



**CITY OF BELLE ISLE, FL**  
**PLANNING & ZONING BOARD MEETING**

Held in City Hall Chambers 1600 Nela Avenue, Belle Isle  
Held the 4th Tuesday of Every Month  
Tuesday, September 26, 2023 \* 6:30 PM

**AGENDA**

**Planning and Zoning Board Members**

District 5 member – Rainey Lane, Chairman

District 1 – David Woods, VChair

District 2 member – Christopher Shenefelt | District 3 member – OPEN

District 4 member – Vinton Squires | District 6 member – Andrew Thompson

District 7 member – Dr. Leonard Hobbs

Welcome to the City of Belle Isle Planning & Zoning meeting. Agendas and all backup material supporting each agenda item are available at the City Clerk's office or the city's website at [www.belleislefl.gov](http://www.belleislefl.gov). Any person desiring to appeal a recommended action of the Board should observe the notice regarding appeals below. CAUTION: Untimely filing by any appellant shall result in an automatic denial of the appeal.

The meeting has been canceled. The next meeting will be held on Tuesday, September 26, 2023.

1. **Call to Order and Confirmation of Quorum**
2. **Invocation and Pledge to Flag** – Board Member Hobbs
3. **Approval of Minutes** - NA
  - a. Approval of the July 25, 2023 meeting minutes
  - b. August 22, 2023 - No meeting.
4. **Public Hearings**
5. **Other Business**
  - a. Request to create maximum height requirement for hedges on lake lot properties in the code
  - b. Update on Live Local Act
  - c. Updated Handouts for Live Local Act
  - d. Update RVi Planning – What is a Comp Plan?
6. **Adjournment**

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APPEALS: "If a person decides to appeal (Belle Isle's City Code Section 42-71) any decision made by the Board with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F. S. 286.0105). A notice of appeal to the City Clerk should be submitted within fifteen (15) days after such recommendation or decision is made "Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office (407-851-7730) at least 48 hours in advance of the meeting. --Page 1 of 1



**CITY OF BELLE ISLE, FL  
PLANNING & ZONING BOARD MEETING**

Tuesday, July 25, 2023, \* 6:30 pm  
**MINUTES**

The Belle Isle, Planning & Zoning Board met on July 25, 2023, at 6:30 pm at the City Hall Chambers at 1600 Nela Avenue, Belle Isle, FL 32809.

Present was:

- Board member Conduff
- Board member Woods
- Board member Shenefeld
- Board member Squires
- Board member Thompson
- Board member Hobbs

Absent was:

- District 3 - Vacant

Also present were Attorney Langley, City Planner Raquel Lozano, and City Clerk Yolanda Quiceno.

1. **Invocation and Pledge to Flag** – Board member Hobbs, District 7  
Board Member Hobbs gave the invocation and led the pledge to the flag.
2. **Call to Order and Confirmation of Quorum**  
Chairman Conduff opened the meeting at 6:30 pm and confirmed the quorum.
3. **Approval of Minutes – na**
4. **Public Hearings**
  - a. **PUBLIC HEARING CASE #2023-06-002** - PURSUANT TO BELLE ISLE CODE SEC. 48-32 (A) (6) (A) AND SEC. 42-64, THE CITY OF BELLE ISLE PLANNING AND ZONING BOARD WILL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW A DOCK TO EXTEND GREATER THAN 15 FEET LAKEWARD OF AN EXISTING DOCK WITHIN 300 FEET OF THE PROPOSED LOCATION, SUBMITTED BY APPLICANT MATTHEW LANGBEHN REPRESENTING HOMEOWNER EDWARD HARRISON LOCATED AT 2506 HOMEWOOD DRIVE, BELLE ISLE, FL 32809 ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #19-23-30-5888-06-160.

Attorney Langley read Public Hearing 2023-06-002 by Title.

Raquel Lozano, City Planner, provided the staff report and overview of the code criteria and said the application for 2506 Homewood Drive seeks a variance from Section 48-32 (a) (6) (a) to build a dock that projects more than 15 feet lakeward of an existing dock at 2432 Homewood Drive by approximately 40 feet. The applicant's existing dock currently projects about 30 feet from the neighboring dock at 2432 Homewood Drive. The proposed dock location would not project 15 feet lakeward of the existing docks at 2514 and 2520 Homewood Drive. The Land Development Code provides in Section 42-64 (1) h. that a variance should not be approved unless all criteria are met.

Staff provides a recommendation to deny the requested variance from Section 48-32 (a) (6) (a) as the request is self-created and does not meet the minimum possible variance to make reasonable use of the land. The Board may approve the proposed variance application as presented, approve with specific conditions, continue the application if additional information is requested for consideration, or deny the application, citing which variance criteria are not met.

Matthew Langbehn from Summertime Deck and Docks 2120 33<sup>rd</sup> Street, Orlando, FL, spoke on behalf of his client Edward Harrison. Mr. Langbehn stated that a variance would not be needed if the neighboring dock to the west weren't existing and is not consistent with many other docks around the Lake, and their request should not be subject to the Code in comparison. The proposed end of the dock will reach approximately 3 feet of water. They propose moving the dock from the current location to maintain a view of the Lake from the main house.

Ms. Lozano said the Board could approve and condition to exceed 15 feet lakeward and must abide by the length definition in Code 48-32(a)(2). Vice Chairman Woods briefly explained that the primary criteria for the dock length are to allow it to reach NHWL 79.5 to be used 80% of the time over 30 years; the 15 ft lakeward accounts for the slope. Many of the docks on the Lake do not reach deep enough water to be effective as a dock.

Chairman Conduff called for public comment.

- Gary Paskal residing at 2432 Homewood Drive – a 23-year resident, spoke in opposition to the proposed variance due to obstructing his view of the Lake and navigational hazard. His dock was severely damaged to the west of the applicant's home. He has since then repaired the open violations. He further noted that the applicant is asking to place the dock in the shallowest part of the property.
- Michael Murray residing at 2424 Homewood, shared his concerns about the location and spoke in opposition to the location of the proposed dock.
- Chuck Harasell residing at 2514 Homewood Drive on the east side of the property, shared his concern about the dock's location and asked for clarification on the length and normal high water line.

There being no further comment, Chairman Conduff closed public comment.

The Board discussed the obstruction of the view and said the purpose of having the 15-foot variance difference and sending out the notices is to allow the neighbors to discuss an alternative and work it out. The Board noted that the plans call for a dock with more terminal platform area and that variance was not sought. Ms. Lozano said she spoke with the applicant, and they stated they would adjust their plans not to have a roof overhang to meet the allowable requirements.

Attorney Langley said that based on what is on the record, the purpose of a variance is to alleviate hardship, making it impossible to build a dock. However, they can build a dock, and variance is unnecessary. The staff is recommending denial.

Edward Harrison applicant spoke on the 15-foot lakeward request and is confused about where the 300 feet come into play. Discussion ensued on establishing the minimal variance by placing the dock in the middle of the property or the requirements if the dock to the east is demolished.

**Board member Woods moved, pursuant to Belle Isle Code Section 48-32 (A)(6)(A) and Section 42-64, subsection E, F, and G having not been met, TO DENY a dock to extend greater than 15 feet lakeward of an existing dock within 300 feet of the proposed location, submitted by applicant Matthew Langbehn representing homeowner Edward Harrison located at 2506 Homewood Drive, Belle Isle, FL 32809 also known as Orange County Tax Parcel ID #19-23-30-5888-06-160.**

**Board member Shenefelt seconded the motion, which failed 3:3 with Board members Squires, Thompson, and Conduff, nay.**

**Board member Thompson moved, pursuant to Belle Isle Code Section 48-32 (A)(6)(A) and Section 42-64, TO APPROVE a dock to extend greater than 15 feet lakeward of an existing dock within 300 feet of the proposed location, submitted by applicant Matthew Langbehn representing homeowner Edward Harrison located at 2506 Homewood Drive, Belle Isle, FL 32809 also known as Orange County Tax Parcel ID #19-23-30-5888-06-160.**

**Board member Squires seconded the motion.**

Board member Shenefelt said the dock does not meet the minimum requirement, and if the Board fails the variance, the applicant can appeal to the City Council.

The motion failed 2:4 with Board members Conduff, Hobbs, Woods, and Shenefelt, nay.

Chairman Conduff noted that the applicant will have 15 days to Appeal the Board's decision to City Council.

- b. PUBLIC HEARING CASE #2023-07-015 - PURSUANT TO BELLE ISLE CODE SEC. 50-73 (A), SEC. 50-102 (A) (4), (5), AND (8) AND SEC. 42-64, THE CITY OF BELLE ISLE PLANNING AND ZONING BOARD WILL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW A BUILDING ENCROACHMENT WITHIN 50 FEET OF THE 86.9 CONTOUR LINE OR NORMAL HIGH WATER ELEVATION OF LAKE CONWAY, SUBMITTED BY APPLICANT ALAN LEOW LOCATED AT 2802 ALSACE COURT, BELLE ISLE, FL 32812 ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #18-23-30-4385-04-241.

Attorney Langley read Public hearing 2023-07-015 by Title.

The application requests a variance from the 50-foot building setback from the Normal High Water Elevation (NHWE) for portions of a new single-family home. The applicant has provided supporting documentation addressing the variance criteria. Mr. Leow is resubmitting a similar variance application from sec. 50-73 (a), sec. 50-102 (a) (4), (5), and (8) in July 2021. The Board approved the request in July 2021; however, under sec. 42-67, the validity of the approved variance has expired. Mr. Leow has recently filed a building permit through Universal Engineering Sciences to construct the new home. Staff recommends approving the requested variance based on meeting all the above criteria.

The applicant Alan Leow gave a brief presentation on his variance that has not changed from the approved variance.

Chairman Conduff called for public comment.

- Patsy Mosher residing at 2806 Alsace Court, spoke in favor of the proposed variance.

There being no further comment, Chairman Conduff closed public comment.

