



## CITY OF BELLE ISLE, FL

### PLANNING & ZONING BOARD MEETING - CANCELED

Held in City Hall Chambers 1600 Nela Avenue, Belle Isle

Held the 4th Tuesday of Every Month

Tuesday, June 25, 2024 \* 6:30 PM

### AGENDA

#### Planning and Zoning Board Members

District 1 member – OPEN | District 2 member – OPEN | District 3 member – Vinton Squires

District 4 member – Randy Holihan | District 5 member – Rainey Conduff | 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.

1. **Call to Order and Confirmation of Quorum**
2. **Invocation and Pledge to Flag** - Board members Hobbs, District 7
3. **Appointment of Chairman and Vice Chairman**
  - a. Appointment of Chairman
  - b. Appointment of Vice Chairman  
Officers. The planning and zoning board shall elect a chair and vice-chair from among its members at the first meeting in January of each year. The board may create and fill such other offices as it may determine. The terms of all offices shall be for one year with eligibility for reelection. In the absence of the chair, the vice-chair shall preside and have the same powers and duties as the chair.
4. **Approval of Minutes**
  - a. Approval of meeting minutes - March 26, 2024
  - b. Approval of meeting minutes - May 28, 2024
5. **Public Hearings**
  - a. PUBLIC HEARING #2024-06-008 - PURSUANT TO BELLE ISLE CODE SEC. 42-64 AND 50-102 (A) (1), THE CITY OF BELLE ISLE PLANNING & ZONING BOARD WILL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW A DETACHED METAL GARAGE TO BE BUILT ARCHITECTURALLY DIFFERENT FROM THE PRINCIPAL BUILDING WITH UNLIKE MATERIALS, SUBMITTED BY APPLICANT DAVID SMITH, LOCATED AT 1633 WIND DRIFT ROAD, BELLE ISLE, FL 32809 ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #30-23-30-0604-01-030.
6. **Other Business**
  - a. Comprehensive Plan Update - Stephen Noto, RVi Planning & Landscape Architecture: "Phase 2" - Future Land Use, Capital Improvements, Infrastructure, Public School Facilities, and Transportation Elements
  - b. Proposed Revision to Fence Ordinance Section 50-102(B) - continued
7. **Adjournment**

---

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, March 26, 2024 \* 6:30 PM  
**MINUTES**

The Belle Isle Planning & Zoning Board met on March 26, 2024, at 6:30 p.m. at the City Hall Chambers at 1600 Nela Avenue, Belle Isle, FL 32809.

Present was:  
Board Member Shenefelt  
Board Member Holihan  
Board member Squires  
Board member Hobbs  
Board member Conduff

Absent was:  
District 1 - OPEN  
Board member Thompson

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

Chairman Conduff opened the meeting at 6:30 p.m., and the Clerk confirmed the quorum.

**2. Invocation and Pledge to Flag – Board member Hobbs, District 7**

Board member Hobbs gave the invocation and led the pledge to the flag.

**3. Approval of Minutes**

Approval of the January 3, 2024, meeting minutes  
Board member Holihan moved to approve the minutes as presented.  
Board member Squires seconded the motion which passed unanimously 5:0.

**4. Public Hearings**

- a. PUBLIC HEARING #2024-02-017 - PURSUANT TO BELLE ISLE CODE SEC. 42-64 AND 50-73 (A), THE CITY OF BELLE ISLE PLANNING AND ZONING BOARD WILL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE FOR A MAXIMUM BUILDING HEIGHT OF 40 FEET INSTEAD OF THE STANDARD MAXIMUM BUILDING HEIGHT IN A R-1-AA ZONING DISTRICT OF 35 FEET, SUBMITTED BY APPLICANT JASON LEE, REPRESENTING PROPERTY OWNER GREG MEERBAUM, LOCATED AT 1916 HOFFNER AVENUE, BELLE ISLE, FL 32809, ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #18-23-30-3648-00220.

Chairman Conduff read the Hearing by title.

Raquel Lozano, City Planner, presented her staff report and stated that the applicant seeks to build a new two-story family residence that exceeds the standard maximum building height of 35 to 40 feet. The code defines building height as the vertical distance from the grade to the road's highest point, including all appurtenances. Based on the City Code definition and reasoning behind the building, it does not satisfy the variance criteria, and staff recommends that the Board not approve the requested variance. The structure can be modified to comply with our current code regulation.

Jason Lee, with MJS Custom Home Design, 815 Orienta Avenue Altamonte Springs, representing the applicant, said in response to the building height, he had amended the plans to measure from the roof's peak to the finish floor. One of the issues they are experiencing is the typography down to the lake. There is a substantial drop from the front to the back of the property. They are trying to work around large trees on the property, keeping the house forward, which adds to staying on the natural grade. Less than 10% of the overall roof structure of the house exceeds the maximum height.

Greg Meerbaum, homeowner, said the house is unique. He purposely kept all 12 fully mature live oaks and designed the house around the limbs based on what was there. Working around the trees and with the downward slope to the lake is challenging.

Chairman Conduff opened for public comment, there being none, she closed public comment.

Board member Shenefelt said he does not understand what 40 feet looks like and would have liked to have a rendering from the street. Mr. Meerbaum said most two-story homes peak around 35 feet. He stated that in the rendition, reference lines were added to the section of the roof that is over, and five feet is barely visible to the naked eye. The Board reviewed the handouts submitted. Mr. Meerbaum said that the trusses were ordered due to some delivery concerns. Ms. Lozano reminded the board that financial hardship is not a criterion for approval but is based on the land and the structures.

Board member Holihan reminded the Board of previous variances from commercial properties for height requests, which may allow those requests to be reconsidered. Board member Hobbs said variances are approved on a case-by-case basis and disagrees.

Chairman Conduff read an email from Board member Woods dated March 15, 2024, which stated that the building is 35' from the finish floor to the peak, and the finish floor is 1.3' above the surrounding ground. The entry steps could be reduced by 2, lowering the building by .87 feet, making the encroachment only 0.43'. Since there does not appear to be a clear definition of where the 35' is to be measured and the finish floor should be at least 3" above natural grade (FHA recommends 6"), this should be acceptable. It does not appear that the height will adversely affect the neighbors on either side due to the slope and style of the roof, which keeps the peaks away from the property lines.

Mr. Lee said he had discussed the same concerns with Board member Woods and had updated his plans to address the drainage concern to reduce the step count. Ms. Lozano said that when she finds a grading concern, the city refers the plans to the city civil engineering department for a response. Board member Holihan said if the variance is denied, the applicant could appeal to the Council, or the Board could table the request to allow the applicant to make the necessary changes.

Ms. Lozano said, for the record, she has heard from a neighbor, Bill Peeper, residing at 1910 Hoffner Avenue, who verbally noted that he does not oppose the variance request. Mr. Meerbaum said he has three letters from neighbors and can provide them for the record. The City Clerk stated any documents should be presented on the day of the hearing and not after the fact.

**After further discussion, Board member Holihan moved pursuant to Belle Isle Code Section 42-64 and 50-73 (A), having not been met to deny a maximum building height of 40 feet instead of the standard maximum building height in an R-1-AA zoning district of 35 feet, submitted by applicant Jason Lee, representing property owner Greg Meerbaum, located at 1916 Hoffner Avenue, Belle Isle, FL 32809, also known as Orange County Tax Parcel ID #18-23-30-3648-00-220.**

**The motion dies for lack of a second.**

**Board member Hobbs moved pursuant to Belle Isle Code Section 42-64 and 50-73 (A), having been met to Approve a maximum building height of 40 feet instead of the standard maximum building height in an R-1-AA zoning district of 35 feet, submitted by applicant Jason Lee, representing property owner Greg Meerbaum, located at 1916 Hoffner Avenue, Belle Isle, FL 32809, also known as Orange County Tax Parcel ID #18-23-30-3648-00-220.**

**Board member Conduff seconded the motion, which passed 4:1 with Board member Holihan, nay.**

**Ms. Lazano stated that there is a 15-day appeal period before moving forward with the building process.**

- b. PUBLIC HEARING #2024-02-024 - PURSUANT TO BELLE ISLE CODE SEC. 42-64 AND 50-73 (A), THE CITY OF BELLE ISLE PLANNING & ZONING BOARD WILL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE FROM THE BUILDING SETBACKS REQUIREMENTS OF A R-1-AA ZONING DISTRICT, SUBMITTED BY APPLICANTS TIMOTHY SHIPE AS TRUSTEE OF THE GARY SHIPE TRUST DATED JANUARY 27, 1999 AND FRANK WILSON, LOCATED AT 1832 WIND HARBOR ROAD, BELLE ISLE, FL 32809 ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #30-23-30-9330-00-260.

Chairman Conduff read the Hearing by title.

Raquel Lozano, City Planner, presented her staff report and stated the applicant seeks to demolish and build a new single-family home within the designated building setbacks for an R-1-AA zoning district, according to section 50-73 (A). The property maintains a unique lot configuration, as it abuts Wind Harbor Road to the north and east. The property is at the street end of the cul-de-sac. The front-facing side of the existing single-family residence faces east. The sides of the residential building face north and south, and the rear yard faces west. The designated yards and applicable building setbacks may be reviewed and determined by the Board.

Based on the Staff Report and variance criteria under section 42-64 (d-f), City staff recommends that the Board not approve the requested variances to allow a 22-foot front yard building setback from the required 30-foot setback and a 20-foot rear building setback from the required 35-foot setback. Should the Board approve the requested variances for the front and rear building setbacks, City Staff recommends the following conditions of approval:

- At the recommendation of legal counsel, the applicant Timothy Shipe must update the property appraiser’s information through the County to show the owner as “Timothy Shipe as Trustee of the Gary Shipe Trust dated January 27, 1999.”
- Under sections 42-67, the code outlines limits and extensions for variance cases. Under section 42-67(A), variance approvals are valid for six months after the Board’s decision or one year after issuance of the last permit necessary for utilizing the variance. The Board may assign a different me limit for the requested variances.

Frank Wilson, residing at 7449 Megan Ellisa Lane, Orlando, Florida, representing the applicant, Tim Shipe. Mr. Wilson provided a copy of the plat survey with additional comments on the lot size. He said a typical lot is 94x155, and based on that configuration, it gives more flexibility to the building envelope. The new copy shows the neighbor and their building envelope, which is bigger than theirs because of the configuration of the street. The current home is the dotted line and is 10.3 feet on the far west corner. They will meet 35 feet and 30 feet in the front. They will be limited to a long, skinny house and cannot place an outside living porch in the back.

Chairman Conduff read for the record an email submitted by Board member Woods that stated that no plat defines the front of the property. An argument can be made that the front of the property is on the north side and is a corner lot. With this interpretation, there is substantially more buildable area and the opportunity for a completely different home and yard arrangement that would not require a variance. He further noted other issues that may be of concern on this site and said that based on the proposed site plan, the ISR is about 55%, which is substantially greater than the limit of 35%. An accessory structure (detached garage) is shown but no height information is shown. Based on the shape, it appears to be for a motorhome. The code limits the height of accessory structures to 14’. This needs to be addressed.



Mr. Wilson noted that they hadn't designed the home exactly. However, the homeowners' goal is to add an outside back porch and will try to meet the concerns of Board member Woods.

Chairman Conduff opened for public comment.

Mary Bloss, residing at 1841 Wind Willow Road, said she lives behind the Shipe property and stated that she is not concerned with the house; however, she has been looking at a box cart-size mobile home in her view, which is a negative for her property view.

Tim Shipe, the applicant residing at 7415 Lake Drive, said the home had been rented since they purchased it. It has been in disrepair, and his daughter has been living in the mobile home. They need to renovate the home or rebuild.

Thad Taylor, a neighbor at 1816 Wind Harbor Road, said the variance would greatly improve the current property. The home sits on a cul-de-sac, and squeezing in a new home will be hard. Mr. Taylor said the code allows a homeowner to live in a trailer while it is being renovated and favors the request.

Ms. Lozano noted, in speaking with Board member Woods, that this could be considered a corner lot, and the code states that a corner lot can be seen at the intersection of two roads. According to the plans, the existing home has setbacks like those of the neighbor to the west. Meeting the 30-foot front setback north and approximately the 35-set back rear yard south. The detached garage was not considered for this variance because the principal building must be approved before an accessory structure is approved.

**After further discussion, Board member Holihan moved pursuant to Belle Isle Code Section 42-64 AND 5073 (A), having been met to approve the building setback requirement of an R-I-AA zoning district submitted by applicants Timothy Shipe as Trustee of the Gary Shipe Trust dated January 27, 1999, and Frank Wilson located at 1832 Wind Harbor Road, Belle Isle, FL 32809 also known as Orange County Tax Parcel ID #30-2330-9330-00-260 with the conditions stated,**

- **the applicant, Timothy Shipe, must update the property appraiser's information through the County to show the owner as "Timothy Shipe as Trustee of the Gary Shipe Trust dated January 27, 1999, within six months.**
- **Permit limitation will be valid for two years; and**
- **22-foot front yard building set back (east) from the required 30-foot setback; and**
- **14.5-foot rear building setback (west) from the required 35-foot setback; and**
- **30-foot setback (north) and 7.4-foot setback (south).**

**Board member Shenefelt clarified whether the approval includes a porch setback or applies to the house. Ms. Lozano said the motion applies to the structure's setback; the City cannot require specific design structures.**

**Board member Squires seconded the motion, which passed unanimously 5:0.**

**5. Other Business - na**

**6. Adjournment**

There being no further discussion, Chairman Conduff moved to adjourn, unanimously approved at 7:36 pm.



**CITY OF BELLE ISLE, FL**  
**PLANNING & ZONING BOARD MEETING**  
Tuesday, May 28, 2024 \* 6:30 PM  
**MINUTES**

The Belle Isle Planning & Zoning Board met on May 28, 2024, at 6:30 p.m. at the City Hall Chambers at 1600 Nela Avenue, Belle Isle, FL 32809.

Present was:  
Board member Thompson  
Board Member Holihan  
Board member Squires  
Board member Hobbs  
Board member Conduff

Absent was:  
District 1 - OPEN  
District 2 - OPEN

City Manager Rick Rudometkin, Attorney Hilary Griffith, City Planner Raquel Lozano, and Clerk Heidi Peacock were also present.

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

Chairman Conduff opened the meeting at 6:30 p.m., and the Clerk confirmed the quorum.

**2. Invocation and Pledge to Flag**

Board member Hobbs gave the invocation and led the pledge to the flag.

City Manager Rudometkin announced that Chairman Conduff has resigned as Chairman of the Board. Mr. Rudometkin said he will request nominations for the Chair and Vice Chair at the next Planning & Zoning Board meeting on June 25, 2024. He further added that the Board has two vacancies, and anyone interested in the positions should contact the City Clerk, Yolanda Quiceno.

**3. Presentations for Discussion and Recommendation to Council**

- a. Comprehensive Plan Update - Stephen Noto, AICP, RVi Planning & Landscape Architecture

City Manager Rudometkin introduced and welcomed Stephen Noto and Alexis Crespo from RVi Planning & Landscape Architecture, the City's Comprehensive Plan consultants.

Stephen Noto presented the City's Comprehensive Plan long-range planning document and briefly explained his company and the major updates to the 2010 Comprehensive Plan based on Florida Statutes. He stated that he would provide the updated elements in two parts to allow for review and comment by staff and members of the Board,

Mr. Noto presented four out of the nine elements. He noted that no action is required at this time. However, it will be returned to the Board in June for further discussion and recommendation to the Council. The elements presented included,

- Conservation Element - Must contain principles, guidelines, and standards for conservation that provide long-term goals related to Air Quality, Water Quality, and Conservation, Minerals, Soils, and Native Vegetation Wildlife/Protected Species and Habitats Protection of Environmentally Sensitive Land and Management of Hazardous Waste

- Housing Element - express *guidelines, strategies, and principles* relating to: Adequate housing and its distribution, Affordable Housing, and Elimination of substandard housing
- Intergovernmental - Must address *principles* relating to annexation/joint planning areas, efficient use of infrastructure and services, and dispute resolution
- Recreation and Open Space Element - Must provide a comprehensive system of public and private sites for recreation.

The Board asked who were the stakeholders' group members. Ms. Crespo said Scott Hendry, Bob Harrell, and Mike Stewart. They further asked how the Live Local Act affects our city. Ms. Crespo said the new law may allow applicants to bypass zoning and go directly to site plan permitting for commercial/industrial zoned properties. Discussion ensued.

The staff asked if the Code was updated with the new Live Local language, and they then appealed if the City would have to remove it from the Code. Ms. Crespo said yes, an amendment could be made to strike through the added language.

The Board asked if the sandbar could be designated as a park. Mr. Holihan said he would like to intensify Code Enforcement. Ms. Crespo said the staff can establish safety policies in the Comp Plan and use the policy to create further internal steps.

