1	ORDINANCE NO 2022-13
2 3 4 5 6 7 8 9	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.
11 12 13	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
14 15	WHERAS , The City adopted Ordinance No. 2018-15, which amended certain sections of Ordinance 2018-09,
16 17	WHERAS , The City adopted Ordinance No. 2021-03, which amended certain sections of Ordinance 2018-15,
18 19	WHEREAS , the City desires to correct scriveners' errors contained in Ordinance No. 2021-03 related to the location of required walls; and
20 21 22	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 (***).
23 24	NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA, AS FOLLOWS:
25 26	SECTION ONE. The findings set forth in the recitals above are hereby adopted as legislative findings of the City Council pertaining to this Ordinance.
27	SECTION TWO. Chapter 134, "Zoning," Section 134-468 is hereby amended as follows:
28	* * *
29	134-468 Site design.
30	* * *
31	(g) Building placement.
32	(1) Building placement applicable to all development:
33 34 35	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

found in manufactured fired brick, shall be constructed five feet from <u>on</u> the property line adjacent

37 to a between the property with a low density residential future land use designation and the ECD

zoned property; the wall setback is intended to provide space for maintenance and footers.

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

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48 **SECTION THREE.** Severability. If any section, subsection, sentence, clause, phrase, 49 word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court 50 of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion 51 shall be deemed a separate, distinct and independent provision, and such holding shall not affect 52 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.

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.

59 **SECTION SIX.** Effective date. This Ordinance shall take effect immediately upon 60 adoption as provided by the Charter of the City of Edgewood.

61 PASSED ON FIRST READING THIS 20th DAY OF December, 2022. PASSED AND

62 ADOPTED THIS 17th DAY OF January, 2023

CITY OF EDGEWOOD, FLORIDA CITY COUNCIL

Richard A. Horn, Council President

ATTEST:

Sandra Riffle, City Clerk