**Board member Woods moved, pursuant to Belle Isle Code Section 50-73 (A), SEC. 50-102 (A) (4), (5), and (8) and Section 42-64, TO APPROVE a building setback of 30 feet from the normal high water elevations of Lake Conway along the north shoreline between 50 and 155 feet from the northeast property corner, submitted by applicant Alan Leow located at 2802 Alsace Court, Belle Isle, FL 32812 also known as Orange County Tax Parcel ID #18-23-30-4385-04-241.**

**Board member Shenefelt seconded the motion, which passed unanimously 6:0.**

Ms. Lozano stated that the Public has 15 days to appeal the Board's decision, and the applicant cannot start building before that time.

- c. PUBLIC HEARING CASE #2023-06-008 - PURSUANT TO BELLE ISLE CODE SEC. 48-32 (A) (3), AND (A) (6) (A) AND SEC. 42- 64, THE CITY OF BELLE ISLE PLANNING AND ZONING BOARD WILL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW A DOCK TO EXCEED THE ALLOWABLE TOTAL AREA FOR A TERMINAL PLATFORM AND TO ALLOW A BOAT DOCK TO EXTEND GREATER THAN 15 FEET LAKEWARD OF AN EXISTING DOCK WITHIN 300 FEET OF THE PROPOSED LOCATION, SUBMITTED BY APPLICANT EMILY WAKLEY DELOZIER LOCATED AT 3019 INDIAN DRIVE, BELLE ISLE, FL 32812 ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #29-23-30-4389-01-070.

Attorney Langley read Public Hearing 2023-06-008 by Title.

City Planner Raquel Lozano said that the application seeks a variance from sec. 48-32 (a) (6) (a) to build a boat dock more than 15 feet lakeward, by approximately 23 feet, from the neighboring docks at 2935 and 3007 Nela Avenue and 3013 Indian Drive. The application also seeks a variance to exceed the allowable terminal platform size from 715.9 to 733 square feet. The allowable size is determined by the linear shoreline footage of the property per Section 48-32 (a) (3). According to Orange County Property Appraiser,

the Orange County government issued a boat dock permit in 1962. Staff found no other dock permit for the property that Orange County or the City of Belle Isle has issued since then.

Staff provides a recommendation to approve the requested variance from Section 48-32 (a)(6)(a) as it meets the variance criteria per Section 48-33. Staff does not recommend approval of the requested variance from Section 48-32 (a)(3), as the land development code provides in Section 42-64(1)h. that a variance should not be approved unless all criteria are met. The Board may choose to approve the requested variance from Section 48-32(a)(6)(a) with the condition that the terminal platform does not project more than approximately 23 feet lakeward of the neighboring dock at 3013 Indian Drive. Should the Board approve the requested variance from Section 48- 32(a)(3), a condition may be placed for the applicant to have a terminal platform size of no more than 733 square feet or prescribe an alternative maximum terminal platform size than allowed per Code.

The applicant Emily DeLozier presented a PowerPoint showing the difference of less than 5% overhang. The proposed dock will provide an area to sit and enjoy the Lake with protection. For the record, the applicant provided petition sheets from the surrounding neighbors in favor of the request.

Board member Woods corrected the submittal and said the plan's terminal platform is 766 square feet. He noted that a roof is included in the measurement of the terminal platform, and reducing the overhang by 10 inches will allow the plans not to need any further adjustments and meet the Code.

Chairman Conduff called for public comment.

- Alan Twitchell residing at 3025 Indian Drive, spoke in favor of the request.

There being no further comment, Chairman Conduff closed public comment.

City Planner Lozano clarified that the applicant would have a similar length to the old dock, expanding a little longer and meeting the 15 feet lakeward.

**Board member Woods moved pursuant to Belle Isle Code Section 48-32(A)(6)(A) and Section 42-64 TO ALLOW a boat dock to extend greater than 15 feet lakeward of an existing dock within 300 feet of the proposed location, submitted by applicant Emily Wakley Delozier located at 3019 Indian Drive, Belle Isle, FL 32812 also known as Orange County Tax Parcel ID #29-23-30-4389-01-070.**

**Board member Thompson seconded the motion with passed unanimously 6:0.**

**Board member Woods moved pursuant to Belle Isle Code Section 48-32(A)(3) and 42-64 D, E, and F, having not been met, TO DENY a dock to exceed the allowable total area for a terminal platform submitted by applicant Emily Wakley Delozier located at 3019 Indian Drive, Belle Isle, FL 32812 also known as Orange County Tax Parcel ID #29-23-30-4389-01-070.**

**Board member Shenefeld seconded the motion with passed 4:2 with Board members Thompson and Squires, nay.**

**Board member Woods stated that there is a 15-day appeal process, and the applicant can also appeal the decision to the City Council.**

- d. PUBLIC HEARING CASE #2023-06-009 - PURSUANT TO BELLE ISLE CODE SEC. 48-32 (A) (3), AND (A) (6) (A) AND SEC. 42- 64, THE CITY OF BELLE ISLE PLANNING AND ZONING BOARD WILL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW A DOCK TO EXCEED THE ALLOWABLE TOTAL AREA FOR A TERMINAL PLATFORM AND TO ALLOW A BOAT DOCK TO EXTEND GREATER THAN 15 FEET LAKEWARD OF AN EXISTING DOCK WITHIN 300 FEET OF THE PROPOSED LOCATION, SUBMITTED BY APPLICANT JASON LOUCHE REPRESENTING HOMEOWNER ALAN TWICHELL LOCATED AT 3025 INDIAN DRIVE, BELLE ISLE, FL 32812 ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #29-23-30-4389-01-080.

Attorney Langley read Public Hearing 2023-06-009 by Title.

Raquel Lozano, City Planner, said the application seeks a variance from Section 48-32 (a) (6) (a) to build a boat dock with a lakeward projection of approximately 24 feet from the neighboring docks at 2935 and 3007 Nela Avenue and 3013 Indian Drive. The application also seeks a variance to exceed the allowable terminal platform size from 700 to 720 square feet. The allowable size is determined by the shoreline footage of the property per Section 48-32 (a) (3). Please note that the Board may approve the proposed variance application as presented to them, approve with specific conditions, continue the application if additional information is being requested for consideration, or deny the application, citing which variance criteria are not met. A decision by the Board may be appealed by an aggrieved person to the City Council pursuant to Code Sec. 42-71

Staff provides a recommendation to approve the requested variance from Section 48-32 (a) (6) (a) and deny the requested variance from Section 48-32 (a) (3) as the land development code provides in Section 42-64 (1) h. that unless all criteria are met, a variance should not be approved. Should the Board approve the request variance from Section 48-32 (a) (3), the Board may condition a maximum platform size for approval.

The applicant Alan Twitchell said the length is not an issue, and there is an additional 8.5 square feet. The purpose is to repair the dock that was damaged in a storm. He did not think the square footage was that important; however, it is.

Chairman Conduff called for public comment.

- Emily Wakley, residing at 3019 Indian Drive, spoke in favor of the request.

There being no further comment, Chairman Conduff closed public comment.

**Board member Woods moved pursuant to Belle Isle Code Section 48-32(A)(6)(A) and Section 42-64 TO ALLOW a boat dock to extend greater than 15 feet lakeward of an existing dock within 300 feet of the proposed location, submitted by applicant Jason Louche representing homeowner Alan Twichell located at 3025 Indian Drive, Belle Isle, FL 32812 also known as Orange County Tax Parcel ID #29-23-30-4389-01-080.**

**Board member Shenefelt seconded the motion with passed unanimously 6:0.**

**Board member Woods moved pursuant to Belle Isle Code Section 48-32(A)(3) and 42-64 D, E, and F having not been met, TO DENY a dock to exceed the allowable total area for a terminal platform submitted by applicant Jason Louche representing homeowner Alan Twichell located at 3025 Indian Drive, Belle Isle, FL 32812 also known as Orange County Tax Parcel ID #29-23-30-4389-01-080.**

**Board member Shenefelt seconded the motion with passed 4:2 with Board members Thompson and Squires, nay.**

**Board member Woods stated that there is a 15-day appeal process, and the applicant can also appeal the decision to the City Council.**

Board member Thompson left the meeting at 8:32 pm.

Board member Dr. Hobbs left the meeting at 8:45 pm.

## 5. Other Business

- At a resident's request, Chairman Conduff opened for public comment.

- Mr. Haag residing at 6509 Matchett Road, asked if Accessory Dwelling Units were allowed in the City. Ms. Lozano said the City does not allow for ADUs however the Code may allow for a special exception for a guest cottage without a kitchen. The Code can be viewed at [www.municode.com](http://www.municode.com).

There being no further comment, Chairman Conduff closed public comment.

- Discussion and Review on Amending Fences and Walls Ordinance 23-05 6.

The Board discussed that these two criteria were conflicted so they needed to be resolved. The resolution was to make them both like the second. If this is not in the record, we need to clarify it at our next meeting,

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If a driveway gate is installed, then the gate must be setback ~~25~~ 20 feet outside the right-of-way line.

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If a driveway gate is installed, the gate shall be at least 20 feet outside the right-of-way line. (No change)

The Board discussed a definition of a sight triangle for use in the fence ordinance to include Areas on either side of any driveway that shall be clear of visual obstructions between 2 feet and 8 feet above ground. The horizontal limits shall be a triangle starting at the intersection of the driveway's edge and the edge nearest to the right of way of the public roadway or sidewalk it intersects. One leg of said triangle shall extend 70 feet along said roadway or sidewalk away from the driveway. The other leg of said triangle shall extend 10 feet toward the private property along said edge of the driveway. The final side shall be a line between the latter two points. Board member Woods said he could forward a complete definition to staff for review.

Chairman Conduff moved to approve the changes as discussed and recommended approval of the Ordinance to the City Council.

Board member Squires seconded the motion, which passed unanimously 4:0.

**6. Adjournment**

There was no further business, so the meeting was unanimously adjourned at 8:51 pm.



**CITY OF BELLE ISLE, FL**  
**Planning and Zoning Meeting**

August 11, 2023

**To: Planning and Zoning Board**  
**From: Planning Department**  
**Subject: Request to Consider Maximum Hedge Height Requirement per Section 50-102 (B)**

**Background:**

During the July 18, 2023, City Council meeting, Robbie Ford at 1533 Conway Isle Circle requested the Council consider adopting a maximum height requirement for hedges on lake lot properties. Mrs. Ford explained that a fellow neighbor has a hedge that affects the view of the lake. The code does not define a maximum height requirement for hedges along property lines of lake lot properties.