Mr. Noto stated that at the next meeting, RVi would present the remaining five elements, which include Future Land Use Elements, Transportation, Capital improvements, Infrastructure, and Schools.

b. Proposed Revision to Fence Ordinance Section 50-102(B)

Raquel Lozano, City Planner, provided an update on the previous Board discussions and review of Section 50-102(B) to allow front yard fences and gates on residential properties. She noted that the Board agreed to present an ordinance for consideration.

City staff presented the updated Ordinance per the discussions at prior meetings and highlighted the updated items. After reviewing the redlined document, the Board agreed to bring any comments and changes to the next P&Z meeting.

**4. Adjournment**

There being no further discussion, Chairman Conduff moved to adjourn, unanimously approved at 7:30 pm.



# CITY OF BELLE ISLE, Florida

---

## Planning and Zoning: Staff Report

June 14, 2024

Variance Request: 1633 Wind Drift Road

Application Request: Public Hearing #2024-06-008 - PURSUANT TO BELLE ISLE CODE SEC. 42-64 AND 50-102 (A) (1), THE CITY OF BELLE ISLE PLANNING & ZONING BOARD WILL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW A DETACHED METAL GARAGE TO BE BUILT ARCHITECTURALLY DIFFERENT FROM THE PRINCIPAL BUILDING WITH UNLIKE MATERIALS, SUBMITTED BY APPLICANT DAVID SMITH, LOCATED AT 1633 WIND DRIFT ROAD, BELLE ISLE, FL 32809 ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #30-23-30-0604-01-030.

**Existing Zoning/Use:** R-1-AA / Single-Family Home

### Background

The applicant seeks to build a detached metal garage in the rear yard.

Section 50-102 (A) (1) defines a garage as: *buildings which are detached from the principal building and are designed or used for the purpose of parking and/or storing motor vehicles, boats, and/or recreational vehicles, and related items, and are architecturally similar to the principal building and of like materials.*

### Staff Recommendation

Staff provides an evaluation based on the variance criteria for the application below.

1. Special Conditions and/or Circumstances (Section 42-64 (1) d):

The literal enforcement of the code does not result in an unnecessary hardship nor are there any physical or topographic special conditions and circumstances peculiar to the land. The existing principal building accommodates an attached two-car garage.

2. Not Self-Created (Section 42-64 (1) e):

According to the applicant’s Narrative Letter, the request to build a garage with architectural materials different than those of the principal building is a personal hardship. A personal hardship is not an allowable basis for granting a variance approval. A hardship results from the conditions of the property.

3. Minimum Possible Variance (Section 42-64 (1) f):

The variance request makes reasonable use of the land as the proposed structure meets all other zoning requirements for a detached garage.

4. Purpose and Intent (Section 42-64 (1) g):

The structure's purpose is to store the property owner's motor vehicles. The homeowner intends to utilize the existing driveway to access the detached garage. City Staff reviewed and found no other existing detached garages in the neighborhood. The proposed variance request is not in harmony with the purpose and intent of the land development code.

Based on the variance criteria of sections 42-64 (d), (e) and (g), Staff recommends that the Board not approve the requested variance to build a detached garage architecturally different from the principal building with unlike materials as there are no special conditions or circumstances of the land, the request is a self-created hardship, and does not meet the purpose and intent of the city code.

**Additional Notes**

Please note that the Board may approve the proposed variance application as it is 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.

**MEMORANDUM**

**TO:** Planning and Zoning Board

**DATE:** June 25, 2024

**RE:** Variance Application – 1633 WIND DRIFT ROAD

**PUBLIC HEARING #2024-06-008 - PURSUANT TO BELLE ISLE CODE SEC. 42-64 AND 50-102 (A) (1), THE CITY OF BELLE ISLE PLANNING & ZONING BOARD WILL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW A DETACHED METAL GARAGE TO BE BUILT ARCHITECTURALLY DIFFERENT FROM THE PRINCIPAL BUILDING WITH UNLIKE MATERIALS, SUBMITTED BY APPLICANT DAVID SMITH, LOCATED AT 1633 WIND DRIFT ROAD, BELLE ISLE, FL 32809 ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #30-23-30-0604-01-030.**

**Background:**

- 1. On June 5, 2024, the applicant submitted a variance application and the required paperwork.
- 2. Letters to the abutting property owners were mailed within 300 feet of the subject property on June 14, 2024.
- 3. A Notice of Public Hearing legal advertisement was placed in the Orlando Sentinel on June 15, 2024.

The Board may adopt all, some, or none of these determinations as part of its findings of fact and add any additional findings of fact presented at the public hearing. The Board must determine if the criteria outlined in Chapter 42, Article III, Section 42-64(1) of the Land Development Code have been met and approve, approve with conditions, or deny this request.

**SAMPLE MOTION TO APPROVE:**

"I MOVE, PURSUANT TO BELLE ISLE CODE 42-64 AND 50-102 (A) (1), TO APPROVE A DETACHED METAL GARAGE TO BE BUILT ARCHITECTURALLY DIFFERENT FROM THE PRINCIPAL BUILDING WITH UNLIKE MATERIALS, SUBMITTED BY APPLICANT DAVID SMITH, LOCATED AT 1633 WIND DRIFT ROAD, BELLE ISLE, FL 32809 ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #30-23-30-0604-01-030.

**SAMPLE MOTION TO DENY:**

"I MOVE, PURSUANT TO BELLE ISLE CODE CODE CODE 42-64 AND 50-102 (A) (1),, HAVING NOT BEEN MET, TO DENY *[use only if NONE of the justifying criteria have been met] the requirements of, Subsections: [state only the subsections below that are not satisfied] having NOT been met; [may be used in addition to above or alone]* A DETACHED METAL GARAGE TO BE BUILT ARCHITECTURALLY DIFFERENT FROM THE PRINCIPAL BUILDING WITH UNLIKE MATERIALS, SUBMITTED BY APPLICANT DAVID SMITH, LOCATED AT 1633 WIND DRIFT ROAD, BELLE ISLE, FL 32809 ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #30-23-30-0604-01-030..

Or the Board can request that it be tabled to a date certain to allow for revisions as discussed.

**SUBSECTION (D)**, a literal enforcement of the provisions of the zoning ordinances would result in unnecessary hardship and that said hardship is created by special conditions and circumstances peculiar to the land, structure or building involved, including but not limited to dimensions, topography or soil conditions.

**SUBSECTION (E)**, personal hardship is not being considered as grounds for a variance since the variance will continue to affect the character of the neighborhood after title to the property has passed and that the special conditions and circumstances were not created in order to circumvent the Code or for the purpose of obtaining a variance.

**SUBSECTION (F)**, the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

**SUBSECTION (G)**, the granting of the variance will be in harmony with the general purpose and intent of the Code, will not be injurious to the neighborhood, will not be detrimental to the public welfare, and will not be contrary to the public interest.



# City of Belle Isle

1600 Nela Avenue, Belle Isle, FL 32809  
Tel 407-851-7730 \* Fax 407-240-2222 \* www.belleislefl.gov

## Variance and Special Exception Application

City Code Chapter 42, Art. II, Sec. 41-61 thru 41-72 AND Sec 42-64 Land Development Code

APPLICANT	DAVID SMITH A1	OWNER	DAVID SMITH A1
ADDRESS	1633 Wind Drift rd Belle Isle	PROJECT ADDRESS	SAME
CONTACT NUMBER	4074894185	OWNER'S CONTACT NUMBER	SAME
EMAIL	A1Sept@aol.com	OWNER'S EMAIL	SAME
PARCEL ID#	30-23-30-0604-01-030		
LAND USE CLASSIFICATION	0100 SINGLE	ZONING DISTRICT	R1-AA
SECTION OF THE CODE VARIANCE REQUESTED ON	50-102 A1		
DETAILED VARIANCE REQUEST	SEE ATTACHED!!!		

- The applicant hereby states that the property for which this hearing is requested has not been the subject of a hearing before the Planning and Zoning Board of the kind and type requested in the application within nine (9) months. Further, the requested user does not violate any deed restriction of the property.
- By applying, I authorize City of Belle Isle employees and members of the P&Z Board to enter my property during reasonable hours to inspect the area to which the application applies.
- The applicant shall provide a minimum of ten (10) sets of three (3) photographs in support of this application as follows: at least one (1) picture of the front of the property and at least two photos (from different angles) of the specific area of the property to which the application applies.

APPLICANT'S SIGNATURE	OWNER'S SIGNATURE
<input checked="" type="checkbox"/> VARIANCE	<input type="checkbox"/> SPECIAL EXCEPTION
<input type="checkbox"/> OTHER	P&Z CASE NUMBER
	2024-06-008
	DATE OF HEARING
	6/25/24

Sec. 42-64. - Variances. The Board shall have the power to approve, conditionally approve or deny applications for a variance from the terms of the Land Development Code.

Criteria. The Board shall not approve an application for a variance from terms of the Land Development Code unless and until:

- A written application for a variance is submitted to the city manager or the city manager's designee on a form provided by the city clerk setting forth all of the special conditions and circumstances that exist in favor of the granting of the variance and addressing the requirements of subsections (1)d-g of this section of the criteria set forth in this section. Upon submission of the properly completed application and the appropriate fee, the city manager or the city manager's designee shall refer the application to the board.

- Notice of public hearing for the variance shall be given as required by the article for hearing before the board.
- The public hearing on the application for the variance shall be held. The applicant, the applicant's agent as evidenced by a signed writing or the applicant's attorney shall appear before the board.
- It is determined that literal enforcement of the provisions of the zoning ordinances would result in unnecessary hardship and that said hardship is created by special conditions and circumstances peculiar to the land, structure or building involved, including but not limited to dimensions, topography or soil conditions.
- It has been determined that personal hardship is not being considered as grounds for a variance since the variance will continue to affect the character of the neighborhood after title to the property has passed and that the special conditions and circumstances were not created in order to circumvent the Land

*Original*

**Variance Request**  
**David Smith**  
**1633 Wind drift Rd. Belle Isle Fl 32809**

**I am hereby requesting a variance to replace and build a new larger detached building/garage. Because of the direction of my existing garage I am not able to build onto my home as it is. My existing garage does not face the street or driveway. I am requesting permission to build detached so I can place me antique collectible cars inside new garage.**

**Dave Smith**  
**A1 Septic**



**NARRATIVE:**

1633 Wind Drift rd. Belle Isle, 32809

**Special condition:**

Extending or building onto my existing garage is not possible because my existing garage does not face the driveway or street. When pulling into my driveway I must turn right at 90 degrees to enter my garage. This building meets other zoning requirement for a detached garage. I already have a metal building in same location, 12W x18L x10.6H and want to remove it and replace with bigger one 16W x 32L x 14H to park cars.. A metal building similar to what I what to add was just approved by the city of Belle Isle on Indian dr.

**Special condition:**

My home is in the original condition as built. The home is in same built as it was built in 1978 so no changes were made by owner to cause this hardship. Since the home was built so many years ago it makes it difficult to add on to existing. so detached is only option.

**MINIMUM:**

I have considered other options, but none will work for the following reasons. Adding on to existing garage would be cheaper but not possible because my existing garage is at a 90 degree angle to my driveway. Adding on would be nice but not feasible because cannot drive-up driveway then turn 90 degrees into existing garage if it was bigger.

**PURPOSE & INTENT**

The property to my west is a 2-story house so it will have no effects as far as, adequate light, air or any other reason. The property to my east is on the opposite end of the proposed addition, so should not have any effects. Building this addition will have no impact on traffic or pedestrian safety.

\_\_\_\_\_ **Date** \_\_\_\_\_

**David Smith**

2024.04.

30

22:59:15



Form Works Architecture

the SMITH RESIDENCE

1633 WIND DRIFT ROAD, BELLE ISLE, FL 32809

DENISE SMITH (P) RESIDENCE

DATE: APR. 24, 2024

AI



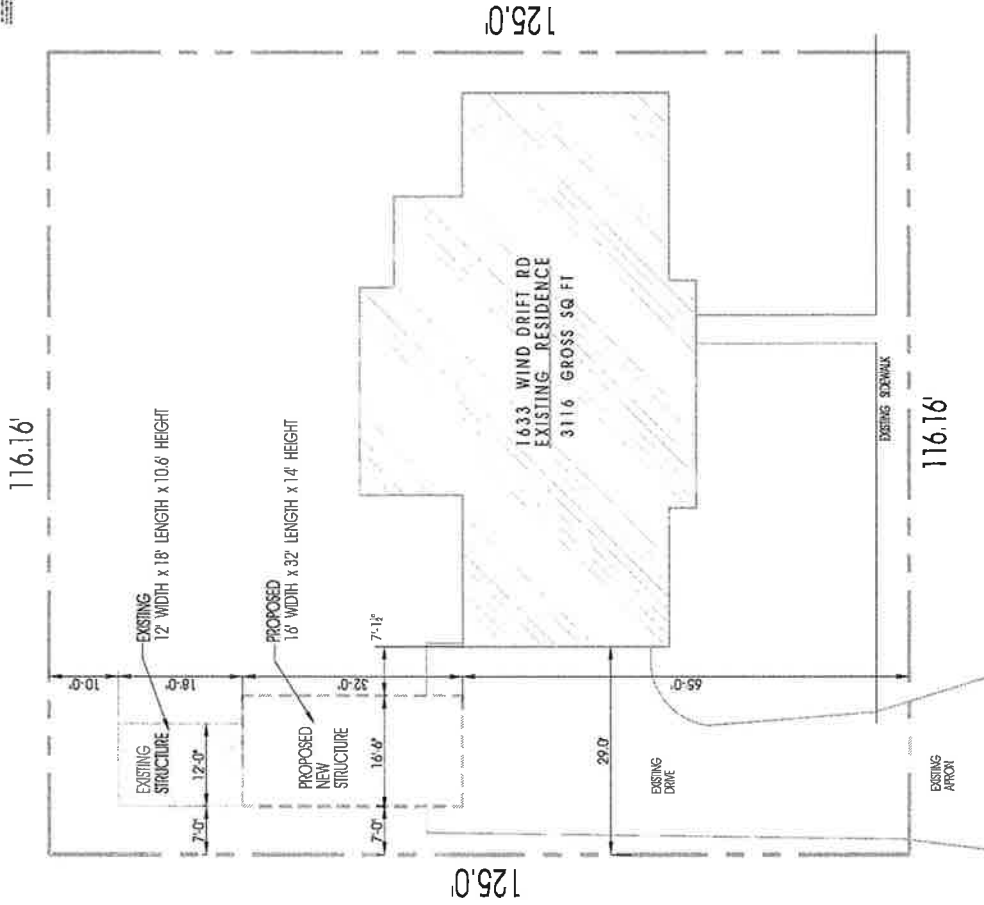
### VICINITY MAP



1633 WIND DRIFT ROAD, BELLE ISLE, FL 32809

### CODE INFORMATION

ADOPTED CODES	FLORIDA BUILDING CODE - 2023 6th Edition
BUILDING:	FLORIDA BUILDING CODE - 2023, EXISTING BUILDING
	FLORIDA BUILDING CODE - 2023, RESIDENTIAL
FIRE:	FLORIDA FIRE PREVENTION CODE - 2023
ELECTRICAL:	CHAPTER 27 - NFPA 70, NATIONAL ELECTRIC CODE, 2020 EDITION
ACCESSIBILITY:	2023 FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION
ENERGY:	FRC 2023 ENERGY EFFICIENCY FOR BLDG CONSTRUCTION

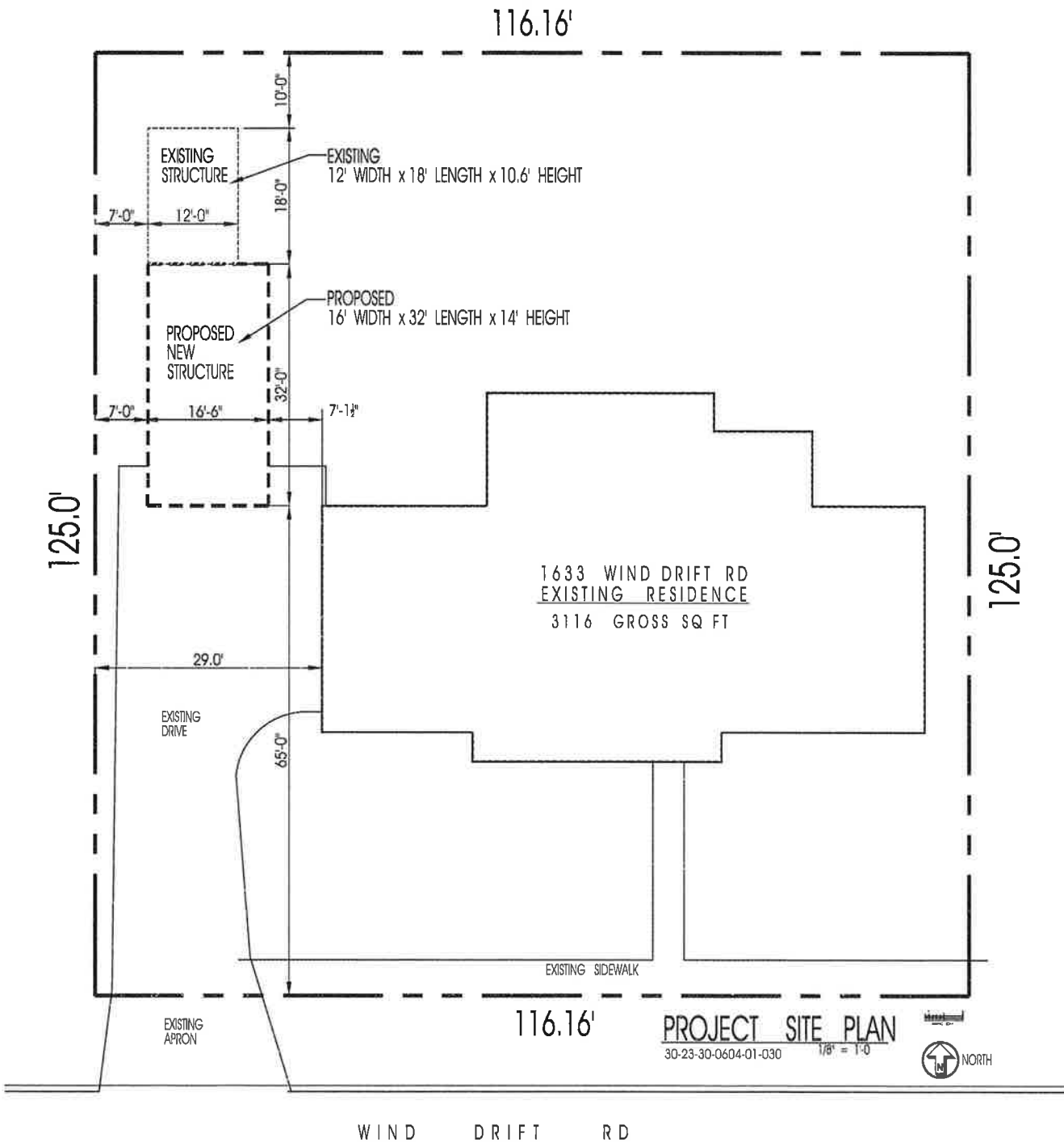


WIND DRIFT RD



a.

