  
252 native vegetation, and other environmentally sensitive areas onsite.

253 (8) The draft Development Agreement. The document shall detail covenants, conditions,  
254 restrictions, and agreements that govern the use, maintenance and continued protection of

255 minimum standards established by the rezoning/comprehensive plan policy; the  
256 maintenance and protection of the building exterior quality, infrastructure, lighting,  
257 recreation areas, and landscaping; and a list of the measures that will be used to mitigate  
258 identified compatibility issues. Finalization of the Development Agreement shall occur at  
259 least two weeks prior to the Planning and Zoning Board's public hearing.

260 (9) Statement from a certified appraiser relative to the effect on adjacent property values.

261 (10) Any supporting data the applicant deems necessary to support the request.

262 b. Distribution for Review After determining the application is complete, the City Clerk shall  
263 distribute the application to pertinent city staff for review. An incomplete application will not  
264 be forwarded to staff, resulting in the delay of processing.

265 c. Staff/Applicant Meeting/Initial Review Comments. The City Clerk will coordinate with the  
266 applicant and staff to schedule a meeting to discuss staff's initial review comments, as well as  
267 guide further refinement of the application if necessary. Additional staff/applicant meetings  
268 can be requested by the applicant or city staff.

269 d. Community Meeting. Prior to the final staff report preparation, the applicant shall schedule and  
270 host a community meeting to provide an informal setting for the applicant to present the project  
271 and gain input from area residents/businesses. City staff's attendance will be in the form of  
272 monitoring rather than facilitation. The same public notice for the Planning and Zoning Board  
273 hearing shall be used for public notice for the Community Meeting. A report prepared by the  
274 applicant summarizing the community meeting proceedings and any modifications to the  
275 proposal based on the input shall be submitted to the City Clerk for staff distribution.

276 e. Staff Report. Following the applicant's report on the community meeting, City staff shall  
277 prepare a report addressing the comprehensive plan amendments and site development plan  
278 with a recommendation for approval, approval with conditions, or denial, which will be sent  
279 to the applicant. Upon receipt of the staff report, the applicant shall either request an additional  
280 staff/applicant meeting to discuss the report or request the City Clerk to schedule a public  
281 hearing before the Planning and Zoning Board.

282 f. Planning and Zoning Board Hearing.

283 (1) The Planning and Zoning Board hearing shall hold public hearings to consider the request  
284 for comprehensive plan amendments and rezoning. Such hearings shall not be scheduled  
285 within 21 days of the City Clerk receiving the request from the applicant to proceed to  
286 public hearing unless the minimum time is waived by the City Clerk.

287 (2) In addition to the public notice specified in the State law and City Code, written public  
288 notice of time and place of such the hearing shall be mailed to all property owners of record  
289 within 1,000 feet of the subject property's boundaries at least 15 days prior to the hearing.

290 (3) The Planning and Zoning Board shall recommend either approval with conditions that  
291 ensure land use compatibility, such as but not limited to, limitations on building size and



292 height, minimum setbacks, building design or use features, landscaping, vehicle access  
293 configuration, and/or hours of operation; denial; or submit such request with no  
294 recommendation to the City Council in the case of a tie vote.

295 g. City Council Hearings.

296 (1) First Public Hearing for Comprehensive Plan Amendments. At least ten days after the  
297 Planning and Zoning Board hearing, unless the time is waived by the City Clerk and  
298 advertising requirements have been met, the City Council shall hold the first of two public  
299 hearings, in accordance with Florida law and City Code, to consider approval of the  
300 proposed comprehensive plan amendments. Unless the future land use amendment  
301 qualifies for a small scale amendment, Council shall either vote to transmit the  
302 comprehensive plan amendments to the State land planning agency in accordance with  
303 State law or deny the request. If the amendment qualifies as a small-scale amendment,  
304 Council shall vote to either deny or approve a second reading of the ordinance. An  
305 affirmative vote for a second reading shall include conditions that ensure adjacent land use  
306 compatibility.

307 (2) First Public Hearing for Rezoning. Following an affirmative vote for a second reading for  
308 the comprehensive plan amendments, Council shall hold the first of two public hearings to  
309 consider approval of the rezoning. The Council shall vote to consider a second reading of  
310 the rezoning ordinance. An affirmative vote for second reading shall include conditions  
311 that will ensure land use compatibility with adjacent land such as, but not limited to,  
312 limitations on building size and height, minimum setbacks, building design or use features,  
313 landscaping, vehicle access configuration, and/or hours of operation.

314 (3) Second Public Hearings for Comprehensive Plan Amendments and Rezoning The second  
315 public hearings for the proposed comprehensive plan amendments and rezoning will occur  
316 based on the timeline in Florida law and City Code. At the second public hearings, City  
317 Council shall either approve; approve with additional conditions, or deny the requests. If  
318 the comprehensive plan amendments are denied by Council, Council shall the deny the  
319 proposed rezoning.