Under section 50-102 (B) (1), the code states that landscape features are not considered a fence or a privacy screen. See definitions of fence and privacy screen below:

*Fence means a barrier erected upon, or immediately adjacent to, a property line for the purpose of separating properties, or for screening, enclosing and/or protecting the property within its perimeter. A fence may be constructed of materials including, but not limited to, metal, wood, plastic, or other synthetic material. A fence shall not include construction site barriers, landscape treatments or privacy screens as defined herein.*

*Privacy screen means a barrier erected within the interior of a parcel of property and not upon, or immediately adjacent to, a property line for the purpose of obscuring patios, decks, courtyards, swimming pools and other similar outdoor features, from observation by persons outside the perimeter of the property. Privacy screens shall not include landscape treatments.*

The only height restriction for hedges is under section 50-76 (3) (A) (2), for Landscapes Requirements adjacent to the public right-of-way, which states a hedge, berm, wall, or other durable landscape screen cannot block the sight distance of an abutting public street, walk, and other right-of-ways.

**Staff Recommendation:** None

**Alternatives:** Recommendation to maintain the code.

**Attachments:** Belle Isle City Council Meeting Minutes, July 18, 2023.





**CITY OF BELLE ISLE, FL**  
**Planning and Zoning Meeting**

August 11, 2023

**To:** Planning and Zoning Board  
**From:** Planning Department  
**Subject:** CS/SB 102 - Building, Zoning, and Land Development

**Background:** On July 1, 2023, the Live Local Act became state law, affecting the permitting process for cities and counties to review and approve affordable housing developments for ten years. During the City Council meeting on July 18, 2023, Commissioner Randy Holihan requested that the Planning and Zoning Board and City Staff review the current land development code regarding the Act.

City staff has begun researching the new law by following local planning discussions held by the Florida American Planning Association and the East Central Florida Regional Council and reviewing any new policy and code developments by local municipalities. The City’s website, under the Planning and Zoning webpage, references the LLA statute and a brief overview of the permitting process for affordable housing development applications.

**Staff Recommendation:** For city staff to research potential code and policy updates for the Board to consider as they affect the new Act. This includes, but is not limited to:

1. Create definitions for mixed-use residential, urban infill, major transit stop, manufactured homes, tiny homes, and accessory dwelling units.
2. Enact policy to ensure that affordable housing development(s) maintain its “affordability” status yearly for at least 30 years.
3. Review the Housing Element of the City’s Comprehensive Plan, and update it as needed.

**Alternatives:** None

**Attachments:**

1. **City Council Agenda Item Cover Sheet (July 18<sup>th</sup>, 2023) –**

Update Florida League of Cities CS/SB 102 - Building, Zoning, and Land Development

2. **East Central Florida Regional Planning Council –**

Live Local Act Breakdown

3. **The Florida Senate – CS/SB 102 – Housing (Summary)**

<https://www.flsenate.gov/Committees/BillSummaries/2023/html/3068>

4. **CS/SB 102 – Bill Text**

<https://www.flsenate.gov/Session/Bill/2023/102/BillText/er/PDF>

**CITY OF BELLE SLE, FLORIDA  
CITY COUNCIL AGENDA ITEM COVER SHEET**

**Meeting Date:** July 18, 2023  
**To:** Honorable Mayor and City Council Members  
**From:** T. Grimm, Interim City Manager  
**Subject:** Update Florida League of Cities CS/SB 102 - Building, Zoning, and Land Development

**Background:** The “Live Local Act” (the “Act”) is a comprehensive housing initiative to address Florida’s affordable housing needs through a combination of funding, tax credits, tax exemptions, and land use controls to create incentives for affordable housing. A summary of the bill can be found on the Florida League of Cities website ([www.flcities.com](http://www.flcities.com)).

With the Act taking effect on July 1, 2023, we would like to remind our members that in addition to the impact this new legislation has on zoning, land use control, and tax exemptions, it also includes certain administrative requirements, effective July 1, 2023. This includes but is not limited to the requirement for local governments to **maintain on their website a policy containing procedures and expectations for expedited processing** of those building permits and development orders to be expedited pursuant to the Act.

The Act does not specify what “expedited” means from a timeliness perspective, nor does it quantify the term (e.g., number of days prior to issuance of a permit, etc.). As such, it is suggested that local governments implement the following procedure for expedited processing requests: Require an applicant, upon submission of the applicable building permit or development order, to notify the applicable local government that he or she is requesting expedited processing and state the statutory basis entitlement for such expedited processing. Upon review, the applicable local government should give higher priority to the processing of building permits and development orders that qualify under the Act.

In addition, the Act imposes the following new requirements as of October 1, 2023:

- Each county (Section 125.379, Florida Statutes) and municipality (Section 166.0451, Florida Statutes) shall prepare an inventory list of all real property within its borders, including property owned by a dependent special district within its borders, that is appropriate for use as affordable housing and make a list publicly available on its website to encourage potential development.
- Counties (Section 125.379(3), F.S.) and municipalities (Section 166.0451(1), F.S.) are encouraged to adopt best practices for surplus land programs, including, but not limited to:
  - Establishing eligibility criteria for the receipt or purchase of surplus land by developers.
  - Making the process for requesting surplus lands publicly available.
  - Ensuring long-term affordability through ground leases by retaining the right of first refusal to purchase property that would be sold or offered at market rate and by requiring reversion of property not used for affordable housing within a certain timeframe.
- The Act imposes several requirements on municipalities regarding zoning, density, dwelling height, parking, etc. (Section 166.04151(7), F.S.).

Finally, starting with the 2024 tax roll (Section 196.1979, F.S.), the Act provides that certain nonprofit entities with land that are used to provide qualifying housing to low-income individuals predominantly are provided with an ad valorem property tax exemption for that land (Sections 196.1978 and 196.1979, F.S.).

## Housing (Support) – Passed

CS/SB 102 (Calatayud) creates the Live Local Act to address Florida’s affordable housing needs. The Act uses a combination of funding, tax credits, tax exemptions, and land use controls to create incentives for affordable housing.

### Zoning and Land Use Controls and Local Government Requirements:

- For ten years, the bill requires cities and counties to allow multifamily rental and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed-use if at least 40% of the units are affordable to income-eligible households for at least 30 years. For mixed-use projects, at least 65% of the square footage must be used for residential purposes. The local government may not require the proposed project to obtain a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for the height, densities, and zoning authorized by the bill.
  - A local government may not restrict the height of an eligible project below the tallest currently allowed height for commercial or residential development in the jurisdiction within 1 mile of the proposed project or three stories, whichever is higher.
  - A local government may not restrict the density of an eligible project below the highest allowable density in the jurisdiction where residential development is allowed.
  - The local government must administratively approve applications for eligible projects without further action by the governing body if the project satisfies applicable land development regulations and comprehensive plan requirements for mixed-use residential developments (other than height, density, and zoning).
  - A local government must consider reducing parking requirements for eligible projects if the proposal is within half a mile of a “major transit stop” (as defined by the local government).
  - Cities and certain counties with less than 20% of land zoned for commercial or industrial uses are only subject to these requirements for mixed-use developments (exclusively residential projects would not be eligible).
  - Recreational and commercial working waterfront areas are exempt.
  - The proposed project must otherwise comply with applicable state and local laws.
- Sections 125.01055(6) and 166.04151(6) currently authorize local governments to allow affordable housing developments on any parcel zoned

residential, commercial, or industrial, notwithstanding any other law to the contrary. The bill removes areas zoned residential from this provision.

b.

- Requires cities and counties and independent special districts within local governments to post an inventory of city- and county-owned lands appropriate for use annually as affordable housing on their websites.
- Prohibits cities and counties from enacting rent control requirements.
- Requires cities and counties to post policies for implementing state laws on their website that require expedited processing of building permits and development orders.

### Tax Exemptions:

- Requires a new property tax exemption for newly constructed multifamily developments of over 70 affordable units that serve up to 120% AMI and do not have a Land Use Restriction Agreement with the Florida Housing Finance Corporation (FHFC); the exemption applies only to the affordable housing units.
- Authorizes cities and counties to implement additional property tax exemptions for developments that serve households at 60% AMI or below. Eligible projects must have at least 50 units and dedicate at least 20% of the units to affordable housing.
- Creates a new sales tax refund on building materials for affordable housing developments subject to an agreement with FHFC.

### Funding and Tax Credits:

- Proposes \$811 million for affordable housing programs, including \$252 million for SHIP; \$259 million for SAIL; \$100 million for the Florida Hometown Hero Housing Program; \$100 million for a competitive loan program for new construction projects that have not yet commenced construction and are experiencing verifiable cost increases due to market inflation; and up to \$100 million for a new Live Local Tax Donation Program, whereby taxpayers can direct payments to the FHFC for use as SAIL funds in exchange for tax credits against corporate or insurance premium tax.

Effective date: July 1, 2023, except as otherwise specified.



# CITY OF BELLE ISLE, FL CITY COUNCIL MEETING

Tuesday, July 18, 2023 \* 6:30 pm

## MINUTES

Present was:

- Nicholas Fouraker, Mayor
- District 1 Commissioner – Ed Gold
- District 2 Commissioner – Anthony Carugno
- District 3 Commissioner – Karl Shuck
- District 4 Commissioner – Randy Holihan-Zoom
- District 5 Commissioner – Beth Lowell
- District 6 Commissioner – Stan Smith
- District 7 Commissioner – Jim Partin-

Absent was:

na

### 1. Call to Order and Confirmation of Quorum

Mayor Fouraker called the meeting to order at 6:30 pm, and the Clerk confirmed the quorum. Also present were Attorney Langley, Acting Chief Millis, Public Works Director Phil Price, Planner Raquel Lozano, and Yolanda Quiceno, City Clerk.