14



This Instrument Prepared By  
and Should be Returned To:

Robert L. Harding, Esq.  
Railey & Harding, P.A.  
20 North Eola Drive  
Orlando, Florida 32801

DOC# 20110261456 B: 10215 P: 1899  
05/17/2011 12:49:49 PM Page 1 of 2  
Rec Fee: \$18.50  
Deed Doc Tax: \$805.00  
DOR Admin Fee: \$0.00  
Intangible Tax: \$0.00  
Mortgage Stamp: \$0.00  
Martha D. Haynie, Comptroller  
Orange County, FL  
SA - Ret To: CAROL W CAMPBELL

**WARRANTY DEED**

**THIS WARRANTY DEED** is made the 5<sup>th</sup> day of May, 2011, by **HATTIE SESSION, an unremarried widow**, whose address is 1633 Wind Drift Rd., Orlando, Florida 32809, as **GRANTOR**, to **DAVID F. SMITH and ELAINE DORIS SMITH, husband and wife**, whose address is 4940 Legacy Oaks Drive, Orlando, Florida 32839, as **GRANTEE**.

WITNESSETH,

That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, has granted, bargained, sold, conveyed and confirmed, and by these presents does grant, bargain, sell, convey and confirm, unto Grantee, all that certain land situate in Orange County, Florida, viz:

Lot 3, Block A, Belle Isle Pines, Unit II, according to the map or plat thereof, as recorded in Plat Book 7, Page 2, of the Public Records of Orange County, Florida.

PARCEL I.D. #: 30-23-30-0604-01030

PROPERTY ADDRESS: 1633 Wind Drift Rd., Orlando, FL 32809

The Property is the homestead of the Grantor.

TOGETHER with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except for real property taxes for the year 2011 and thereafter, not yet due and payable and restrictions, easements, agreements and reservations of record but shall not act to reimpose same.

IN WITNESS WHEREOF, Grantor has set her hand and seal the day and year first above written.

Signed, sealed, and delivered in the presence of:

GRANTOR: Hattie Session, by Thelma Brooks as attorney in fact by Durable power of attorney dated December 16, 2010

Witness 1  
ROBERT HARDING  
Print Name

Hattie Session, by Thelma Brooks, as attorney in fact by Durable Power of Attorney dated December 16, 2010

Witness 2  
CAROL W. CAMPBELL  
Print Name

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 2nd day of May, 2011, by Thelma Brooks, as attorney in fact for Hattie Session, by Durable Power of Attorney dated December 16, 2010, who is personally known to me or who has produced FL DRIVERS LICENSE as identification.

Carol Campbell  
(Signature)

NOTARY PUBLIC - STATE OF FLORIDA  
SERIAL NO.:

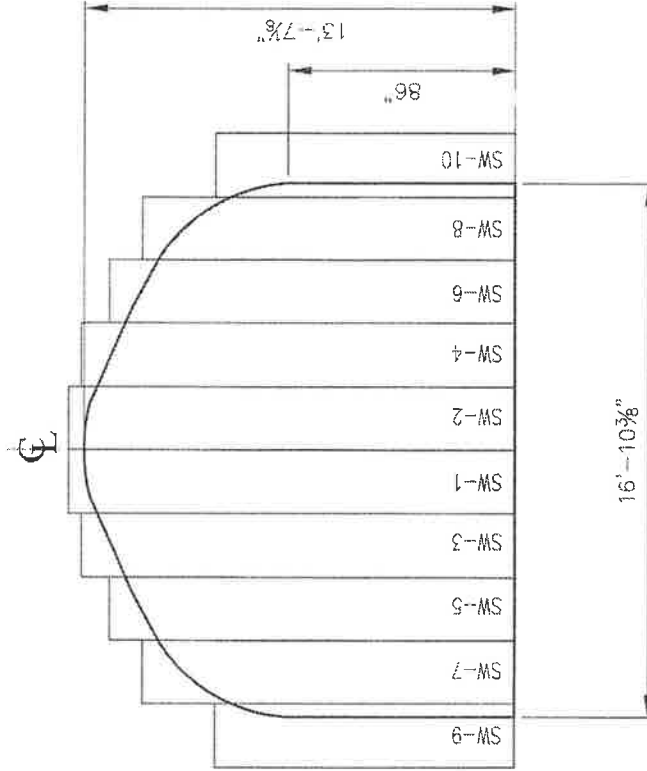


MODEL: P16-14

CUST. NAME: DAVE SMITH

ORDER NUMBER: 106016

P16-14 SOLID	
PANEL #	LENGTH
SW1-SW2	168
SW3-SW4	164
SW5-SW6	153
SW7-SW8	141
SW9-SW10	116



WALL DETAILS

ONE ENDWALL SOLID & ONE ENDWALL WITH AN OPENING OR OVERHEAD DOOR

SCALE: NTS SHEET: 5 OF 6

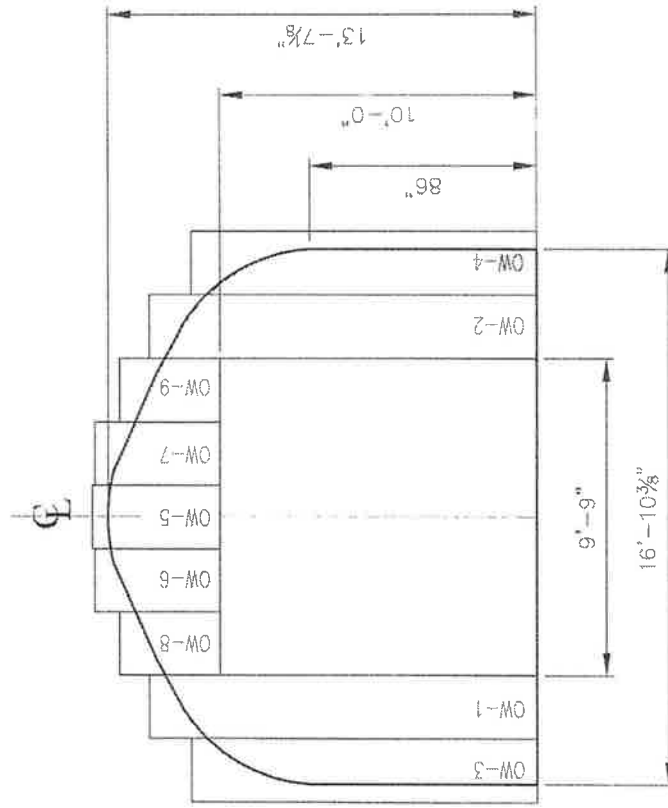
a.

MODEL: P16-14

CUST. NAME: DAVE SMITH

ORDER NUMBER: 106016

P16-14 10'H X 10'W OPENING	
PANEL #	LENGTH
OW1-OW2	147
OW3-OW4	131
ABOVE OPENING PANELS	
OW-5	48
OW6-OW7	47
OW8-OW9	38



WALL DETAILS

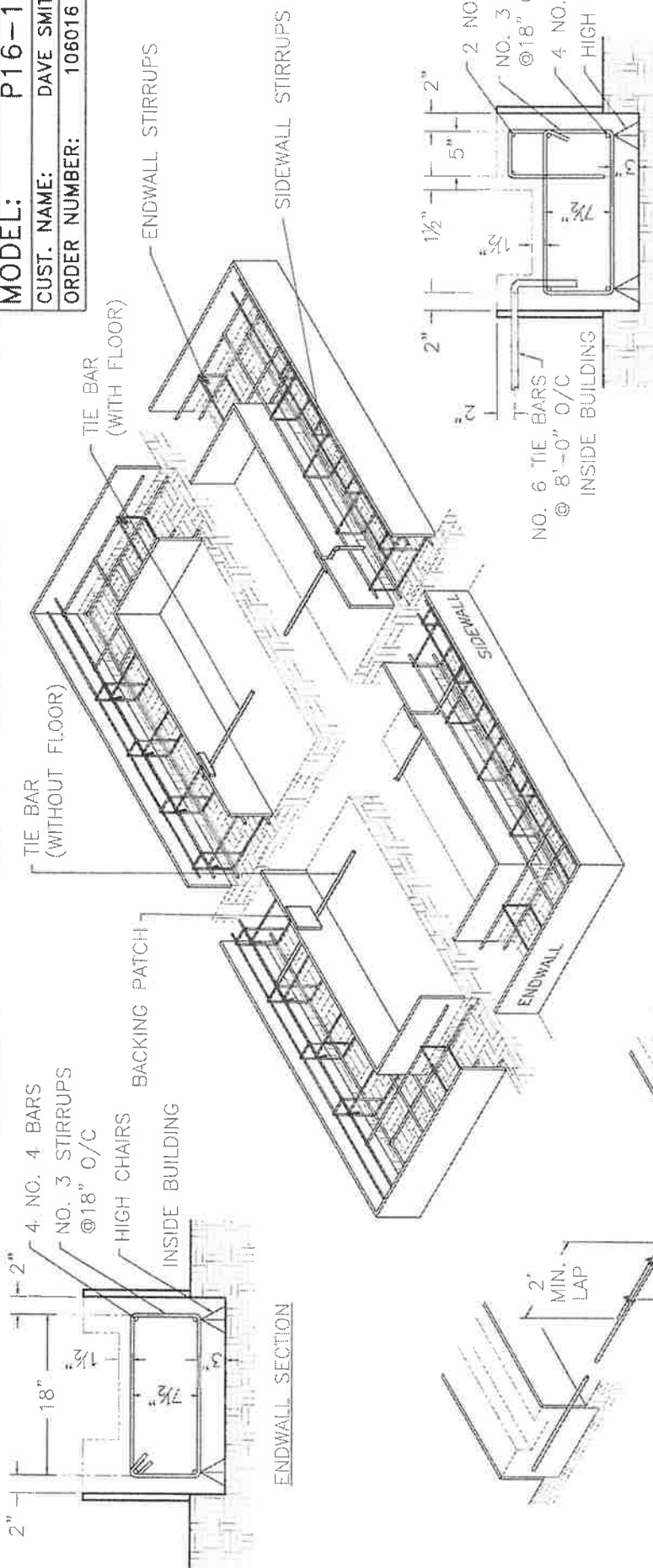
ONE ENDWALL SOLID & ONE ENDWALL WITH AN OPENING OR OVERHEAD DOOR

SCALE: NTS SHEET: 6 OF 6

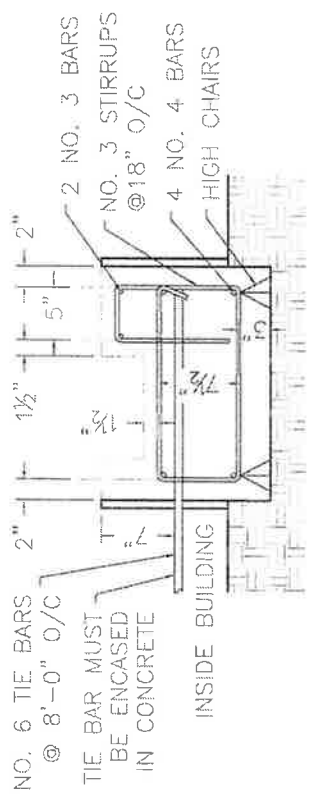




**MODEL:** P16-14  
**CUST. NAME:** DAVE SMITH  
**ORDER NUMBER:** 106016

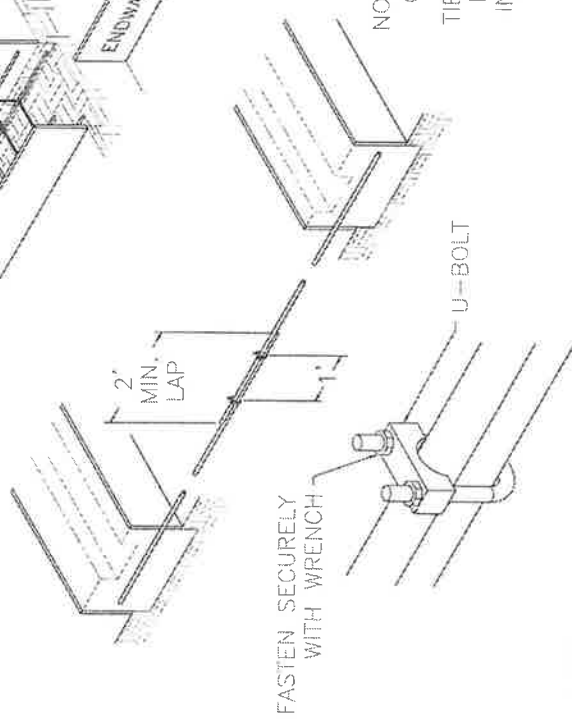


**SIDEWALL SECTION WITH FLOOR**



REBAR TABLE			
BAR NO.	DIAMETER	MIN. LAF	
NO. 3 (10M)	3/8" (11.3mm)	1'-0"	
NO. 4 (15M)	1/2" (16.0mm)	1'-4"	
NO. 6 (20M)	3/4" (19.5mm)	2'-0"	

**CONCRETE TROUGH FOUNDATION**  
**STEEL REINFORCEMENTS**  
**ONE ENDWALL SOLID & ONE ENDWALL WITH AN OPENING OR OVERHEAD DOOR**  
**SCALE: NTS SHEET: 4 OF 6**



**NOTE:** Use two U-bolts per splice. Encase tie bars and U-bolts in concrete as shown on Sheet 2.

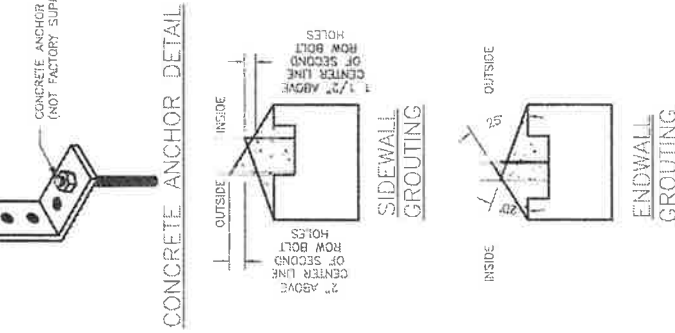
**ATTENTION:**

The foundation shown may not conform to your local by-laws and has no warranty as to its sufficiency for your particular area and or application. Retain a registered professional engineer to design a foundation which meets local by-laws and frost level depth requirements (if applicable), is adequate for soil conditions on the site, and conforms to the intended use of the building. The engineer should also be retained to inspect construction to ensure that the foundation is being built in conformity with his design. If the design engineer requires, retain a soils engineering specialist to report on soil conditions and soil compaction values.

