

ORDINANCE NO. 2019-01

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING SUBPART B “LAND DEVELOPMENT REGULATIONS”, CHAPTER 101, “GENERAL AND ADMINISTRATIVE PROVISIONS”, ARTICLE I, “PASS-THROUGH FEES”, IN THE CODE OF ORDINANCES; PROVIDING FOR PASS-THROUGH TO THE APPLICANT OF CERTAIN COSTS INCURRED BY THE CITY PERTAINING TO THE REVIEW, INSPECTION AND REGULATION OF APPLICATIONS FOR SIGN PERMITS AND WAIVERS FROM THE EDGEWOOD CENTRAL DISTRICT STANDARDS; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council approved the pass-through of costs incurred by the City in the review, inspection, and regulation of certain development applications; and

WHEREAS, the City Council of the City of Edgewood recognizes that the City incurs substantial costs in the review, inspection, and regulation of sign permit applications; and

WHEREAS, the City Council of the City of Edgewood also recognizes it would incur substantial costs in the review, inspection, and regulation of application for waivers from the Edgewood Central District standards in the event any application for same is made; and

WHEREAS, the City Council of the City of Edgewood finds it appropriate to amend its Code of Ordinances to include sign permit applications and applications for waivers from the Edgewood Central District standards within the list of development activities subject to pass-through fees.

NOW THEREFORE, BE IT ENACTED by the City Council of the City of Edgewood, Florida as follows:

SECTION 1. The City of Edgewood Code of Ordinances Subpart B, Chapter 101, Article I, “Pass-Through Fees”, Section 101-2 “Definitions,” is hereby amended as follows:

101-2 Definitions.

The following words, terms, and phrases, when used in this Article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning.

Applicant shall mean and refer to an owner or an owner’s authorized agent who submits an Application, proposal, petition or project to the City.

Application shall mean and refer to an application, petition or proposal, including amendments to previously approved applications, submitted to the City pertaining to development for which City approval is required, and shall be limited to the following:

- (i) Comprehensive plan amendment
- (ii) Concurrency determination
- (iii) Development agreement, formulation and review
- (iv) Development of regional impact
- (v) Final subdivision plat, including any revisions to a previously approved or existing subdivision or plat
- (vi) Planned unit development
- (vii) Preliminary subdivision plat
- (viii) Rezoning (with or without a comprehensive plan amendment)
- (ix) Variance Application
- (x) Site plan review
- (xi) Special Exception Application
- (xii) Boat dock applications
- (xiii) Sign permit applications
- (xiv) Applications for waivers from the Edgewood Central District standards.

City shall mean and refer to the City of Edgewood, Florida.

City consultant shall mean and refer to those companies, private consultants, governments, individuals or other entities under contract with the City to provide services to or for the City or who provide technical or legal expertise to or for the City, including but not limited to, attorneys, engineers, planners and surveyors.

City staff shall mean and refer to City employees.

Total development review estimate shall mean and refer to the City's estimated fees, expenses and costs to process an Application.

Owner shall mean and refer to an owner or group of owners of fee simple title to a particular lot, tract, or parcel of real property.

Owner's authorized agent shall mean and refer to an agent of the owner duly authorized to submit and process an Application. If the Applicant is not the property owner, a proper authorization must accompany the Application. Such authorization shall be evidenced by a power of attorney signed by the owner and notarized specifically authorizing the agent to represent the owner in connection with the Application and as to the owner's real property which is the subject of the Application. The authorization shall include an agreement of the owner to be bound by the actions of the owner's authorized agent and the provisions of this Article and an acknowledgement that a lien may be placed on the property as provided herein.

Review deposit shall mean and refer to a deposit of money, as established by this Article, to be paid by an Applicant at the time of the filing of an Application as defined above.

SECTION 2. Ordinances and Resolutions in Conflict. All ordinances or resolutions or parts thereof, which may be determined to be in conflict herewith, are hereby repealed.

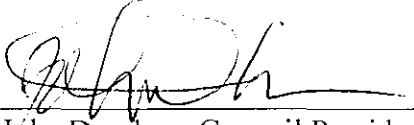
SECTION 3. Severability. It is the intent of the City Council of the City of Edgewood, and is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

SECTION 4. Effective Date. This ordinance shall become effective immediately upon adoption.

FIRST READING: **March 19, 2019**

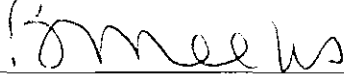
SECOND READING: **April 16, 2019**

PASSED AND ADOPTED this 16th day of April, 2019.



John Dowless, Council President

ATTEST:



Bea L. Meeks
City Clerk