### 2. Invocation and Pledge to Flag

Comm Smith gave the invocation and led the pledge to the flag. Comm Holihan will attend the meeting via Zoom.

### 3. Consent Items

- a. Approval of the City Council Meeting Minutes – June 20, 2023  
**Comm Holihan moved to approve the consent item as presented.**  
**Comm Lowell seconded the motion, which passed unanimously 7:0.**

### 4. Citizen's Comments

Mayor Fouraker called for citizen comments.

- Robbie Ford, residing at 1533 Conway Isle Circle, asked for Council consideration to amend Section 50-101 9(b)(1) and (c)(7) of the Belle Isle Code regarding Fences to disallow hedges to be more than four feet near the lake. The hedges act as a wall blocking the views of the neighbors. CM Grimm noted that staff is present and will research the request and bring it to the P&Z Board at a future meeting.
- Alberto Sanchez de Fuentes, residing at 1534 Hoffner Avenue, spoke on the site setback and storage limitations for a dock which may change the park's character. He asks that the City respect the rules during development.
- Kim Cullars residing at 3512 Finch Street Orlando, offered a partnership with his venue on Pine Street to the City for the upcoming Centennial Celebration. He provided photographs and contact information for Council consideration.

There being no further comments, Mayor Fouraker closed public comment.

Mayor Fouraker asked for a motion to rearrange the agenda items and opened discussion on item 6(a) Selection of City Manager.

**Comm Holihan moved to rearrange the agenda items as requested.**  
**Comm Carugno seconded the motion, which passed unanimously 7:0.**

Selection of City Manager Candidate or Motion to Continue Search

Colin Baenziger, 2055 South Atlantic Avenue Daytona Beach, spoke of the two City Manager candidates: Mark Rooney and Rick Rudometkin. At this point, the Council could decide on one of the two candidates or restart the process for additional candidates. He said he would like the Council to be comfortable and confident with their decision and can reopen the position expeditiously, 45 days. The mayor does not vote. However, he works with the City Manager. He asked if Council would like the mayor to participate in the preference poll.

**Comm Holihan moved to continue the search for City Manager.  
Comm Smith seconded the motion.**

Comm Holihan said the two candidates are excellent but believes the City would benefit from interviewing additional candidates. He initially preferred to delete the word interim and continue with Interim CM Grimm; however, Chief Grimm said that is not an option in his professional career.

Comm Lowell asked how often he has experienced reopening the selection process. Mr. Baenziger said it is rare and expects the City to lose the two candidates they have already interviewed. Candidates usually take other jobs. Mr. Baenziger noted that two of the five applicants were offered other jobs, and one dropped out of the selection process.

Comm Gold said they have interviewed two exceptional candidates and would like to discuss them before reopening the process.

Comm Partin said if there were just two candidates, he could decide. However, he wants to make the best decision possible for the City and would like to recast the net. Comm Smith shared the same concern.

Comm Carugno shared the comments made by other Commissioners. He believes the two candidates should remain in the mix and would like to reopen the position.

Mayor Fouraker asked what, if anything, can the City do to get a better response. Mr. Baenziger said a salary increase could help some but would not impact much. Mayor Fouraker shared his opinion on the candidates and thanked Chief Grimm for his support through this process. He does believe in hiring within, and his first choice would have been to hire Chief Grimm as the City Manager. The candidates had different styles, and both would work well in our City. He does agree that the City should reopen the posting; however, if he had to decide, he would choose Mr. Rooney.

Comm Carugno asked the City Clerk if the meeting was being broadcasted. The City Clerk said no. The system is having streaming issues. However, we are recording the session. For the record, streaming video is not required for a meeting by law.

**Comm Carugno moved to table the discussion because the streaming was not working correctly.  
The motion to the table dies for lack of a second.**

**The motion made by Comm Holihan passed 4:3 with Comm Gold, Comm Smith, and Comm Lowell, nay.**

Mr. Baenziger said they would update the brochure and reopen the search. He anticipates the process will take 30 days, with a target date of August 18. The Council discussed accepting strong candidates without City Manager credentials if they have years of service in the field. In addition, the Council consensus was to allow the two candidates to stay in the pool if desired.

**5. Unfinished Business**

- a. ORDINANCE NO. 23-04 FIRST READING AND CONSIDERATION - AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, ADDING SECTION 50-78 ARTIFICIAL TURF REQUIREMENTS TO ARTICLE III OF CHAPTER 50 OF THE CITY'S LAND DEVELOPMENT CODE; CREATING AN ARTIFICIAL TURF PERMITTING PROGRAM AND**

**ADOPTING RELATED PROVISIONS PERTAINING TO THE ADMINISTRATION AND ENFORCEMENT THEREOF;  
AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

b.

Attorney Langley read the Ordinance by Title.

City Planner Lozano gave a brief history of the Artificial Turf application process and Ordinance as discussed by the Planning and Zoning Board. She added that the moratorium expires in September 2023.

Comm Gold said he would like a disclaimer on the City's website that this is a relatively new product with unforeseen consequences. It may cause property damage if not installed correctly. Attorney Langley said the City could add a disclaimer in the Ordinance before approval. Mayor Fouraker said the application for Artificial Turf should include a separate ISR and ROW section.

**After discussion, Comm Partin moved Ordinance 23-04 to the first reading with a second reading and adoption at the next Council Meeting.**

**Comm Holihan seconded the motion, which passed unanimously 7:0.**

**6. New Business**

a. Selection of City Manager Candidate or Motion to Continue Search – Discussed.

b. Approval of the 2023/24 School Resource Officer Agreement with CCA

**Comm Smith moved to approve the School Resources Officer Agreement with Cornerstone Charter Academy.**

**Comm Lowell seconded the motion, which passed unanimously 7:0.**

c. Approval of the 2023/24 Funding Agreement Metro Plan Orlando

**Comm Holihan moved to approve the mayor executing the 2023/2024 Funding Agreement with Metroplan Orlando.**

**Comm Partin seconded the motion, which passed unanimously 7:0.**

d. Allocation of Bond Proceeds for Stormwater

CM Grimm gave a brief on the \$2.5 million with the issuance of the Capital Improvement Revenue Note, Series 20, for the acquisition of one or more parcels of land and the improvements located thereon and construction. The remaining \$419,656.22 of the bond proceeds must be expended before September 25, 2023. The staff requests that the proceeds be allocated to repairing the failing stormwater infrastructure, including videoing and lining the pipes.

Council asked that if the proceeds are not used will it go back to lower the loan amount. CM Grimm said it would not reduce the loan amount but must be returned if not used. Council asked if there was any property we were interested in or any other project to which this money may be applied. During staff discussions, CM Grimm said not at this time.

For the record, Comm Carugno shared his concerns and displeasure on the proposed use of the remaining funds, including the location of an emergency boat dock. He added that he created a document with the pros and cons of proposed dock locations to share with the Council if necessary. Comm Carugno said he would like to table any further discussion and add to the next agenda the location and petitions of the proposed police dock. CM Grimm stated that Comm Carugno had discussed a suggested site. However, Comm Carugno has not submitted an offer for Council discussion.

CM Grimm said the staff's priority is to have a boat dock somewhere in the City. However, with all the flooding residents experienced in the last storm, the boat dock can wait. Public Works Director Price said his concern is the corrugated metal pipes failing throughout the City. He would like to get ahead of potential issues of approximately 76 locations. During his first weeks employed, Mr. Price spoke briefly

about a collapsed pipe on Cullen Lake Shore and the collateral damage on the repair. Council discussed the process of repairing and lining pipes.

Comm Partin said that during his first years, the City Manager said stormwater was in dire need of attention because it had been neglected.

Comm Lowell asked if there are any other funds/Grants available that can be put towards stormwater. CM Grimm said the stormwater fund is in the red. Finance recommended it and would help move forward with some much-needed stormwater projects. CM Grimm stated that he continues to work with FEMA on hurricane reimbursement and the State with the Sol project reimbursement.

Comm Carugno shared his concern about the lack of transparency and delay with ongoing projects regarding the proposed boat dock. He stated that he has photos to prove that Peninsular cul da sac cannot handle the traffic. He said we have an opportunity to purchase a private piece of centrally located property that has never been placed on an agenda. He further noted that he has three options and is against the proposed location, and the money can be used for stormwater if the deal doesn't work. CM Grimm noted that it has not been placed on the agenda because the City has not received an offer.

**Comm Carugno moved to table the decision on allocating the Bond proceeds until a discussion on a boat dock location is determined.**

**Comm Lowell seconded the motion, which passed 5:2 with Comm Holihan and Comm Partin, nay.**

e. Review and Discuss Cross Lake Design Plans

CM Grimm said Council approved and budgeted for Cross Lake Improvements at a previous meeting. The County did not piggyback this project. The City has worked very hard to include the surrounding neighbors. He provided draft plans for the proposed design and asked for a motion to have staff send out an RFP. He noted that the large tree discussed with the residents will remain.

Mayor Fouraker asked Council consideration for a workshop and large formatted sheets for review and requested Harris Engineering to be present in the discussion. Council consensus was to move forward with an RFP and have an informational community meeting once the submittals are received.

**Comm Carugno moved to have staff prepare an RFP for the Cross Lake project.**

**Comm Holihan seconded the motion, which passed unanimously 7:0.**

f. Surplus of Police Department Equipment

CM Grimm requested approval for the surplus of 34-patrol firearms. The Agency recently purchased new patrol firearms with money donated to the department. The firearms will be sold to the officers or a gun dealer by trade for approximately \$250.00 each. Council discussed donating one firearm to the officers as a token of appreciation, and the remaining should be sold. Attorney Langley said there should be a paper trail of new ownership with proof of purchase.

**Comm Smith declared the 34-patrol firearms as surplus to be sold at an appropriate price to the officers.**

**Comm Partin seconded the motion, which passed unanimously 7:0.**

**7. Attorney's Report**

- a. Update Florida League of Cities CS/SB 102 - Building, Zoning, and Land Development
- b. Update on SS 166.041 (3)(d) - Continuance Ordinance Hearing

Attorney Langley gave an overview of the new legislative laws CS/SB 102 and SS 166.041.

c. Review and Discussion Draft Letter to CFPB Regarding Residential PACE Program

After discussion, Attorney Langley said that at this time, it would not benefit the City to sign the letter until further research can be done. No action was taken.