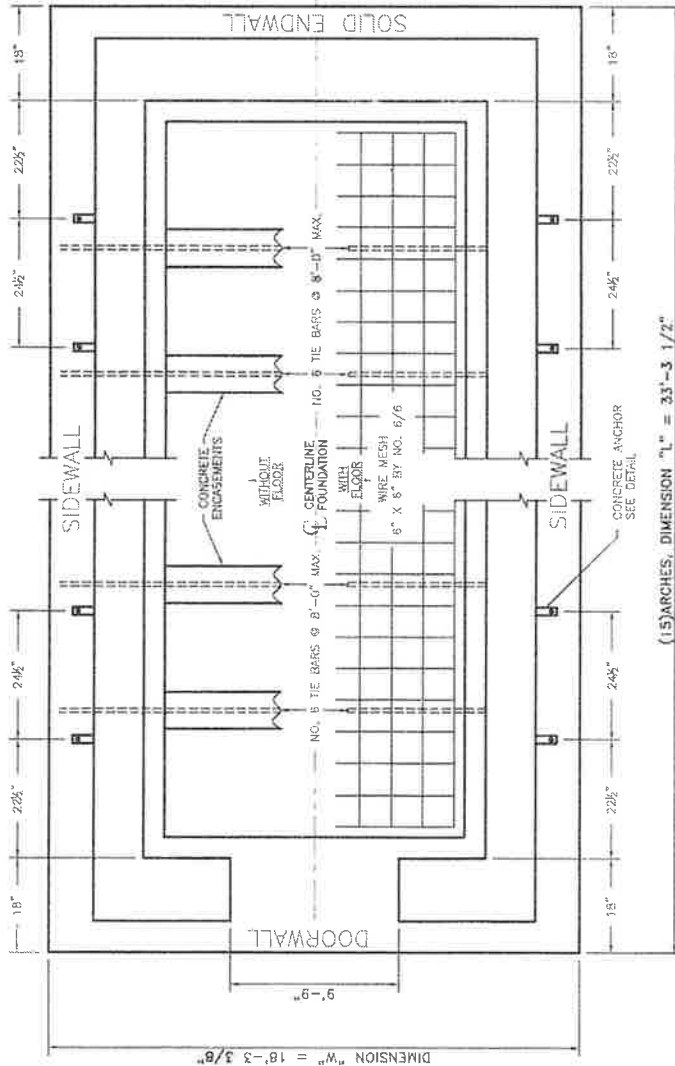
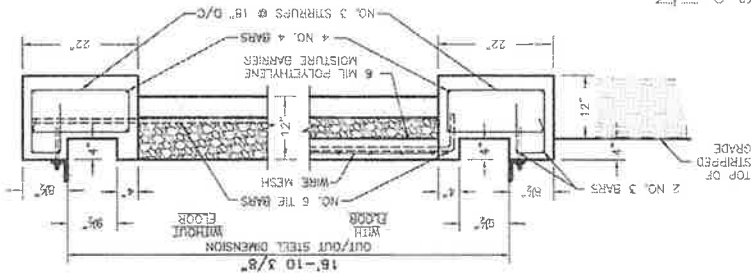
**MODEL:** P16-14  
**CUST. NAME:** DAVE SMITH  
**ORDER NUMBER:** 106016

PERFORATED STRAP  
 NOT FACTORY SUPPLIED  
 (AVAILABLE AT MOST LOCAL  
 HARDWARE STORES)

CONCRETE ANCHOR  
 (NOT FACTORY SUPPLIED)



SECTION THROUGH WIDTH

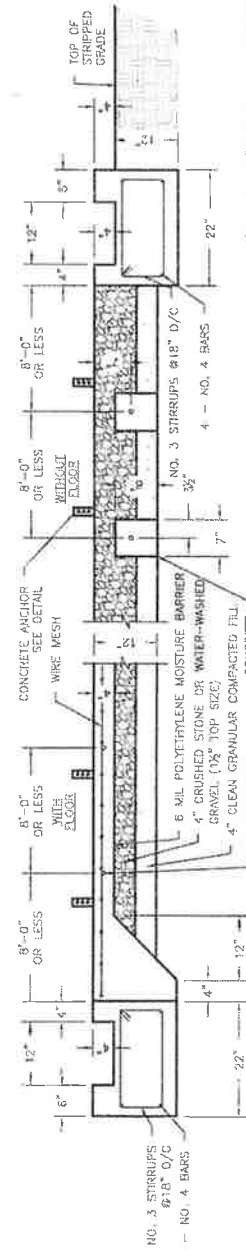


**NOTE:**

Inside grouting should be higher than outside grouting to prevent water seepage. Concrete grouting procedures must be in accordance with factory specifications to retain structural warranty.

**CONCRETE TROUGH FOUNDATION  
 GENERAL ARRANGEMENT**

**ONE ENDWALL SOLID & ONE ENDWALL  
 WITH AN OPENING OR OVERHEAD DOO**  
**SCALE: NTS SHEET: 2 OF 6**



FOUNDATION -- 2500 PSI STRENGTH  
 GROUT -- 5000 PSI STRENGTH

SECTION THROUGH LENGTH

MODEL: P16-14  
 CUST. NAME: DAVE SMITH  
 ORDER NUMBER: 106016

**GENERAL NOTES:**

1. NO LOADS OTHER THAN THOSE GIVEN UNDER "DESIGN DATA" BELOW BE IMPOSED ON THE "STRUCTURE"
2. THE FOUNDATION ON THE DRAWING IS A SUGGESTED SOLUTION ONLY. CHANGES MAY BE NECESSARY DUE TO LOCAL BUILDING REGULATIONS.
3. THE FOUNDATION SHALL BE FOUNDED ON NATURAL UNDISTURBED SOIL CAPABLE OF SAFELY SUSTAINING 1500 PSF. AND AT LEAST 12 IN. BELOW FINISHED GRADE.
4. SLAB ON GRADE SHALL BE PLACED ON SOIL CAPABLE OF SUSTAINING 500 PSF. WITHOUT APPROPRIATE SETTLEMENT.
5. BUILDING MUST BE GROUTED INTO TROUGH, INSIDE AND OUT TO MAINTAIN STRUCTURAL INTEGRITY EXCEPT WHEN USING BASE PLATE CONNECTORS.
6. CROSS TIES MUST BE INCASED IN CONCRETE WHEN CONCRETE SLAB IS NOT USED

**ARCH DATA:**

**DESIGN DATA:**

STEEL GAGE: .22  
 50 KSI MIN. YIELD  
 GALVALUME SHEET STEEL  
 LIVE LOAD: 75 PSF  
 ULTIMATE WIND SPEED: 150 MPH

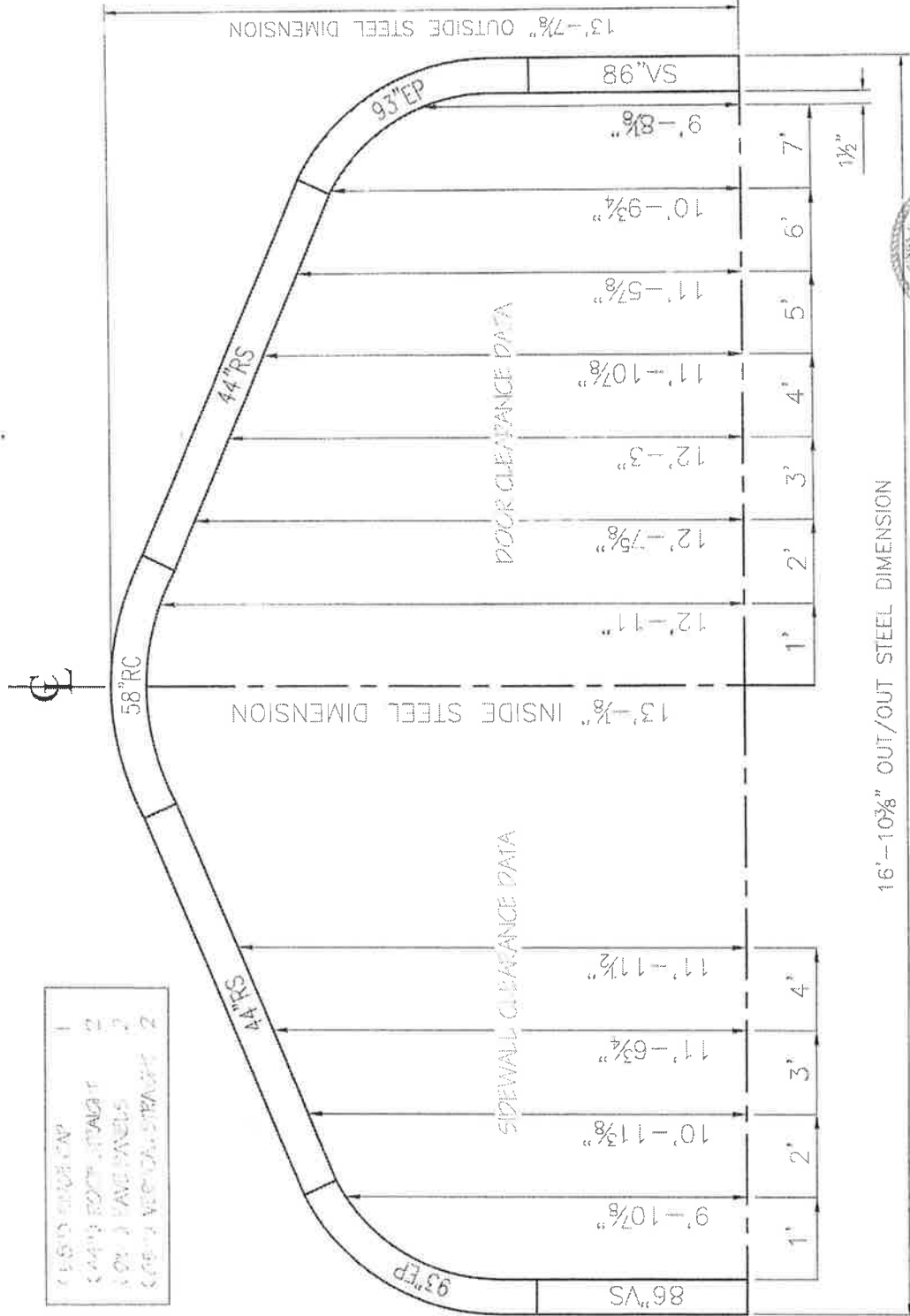
**MATERIALS:**

1. CONCRETE STRENGTH AT 28 DAYS TO BE 2500 PSI
2. REINFORCING STEEL TO BE DEFORMED BARS, GRADE 60
3. ALL MATERIALS SHALL CONFORM TO THE APPROPRIATE ASTM SPECIFICATIONS.

**ARCH PROFILE**

ONE ENDWALL SOLID & ONE ENDWALL WITH AN OPENING OR OVERHEAD DOOR

SCALE: NTS SHEET: 1 OF 6



1. DESIGNER'S CAP  
 2. CHECKED BY  
 3. APPROVED BY  
 4. DATE





a.





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

**Meeting Date:** June 25, 2024  
**To:** Planning and Zoning Board  
**From:** Stephen Noto, AICP  
Alexis Crespo, AICP  
RVi Planning & Landscape Architecture  
**Subject:** Comprehensive Plan Update

**Background:** RVi Planning and Landscape Architecture was hired by the City in 2023 to complete an update to the City’s Comprehensive Plan, primarily to address changes since the Plan’s last major update in 2010 and to address mandatory updates based upon Florida Statutes.

A Preliminary Assessment Report was completed by RVi and delivered to the City in the fall of 2023 – attached as Exhibit A. This Report provided a full analysis of the City’s demographics (existing and projected), land uses, infrastructure, as well as an analysis of all the existing Comprehensive Plan policies for consistency with State law and relevancy.

Since the analysis is related to the broad based and non-regulatory Comprehensive Plan, specific day to day operational items such as waste pickup and department operations, were not included, nor are they intended to be as part of this type of exercise.

Since the completion of the Report, RVi has been coordinating with the City Manager, staff, and Working Group, on the updates to the nine (9) elements in the Comprehensive Plan. These elements must be reviewed by the Planning and Zoning Board, recommended for action to the City Council, then sent to the Florida Department of Commerce for review. Following state review a final hearing before the City Council is required for final adoption of the updated Plan. The final adoption must occur by March 2025.

Due to the wide scope of the project, the updated elements will be provided to the Planning in Zoning Board in two (2) parts, in order to allow for timely review and comment by staff and members of the Planning and Zoning Board. The City last completed an Evaluation and Appraisal Report (EAR) in 2008, which led to the last major update in 2010. While small updates and changes have occurred overtime, the Comprehensive Plan has not been evaluated since that time.

The Phase “1” presentation occurred on May 28, 2024, and covered the Conversation, Housing, Intergovernmental Coordination, and Recreation and Open Space Elements. Those elements will be voted on as a recommendation to the City Council at the June 25, 2024 meeting.

The elements reviewed as part of this presentation “Phase 2” are the Future Land Use, Capital Improvements, Infrastructure, Public School Facilities and Transportation Elements. These “Phase 2” elements will be voted on as a recommendation to the City Council at the July 23, 2024 meeting.

Below is a brief summary of the recommended updates to the referenced elements, as shown in the strike-through/underline versions of the associated elements.

**Future Land Use Element**

- Goal 1
  - Updated to emphasize the importance of community character and neighborhood preservation.
- Policy 1.1.1
  - Expansion of the policy to better describe the purpose of the Future Land Use (FLU) map
- Policies 1.1.1a – 1.1.1.j
  - Added descriptions of all FLU categories
- Policy 1.1.2
  - Add new maximum densities per acre for each FLU category.
- Objective 1.2
  - Clarified how compatibility is defined in the context of the overall objective.
- Policy 1.2.1
  - Updated the list of how the LDC will implement the Comprehensive Plan
- Policies 1.2.2. – 1.2.6
  - New policies related to density and protection of established neighborhoods.
- Objective 1.3 and Policies 1.3.1 – 1.3.5
  - Updates related to non-conforming uses and compliance with the Comprehensive Plan and LDC.
- Objective 1.4 and Policies 1.4.1 – 1.4.5
  - General updates related to issuance of development agreements.
- Policy 1.4.6
  - Updated list of low impact design (LID) techniques
- Goal 2
  - Strengthened the goal by adding language related to established character of neighborhoods.
- Policy 2.1.5

- Strengthened policy by adding language regarding buffers, open space, landscaping, stormwater, etc.
- Objective 2.4 and Policies 2.4.1 – 2.4.4
  - Cleaned policy language as needed.
- Policy 2.6.4
  - New policy requiring sidewalks/bikeways for all new development, which will improve community connectivity.
- Policy 2.8.3
  - Updated policy to be consistent with anti-sprawl language of Florida Statutes.
- General grammatical and wordsmithing updates.

### **Capital Improvement Element**

- Removing definitions
- Goal 1
  - Rephrasing to make in to an action statement.
- Objective 1.1 and Policies 1.1.1 – 1.1.13
  - Updates related to the Capital Improvement Plan (CIP)
  - Renumbering of Policies
- Policy 1.4.3
  - Directing to the City budget to see the 5-year CIP.
- Policies 1.4.3 – 1.4.6
  - Updated numberings due to duplicates in original document
- Objectives and Policies related to School Capacity remained. Coordination with the School Board and other local agencies that are part of the Interlocal Agreement is recommended to determine if a collective update is needed.

### **Infrastructure Element**

- Policy 1.1.2
  - New Policy. Septic system requirement for lots under 1 acre
- Policy 1.1.3
  - Updated policy to clarify “abutting the property” to “within ¼ mile of the subject property”.
- Policy 2.2.3
  - New policy regarding coordination with relevant agencies for a Septic to Sewer Conversion Master Plan.
- Policy 2.1.3.1
  - New policy to map and document high, moderate, and poor recharge areas.
- Objective 2.3 and Policy 2.3.1
  - Moved from the Conservation Element

- Objective 2.4 and Policy 2.4.1
  - Moved from the Conservation Element
- Policy 3.3.5
  - Strengthened policy by included neighboring agencies in order to improve drainage outfalls into the Conway Chain of Lakes.
- Objective 3.4 and Policies 3.4.1 – 3.4.5
  - Moved from the Conversation Easement

### **Public Schools Facilities Element**

- Coordination with the School Board and other local agencies that are part of the Interlocal Agreement (ILA) is recommended to determine if a collective update is needed.
- Dates that have past have been removed.
- References to analysis with dates have been removed and updated with other references.
- Policy 1.3.3 and 1.3.4
  - Developments of Regional Impact (DRI) are no longer a development tool.
- General grammatical and wordsmithing updates.

### **Transportation Element**

- Removal of any dates that have passed.
- Updated to “Multi-Modal” Transportation Element
- Included the phrase “multi-modal” in to certain policies where appropriate.
- Updated local agency titles where appropriate.
- Update to Level of Service based on coordinate with local agency standards, where appropriate.
- Policy 1.3.6
  - Added language regarding proportionate share for improvements per Florida Statutes.
- Objective 1.4
  - Language updated to emphasize multimodal improvements and safety.

As mentioned previously, no action is required at this time, as a vote by the Board will be taken at the July meeting. The element updates are attached to this report for review and comment.