320 (4) Rezoning Effective Date. Approval of the rezoning shall not become effective until after  
321 the effective date of the comprehensive plan amendments.

322 (5) Advertising Requirements. In addition to the public notice specified in the State law and  
323 City Code, written public notice of both Council hearings' time and place shall be mailed  
324 to all property owners of record within 1,000 feet of the subject property's boundaries at  
325 least 15 days prior to the hearings.

326 **Sec. 134-479 Other Development Standards**

327 a) Maximum Height shall be determined during CP PD review.

- 328 b) Parking quantity shall be consistent with code standards unless competent and substantial  
329 evidence demonstrates a reduced quantity is appropriate.
- 330 c) Landscaping shall exceed the minimum code standards of Chapter 114 and shall be provided  
331 to mitigate compatibility issues as well as for aesthetics.
- 332 d) Where other site standards have not been specifically delineated, the Code requirements shall  
333 apply; however, consideration of waivers to these code requirements can be considered during  
334 the CP PD process.
- 335 e) Off-site improvements may be required in conjunction with the CP PD approval in order to  
336 offset the impacts on public facilities and services created by the proposed development.
- 337 f) All projects shall provide an adequate level of public facilities and services to accommodate  
338 the project as proposed in the development plan.

339 **Sec. 134-480. Amendments to the CP PD.**

- 340 a) Amendments to the approved CP PD shall be classified as either substantial or nonsubstantial  
341 amendments.
- 342 b) A substantial amendment is an amendment that would result in any of the following:
  - 343 (1) A change that would include a land use not previously permitted under the approved SSP  
344 Policy applicable to the property and/or the CP PD zoning.
  - 345 (2) A change that would alter the location of a building within 300 feet of a property boundary,  
346 except when it is a reduction in the mass or height
  - 347 (3) A change that would require an amendment to the city's conditions of  
348 approval/development agreement.
  - 349 (4) A change that would increase the land use intensity and/or density.
  - 350 (5) An amendment to the phasing that would propose a land use in advance of the development  
351 it was designed to support.
- 352 c) The determination of a substantial or nonsubstantial amendment shall be made jointly by the  
353 city engineer and city planner. If an agreement is not reached, the determination shall be made  
354 by the City Council.
- 355 d) Where the developer proposes to reduce the number of units or floor area in one phase of the  
356 project, a corresponding increase in the number of units or floor area in another phase may be  
357 administratively approved if all other conditions of approval are not adversely affected and no  
358 other change is proposed that would be considered a substantial amendment.
- 359 e) Substantial amendments must be approved at applicable public hearings, which could include  
360 amendment to the comprehensive plan.
- 361 f) A proposed amendment deemed nonsubstantial may be processed without public hearing.

362 **Sec. 134-481. Control of development following approval.**

- 363 a) Construction of uses and infrastructure shall not commence until the City receives proof that  
364 the Development Agreement has been recorded in Orange County official records.
- 365 b) The approved CP PD and Development Agreement shall take precedent over other provisions  
366 of this chapter. Where the CP PD or Development Agreement is silent, city codes, ordinances,  
367 policies and resolutions in force at the time of CP PD approval shall apply to the project.
- 368 c) The city engineer and city planner shall be responsible for certifying that all aspects of the  
369 development, including conditions of approval have been satisfactorily completed prior to the  
370 issuance of a certificate of completion.
- 371 d) After certification, no changes may be made to the approved development plan except that:
- 372 (1) Any structural extension, alteration or modification of existing building structures that are  
373 consistent with the approved site plan may be authorized by the city engineer or other city  
374 designee.
- 375 (2) A building or structure that is destroyed may be reconstructed only in compliance with the  
376 correlated Comprehensive Plan policy, the CP PD, and Development Agreement unless an  
377 amendment to these documents is approved under the provisions of this division.
- 378 e) Property which has been rezoned to CP PD for which the development approvals have lapsed  
379 or otherwise expired shall be subject to administrative rezoning by the City to the zoning  
380 district that applied to the property prior to the rezoning to CP PD.

381 **Sec. 134-482 Enforcement and penalties.**

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

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

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

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

396 **SECTION SIX.** This ordinance shall become effective upon and simultaneous with the  
397 effective date of Ordinance 2022-08.

398 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by the City  
399 Council of the City of Edgewood, Florida.

400  
401 PASSED ON FIRST READING: \_\_\_\_\_

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

404  
405 \_\_\_\_\_

406  
407 Richard A. Horn, Council President

408 *ATTEST:*  
409  
410 \_\_\_\_\_

411 Sandy Riffle  
412 City Clerk

413