**8. City Manager's Report**

- a. Discuss Scheduling Workshop with CCA re Wallace Field and Available Date  
CM Grimm said Comm Carugno requested a workshop to discuss lighting concerns in May and asked if he would like to revisit the request. CM Grimm said that the City had hired April Fisher to review CCA and Wallace Field projects. No action was taken.
- b. ARPA Funding  
CM Grimm corrected a budget amendment that allocated ARPA funds for the Public Works building roll-up doors. He said 22,000 was transferred from the building to General Fund for the doors. He would like to transfer the money back to its original location and allocate the total cost from ARPA funds. Council discussed adding the request to the next agenda under New Business for review.

Mayor Fouraker asked for a motion to extend the meeting by 15 minutes.

**Comm Smith moved to extend the meeting by 15 minutes.**

**Comm Lowell seconded the motion, which passed 6:1 with Comm Carugno, nay.**

Millage Rate Discussion

CM Grimm asked for a discussion on setting the maximum millage rate. He stated that the City must notify Orange County with a proposed rate for posting by July 28. Once the maximum number is proposed and sent to Orange County, it will be posted and mailed to the residents. He clarified that the proposed maximum rate does not mean the millage will be raised; however, it will allow the Council to raise it should the Council decide one is needed. CM Grimm stated that this is the usual process we have always used to set the millage rate. Council discussed the optics of not having it on the agenda, which may cause concern.

Council said they would like the Budget Committee to review the proposed budget and millage rate and called for a special meeting to discuss the maximum millage rate for submittal to Orange County by July 28. Mayor Fouraker said he would like to have these discussions on the agenda so that the Community can be prepared to attend and ask questions.

**Comm Smith moved to schedule a Special Called Session on Wednesday, July 26 at 6:30 pm to discuss the maximum millage rate.**

**Comm Lowell seconded the motion, which passed 6:1 with Comm Carugno, nay.**

- c. Chief's Report – no report.
- d. Public Works Report – no report.

**9. Mayor's Report**

Mayor Fouraker spoke of the 2050 Vision Plan of Orange County and said there might be concerns about how they will accommodate an additional 700,000 residents in the Community.

Mayor Fouraker asked for a motion to extend the meeting by 15 minutes.  
The motion failed 6:2 with Comm Shuck and Comm Smith, aye.

**10. Items from Council – No report**

**11. Adjournment**

With no further business, Mayor Fouraker called for a motion to adjourn.  
The motion passed unanimously at 9:15 pm.



## Committee on Community Affairs

### CS/SB 102 — Housing

by Appropriations Committee and Senators Calatayud, Rouson, Hooper, Osgood, Rodriguez, and Boyd

The bill (Chapter 2023-17, L.O.F.), cited as the “Live Local Act,” makes various changes and additions to affordable housing related programs and policies at both the state and local level.

Much of the bill involves the Florida Housing Finance Corporation (FHFC), a public-private entity that administers the two largest statewide affordable housing programs: the State Apartment Incentive Loan (SAIL) program and the State Housing Initiatives Partnership (SHIP) program. With regards to funding for the FHFC, the bill:

- Provides appropriations for the SHIP and SAIL programs, including:
  - \$252 million in non-recurring funds from the Local Government Housing Trust Fund for the SHIP program for the 2023-2024 fiscal year;
  - \$109 million in non-recurring funds from the State Housing Trust Fund for the SAIL program for the 2023-2024 fiscal year; and
  - \$100 million in non-recurring funds from the General Revenue Fund to implement a competitive loan program to alleviate inflation-related cost increases for FHFC-approved multifamily projects that have not yet commenced construction; funds unallocated as of December 1, 2023, will be dedicated as additional SAIL funding (effective upon becoming a law).
- Temporarily exempts documentary stamp tax revenues from the General Revenue service charge to provide up to \$150 million in recurring funding to the SAIL program for specified priorities, such as urban infill projects and projects near military installations.
- Establishes the Florida Hometown Hero down payment assistance program for first-time homebuyers with incomes at or below 150 percent of the area median income (AMI) and employed by a Florida-based employer. The bill appropriates \$100 million in non-recurring funds from the General Revenue Fund to implement this program.

Regarding the FHFC, the bill also:

- Provides up to a \$5,000 refund for sales tax paid on building materials used to construct an affordable housing unit funded through the FHFC.
- Creates a new tax donation program to allow corporate taxpayers to direct certain tax payments to the FHFC, up to \$100 million annually, to fund the SAIL program. Of these funds, up to \$25 million annually can be dedicated to loans for the construction of large-scale projects of significant regional impact.
- Adds two members to the FHFC Board of Directors, one appointed by the leader of each chamber of the Legislature.
- Broadens the ability for the FHFC to invest in affordable housing developments for those in or aging out of foster care.
- Adds a requirement to its annual legislative budget request.

With regards to other state-level resources, the bill:

- Revises the State Housing Strategy to align with current best practices and goals.
- Requires managers of state nonconservation lands to analyze whether such lands would be more appropriately transferred to a local government for affordable housing related purposes.
- Expands Job Growth Grant Fund eligibility to specifically authorize public infrastructure projects that support affordable housing.
- Increases the amount of tax credits available through the Community Contribution Tax Credit Program for affordable housing from \$14.5 million to \$25 million annually.

With regards to local governments, the bill:

- Preempts local governments’ requirements regarding zoning, density, and height to allow for streamlined development of affordable multifamily rental housing in commercial, industrial, and mixed-use zoned areas under certain circumstances.
- Removes a local government’s ability to approve affordable housing on residential parcels by bypassing state and local laws that may otherwise preclude such development, while retaining such right for commercial and industrial parcels.
- Removes provision in current law allowing local governments to impose rent control under certain emergency circumstances, preempting rent control ordinances entirely.
- Requires counties and cities to update and electronically publish the inventory of publicly owned properties which may be appropriate for affordable housing development.
- Authorizes the FHFC, through contract with the Florida Housing Coalition, to provide technical assistance to local governments to facilitate the use or lease of county or municipal property for affordable housing purposes.
- Requires local governments to maintain a public written policy outlining procedures for expediting building permits and development orders for affordable housing projects.
- Provides that the Department of Economic Opportunity’s 2018 Keys Workforce Housing Initiative, which authorized the construction of up to 1,300 affordable housing units in the Keys area, is an exception to the evacuation time requirements that otherwise apply in Monroe County.

The bill also introduces three ad valorem property tax exemptions, which first apply to the 2024 tax roll:

- An ad valorem tax exemption for land owned by a nonprofit entity that is leased for a minimum of 99 years for the purpose of providing affordable housing.
- An ad valorem tax exemption that applies to rent-restricted units within newly constructed or substantially rehabilitated developments setting aside at least 70 units for affordable housing for households earning 120 percent of the AMI or less.
- Authorizes counties and municipalities to offer, through ordinance, an ad valorem tax exemption to property owners who dedicate units for affordable housing for households earning 60 percent of the AMI or less.

These provisions were approved by the Governor and take effect July 1, 2023, except where otherwise provided.

*Vote: Senate 40-0; House 103-6*



# Live Local Act Breakdown

Provided by the East Central Florida Regional Planning Council

## Housing Policies from the Live Local Act (LLA)

- o Allows cities and counties (C&C) to approve affordable housing developments, including **mixed-use residential developments (MU)**, on any land zoned for commercial or industrial use so long as at least 10% of units are affordable.
- o Requires C&C to allow **multifamily (MF)** and MU as allowable uses in any area zoned for **commercial, industrial, or MU** if at least 40% of the units are affordable for at least 30 years. For MU projects, at least 65% of the total sq. ft. must be for residential purposes.
  - The C&C may not require the project to obtain a **zoning or land use change**, variance, or comp. plan amendment for zoning, height, or density.
  - A C&C may not restrict the **density** of the project below the highest allowed density on any land in the C&C where residential development is allowed.
  - A C&C may not restrict the **height** of the project below the highest currently allowed height for a commercial or residential building located within 1 mile of the project or 3 stories, whichever is higher.
  - The project must be approved if it satisfies the C&C's land development regulations for MF projects in areas zoned for such use and is otherwise **consistent with the comp. plan**, with the exception of regulations for densities, height, and land use.
  - The C&C must consider reducing **parking requirements** for the project if it is within a half mile of a major transit stop.
  - A C&C with less than 20% of its land designated for **commercial or industrial** uses is required to approve a MF project as a MU project.
- o By October 1, 2023, and every three years thereafter, C&Cs must create an **inventory of all lands** it owns that are "Appropriate for use as affordable housing".
  - Requires **independent districts** within C&Cs to also develop a similar inventory.
  - Requires C&Cs to make their inventories **publicly available** on its website.
- o Requires C&Cs to maintain on its website a policy on procedures and **expedited processing of building permits** and/or development orders required by law to be expedited.
- o Requires each manager of conservation lands to include in its land management plan identified **conservation lands** that may be appropriate for transfer to a C&C and used for affordable housing.
- o Within **10 days** of an applicant submitting a development application to a C&C, If the C&C does not provide notice that the applicant has not submitted the properly completed application, the application will be automatically deemed **completed and accepted**.