**Staff Recommendation:** No action is required at this time. Staff and RVi will be available for questions and comments. A recommendation by the Board to TRANSMIT to the City Council is requested following review of all nine (9) elements.



**Attachments:** Future Land Use, Capital Improvements, Infrastructure, Public School Facilities and Transportation Elements in strikethrough/underline format.

a.

## CAPITAL IMPROVEMENTS ELEMENT GOALS, OBJECTIVES AND POLICIES

### Definitions

Certain terms are used in the capital improvements element that need to be identified as to their specific meaning. The following definitions are taken from rule 9j-5.003.

- a) ~~“Capital improvement” means physical assets constructed or purchased to provide, improve or replace a public facility and which are large scale and high in cost. The cost of a capital improvement is generally nonrecurring and may require multi-year financing. For the purposes of this rule, physical assets which have been identified as existing or projected needs in the individual comprehensive plan elements shall be considered capital improvements.~~
- b) ~~“Capital budget” means the portion of each local government’s budget which reflects capital improvements scheduled for a fiscal year.~~
- c) ~~“Level of service” means an indicator of the extent or degree of service provided by, or proposed to be provided by, a facility based on and related to the operational characteristics of the facility. Level of service shall indicate the capacity per unit of demand for each public facility.~~
- d) ~~“Financially Feasible Plan” means that sufficient revenues are currently available or will be available from committed funding sources for the first 3 years, or will be available from committed or planned funding sources for years 4 and 5.~~
- e) ~~“Public Facility” means arterial and collector roads, drainage systems, potable water and sanitary sewer, solid waste, parks and open space and public school facilities.~~

**GOAL 1: TO PLAN FOR AND MANAGE THE PROVISION OF PUBLIC FACILITIES AND SERVICES IN A FISCALLY SOUND MANNER, AND ADEQUATELY SERVE THE NEEDS OF THE EXISTING AND FUTURE POPULATION OF BELLE ISLE. THE CITY SHALL UNDERTAKE ACTIONS NECESSARY TO PROVIDE ADEQUATE PUBLIC FACILITIES IN A MANNER THAT PROTECTS INVESTMENTS IN EXISTING FACILITIES, MAXIMIZES THE USE OF EXISTING FACILITIES, AND PROVIDES FOR NEEDED EXPANSIONS CONCURRENT WITH AN ORDERLY AND COMPACT GROWTH PATTERN.**

**OBJECTIVE 1.1:** The City shall guide the provision of public facilities ~~annually identify capital improvements~~ to meet the needs of the existing and future population, and the improvements needed to replace antiquated, worn-out, obsolete, inefficient, and economically unfeasible facilities.

**POLICY 1.1.1:** ~~The City shall adopt a financially feasible Capital Improvements Program and capital budget with each annual budget.~~ The City will adopt by reference a 5-year Capital Improvement Schedule to ensure that the necessary public facilities will be in place to meet Levels of Service established within the Comprehensive Plan.

**POLICY 1.1.2:** The Capital Improvements Schedule shall be reviewed and

updated annually to reflect any applicable changes to goals, objectives and policies or capital improvement needs set forth in all elements of the Comprehensive Plan.

**POLICY 1.1.3:** Capital Project for the following facilities and infrastructure will be included and funded as part of the City’s Capital Improvement Schedule, at minimum:

- (1) Potable Water
- (2) Sanitary Sewer
- (3) Stormwater Management (Drainage)
- (4) Solid Waste

**POLICY 1.1.24:** The Capital Improvement Program shall prioritize the identified improvements according to the following criteria:

- a. elimination of a public hazard;
- b. consistency with identified existing capacity deficits in the Comprehensive Plan;
- c. financial feasibility and impact on the City budget;
- d. consistency with the location of projected growth based on the Future Land Use Map;
- e. ability to serve the future population;
- f. consistency with plans for improvements by other agencies within Belle Isle;
- g. maintenance or improvement to Level of Service (LOS);
- h. capacity deficiency;
- i. right-of-way availability/reservation;
- j. Support the use of alternative modes of transportation;
- k. Address backlogged facilities to the extent possible; and
- l. legislative mandates and requirements.

**POLICY 1.1.35:** The Capital Improvements Program shall define capital improvement as any public physical improvement or land acquisition over \$10,000. For the purposes of the Comprehensive Plan, capital improvements shall be limited to open spaces, recreation, transportation, solid waste, potable water, wastewater and drainage facilities.

**POLICY 1.1.46:** The Capital Improvements Program shall be financially feasible and consistent with the Comprehensive Plan.

**POLICY 1.1.57:** The City shall maintain all City owned infrastructure at a level of service adequate to extend the use of the facility, and reduce the future repair or replacement costs.

**POLICY 1.1.68:** The repair or replacement of capital facilities shall be reviewed under the same criteria listed in Policy 1.1.2. The City shall plan for the replacement of capital facilities and begin identifying funding sources during its annual budget cycle.

**POLICY 1.1.79:** The City shall seek the highest quality new and replacement

capital improvements at the lowest cost in order to provide the greatest savings to the residents of Bell Isle.

**POLICY 1.1.810:** The City shall review the Capital Improvements Element on an annual basis, including updating the Capital Improvement Program as necessary based on the policies outlined in this Element.

**POLICY 1.1.911:** The Capital Improvements Element shall be a five year program that is updated annually and may be amended twice, if required through the Growth Management plan amendment process. In the event an emergency of the Capital Improvements Element can be amended more than twice in a year.

**Policy 1.1.4012:** The Capital Improvements Element shall be integrated into the Capital Improvements Program process and the first year of the Capital Improvement Program will represent the Capital budget that is adopted by the City Council with each annual budget.

**Policy 1.1.4413:** The City shall, whenever possible, allocate funds within the Capital Improvements Program for water conservation efforts to include public education materials.

**OBJECTIVE 1.2:** The City shall continue to provide a comprehensive and viable financial strategy, balancing the capital improvement needs of Belle Isle with the ability of the City to pay for them.

**POLICY 1.2.1:** The City shall adopt the following debt management policy:

- the maximum ratio of debt service to total revenue shall be .1;
- the use of revenue bonds shall be limited to a maximum of 25% of the total revenues; and
- the maximum ratio of outstanding capital debt to ad valorem taxes shall not exceed .1.

**POLICY 1.2.2:** The City shall not approve any capital improvement that the City cannot adequately fund the operation and maintenance of the improvement.

**OBJECTIVE 1.3:** The City shall maintain the adopted level of service standards for public facilities and services identified in the Comprehensive Plan, by requiring all proposed development to pay for the capital improvements necessary to serve the development at the adopted level of service.

**POLICY 1.3.1:** The City shall utilize the level of service standards (LOS) identified in this plan to evaluate and permit new development in order to maintain adopted level of service standards for existing and future needs.

**POLICY 1.3.2:** Belle Isle shall adopt a peak hour minimum level of service standard of “CE” on all City roads. The level of service standard shall be based on the information provided in the Transportation Element.

**POLICY 1.3.53:** The City shall adopt a level of service for solid waste of 4.0 pounds per person per day for residential uses, and 2.0 pounds per person per day for commercial uses. The LOS shall be used for determining the availability of the Orange County Landfill.

**POLICY 1.3.4:** The City shall adopt level of service standards for potable water as follows:

User	Level of Service Standard
Residential	350 gallons/unit/day
Non-Residential	2,000 gallons/acre/day

**POLICY 1.3.5:** The City shall adopt level of service standards to determine whether there is sufficient wastewater service available to service proposed developments:

User	Level of Service Standard
Residential	
Single Family	300 gallons/unit/day
Multi-Family	225
gallons/unit/day Commercial	
Professional-Office	0.1 gallons/sq.ft./day
General Commercial	0.25 gallons/sq.ft./day
Hotel/Motel	265 gallons/room/day
Industrial	0.15 gallons/sq.ft./day

**POLICY 1.3.6:** The City shall adopt the following Level of Service standards for all new drainage systems:

Water Quality: All retention/detention facilities shall retain either the first 1/2" of runoff from the entire site or the runoff from 1" of rainfall, whichever is greater.

<u>Facility</u>	<u>Design Storm</u>
<u>Bridges</u>	<u>50-year</u>
<u>Canals, ditches or culverts for drainage external to development</u>	<u>25-year</u>
<u>Cross drains and storm sewers</u>	<u>10-year</u>
<u>Roadside swales, drainage internal to development or individual house</u>	<u>10-year</u>
<u>Detention basins/retention basins with positive outfall**</u>	<u>25-year</u>
<u>Retention basins without positive outfall***</u>	<u>100-year</u>
<i>Note: All design storms are 24 hours in length.</i>	

Facility	Design Storm
Bridges	50 year
Canals, ditches or culverts for drainage external to development	25 year
Crossdrains and storm sewers	10 year
Roadside swales, drainage internal to development or individual house	10 year
Detention/Retention Basis**	25 year
Retention Basins	100 year

- \* All Design storms are 24 hours in length.
- \*\* With positive outfall.
- \*\*\* Without positive outfall.

**POLICY 1.3.7:** The City shall adopt a LOS for activity and ~~resource based~~ resource-based parks of 1.0 acre/1,000 people.

**OBJECTIVE 1.4:** In December of 1992, the City adopted as part of the Land Development Code, a Concurrency Management System which provides the process and procedures for evaluating the impact of a new development on the adopted level of service standards. The City of Belle Isle shall continue to enforce the Concurrency Management System pursuant to the following policies.

**POLICY 1.4.1:** The City shall ensure that adequate water supplies and facilities shall be available to serve new development no later than the date on which the local government anticipates issuing a certificate of occupancy (CO) or its equivalent, ~~or. t~~ The City shall consult with the applicable water supplier prior to approving a building permit to determine whether adequate water supplies will be available to serve development by the anticipated issuance date of the CO or its equivalent.

**POLICY 1.4.2:** The Concurrency Management System mandates that all development order approvals ~~issued after January 1, 1993~~ shall be conditioned upon the availability of adequate facilities. It shall be the responsibility of the applicant to provide proof that the proposed development will not reduce the level of service below the level of service adopted in the City's Comprehensive Plan for any public facility. The necessary facilities and services needed to serve the new development must be scheduled to be in place or

under actual construction not more than three years after issuance of a certificate of occupancy as provided in the City's adopted five-year schedule of capital improvements.

**Policy 1.4.3:** The City of Belle Isle shall plan for and provide needed capital facilities that are within the fiscal capability of the City through the adoption of a Capital Improvements Program (CIP). For those needed capital facilities that are under the fiscal responsibility of another public agency, the City of Belle Isle shall adopt by reference the applicable agency's 5-year capital improvement program or work plan. The 5-year CIP can be found in the City's budget, which may be modified from time to time.

DRAFT

City of Belle Isle  
 Five Year Capital Improvement Plan  
 2009/2010 – 2013/2014

Project Year	Project Name/Description	Total Project Cost	FY 2009/10	FY 2010/11	FY 2011/12	FY 2012/13	FY 2013/14	Dept	Revenue Source
2008/2013	Canopy Removal	\$90,000	\$10,000	\$20,000	\$20,000	\$20,000	\$20,000	519	General Fund
2008/2009	Phase II Drainage Improvements	\$95,654	\$95,654	\$0	\$0	\$0	\$0	519	SWU & General
2008/2013	Emergency Project Funding	\$500,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	513	General Fund
2008/2013	Lake Conway East & Windsor Place street resurfacing	\$376,100	\$333,100	\$43,000	\$0	\$0	\$0	541	General Fund
2008/2013	Tree Replacement	\$85,000	\$5,000	\$20,000	\$20,000	\$20,000	\$20,000	541	General Fund
2008/2013	Sidewalk & Curb Repair	\$250,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	519	General Fund
2008/2013	Phase III Drainage Improvements	\$2,040,594	\$390,124	\$1,117,740	\$532,730	\$0	\$0	519	SWU & General
2008/2009	Traffic Calming	\$85,000	\$5,000	\$20,000	\$20,000	\$20,000	\$20,000	541	General Fund
2007/2011	Community Beautification	\$450,000	\$50,000	\$100,000	\$100,000	\$100,000	\$100,000	519	General Fund
2007/2011	Community Improvement Grants	\$110,000	\$10,000	\$25,000	\$25,000	\$25,000	\$25,000	519	General Fund
2009/2010	Council Chambers & Audio Visual	\$75,000	\$0	\$75,000	\$0	\$0	\$0	519	General Fund
2008-2009	Building - 1521 Nela Police Dept.	\$29,500	\$29,500	\$0	\$0	\$0	\$0	519	General Fund
2009	Phase I Street Resealing and Resurfacing	\$90,924	\$0	\$90,924	\$0	\$0	\$0	541	General Fund
2010	Phase II Street Resealing and Resurfacing	\$171,120	\$0	\$171,120	\$0	\$0	\$0	519	General Fund
2011	Phase III Street Resealing and Resurfacing	\$205,440	\$0	\$0	\$205,440	\$0	\$0	519	General Fund
2010	Phase IV Drainage Improvements	\$50,704	\$0	\$50,704	\$0	\$0	\$0	519	SWU & General

**Five Year sub total**

**Yearly Total**

<del>\$4,705,036</del>	<del>\$1,078,378</del>	<del>\$1,883,488</del>	<del>\$1,073,170</del>	<del>\$335,000</del>
<u>\$335,000</u>				

**Adjusted Total**

<u>\$4,705,036</u>	<u>\$1,078,378</u>	<u>\$1,883,488</u>	<u>\$1,073,170</u>	<u>\$335,000</u>
<u>\$335,000</u>				

**Footnote:**

**Phase II Drainage Improvements**



3013 Cullen Lake Shore Drive HOA/Road Repair	95,564
<hr/>	
	<b>95,564</b>

**Phase III Drainage Improvements**

3013 Trentwood Outfall @ Lincoln res	50,000	staff estimate – staff project
<hr/>		
	<b>50,000</b>	

**Phase III Drainage Improvements**

Belle Vista Drive Outfall Repair	31,313
Horizon Court Outfall Repair	101,377
Lagoon/Trimble Park Outfall Repair	31,691
Lake Drive Outfall Repair at Sullivan Residence	101,427
Nela Homewood Drainage	985,000
Willoughby Lane Outfall Repair	74,317
<hr/>	
	<b>1,325,125</b>

**Phase III Drainage Improvements**

Wind Drivet Road Outfall/Swale Improvement	50,704
<hr/>	
	<b>50,704</b>

**Resurfacing & Curbing**

Lake Conway East & Windsor Place street resurfacing

333,1

00 Quando Drive, Playa Court, Jandra Court, and Araje

Court Resurfacing

Cove Drive, Sol Avenue, and Quando Circle Resealing	
Road Resurfacing (Windsor Place)	43,000
Wandsworth Avenue, Chiswick Circle, Edlingham Court, Battersea Court, Deerhurst Drive, Hawford Circle and Rothbury Drive Resealing	
	<u>376,100</u>

**Phase I Street Resealing and Resurfacing**

Indian Drive, Barby Lane, Seminole Drive, Warren Park, 4 and Willoughby Lane Resurfacing and Resealing Court Resurfacing	90,92
	<u>90,924</u>

**Phase II Street Resealing and Resurfacing**

Barby Lane and Flowertree Road Resurfacing	61,08
0 Idian Drive, Willoughby Lane, Trentwood Boulevard Burbank Avenue, Flowertree Road, Via Flora, Wilks Avenue Woodbine Drive, Waltham Street, Belle Vista Drove,	110,0
40 La Belle Street, Penninsular Drive, Pasadena Road, Parkway Drive, Venetian Avenue, McClawley Court and Kissam Court Resealing	
	<u>171,120</u>

**Phase III Street Resealing and Resurfacing**

~~Nela Avenue Spur, Idaho Avenue and Gondola Drive Resurfacing~~

\_\_\_\_\_ 152,6

~~40 Lake Drive, Conway Circle, Nevada Avenue, Swann~~

~~Avenue and Swann Avenue Spur and Perkins Road~~ \_\_\_\_\_ 52,800

~~Resealing~~ \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ **205,440**

**POLICY 1.4.34:**

The City shall issue no development order or development permit for new development, unless one of the concurrency management requirements cited below are satisfied for the following types of infrastructure sanitary sewer, solid waste, drainage, and potable water.

- The necessary facilities and services shall be in place when a development permit is issued; or
- A development permit is issued subject to the condition that the necessary facilities and services shall be in place when the impacts of the development occur; or
- The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to development agreements pursuant to Section 163.3220 Florida Statutes or an agreement or development order issued pursuant to Chapter 380 Florida Statutes.

**POLICY 1.4.45:** If a development order would reduce the level of service for a public facility below the adopted level of service for that facility, then the City Council may approve another reasonable use of the property, which meets concurrency, as permitted by the Land Development Code. A reasonable use is defined as any use that is allowed under the zoning classification for that property.

