ORDINANCE NO 2023-03 1 AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, 2 AMENDING CHAPTER 134 OF THE CODE OF ORDINANCES RELATED 3 4 TO THE EDGEWOOD CENTRAL DISTRICT TO CHANGE THE **PERMITTED** USE **KNOWN** AS "CAR/AUTOMOTIVE 5 WASHING/DETAILING. **FULL-SERVICE**" AND "AUTOMOTIVE 6 WASHING/DETAILING, FULL-SERVICE" TO USES ONLY ALLOWED 7 8 BY SPECIAL EXCEPTION, TO PROVIDE CLARIFICATION OF ADOPTED REGULATIONS AND STANDARDS; PROVIDING FOR 9 SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND 10 11 AN EFFECTIVE DATE. 12 WHEREAS, the City adopted Ordinance No. 2018-09 which created the Edgewood 13 Central District zoning district and provided for development requirements within said district; 14 and WHERAS, The City adopted Ordinance No. 2018-15, which amended certain sections of 15 Ordinance 2018-09, 16 WHERAS, The City adopted Ordinance No. 2021-03, which amended certain sections of 17 18 Ordinance 2018-15, WHEREAS, the City desires to require additional review for the location and design 19 20 standards for a car wash to ensure land use compatibility and consistency with the City's vision for the State Road 527 corridor; and 21 22 WHEREAS, the City Council finds that the Special Exception process provides an adequate review process to consider the location design standards of any proposed car wash with 23 24 the State Road 527 corridor; and WHEREAS, in this Ordinance additions to the Code of Ordinances are indicated by 25 underline, deletions are indicated by strikethrough, and portions of the Code that remain 26 27 unchanged and which are not reprinted here are indicated by ellipses (***). NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF 28 29 EDGEWOOD, FLORIDA, AS FOLLOWS: **SECTION ONE.** The findings set forth in the recitals above are hereby adopted as 30 legislative findings of the City Council pertaining to this Ordinance. 31 32 **SECTION TWO**. Chapter 134, "Zoning," Section 134-467 is hereby amended as follows:

Sec. 134-467. - Permitted uses within the Edgewood Central District.

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Car/Automotive Washing/Detailing, full-service only ¹	P <u>S</u>
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Automotive washing/detailing1, full-service only	P <u>S</u>

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(c) The review and hearing of an application for a special exception shall consider <u>consistency</u> with the ECD Vision, the character and compatibility of the neighborhood surrounding area in which the proposed use is to be located, its effect on the value of surrounding lands, availability of public services and facilities, and the area of the site as it relates to the required open spaces and off-street parking facilities. Each application for a special exception shall be accompanied by a site plan incorporating the regulations established herein. As a part of the application, Tthe site plan shall include a simple plan be drawn to an appropriate scale, and includeing the property's legal description, lot area, site dimensions, adjacent right-of-way location and width, existing and/or proposed parking areas and number of parking spaces, existing and/or proposed building location and setbacks from lot lines, total floor area existing and/or proposed for any building. proposed points of access, location of signs, location of existing easements and a general plan of proposed landscaping plan. Said site plan shall be submitted to and considered by the city council after recommendation by the planning and zoning board as provided for in article II of this chapter prior to the granting of a building permit. A special exception shall not be recommended by the Planning and Zoning Board (Board) nor approved by the City Council unless and until the Board and City Council make a finding that the granting of the special exception is consistent with the comprehensive plan and ECD Vision, the use is similar and compatible with the surrounding area, and will not act as a detrimental intrusion into the surrounding area nor negatively impact the level of service of public services and facilities. Upon such approval, said site plan becomes part of the building permit and may be amended only by the city council after recommendation by the planning and zoning board. Development under the special exception shall comply with all applicable city codes and ordinances.

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

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

71 72 73	SECTION FIVE. Codification. It is the intent of the City Council of the City of Edgewood that the provisions of this Ordinance shall be codified. The codifier is granted broad and liberal authority in codifying the provisions of this Ordinance.		
74 75	SECTION SIX. Effective date. This of adoption as provided by the Charter of the City of	Ordinance shall take effect immediately upon f Edgewood.	
76	PASSED ON FIRST READING THIS 21st DAY OF February 2023. PASSED AND		
77	ADOPTED THIS 21st DAY OF March 2023		
		CITY OF EDGEWOOD, FLORIDA CITY COUNCIL	
	ATTEST:	Richard A. Horn, Council President	
	Sandra Riffle, City Clerk		