**PREEMPTIONS**  
**PROHIBITS LOCAL GOVERNMENTS FROM IMPOSING RENT CONTROLS**

- ### Housing Investments
- \$259M for the State Apartment Incentive Loan (SAIL) Program
  - \$252M for the State Housing Initiatives Partnership (SHIP) Program
  - \$100M for the newly codified Hometown Heroes Program
  - \$100M for an Inflation Response Program
  - \$100M for a Live Local Tax Donation Program

- ### Housing Incentives
- New option for C&Cs to provide tax exemptions for projects with at least 50 units, and at least 20% are affordable to households at or below 60% AMI
  - Property tax incentives for non-profit owned land, leased for a minimum of 99 years and made affordable to households up to 120% AMI
  - Property tax exemption for MF projects with more than 70 affordable units for households up to 120% AMI
  - New sales tax refund on building materials used for affordable housing projects

## Policy Takeaways for Local Governments to Consider

### Comprehensive Planning and Land Development Regulations (LDR)

- Assess existing LDRs and Comp. Plan elements (FLUE) to assess the extent to which specified residential developments can be built in regard to density and height. Also consider priority land use regulations to apply to proposed housing developments that are not preempted to the State.
  - Consider how local parking requirements can be amended to facilitate new and existing development.
- Ensure policies include definitions supported by LLA: mixed-use residential, urban infill, major transit stop, manufactured homes, tiny homes, accessory dwelling units, etc.
- Use policy to support innovative housing funded by the SAIL program, which focuses on supporting seniors, disabled groups, individuals aging out of foster care, military personnel, and rural areas.
- Use Housing Element to:
  - Develop new policies to support the implementation and enforcement of programs that support affordable housing, such as inclusionary housing, first of right refusal, and density bonuses.
  - Enable tenant protection policies that buffer the impacts of rising rents on residents, such as a just cause eviction ordinance, landlord registries, rental assistance programs, and eviction education to better understand the eviction process.
  - Support homeownership stabilization programs and services that house people and keep them housed while enhancing neighborhoods, such as down payment assistance, home rehabilitation, etc.

### Managing Surplus Lands

- In developing the required inventory of government-owned lands that can be used for affordable housing and related policy resolution, consider best practices in managing surplus lands:
  - Define eligibility criteria for the receipt or purchase of surplus lands.
  - Use ground leases for long-term affordability or transfer property to a Community Land Trust (CLT).
  - Support the creation of inventories for special districts, like CRAs, housing authorities, water districts, etc.
- Consider creating a CLT or Housing Trust Fund to support housing development on publicly-owned lands.
- Utilize technical assistance for managing surplus lands that is made available through the Affordable Housing Catalyst Program and other state and regional resources.

### New State Housing Strategy Guidelines to Apply to Local Housing Policies

- The following four policy areas constitute the goals of the revised State Housing Strategy. The State will take on duties to implement that State Housing Strategy such as: administering effective TA and capacity building programs; maintain statewide data on housing needs and production through the Shimberg Center for Housing Studies; maintaining a website for connecting residents with affordable housing resources, setting guidelines for the roles of the Office of Program Policy Analysis and Government Accountability in monitoring affordable housing activities in the state:
  - Every five years, conduct case study analysis on affordable housing strategies from other states, best practices research on housing policies enacted in the State, and an evaluation of state housing programs' compliance with state policy and effectiveness in reaching affordable housing goals.
- *Housing production and rehabilitation programs* - develop local incentives for affordable housing, enable infill and mixed use development, and support modern concepts like resilient housing, 3-D printed homes, tiny homes, and accessory dwelling units.
  - Contends that state funds should only be available to C&Cs that provide incentives or financial assistance for affordable housing, and that funds should not be made available to C&Cs whose comp. plans are not compliant with chapter 163 of F.S. or to projects that do not comply with the C&C's comp. plan.
- *Public-private partnerships* - enable data creation/sharing, maximize receipt of TA and housing incentives.
- *Preservation of housing stock* - expand housing rehabilitation programs and neighborhood stabilization programs.
- *Unique housing needs* - support rural housing, fair housing, and the economic dignity of all residents.

### Mixed Use Development and Environmental Factors

- The LLA prioritizes mixed-use development and the placement of homes closer to jobs, so consider:
  - Incorporating principles like Complete Streets that support walkability into local policies and plans.
  - Working with local transit authorities to strengthen local transit services to affordable housing projects.
  - Developing a Brownfield Program that is capable of assessing and revitalizing potential brownfields in commercial and industrial areas where housing development is proposed.
  - Consider the impact that projects may have on health determinants, like water quality and park access.
  - To provide for quality and equitable utility services for all households, consider the Florida Job Growth Grant Fund, which the LLA expands to support the construction of infrastructure for affordable housing projects.



**RESOLUTION 2275-23**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, PROVIDING NOTICE TO THE PUBLIC OF A PENDING ORDINANCE AND DIRECTING STAFF TO DEVELOP AND PROCESS FOR ADOPTION AN ORDINANCE TO PROVIDE FOR CERTIFICATION OF COMPLIANCE OF AFFORDABLE HOUSING PROJECTS AND OTHER LAND DEVELOPMENT REGULATIONS ADDRESSING AFFORDABLE HOUSING, MIXED-USE AND MULTI-FAMILY PROJECTS.**

**WHEREAS**, recent amendments to State Statutes as set forth in Chapter 2023-17, Laws of Florida will preempt some provisions of local comprehensive plans, zoning and land development regulation provisions for certain mixed-use projects and multi-family projects having at least 40 percent of residential units within a project being affordable housing units for at least a 30-year period; and

**WHEREAS**, Chapter 2023-17, Laws of Florida does not articulate how a proposed development is intended to evidence compliance with the affordable housing requirements necessary to benefit from the preemptions afforded under Chapter 2023-17, including prior to issuance of building permit or certificate of completion, or at any time during the minimum 30 years period provided for in Chapter 2023-17, Laws of Florida, or set forth any penalties for non-compliance and such should be required in order to ensure that the purpose of Chapter 2023-17, Laws of Florida is achieved;

**WHEREAS**, the City staff is directed to prepare and process an ordinance to create land development regulations to require evidence of and ensure compliance with the affordable housing criteria as needed for a development to benefit from the preemptions afforded under Chapter 2023-17, Laws of Florida and other land development regulations addressing affordable housing, mixed-use and multi-family projects; and

**WHEREAS**, the goal is to have such pending ordinance considered and adopted within six (6) months from the effective date of this Resolution; and

**WHEREAS**, the City wishes to place the public and all parties on notice that the City is considering land development regulation amendments addressing the aforesaid matters; and

**WHEREAS**, pursuant to the pending legislation doctrine (or pending ordinance doctrine) set forth in *Smith v. City of Clearwater*, 383 So. 2d 681 (Fla. 2d DCA 1980), the City declares and implements the pending ordinance doctrine concerning the zoning and land development regulations governing properties and proposed affordable housing projects, mixed-use projects and multi-family projects located within the City limits; and

**WHEREAS**, property owners and developers should be aware that provisions of the pending ordinance not yet adopted by the City may be applied to any proposed development and/or development order applications delayed until the adoption and effectiveness of such ordinance; thus property owners and developers should not rely on existing land development regulations in making investment and development related decisions; and

**WHEREAS**, the City Commission in good faith determines that this Resolution is in the best interest of the City and its residents and promotes the health, safety and welfare of the public.

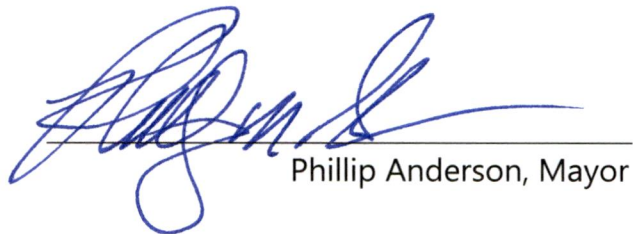
**NOW, THEREFORE**, be it resolved by the City Commission of the City of Winter Park, Florida that:

**SECTION 1.** The above recitals constitute legislative findings of the City Commission and are incorporated herein as material provisions by this reference.

**SECTION 2.** The City staff is directed to prepare and process an ordinance to create land development regulations to require evidence of and ensure compliance with the affordable housing criteria as needed for a development to benefit from the preemptions afforded under Chapter 2023-17, Laws of Florida and other land development regulations addressing affordable housing, mixed-use and multi-family projects. The City hereby implements the "pending legislation doctrine" in regards to such pending ordinance, and property owners and developers are hereby placed on notice of the same and of the recitals set forth in this Resolution.

**SECTION 3.** This Resolution shall take effect immediately upon its adoption.

**ADOPTED** at a regular meeting of the City Commission of the City of Winter Park held in City Hall, Winter Park on this 28<sup>th</sup> day of June 2023.

  
Phillip Anderson, Mayor

  
ATTEST:  
  
Rene Cranis, City Clerk





## CITY OF BELLE ISLE, FL

### Planning and Zoning Meeting

September 26, 2023

Updated:  
Handout 9/26/23

c.

**To: Planning and Zoning Board**  
**From: Planning Department**  
**Subject: CS/SB 102 - Building, Zoning, and Land Development**

**Background:** On July 1, 2023, the Live Local Act became state law, affecting the zoning and permitting process for cities and counties to review and approve affordable housing developments for ten years. During the City Council meeting on July 18, 2023, Commissioner Randy Holihan requested that the Planning and Zoning Board and City Staff review the current land development code regarding the Act.

City staff has begun researching the new law by following local planning discussions held by the Florida American Planning Association and the East Central Florida Regional Council and reviewing any new policy and code developments by local municipalities. The City's website, under the Planning and Zoning webpage, references the LLA statute and a brief overview of the permitting process for affordable housing development applications.

Based on the Future Land Map provided by RVI Planning, the combined total of the commercial and industrial land area represents 12.3 percent of Belle Isle. Under this new law, if a municipality has less than 20 percent of the land dedicated to commercial and industrial use, the affordable housing project must be approved as a mixed-use residential development. The City does not currently have a mixed-use zoning district. The new law impacts the city code requirements for density, height, and zoning use should they meet the affordable housing state requirements. Under section 54-4 (b), the code allows a high-density residential of 10.1 to 12 units per acre, and section 54-4 (c), allows commercial and professional office uses as 0.5 floor-to-area ratio. Under section 50-73 (a) the maximum height allowance for residential zones is 35 feet, commercial zones (C-1) are limited to 35 feet, and commercial zones (C-2 and C-3) are limited to 50 feet.