**POLICY 1.4.56:** When an existing public facility has a level of service below the adopted level of service, the proposed development impacting that facility cannot be held accountable for the existing deficiency. The proposed development ~~may~~ must be approved by the City, provided that the applicant is able to demonstrate that the impact from the development on that facility will not lower the level of service below the level of service prior to the development. As part of this policy, the ~~applicant~~ developer must ~~may~~ make improvements that ~~exclusively~~ address the development's impact without addressing the existing deficiency and still meet the concurrency requirements, and maintain the adopted level of service, as set forth in the Land Development Code and this Element.

**POLICY 1.5:** All future development shall be required to fund a pro rata share of all improvements the need for which is generated by the proposed development, through implementation of the following policies.

**POLICY 1.5.1:** A concurrency management system has been adopted as part of the Land Development Code which mandates that applicants for development or redevelopment be required to provide a pro rata share of all capital improvements the need for which shall be generated by the respective proposed developments or provide funds in lieu thereof. The concurrency management system shall ensure that such improvements be in place concurrent with the impacts of development and meet adopted minimum level of service standards.

**POLICY 1.5.2:** The Concurrency Management System mandates that future applications for development shall pay a pro rata cost for public facility needs which shall be identified during the concurrency management assessment.

**POLICY 1.6:** The Capital Improvements Element shall be reviewed on an annual basis in order to ensure that the required fiscal resources are available to provide adequate public facilities needed to support future land use consistent with adopted level of service standards. The annual review of the Capital Improvements Element shall be the responsibility of the Local Planning Agency (LPA). Findings and recommendations of the LPA shall be considered by the City Council at a public meeting. At such time the City Council shall take action, as it deems necessary in order to refine/update the Capital Improvements Element.

**OBJECTIVE 1.7:** Prior to June 1<sup>st</sup> of each year, OCPS shall coordinate with the City to develop a financially feasible ten (10) year District Capital Outlay Plan (DCOP) for review and approval by the OCPS Board and adoption into the Capital Improvements Element for the City.

**Policy 1.7.1:** The City shall review the updated annual ten(10) year DCOP to determine if the projected capacity, projected enrollment, and LOS for each school and CSA within the City’s jurisdiction or for each school serving the City’s residents is consistent with its growth projections.

**Policy 1.7.2:** The City shall review and update the OCPS adopted Concurrency Service Areas (CSAs), adopted Level of Service and enrollment projections in the annual update of the CIE to ensure that the CIE continues to be financially feasible and that the LOS will be achieved.

**Policy 1.7.3:** The ten (10) year DCOP shall include all planned capital projects which increase the capacity of public schools within the City or increase the capacity of public schools serving the City’s residents.

**Policy 1.7.4:** The City shall include the ten (10) year DCOP in the annual update of the CIE.

**Policy 1.7.5:** OCPS will review the need with the City to adopt the OCPS ten (10) year financially feasible DCOP in order to achieve the adopted LOS in all CSAs within the County. When necessary, the City shall include the ten (10) year DCOP in the annual update of the CIE.

**Policy 1.7.6:** The City hereby incorporates by reference the Orange County Public Schools 10- Year Capital Outlay Plan ~~for 2007-08-2009-2010~~ that is updated and adopted each year by OCPS that includes school capacity sufficient to meet anticipated student demands projected by OCPS.

**Policy 1.7.7:** The City adopts Tables 1, 2 and 3 as the 10-year long term schedule of capital improvements for the purposes of correcting existing

deficiencies and setting priorities for addressing backlogged facilities within the designated CSAs.

**OBJECTIVE 1.8:** The City shall ensure that future needs are addressed consistent with the adopted level of service standards for public schools.

**Policy 1.8.1:** Consistent with Section 13 of the Amended Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency (Interlocal Agreement), the LOS standards shall be applied consistently by all the local governments within Orange County and by the School Board to all schools of the same type. All CSAs must achieve the adopted LOS standards identified in CIE Policy 1.8.1 CFE Policy 3.2.1 by 2014, with the exception of the backlogged CSAs which have been placed in a long term concurrency management system. Each backlogged CSA must meet the adopted LOS by the year 2017. The backlogged CSAs are identified below and the existing and projected LOS standards are identified accordingly.

Backlogged CSA	Adopted LOS Standard	2009-10 (Existing)	2013-14 (5 Year)	2016-17 (LTCMS 10 Year)
CSA DD	110%	109.4%	114.6%	100.6%
Gotha	100%	110.1%	104.0%	81.9%
Meadow Woods	100%	106.6%	108.1%	99.3%
66-M-W-4 (2012)	100%	n/a	100.8%	100.0%

**Policy 1.8.2:** The concurrency service areas for each school type are adopted and incorporated by the following figures 1 through 6.

**Policy 1.8.3:** The LOS standards, except for backlogged facilities as provided in Capital Improvements Element (CIE) Policy 1.8.1, to implement school concurrency shall be calculated as a percentage of the Adjusted FISH Capacity as follows:

- a. Elementary: 110% of Adjusted FISH using Modified Middle School Attendance Zones as CSAs.
- b. Middle: 110% of Adjusted FISH using Middle School Attendance Zone as CSAs
- c. High, including ninth grade centers: 100% of Adjusted FISH using High School Attendance Zones as CSAs (Note: Adjusted permanent FISH for High Schools does not include in-slots)

The LOS for OPCS' K-8 schools shall be incorporated in the adopted LOS for elementary and middle schools in the following manner: All grades of Arbor Ridge K-8 and Windy Ridge K-8 shall be incorporated in the adopted LOS for elementary schools. For Blanker K-8, grades kindergarten through five shall be included in the adopted LOS for elementary schools and grades six through eight shall be included in the adopted LOS for middle schools.

~~Table 1 - OCPS Financial Resources, Projected Revenue FY 2008 through FY 2017  
(attached, in Excel spreadsheet)~~

~~Table 2 - OCPS Financial Resources, Projected Expenditures FY 2008 through FY  
2017 (attached, in Excel spreadsheet)~~

~~Table 3 - 10-Year Capital Outlay Plan for Additional Schools, 2007  
(attached, in Excel spreadsheet)~~



## INFRASTRUCTURE ELEMENT

### GOALS, OBJECTIVES AND POLICIES

**GOAL 1: WASTEWATER SUB-ELEMENT. TO COORDINATE WITH ORANGE COUNTY TO PROVIDE AN EFFICIENT AND ADEQUATE LEVEL OF WASTEWATER SERVICE IN A COST-EFFICIENT MANNER TO ACCOMMODATE EXISTING AND FUTURE DEVELOPMENT WITHIN THE CITY.**

**OBJECTIVE 1.1:** The City shall coordinate with Orange County Public Utilities (OCU) to provide wastewater service which maximizes use of existing facilities and promotes orderly, compact growth through the implementation of the following policies:

**Policy 1.1.1:** The City shall require all new commercial and residential development to connect to a central wastewater system, if available, within ¼ mile or install dry lines to be connected to a central sewer system when available.

**Policy 1.1.2:** The City shall require that new construction on lots that are less than 1 acre in size use enhanced nutrient reducing septic systems where sewer is not available.

**Policy 1.1.23:** The City shall require all septic tank users to hook into a central sewer system within one (1) year of notification by the City to the property owner that such a system is available ~~(abutting the property)~~. within ¼ mile of the subject property.

**Policy 2.1.4:** The City shall notify all property owners who abut a newly installed central sewer line that the line and capacity are available within 3 months of the installation and operation of the line.

**Policy 2.1.5:** All development order approvals (including institutional use) ~~issued on or after January 1, 1992~~ shall be conditioned upon the availability of adequate wastewater capacity. If the approval of a development proposal would reduce the level of service, the City Council may approve a reasonable use of the property. Reasonable use shall be defined as a use which is permitted under the zoning classification as outlined in the LDC and does not lower the adopted level of service.

**Policy 2.1.6:** ~~Beginning on January 1, 1992, the~~The availability of wastewater capacity shall be determined using the adopted level of service standards in the Comprehensive Plan. An application shall be filed with Orange County Public Utilities in conjunction with the associated preliminary development submittals (site plan and preliminary plat) for determination of available capacity. Should the availability of services and facilities be found adequate, a written Certification of Capacity will be issued by Orange County Public Utilities.

**Policy 2.1.7:** Deficiencies shall be defined as existing environmental or health problems resulting from a septic tank failure that cannot be improved through maintenance or repair of the septic tank system. When the need arises, the City shall work with the County to develop a funding mechanism, such as grants, low interest loans, or CDBG, to assist in financing the installation of central sewer to correct deficiencies.

**Policy 2.1.8:** ~~Beginning in June 2004, the~~ The City shall coordinate with the Orange County Health Department in the event of suspected failure of a petroleum product tank ~~or~~ septic tank system, or other harmful chemicals and pollutants, and if the need arises, will contract with an independent testing company to determine the magnitude of any problem.

**Policy 2.1.9:** The following standards shall be used to determine whether a District is deficient and needs to be converted to central sewer:

- **Maintenance Failures** – When septic tank systems in a District are deficient. Solution – The homeowners are to repair, replace, or remove petroleum tanks, septic tanks, and drainfields that tests revealed to be deficient and replace with updated septic systems permitted by Orange County.
- **Potential System Failures** – When the septic tank systems in a District are believed to be deficient: Solution – The City will coordinate testing to be performed by Orange County and replacement will be to Orange County standards.

**OBJECTIVE 2.2:** The City shall require the correction of any existing or future deficiencies found in any wastewater systems through the implementation of the following policies.

**Policy 2.2.1:** The City shall require all deficient septic tank systems to hook into a central sewer system, consistent with the City's septic to sewer planning, within one (1) year of notification by the City that such a system is available ~~(abutting) to that property~~ within ¼ mile of the subject property.

**Policy 2.2.2:** The City shall require that the owners of deficient septic systems shall be responsible for removal of contaminated soil and restoration of the site.

**Policy 2.2.3:** In coordination with Orange County, Florida Department of Environmental Protection and the St. Johns River Water Management District, the City shall prepare a Septic to Sewer Conversion Master Plan strategy to inventory existing septic tanks, prioritize conversion to available sanitary sewer services, and identify funding sources through federal and state agencies.

**GOAL 2: NATURAL GROUNDWATER AQUIFER RECHARGE SUB-ELEMENT. TO PROTECT AND MAINTAIN THE FLORIDAN AQUIFER, THE SURFICIAL AQUIFER, AND THE FUNCTIONS OF THE NATURAL GROUNDWATER AQUIFER RECHARGE AREAS WITHIN THE CITY, THEREBY PRESERVING THE POTABLE WATER SUPPLY.**

**OBJECTIVE 2.1:** The City shall protect all aquifer recharge areas through policies listed below.

**Policy 2.1.1:** The City shall maintain a map delineating the aquifer recharge areas and indicating whether it is high, moderate or poor recharge area.

Recharge Area Classifications

Classification	Inch/Yr	Comments
No Recharge	0	Water Table is at or above land surface. Surface is usually flat.
Low Recharge	≤2	Water table is at land surface. Dry season allows table to drop and water to percolate. Soil has a high concentration of clay.
Low-Moderate Recharge	2-10	Water table is below land surface. Often has no slope and high amounts of clay-like soils. Percolation of rainwater is limited by clay.
High Recharge	10-20	Land surface is often sloped and the soil is often sandy. The water table is below the land surface.

**Policy 2.1.2:** The City shall continue to require provisions for developments in all recharge areas to protect the ability of the site to recharge the aquifer, protect groundwater quantity and quality by utilizing the following guidelines:

- Limiting the maximum total impervious surface to less than 60% of the total site;
- Requiring retention/detention on-site of the first ½” of runoff over the entire site or the runoff from the first 1” of rainfall, whichever is greater for water quality; and requiring on-site retention/detention of at least the 25-year, 24-hour storm for water quantity.

**Policy 2.1.3:** The City shall require retention/detention basins with no positive outfall for all new development in areas identified as high or moderate recharge areas, but may allow retention/detention basins with positive outfalls for all new development in poor recharge areas.

**Policy 2.1.3.1:** The City shall map and document high, moderate and poor recharge areas.

**Policy 2.1.4:** The City shall utilize information gathered by Orange County, the Army Corp of Engineers, and the St. John’s River Water Management District when developing or revising groundwater recharge regulations.

**Policy 2.1.5:** The LDC's shall continue to provide for imposition of penalties for any person, corporation or other entity which contaminates groundwater or violates the policies identified in this element.

**OBJECTIVE 2.2:** The City shall coordinate with other entities to preserve the quantity and quality of groundwater and to reduce the potential pollution of the aquifers.

**Policy 2.2.1:** After January 1992, the City shall not permit any new wellfields.

**Policy 2.2.2:** The City shall require Xeriscaping in all new non-residential developments in order to reduce the City's consumption of groundwater.

**Policy 2.2.3:** The City shall continue to inform the residents of Belle Isle through educational programming and communication of the need to conserve groundwater and on ways to reduce the demand for groundwater.

**Policy 2.2.4:** The City shall continue to revise the Impervious Surface Ordinance to preserve groundwater quantity and quality.

**OBJECTIVE 2.3:** The City shall adopt the following policies to maintain or improve water recharge to enable safe and sustainable water consumptive use. [Formerly Conservation Element Objective 1.2]

**Policy 2.3.1:** The City shall continue to support the St. John's River Water Management District's water conservation programs by educating the City's residents on the need to conserve water and require water conserving devices in all permits for new construction and renovations. [Formerly Conservation Element Policy 1.1.3]

- a. Identify zones of contributions and cones of influence for each wellhead as areas within a 500-foot radius of the wellhead;
- b. Regulations prohibiting potentially high-risk land uses, such as but not limited to wastewater facilities, manufacturing and storage of hazardous or toxic wastes, and all industrial uses, within the established cones of influence;
- c. Regulations for Land Use and development in cones of influence, including a minimum of 20% of total area for open space and a maximum of 80% for development, shall be established to protect the function of natural drainage features and aquifer recharge areas; and
- d. Elimination of all existing high-risk land uses from the identified cones of influence within 5 years.

**OBJECTIVE 2.4:** Ten-year water supply facilities work plan: The city shall assess projected water needs and sources for at least a ten-year planning period by creating and maintaining a water supply facilities work plan (WSFWP). The WSFWP shall maximize the efficient use of groundwater and where possible substitute alternative water sources for the use of groundwater. [Formerly Conservation Element Goal 3]

**Policy 2.4.1:** To establish, promote and require water conservation techniques and programs where feasible for current and future development. These techniques and programs are identified in the Water Supply Facilities Work Plan, affixed as an exhibit to the Infrastructure Element. The City of Belle Isle shall continue to implement the water conservation efforts identified in the work plan. [Formerly Conservation Element Objective 3.1]

- a. The City's Land Development Code shall be amended by 2009 to require waterwise landscape and irrigation practices consistent with the water management district's lawn and landscape irrigation rule for new development and substantial renovations. [Formerly Conservation Element Policy 3.1.1]
- b. The City shall provide information on water conservation to the public through printed media and the City's website. [Formerly Conservation Element Policy 3.1.2]
- c. The City shall require all new development and redevelopment to utilize water conserving plumbing fixtures. [Formerly Conservation Element Policy 3.1.3]
- d. The City shall promote and encourage the use of Low Impact Development techniques for private development and as part of the cities city's own public work projects. [Formerly Conservation Element Policy 3.1.4]

**GOAL 3: DRAINAGE SUB-ELEMENT. TO MANAGE THE DRAINAGE SYSTEM OF THE CITY OF BELLE ISLE TO PREVENT FLOODING AND IMPROVE THE WATER QUALITY OF THE CONWAY CHAIN OF LAKES.**

**OBJECTIVE 3.1:** The City shall adopt a stormwater management master plan which identifies existing deficiencies in the stormwater drainage system.

**Policy 3.1.1:** The City shall continue to work and update the stormwater management master plan III.

**Policy 3.1.2:** Revenue generated by the Stormwater Utility Fee shall be used exclusively for stormwater projects within the City. Projects not funded will be rescheduled in future years as the funding becomes available.

**Policy 3.1.3:** The City shall obtain approval from St. John's River Water Management District for all drainage improvement projects requiring permits.

**Policy 3.1.4:** The City shall include all drainage improvements, exceeding a cost of \$1,000, in the 5 year Capital Improvement Plan and in the Capital Improvements Element.

**Policy 3.1.5:** The City shall amend the Comprehensive Plan to incorporate the results of the 2003 stormwater management master plan.

**Policy 3.1.6:** Belle Isle shall continue cooperation efforts through Interlocal Agreements with other governmental agencies that are involved in stormwater

management practices affecting the Conway Chain of Lakes. This shall include the sharing of drainage data and information. The stormwater management criteria shall be consistent between each agency, and with all applicable state and federal regulations.

**Policy 3.1.7:** The City shall examine the use of new technologies and innovative techniques for extending the life of the existing drainage system as part of the stormwater management master plan.

**Policy 3.1.8:** The City shall adopt the following implementation as part of the 5 Year Capital Improvements Program as follows:

**OBJECTIVE 3.2:** The City shall adopt level of service standards that address both water quantity and water quality.

**Policy 3.2.1:** The City shall adopt the following water quality Level of Service standards for all new drainage systems:

All new development and redevelopment will have to provide sufficient water retention to meet either the first ½ inch of runoff over the entire site or the amount of runoff from the first 1 inch of rainfall, whichever is greater, and comply with the rules of SJRWMD.

**Policy 3.2.2:** Drainage facilities of all new development shall meet the level of service standards adopted by this Plan.

**Policy 3.2.3:** The LDC's shall contain regulations which govern the design and location of new drainage systems for both commercial site plans and residential subdivisions.

**Policy 3.2.4:** The City shall continue to revise Article XVII III, Section 50-74, Impervious Surface Ratio, of the City's Zoning Code, ~~also known as all sections of Ordinance Numbers 88-19 (10-04-1988), 90-5 (05-01-1990), and 03-15 (02-04-2003)~~ to preserve groundwater quantity and quality.

**OBJECTIVE 3.3:** The City shall protect the natural drainage features of Belle Isle through the LDC's, particularly where the water quality of the Conway Chain of Lakes is affected.

**Policy 3.3.1:** ~~After June 1994, the~~ The City shall not permit any new development in flood hazard areas, and will require all new development to be consistent with the Federal, State, and local flood management laws.

**Policy 3.3.2:** The LDC's shall require on site stormwater management systems to be consistent and compatible with the natural drainage features of the site.

**Policy 3.3.3:** The LDC's shall require stormwater systems to:

- a. have peak discharge post development equal to peak discharge prior to development;
- b. not cause personal or property damage to adjacent, upstream or

- c. downstream property owners; and
- c. be self sufficient in each phase of a multi-phased development;
- d. and comply with the rules of SJRWMD.

**Policy 3.3.4:** ~~After June 1991, the~~ The City shall prohibit any new stormwater system to discharge directly into the Conway Chain of Lakes and canals without treatment through Best Management Practices (BMPs).

**Policy 3.3.5:** The City shall continue to plan for retrofitting of existing direct drainage outfalls into the Conway Chain of Lakes wherever possible, which are located within Belle Isle in order to preserve the water quality. These efforts shall be coordinated with neighboring agencies as outlined in the Intergovernmental Coordination Element and through policies in the Conservation Element.

**Policy 3.3.6:** The City shall continue to identify and apply for available grants to achieve Policy 3.3.5.

**OBJECTIVE 3.4:** The City shall continue to adopt LDC's that require the on-site management of drainage and stormwater based on the following criteria:

- a. either the runoff from the first inch of rainfall on the site or the first two and a half inches of runoff for the impervious areas, whichever is greater;
- b. the requirements of the St. John's River Water Management District; and
- c. the Level of Service established in the Drainage Sub-element of the Comprehensive Plan. [Formerly Conservation Element Objective 1.1]

**Policy 3.4.1:** The City shall continue to require all new commercial and subdivision development to show on the plans how the retention/detention system will limit sediment loads in the stormwater runoff. [Formerly Conservation Element Policy 1.1.2]

**Policy 3.4.2:** The City shall work with Orange County, the Department of Environmental Protection, the Department of Health, water management districts, and public and private domestic wastewater treatment facilities to develop an onsite sewage treatment and disposal system remediation plan to extend wastewater collection lines and connect priority septic systems to the utilities' central sewer service. [Formerly Conservation Element Policy 1.1.5]

**Policy 3.4.3:** All new development within the city of Belle Isle shall be required to connect to and be served by the utilities' central sewer service. [Formerly Conservation Element Policy 1.1.6]

**Policy 3.4.4:** No new permits for septic tanks within the city limits shall be approved. In areas served by central sanitary sewer facilities where property owners choose to remain on existing septic tanks, no permits shall be issued for repairs to septic tanks. [Formerly Conservation Element Policy 1.1.7]

**Policy 3.4.5:** New development or redevelopment shall be charged the full cost of extending central sanitary sewer services to their project in areas where existing sanitary sewer services do not exist. [Formerly Conservation Element Policy 1.1.8]

**GOAL 4: TO COORDINATE WITH ORANGE COUNTY PUBLIC UTILITIES, AND ORLANDO UTILITIES COMMISSION FOR THE PROVISION OF POTABLE WATER TO THE CITY THROUGH IMPLEMENTATION OF THE FOLLOWING OBJECTIVES AND POLICIES.**

**OBJECTIVE 4.1:** The City shall maximize the use of existing facilities to ensure capacity is available for existing and proposed development.

**Policy 4.1.1:** The City shall adopt level of service standards for potable water as follows:

User	Level of Service Standard
Residential	350 gallons/unit/day
Non-Residential	2,000 gallons/unit/day

**Policy 4.1.2:** All development order approvals (including institutional use) ~~issued on or after January 1, 1992~~ shall be conditioned upon the availability of adequate potable water capacity. If the approval of a proposed development would reduce the level of service, the City Council may approve a reasonable use of the property. Reasonable use shall be defined as a use which is permitted under the zoning classification and does not reduce the level of service.

**Policy 4.1.3:** Beginning on January 1, 1992, the availability of potable water capacity shall be determined using the level of service standards adopted in the Comprehensive Plan. An application shall be filed with Orange County Public Utilities or Orlando Utilities Commission in conjunction with preliminary development submittals (site plan and preliminary plat) for determination of available capacity.

Should the availability of services and facilities be found adequate, a written Certificate of Capacity will be issued by Orange County Public Utilities or Orlando Utilities Commission.

**Policy 4.1.4:** The City's annual water consumption will be equal to or less than the amount allocated under the District-issued consumptive use permit.

**OBJECTIVE 4.2:** The City shall require all new and existing developments to conserve water through the implementation of the following policies.

**Policy 4.2.1:** The City shall assist in the implementation of water conservation programs of the St. John's River Water Management District by educating the City's residents on the need to conserve water, and require water conserving devices for all permits for new construction and renovations.

**Policy 4.2.2:** The City shall distribute material to educate the public on the need to conserve water and function as an information center for other agencies, including



the St. John's River Water Management District, Orlando Utilities Commission, and Orange County Public Utilities, to notify residents of any water conservation programs within the City.

**Policy 4.2.3:** The City shall adopt a landscape ordinance which shall include requirements for Xeriscaping in common areas in new subdivisions and commercial developments. The City shall monitor and enforce Xeriscape regulations as outlined in the Article III, Section 50-76 of the LDC.

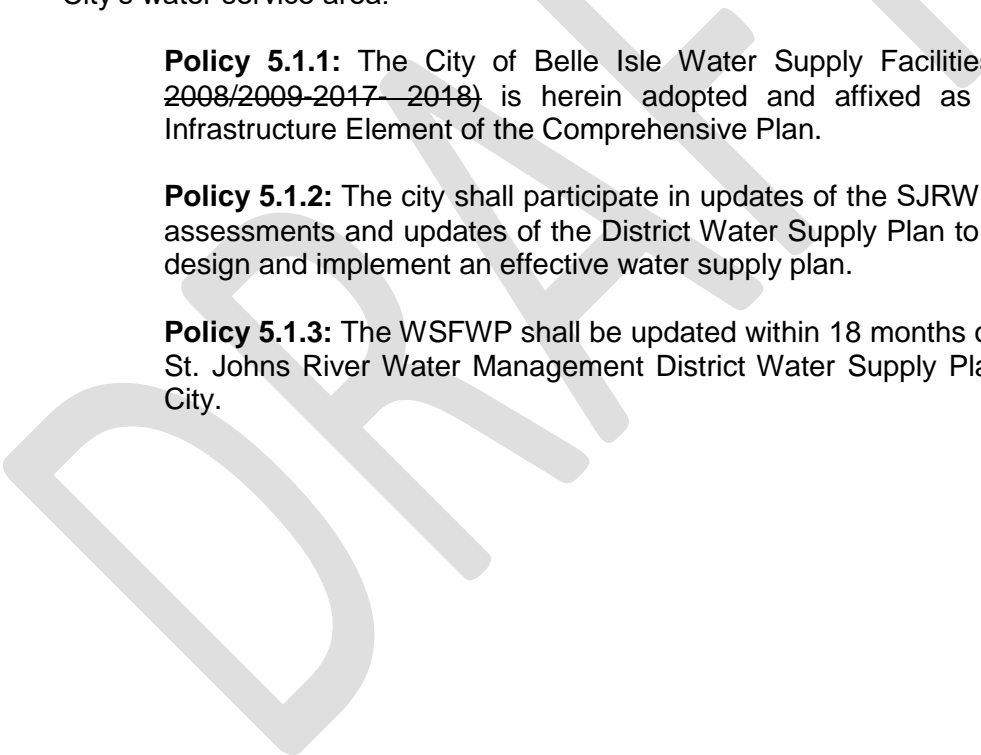
**GOAL 5: WATER SUPPLY FACILITIES WORK PLAN. IMPROVE THE COORDINATION OF WATER SUPPLY AND LAND USE PLANNING BY MAINTAINING A WATER SUPPLY FACILITIES WORK PLAN (WSFWP) THAT ADDRESSES THE WATER SUPPLY FACILITIES NECESSARY TO SERVE THE EXISTING AND FUTURE DEVELOPMENT THAT OCCURS WITHIN THE CITY'S WATER SERVICE AREA TO 2018.**

**Objective 5.1:** To maintain a Water Supply Facilities Work Plan (WSFWP) for at least 10 years as required by and in accordance with Florida Statutes that addresses the water supply facilities that are necessary to serve existing and future development within the City's water service area.

**Policy 5.1.1:** The City of Belle Isle Water Supply Facilities Work Plan (~~FY 2008/2009-2017-2018~~) is herein adopted and affixed as Exhibit A to the Infrastructure Element of the Comprehensive Plan.

**Policy 5.1.2:** The city shall participate in updates of the SJRWMD's water supply assessments and updates of the District Water Supply Plan to enable the City to design and implement an effective water supply plan.

**Policy 5.1.3:** The WSFWP shall be updated within 18 months of an update to the St. Johns River Water Management District Water Supply Plan that affects the City.



# CONCURRENCY MANAGEMENT SYSTEM

## PURPOSE AND INTENT

Concurrency is a finding that the public facilities and services necessary to support a proposed development are available or will be made available, concurrent with the impacts of the development. The provisions of this section are designed to provide a systematic process for review and evaluation of all proposed development for its impact on basic public facilities and services, as required by the Local Government Comprehensive Planning and Land Development Regulation Act, chapter 163, part II, Florida Statutes, and rule 9J-5.0055, Florida Administrative Code.

NO FINAL DEVELOPMENT ORDER SHALL BE GRANTED FOR A PROPOSED DEVELOPMENT UNTIL THERE IS A FINDING THAT ALL PUBLIC FACILITIES AND SERVICES INCLUDED IN THIS CHAPTER HAVE SUFFICIENT CAPACITY AT OR ABOVE THEIR ADOPTED LEVEL OF SERVICE (LOS) TO ACCOMMODATE THE IMPACTS OF THE DEVELOPMENT, OR THAT IMPROVEMENTS NECESSARY TO BRING FACILITIES UP TO THEIR ADOPTED LOS WILL BE IN PLACE CONCURRENT WITH THE IMPACTS OF THE DEVELOPMENT, AS DEFINED HEREIN.

## GENERAL PROVISIONS

### Sec. 1. Public facilities and services for which concurrency is required.

The provisions and requirements of these sections shall apply only to those public facilities and services listed below:

- (A) Traffic circulation.
- (B) Sanitary sewer.
- (C) Potable water.
- (D) Drainage.
- (E) Solid waste.
- (F) Recreation and open space.

### Sec. 2. Development subject to concurrency review.

Unless specifically exempted below, all applications for site plan or subdivision plat approval, where the individual lots within the subdivision do not require site plan approval, shall be subject to concurrency review.

(A) *Vested Projects:* Projects, which have valid development orders or permits prior to January 1, 1993, shall be exempt from concurrency assessment. This shall include all vacant single-family lots in subdivisions, which were platted and recorded prior to January 1, 1993. Residential lots of records, as defined by this Code, shall also be considered vested for the purposes of this chapter.

(B) *Minimum Threshold:* The following developments shall be exempt from all applicable components of concurrency review; however, in no case shall a development order be issued for a minimum threshold project which would impact a public facility for which a moratorium or deferral on development has been placed:

------(1) Residential projects which would result in the creation of one (1) additional single family housing unit.

------(2) Commercial, institutional or industrial expansions of up to ten (10) percent of the existing gross floor area, providing such expansion is estimated to generate less than one hundred (100) vehicle trips per day and create one (1) equivalent residential unit of utility demand or less.

------(3) Construction of accessory buildings and structures which do not create additional public facility demand.

(C) *Public Facilities:* Public facilities necessary to ensure the protection of the health, safety and general welfare of the citizens of Belle Isle, including but not limited to, City hall, police stations, fire stations, park/recreation buildings, water plants, sanitary sewer plants and public schools (pre- kindergarten through 12th grade), shall be exempt from concurrency review. This shall include but not be limited to all public facility construction projects included in the Capital Improvements Program required to meet any adopted level of service standard.

**Sec. 3. Minimum requirements for concurrency.**

To ensure that public facilities and services necessary to support development are available concurrent with the impacts of said development, the following standards must be met:

------(A) The necessary facilities and services are in place at the time a permit is issued, or a permit is issued subject to the condition that the necessary facilities and services will be in place by a specified date when the impacts of the development are anticipated to occur; or

------(B) The necessary facilities are under construction at the time a permit is

issued; or

- (C) The necessary facilities and services are the subject of a binding executed contract for the construction of said facilities or the provision of services at the time the permit is issued; or
- (D) The necessary facilities and services have been included in the Capital Improvements Program and are programmed for construction prior to or concurrent with the impacts of the proposed development; or
- (E) In the case of road facilities, the necessary improvements are in place or under actual construction within three years after a permit is issued;  
or
- (F) The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to chapter 380, Florida Statutes, or any other development agreement entered into between the City and a developer. The agreement must guarantee that the necessary facilities and services will be in place prior to, or concurrent with, the impacts of the development.

**Sec. 4. Concurrency administration.**

The City shall be responsible for the following four (4) primary tasks associated with administration of this chapter:

- (A) Creating and maintaining an inventory of existing public facilities' capacities and deficiencies.
- (B) Determining concurrency of minor development applications.
- (C) Providing advisory concurrency assessments and recommending conditions of approval to the City council for major development applications.
- (D) Reporting the status of all public facilities' capacities covered under this section to the council, City Manager and the public as requested by the mayor or the council.

**ADOPTED LEVEL OF SERVICE STANDARDS**

The adopted level of service standards for those public facilities for which concurrency is required shall be as established in the City's Comprehensive Plan as follows.

**Sec. 1. Traffic circulation.**

The City's adopted peak hour minimum level of service standard is "C" on all City roads.

The City's adopted peak hour level of service standard for county roads in Belle Isle is consistent with Orange County's adopted level of service standards. The LOS for county roads in and adjacent to Belle Isle are as follows:

Roadway	Classification	LOS
Gondola Drive, Matchett Road	Local street	C
Daetwyler/Judge/Conway Roads	Urban collector	E
Hoffner Road	Minor arterial	E
Nela Avenue/Seminole Drive	Urban collector	E

The City's adopted peak hour level of service standard is consistent with the Florida Department of Transportation's level of service standards for state roadways. The LOS for state roads in and adjacent to Belle Isle are as follows:

Roadway	Classification	LOS
Conway Road (North of Hoffner)	Minor arterial	D
Orange/Hansel Avenues	Principal arterial	D
Sand Lake/McCoy Road	Minor arterial	D

**Sec. 2. Sanitary sewer.**

The City's adopted level of service standards determine whether there is sufficient wastewater service available to serve proposed developments. The LOS standards for wastewater are:

User	Level of Service Standard
Residential:	
Single-family	300 gallons/unit/day
Multi-family	225 gallons/unit/day
Commercial:	

Professional-office	0.1 gallon/sq.ft./day
General commercial	0.25 gallon/sq.ft./day
Hotel/motel	265 gallons/room/day
Industrial	0.15 gallon/sq.ft./day

**Sec. 3. Potable water.**

The City's adopted level of service standards for potable water are:

User	Level of Service Standard
Residential	350/gallons/unit/day
Nonresidential	2,000 gallons/acre/day

**Sec. 4. Drainage.**

The City's adopted level of service standards for water quality on all new drainage systems are as follow: All retention/detention facilities shall retain either the first 1 inch of runoff from the entire site or the runoff from 2.5 inches of rainfall from the impervious areas, whichever is greater, and comply with the rules from SJRWMD.