#### **Important Zoning and Administrative Considerations per the Live Local Act:**

1. Section 5 – 166.04151 Affordable Housing, subsections (6) and (7) a-i
2. Section 26 – 420.0003 State Housing Strategy, subsections (1), (2), and (3)
3. Section 38 – 553.792 Building Permit Application to Local Government

**Staff Recommendation:** For city staff to research and develop code and policy updates for the Board to consider to address the new Act. Staff recommendations include, but are not limited to:

1. Create definitions for mixed-use residential, urban infill, major transit stops, manufactured homes, and tiny homes.
2. Enact policy to ensure that affordable housing development(s) maintain its "affordability" status yearly for at least 30 years.
3. Establish architectural design guidelines or an overlay district for mixed-use developments.

- a. Example: The City of Winter Park outlines Architectural Design Guidelines for their Central Business District and adopted a new zoning district and comprehensive plan amendment for an Orange Avenue Overlay District.
- 4. Create an ordinance with application requirements for a site plan submission for an affordable housing project.

**Alternatives:** None

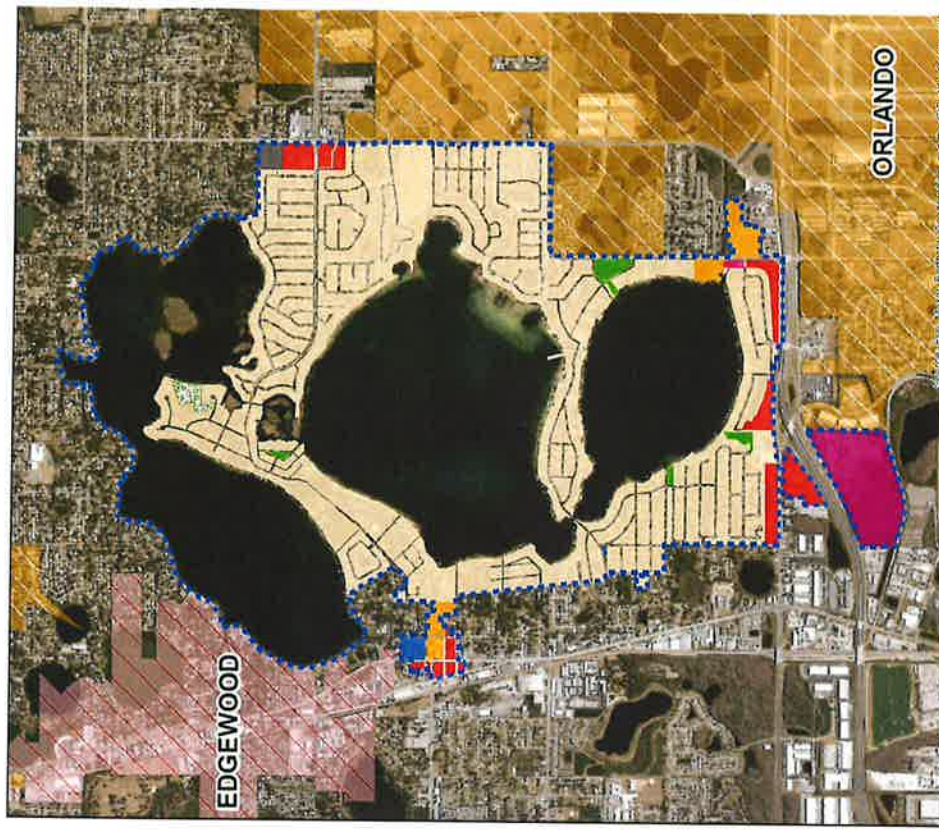
**Attachments:**

- 1. **City Council Agenda Item Cover Sheet (July 18<sup>th</sup>, 2023) –**  
Update Florida League of Cities CS/SB 102 - Building, Zoning, and Land Development
- 2. **East Central Florida Regional Planning Council –**  
Live Local Act Breakdown
- 3. **The Florida Senate – CS/SB 102 – Housing (Summary)**  
<https://www.flsenate.gov/Committees/BillSummaries/2023/html/3068>
- 4. **CS/SB 102 – Bill Text**  
<https://www.flsenate.gov/Session/Bill/2023/102/BillText/er/PDF>
- 5. **RVi Planning – Overview of Belle Isle Future Land Use Map**
- 6. **City of Winter Park – Planning and Transportation Staff Report**
- 7. **City of Winter Park – Ordinance No. X – Amending Chapter 58 of LDC**



# Overview of FLU Map

Category	Acreage (+/-)	Percentage
LDR	1039.2	80.6%
MDR	38.9	3%
COM	73.55	5.7%
IND	84.79	6.6%
PO	1.54	0.1%
PB	6.55	0.5%
CONS	8.76	0.8%
REC	14.87	1.1%
*UNC	20.46	1.6%



**IRVI**  
111 North Anapodou  
Aurora, FL 32817  
904.487.4100  
www.irvi.com

**City of Belle Isle • FUTURE LAND USE**

- City of Belle Isle, FL
- Date: 5/2/2023
- 200002514
- Belle Isle

**FUTURE LAND USE**

- Low Density Residential
- Medium Density Residential
- Commercial
- Industrial
- Professional - Other
- Public Buildings
- Open Space
- Recreation/Open Space
- Unclassified

Scale: 0 0.25 0.5 Miles

North Arrow

## Staff Report

**ZTA #23-08 Request of the City of Winter Park for:** An Ordinance of the City of Winter Park, Florida amending Chapter 58, "Land Development Code", Article III, "Zoning" Section 58-84 "General provisions for non-residential zoning districts", to provide definitions and submittal and reporting requirements and other provisions for certification and implementation of development pursuant to the Live Local Act of Florida Statutes.

### Background:

Effective, July 1, 2023 the Florida Legislature amended State Statutes to enact a Live Local Act in order to promote the construction of affordable housing. There are some facets of the Act that are positive including the express approval of inclusionary housing ordinances that can require affordable housing, as a component of housing projects in certain circumstances. However, there are certain terms in the Act that are not defined as to their meaning in the Act and other local zoning over-rides that are of concern in the Act.

In particular, the Act overrides local zoning regulations for any housing project, if that project includes a minimum of 40% of the units as affordable housing. In that case:

1. "A municipality must authorize multi-family and mixed-use residential as allowable uses in any area zoned for commercial, industrial or mixed use if at least 40% of the residential units are, for a period of 30 years, affordable as defined in S. 420.004. A municipality may not require a zoning or land use change, special exception, conditional use or comprehensive plan amendment for the building height, zoning and densities authorized under this section.
2. "A municipality may not restrict the density authorized by this section below the highest density on any land in the municipality where residential development is allowed."
3. "A municipality may not restrict the height below the highest currently allowed height for a commercial or residential development located within 1 mile of the proposed development or 3 stories."
4. "A proposed development must be administratively approved if the development satisfies the municipality's land development regulations for multi-family developments in areas zoned for such with the exceptions of densities and height."

The first purpose of this Ordinance is to provide definitions as to terms used in the Act that are otherwise not defined in order to avoid legal debates between developers and the City as to the meaning of such terms. The City needs to be proactive in defining such terms as the City understands their meaning to be.

The second purpose of this Ordinance is to provide an application and certification process with submittal requirements in order to certify that the proposed housing development does provide such affordable housing as required, submits commitment to do such, and provides such information or reporting requirements during the operation of the housing development. Otherwise, under the Act, one can declare that they are providing affordable housing but never demonstrate how they are doing such at any time during the initial approval process, during construction or operation for the 30 years required. There also are no penalties within the Act

for non-compliance.

c.

Most cities in Florida are enacting similar Ordinances as proposed by staff. We have borrowed liberally from the regulations adopted by the City of Tampa.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING" SECTION 58-84 "GENERAL PROVISIONS FOR NON-RESIDENTIAL ZONING DISTRICTS", TO PROVIDE DEFINITIONS AND SUBMITTAL AND REPORTING REQUIREMENTS AND OTHER PROVISIONS FOR CERTIFICATION AND IMPLEMENTATION OF DEVELOPMENT PURSUANT TO THE LIVE LOCAL ACT, PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Winter Park deems it necessary for the general welfare of the City to amend the City of Winter Park Land Development Code as set forth in this Ordinance in order to provide certification standards and implementation criteria for development proposed in conformance with the Live Local Act of Florida Statutes;

**WHEREAS**, the City Commission hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida;

**WHEREAS**, the City Commission hereby finds that the land development regulations adopted herein are consistent with the Comprehensive Plan;

**NOW THEREFORE, BE IT ENACTED** by the City Commission of the City of Winter Park, Florida, after due notice and public hearing, that:

**SECTION 1.** That Chapter 58 "Land Development Code", Article III, "Zoning" of the Code of Ordinances, Section 58-84 "General provisions for non-residential zoning districts" is hereby amended as shown below (underlined language are additions; ~~stricken through~~ language are deletions; subsections not included are not being modified):

**Sec. 58-84. General provisions for non-residential zoning districts.**

(hh) General provisions for development proposed in conformance with the Live Local Act of Florida Statutes.

- (a) **Definitions.** For the purposes of this subsection, the following definitions are provided for terminology not defined in Florida Statutes with respect to implementation consistent with the Winter Park Land Development Code:

Allowed as used in Fla Stat. 166.0415 shall mean as allowed under the provisions of the city land development code at the time of a proposal is submitted for development subject to Fla Stat. 166.0415 and shall not mean as allowed historically back in time previous to the present.



Commercial as used in Fla. Stat. 166.0415 shall mean only the commercial zoning districts of the city which are only properties zoned C-1, C-3, C-3A and PD-OC as used in Ravaudage, and no other zoning district.

Height within one mile as used in Fla Stat. 166.0415 shall mean one mile as can be traveled by human beings along the public streets of the city within the normal permitted lanes of travel from the center point of the proposed development site and shall not mean a straight-line distance as a bird might be able to travel.

Highest allowed density as used in Fla Stat. 166.0415 shall mean 17 units per acre as this is the highest residential density currently allowed and is expressed in units per acre and shall not mean density as used elsewhere in Chapter 166 Fla Stat. when referring to intensity terminology applied to floor area ratio.

Highest currently allowed height as used in Fla Stat. 166.0415 shall only mean such height allowed by right within the municipality and not heights allowed if such height would require conditional use approval under the city land development code based upon the size in square footage of the project proposed project under the Live Local Act.

Industrial as used in Fla Stat 166.0415 shall mean only the industrial I-1 zoning district of the city and no other zoning district.

Mixed Use as used in Fla Sta. 166,0415 shall not apply in the City, as no mixed use zoning district exists within the city.

(b) **Process for Approval.** The approval process for a qualifying development located within an eligible zoning district, shall include payment of a fee, and if application is not made by the owner of record, then a contract or agreement to purchase (that permits black-out of the financial purchase details) but is clear as to dates of effectiveness and due diligence periods, an application on a form provided by the city, site development plans, and affidavit of commitment to City of Winter Park's Affordable Housing standards for income qualification, monitoring, and inspection during the full minimum 30 years of operation including acknowledgement of the auditing requirements for eligibility of all tenants living within the designated affordable housing units in order to establish compliance with the provisions of the Live Local Act and penalties for non-compliance as further outlined below. Upon application, the city shall complete a sufficiency review of the materials submitted and provide a response that the application is complete or specifically what items are still required at a date sixty (60) days after submittal. The applicant shall then provide the items that are required for the sufficiency review which shall then begin another sufficiency review period that shall be completed at a date sixty (60) days following re-submittal and so on until a complete application is provided. A contract to purchase must be in full force and effect during the sufficiency and review periods established within this Section. If any due diligence period or other contract matter expires within such time periods, then the city shall not begin or complete the sufficiency review or application review.

(c) **Minimum Requirements.** The minimum requirements for certification of compliance with the Live Local Act are as follows:

**Site Development Plan** which includes the following:

1. Scale, date, and north arrow.
2. Legal Description of the property.
3. Site Data Table including gross square footage of the site and project, total impervious coverage and principal setbacks.
4. Dimensioned location, size, height and use of all proposed structures.
5. Project units, number of affordable units per area median income, and affordability period.
6. Label uses of adjacent parcels.
7. Location, dimension and method of buffering from adjacent uses.
8. Location and method of screening of refuse stations, storage areas and off-street parking and loading areas.
9. Method of stormwater retention.
10. Location, size and total amount of greenspace.
11. Tree table with tree retention and applicable mitigation.
12. The location, width, pavement type, right-of-way name and other related appurtenances of all public rights-of-way adjoining, traversing or proximate to the site.
13. Location and dimensions of proposed project ingress/egress, parking and service areas, including typical parking space dimensions.
14. Vehicle Use Area buffering adjacent to rights of way.
15. Southern Florida Building Code definitions for types of construction proposed and existing.
16. Proposed means of vehicular and pedestrian access from the site(s) within the development to adjacent streets and/or alleys, showing all existing and proposed curb cuts and sidewalks.
17. Building Elevations (4-sided) for each proposed building.
18. Commitment to complete a transportation study prior to issuance of the building permit.
19. Any other information required under the specific site plan districts pertaining to this article or which may be required, when commensurate with the intent and purpose of this Code, by city reviewing staff.
20. An affidavit confirming a 30-year commitment to provide affordable housing

and monetary cap on all rent charges including any and all other fees as may be assessed to the occupants of units deemed to be affordable, such that all rents and fees shall not exceed 30% of the gross revenue of all occupants of affordable units; affidavit attesting to agreement and acceptance as to the annual audit requirements by a certified public accounting firm attesting to satisfaction of the such income and total rental fees and affidavit attesting to agreement and understanding that violations of such commitments shall be subject to a fine of no less than \$5,000.00 per day for each violation determined by the annual audit and for each day the annual audit is not received by the city after March 1<sup>st</sup> of every year and affidavit agreement that any such fines shall constitute a lien on said property if not paid to the city within 60 days of receipt of the audit by the city by March 1<sup>st</sup> of every year and agreement to reimburse the city for any legal expenses in the enforcement of these provisions.

- 21. A statement indicating the petitioners' commitment to comply with specific chapters of the City Code applicable to the project (i.e., tree and landscaping, fire, etc.) at the time of permitting.
- 22. Compliance with all land development regulations applicable to the zoning district in which the project is proposed, except only as otherwise preempted by the Live Local Act with respect to height.
- (d) **Project Narrative.** Application shall contain a narrative which demonstrates compliance with section 166.04151(7)(a)- (g), Florida Statutes.
- (e) **Affidavit of Commitment and Restrictive Covenants.** As a condition of approval and prior to any site or building permits for the project being requested or obtained, the applicant (and the property owner, if different from the applicant) must execute and have recorded in the public records of Orange County, Florida, an Affidavit of Commitment and Restrictive Covenants. Such Affidavit of Commitment and Restrictive Covenants shall: (i) have terms acceptable to the city, (ii) run with and be binding upon the land for no less than thirty (30) years from the issuance of a certificate of occupancy for the last principal structure of the project (iii) be enforceable by the city; (iv) detail the affordable housing and project conditions and restrictions required by this section, the Live Local Act and on the approval of the project; (v) provide for monitoring, and compliance requirements; and (vi) provide for the city's enforcement remedies. Mortgage holders will be required to execute and record a subordination of their lien interest to such Affidavit of Commitment and Restrictive Covenants prior to or simultaneously with the recording of the Affidavit of Commitment and Restrictive Covenants. The city will provide the monitoring and compliance forms upon submittal of the application, deemed complete and sufficient.
- (f) **Equivalent Treatment of all Dwelling Unit Requirements.** As a condition of approval prior to any site or building permits for the project being requested or obtained, such project must demonstrate and commit that all affordable

dwelling units and market rate dwelling units shall be located within the same structure. all common areas and amenities shall be accessible and available to all residents (both affordable and market rate dwelling units). access to the required affordable dwelling units shall be provided through the same principal entrance(s) utilized by all other dwelling units in the development. in addition, the sizes and number of bedrooms in the affordable dwelling units shall be proportional to the square footage and number of bedrooms in the market rate dwelling units (e.g., for number of bedrooms, if 25 percent of the market rate dwelling units consist of two bedrooms, then 25 percent of the affordable dwelling units shall also have two bedrooms.

- (g) **Agent Authorization.** An affidavit with the property owner's notarized authorization.
- (h) **Timeframe for Review and Issuance of Approval:** Upon receipt of a complete application, the city will complete its review and provide a response sixty (60) days from receipt of such materials as required by this subsection.
- (i) **Fee:** The fee for a qualifying development will be \$2642.00 plus \$111/acre or portion thereof or as otherwise amended within the adopted Fee Schedule from time to time by the City Commission at public hearing.
- (j) **Duration of Approval:** An approval received through this process shall be effective for three (3) months from the date of approval. The application process and certification of compliance with the live local act shall begin again if a building permit has not been issued by the city within six (6) months of an approval under this section.

**SECTION 2. CODIFICATION.** Section 1 of this Ordinance shall be incorporated into the City of Winter Park Code of Ordinances.

**SECTION 3. SEVERABILITY.** The divisions, sections, subsections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, subsection, section, or division of this Ordinance shall be declared invalid, unconstitutional or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such invalidity, unconstitutionality or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs, subsections, sections, and divisions of this Ordinance. The City Clerk is given liberal authority to ensure proper codification of this Ordinance, including the right to correct scrivener's errors.

**SECTION 4. CONFLICTS.** In the event of a conflict between this Ordinance and any other ordinance of the City of Winter Park, this Ordinance shall control to the extent of such conflict.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon its passage and in accordance with Florida law.



**ADOPTED** at a regular meeting of the City Commission of the City of Winter Park, Florida held in City Hall, Winter Park, on this \_\_\_\_ day of \_\_\_\_\_ 2023.

By: \_\_\_\_\_  
Mayor Phil Anderson

ATTEST:  
By: \_\_\_\_\_  
Rene Cranis, City Clerk

# Orange County, Florida 2022 Income Limits

**Area Median (Family) Income \$80,100**

HOUSE- HOLD SIZE	INCOME CATEGORY			
	EXTREMELY LOW (30% OF MEDIAN)	VERY LOW (50% OF MEDIAN)	LOW (80% OF MEDIAN)	<b>MODERATE</b> (120% OF MEDIAN)
1	\$17,400	\$29,050	\$46,450	\$69,720
2	\$19,900	\$33,200	\$53,050	\$79,680
3	\$23,030	\$37,350	\$59,700	\$89,640
4	\$27,750	\$41,450	\$66,300	\$99,480
5	\$32,470	\$44,800	\$71,650	\$107,520
6	\$37,190	\$48,100	\$76,950	\$115,440
7	\$41,910	\$51,400	\$82,250	\$123,360
8	\$46,630	\$54,750	\$87,550	\$131,400

Orange County Housing and Community Development Division  
Effective: April 18, 2022



# Comprehensive Plan Update Process



## So, What is the Comprehensive Plan Update?

The Comprehensive Plan Update is the process of reviewing and improving the City of Belle Isle's long-term plan for its sustainable growth and development. The process involves gathering information, listening to the community's input, identifying issues and opportunities, setting goals, and creating strategies to achieve them. The updated plan reflects the community's vision for the future, addressing things like land use, transportation, environment, and social equity. It guides decision-making on how the community will evolve and improve over time, making it a better place to live, work, and enjoy for everyone.



## Why should you get involved?

Your participation in the comprehensive plan update process is crucial as it ensures that the vision and goals of a community are accurately reflected in the planning and development of Belle Isle. **Quite simply, this is the community's opportunity to shape the future of Belle Isle!**

The input and involvement of community members bring perspectives, local knowledge, and a sense of ownership to the planning process. Your participation fosters transparency, inclusivity, and democratic decision-making, enabling residents to build trust, social cohesion, and create a sense of shared responsibility among community members, resulting in a more sustainable, equitable, and livable community for all.



## Get Involved!

A key component to the Comprehensive Plan Update process is the involvement of the Citizens Advisory Committee, as this committee directly influences this process. City residents are encouraged to join this committee to provide community input, review and evaluate policy, offer expertise and insights, and collaborate with planning professionals.

The City of Belle Isle encourages interested residents to email Raquel Lozano, City Planner ([Planner@BelleIsleFL.Gov](mailto:Planner@BelleIsleFL.Gov)).