The water quantity level of service standards attempt to address the amount of rainfall and runoff generated from that rainfall. The LOS standard for drainage systems in all new development or redevelopment shall be as follows:

*Facility* — *Design Storm*

- ~~----- Bridges . . . 50-year~~
- ~~----- Canals, ditches or culverts for drainage external to development . . . 25-year~~
- ~~----- Crossdrains and storm sewers . . . 10-year~~
- ~~----- Roadside swales, drainage internal to development or individual house . . . 10-year~~
- ~~----- Detention basins/retention basins with positive outfall . . . 25-year~~
- ~~----- Retention basins without positive outfall . . . 100-year~~
- ~~----- Note: All design storms are 24 hours in length.~~

<u>Facility</u>	<u>Design Storm</u>
<u>Bridges</u>	<u>50-year</u>
<u>Canals, ditches or culverts for drainage external to development</u>	<u>25-year</u>
<u>Cross drains and storm sewers</u>	<u>10-year</u>
<u>Roadside swales, drainage internal to development or individual house</u>	<u>10-year</u>
<u>Detention basins/retention basins with positive outfall**</u>	<u>25-year</u>
<u>Retention basins without positive outfall***</u>	<u>100-year</u>
<i>Note: All design storms are 24 hours in length.</i>	

Current conditions have been adopted as the acceptable level of service standard for the existing drainage facilities.

**Sec. 5. Solid waste.**

The City's adopted level of service for solid waste is four (4.0) pounds per person per day for residential uses, and two (2.0) pounds per person per day for commercial uses. Based on Census data, the City shall use two and six tenths (2.6) persons per housing unit to determine population of a proposed development.

**Sec. 6. Recreation and open space.**

The City's adopted level of service for recreation and open space is one (1) acre of parkland for every one thousand (1,000) people.

**FACILITY SPECIFIC REQUIREMENTS**

The following specific requirements for each facility are the criteria to be used in calculating the amount of the facility or service needed to serve a development. Developers of developments subject to concurrency are responsible for meeting the following requirements.

**Sec. 1. Traffic circulation.**

The seventh edition of the Institute of Transportation Engineers' *Trip Generation* manual will be used to determine the number of vehicles during the peak hour generated by each proposed development. Proposed developments with more than one hundred (100) vehicles during the peak hour or developments located on Hoffner Avenue, McCoy Road or Daetwyler Drive are required to submit a traffic analysis, which identifies the development's impact on the traffic circulation system. Such an analysis shall include the following:

- (A) Total projected average daily trip ends for the proposed development.
- (B) Average projected peak-hour trip ends generated by the development.

- (C) Analysis of traffic distribution on the roadways.
- (D) Projected percentage of truck and bus traffic.
- (E) Design capacity of the accessed road(s).
- (F) Necessary operational improvements to the transportation system in order to maintain the appropriate level of service for the roadway.
- (G) Other related information as required by the City.

**Sec. 2. Sanitary sewer.**

The sanitary sewer generated by a proposed development shall be estimated based upon the following standards:

Residential:	
Single-Family	300.00 gallons/unit/day
Multifamily	225.00 gallons/unit/day
Commercial:	
Professional-Office	000.10 gallons/sq.ft./day
General Commercial	000.25 gallons/sq.ft.day
Hotel/Motel	265.00 gallons/room/day
Industrial	000.15 gallons/sq.ft./day

**Sec. 3. Potable water.**

The demand for potable water for the proposed developments will be based upon the following standards:

Residential	350 gallons/unit/day
Nonresidential	2,000 gallons/acre/day

**Sec. 4. Drainage.**

A stormwater drainage plan based upon the drainage level of service standards and [this] land development code shall be prepared for all proposed developments. Such plans shall be approved as meeting said standards.

**Sec. 5. Solid waste.**

The following standards shall be used to estimate the volume of solid waste anticipated to be generated by a proposed development. The generation standard for residential is four (4.0) pounds per person per day, and two (2.0) pounds per person



per day for commercial uses.

**Sec. 6. Recreation and open space.**

The recreational impacts of proposed residential developments shall be based on the anticipated total number of persons residing in the development, calculated by multiplying the population figure per housing unit of two and six-tenths (2.6) persons by the number of units in the development. Nonresidential developments shall not be assessed as having an impact on recreation and open space.

**CONCURRENCY REVIEW PROCEDURES**

The City shall be responsible for conducting all concurrency reviews as required by this chapter. Concurrency review shall be initiated upon receipt from developers of a completed concurrency review form provided by the City, accompanied by the appropriate fee. The City may also conduct concurrency reviews for developments in the preapplication or conceptual development plan stage, and issue a nonbinding letter of concurrency findings. Such requests for concurrency review shall require the submission of a review fee.

**Sec. 1. Application.**

All development applications subject to concurrency review as required by this chapter shall include a completed concurrency review form containing the following information:

- (A) Traffic impact study (when required).
- (B) Description and estimate of water use needs.
- (C) Description and estimate of wastewater needs.
- (D) Description and estimate of solid waste generation.
- (E) Stormwater drainage calculations.
- (F) Other information required by the City to conduct a complete and accurate review.

Review and approval of a proposed development may be postponed for a reasonable time period, as set by the City, to allow for required information to be assembled. However, failure of the applicant to provide adequate information on the anticipated project impacts within the time period set by the City shall constitute sufficient grounds to deny the project.

**Sec. 2. Project impact assessment.**

(A) *Existing Conditions:* To conduct its assessment of the anticipated impacts of a proposed development on public facilities, the City shall use its inventory of public facilities capacities as the basis for the establishment of existing conditions.

(B) *Impact Evaluation:* Using its own information and that supplied by the applicant in compliance with section 1 above, the City shall calculate the anticipated impacts of a proposed development for all applicable public facilities listed in article B of this chapter. The impacts of the proposed development shall then be evaluated against the existing conditions established above.

**Sec. 3. Project phasing/timing of improvements.**

Public facility improvements associated with a phased development may likewise be phased, provided that all public facility improvements necessary to accommodate the impacts of the entire development are to be provided and a schedule is established for their construction prior to the issuance of a building permit. The schedule of facility improvements shall ensure that all facility improvements necessary to accommodate the impacts of the phased development, or portion thereof, for which a certificate of occupancy has been applied, shall be in place prior to the issuance of the certificate. Under no circumstances shall the final certificate of occupancy be issued for a phased project unless all required facility improvements required by the development order or development agreement have been completed.

**Sec. 4. Development agreements.**

It is the City's policy to require the developer to ensure the necessary infrastructure is in place to meet minimum LOS standards. If the minimum requirements for concurrency as outlined in article B, section 3, subsections (A) through (E) cannot be met, concurrency may be achieved by guaranteeing necessary facility improvements in an enforceable development agreement, as permitted by article B, section 3, subsection F. Said development agreement may include guarantees to construct required facility improvements or to provide funds equivalent to the cost of providing such facility improvements.

**Sec. 5. Concurrency findings.**

Upon the conclusion of the concurrency review, the City shall prepare a written set of findings concerning the proposed development. These findings shall include, but are not limited to:

- (A) The anticipated public facility impacts of the proposed development.

- (B) The ability of existing facilities to accommodate the proposed development at the adopted level of service standard.
- (C) Any existing facility deficiencies that will need to be corrected prior to the completion of the proposed development.
- (D) The facility(s) improvements or additions necessary to accommodate the impact of the proposed development at the adopted level(s) of service standard(s), and the entity(s) responsible for the design and installation of all required facility improvements or additions.
- (E) The date such facility(s) improvements or additions will need to be completed to be concurrent with the impacts on such facility(s) created by the proposed development.

**CONCURRENCY RESERVATION**

**Sec. 1. Capacity reservation.**

If the concurrency findings in article E, section 5 reveal that the capacity of City-owned public facilities is equal to or greater than that required to maintain the adopted level of service for said facilities, upon request from the developer the City shall reserve, or recommend to the City council the reservation of, City-owned public facility capacity necessary for the proposed development.

Capacity reservations shall be made on a first-come, first-served basis, based on the date of project approval by the City. Concurrency shall be reserved in conjunction with a development order and shall be valid only for the specific land uses, densities, intensities, and construction and improvement schedules contained in the development order as well as any applicable development agreements for the property. A finding of concurrency shall reserve City-owned public facility capacity for the project for one (1) year from the date of the approval of the development order. For planned developments City-owned public facility capacity may be reserved for the first phase of the project for up to one (1) year from the date of approval of the conceptual plan and master development agreement. Capacity reservations for concurrency shall expire if the underlying development order or development agreement expires or is revoked.

**Sec. 2. Project deferrals/development moratoriums.**

If at any time the City's inventory of public facilities capacities indicates that a public facility has dropped below its adopted level of service, then the City shall cease to issue development orders for projects which would impact the deficient facility(s) or area of facility operations, as defined within this Code. Such a suspension or moratorium on the issuance of development orders shall continue until such time as the adopted LOS standard is reestablished or the Comprehensive Plan is amended

to reflect a lower standard acceptable to the council for the facility(s) in question.

**Sec. 3. Concurrency denials.**

In the event that the City's concurrency review reveals that the proposed development would generate public facility impacts beyond that which can be absorbed by available capacity, the City shall ensure that there is a financial or other legally binding commitment to ensure that public facilities necessary to correct the anticipated deficiency will be in place concurrent with the impacts of the proposed development. Should the City and/or a developer be unable to provide such assurances, the project shall be denied. Projects denied due to failure to meet requirements, but for which all other land development requirements have been met, shall be placed on a prioritized list of development orders, which will be approved once facility improvement have been made.

**Sec. 4. Capacity reservation for public purpose.**

The City may reserve capacity for a particular land area or specific land use, providing such reservation is in accordance with a specific development or redevelopment strategy identified in the Comprehensive Plan, which serves an overriding public purpose. This would include such community development objectives as providing affordable housing or diversification of the tax base. Any such capacity reservation shall be noted in the report on public facilities and capacities made available by the council for the public as required by article G below.

**STATUS REPORT/REQUIRED CAPITAL FACILITIES IMPROVEMENTS**

The City shall monitor the cumulative effect on the capacity of public facilities of all approved development orders and development permits. The City shall prepare and present to the council and the public a report on the *Public Facilities Capacities and Level-of-Service Inventory for Concurrency Management* when requested by the council or the City Manager. This report shall include the degree of any facility deficiencies and a summary of the impacts the deficiency(s) will have on the approval of future development orders. The City shall then recommend a schedule of improvements necessary in an effort to avoid a deferral or moratorium on the issuance of development orders.

## FUTURE LAND USE ELEMENT

### GOALS, OBJECTIVES AND POLICIES

**GOAL 1: TO ENHANCE THE QUALITY OF LIFE FOR THE CITIZENS OF THE CITY OF BELLE ISLE BY EFFECTIVELY PROVIDING A BALANCED LAND USE PATTERN CONSISTENT WITH AVAILABLE PUBLIC FACILITIES AND SERVICES, DIRECTING QUALITY INFILL DEVELOPMENT, PRESERVING AND ENHANCING COMMUNITY CHARACTER, PROTECTING EXISTING NEIGHBORHOODS, PROMOTING SMART GROWTH PRINCIPLES, AND PRESERVING NATURAL RESOURCE AREAS BY REGULATING DEVELOPMENT PROACTIVELY MANAGING GROWTH. THROUGH IMPLEMENTATION OF THE FOLLOWING POLICIES.**

**OBJECTIVE 1.1:** The City of Belle Isle shall recognize that growth as a regional issue. In order to prevent urban sprawl, preserve historic and natural resources, and protect the low-density community character historic resources, the City, along with other governments, shall by permitting development only in areas where adequate facilities and services are available and appropriate conditions exist through implementation of the following policies.

**Policy 1.1.1:** The City of Belle Isle shall continue to adopt Land Development Codes (LDC's), and wherever possible shall be consistent with the LDC's of the surrounding government to prevent urban sprawl and provide a mix and balance of uses. Designate on the Future Land Use Map a full range of land use categories of varying densities and intensities consistent with the natural and built-up environment and with existing and developing growth patterns, topography and natural resources, and the availability of essential services. Permits shall be issued by the City only for new development or redevelopment that is consistent with the Future Land Use Map and associated Future Land Use Designations set forth in the following sub-policies and implemented through the Land Development Code.

**Policy 1.1.1.a:** The Agricultural future land use classification designates areas, which are used for agricultural purposes such as passive pasturelands and productive cropland and citrus groves. The implementing zoning categories for this future land use classification are A-1 and A-2.

**Policy 1.1.1.b:** The Low-Density Residential future land use classification allows residential uses from 0 to 5.4 dwelling unit per acre and is intended for predominantly single-family dwelling types to preserve existing and future neighborhoods from the encroachment of nonresidential uses and higher density development. The implementing zoning categories for this future land use classification are R-1-AAA, R-1-AA, R-1-A, and R-1.

**Policy 1.1.1.c:** The Medium-Density Residential future land use classification allows for residential development up to 10 dwelling units per acre. These areas are intended for a broader range of

dwelling types at slightly higher densities than the Low Density Residential classification to provide a transition between more intense uses, such as a multi-family or commercial uses and low-density single-family neighborhoods. The implementing zoning categories for this future land use classification are R-1, R-2 and PD.

**Policy 1.1.1.d:** The High-Density Residential future land use classification allows for residential development up to 12 units per acre. The most appropriate types of residential development in this classification are townhouses and multi-family buildings. The implementing zoning categories for this future land use classification is R-2, R-3 and PD.

**Policy 1.1.1.e:** The Professional Office future land use classification allows for development of various types of offices and professional services, in areas where commercial retail intensity may be inappropriate due to neighborhood character and compatibility. The implementing zoning categories for this future land use classification is P-O and PD.

**Policy 1.1.1.f:** The Commercial future land use classification allows for the development of a range of community-serving commercial uses including office, retail and light manufacturing. The implementing zoning categories for this future land use classification are C-1, C-2, C-3 and PD.

**Policy 1.1.1.g:** The Industrial future land classification land use allows for the development of employment generating industrial uses. This land use category will promote the development of a wide variety of general industrial and related activities while establishing and maintaining standards which will protect adjacent commercial development. No industrial future land use classification shall be established adjacent to residential land use districts. The implementing zoning categories for this future land use classification are C-3, I-2 and PD.

**Policy 1.1.1.h:** The Conservation future land use classification identifies areas in the city that have specific environmental characteristics and is used to preserve or protect these areas from development. The areas with the Conservation future land use classification have been identified in the Conservation element of the Comprehensive Plan. The most appropriate uses are passive recreation, open space and/or other public uses consistent with the low-intensity usage for protection of these areas. Wherever possible, areas with a conservation land use classification should be left in a natural state. The implementing zoning category for this future land use classification is the Open Space district.

**Policy 1.1.1.i:** The Recreation and Open Space future land use classification is used for all government-owned parks in the city.

The only development permitted is that which is related to recreational facilities. The zoning category that is consistent with the recreation and open space land use classification is public uses. Residential zoning categories also permit recreation and open space uses. The implementing zoning category for this future land use classification is the Open Space district.

**Policy 1.1.1.j:** The Public Building future land use classification designates areas that are for public buildings and uses. Uses that would have the public buildings land use include schools, public hospitals, city buildings, and county buildings. City hall is the only parcel in the city with a public buildings land use classification. The zoning category that is most consistent with the public buildings land use classification is public uses. However, certain public buildings are permitted in other zoning categories. The implementing zoning category for this future land use classification is PUB.

**Policy 1.1.2:** The City of Belle Isle shall continue discussions to identify issues for Joint Area Planning Agreements with Orange County, the City of Orlando, and the City of Edgewood, which will specifically address the establishment of future land use designations and provision of public facilities and services in areas surrounding Belle Isle. The maximum intensities and densities allowed in each future land use classification summarized in Policy 1.1.1 is as follows:

<b><u>Future Land Use Classification</u></b>	<b><u>Maximum Density*</u></b>	<b><u>Intensity</u></b>	<b><u>Impervious Surface Ratio**</u></b>
<u>Agricultural</u>	<u>1 du/20 ac</u>	<u>N/A</u>	<u>N/A</u>
<u>Low-Density Residential</u>	<u>5.49 du/ac</u>	<u>N/A</u>	<u>N/A</u>
<u>Medium Density-Residential</u>	<u>10 du/ac</u>	<u>N/A</u>	<u>N/A</u>
<u>High-Density Residential</u>	<u>12 du/ac</u>	<u>N/A</u>	<u>N/A</u>
<u>Professional Office</u>	<u>0 DU/A</u>	<u>0.5 FAR</u>	
<u>Commercial</u>	<u>N/A</u>	<u>0.5 FAR</u>	<u>80%</u>
<u>Industrial</u>	<u>N/A</u>	<u>N/A</u>	<u>80%</u>
<u>Conservation</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>Public Building</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

\*Density shall be defined as the total number of units divided by the number of acres suitable for development (not including wetlands, lakes, muck, etc).

\*\*Subject to site development regulations in implementing zoning district.

**OBJECTIVE 1.2:** The City of Belle Isle shall continue to prepare and adopt implement LDC's, which will regulate new development, infill development, and redevelopment of areas consistent with the character of the surrounding area to ensure a compatible land use pattern. For the purposes of this objective, compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some

elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean “the same as.” Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.

~~The City of Belle Isle shall continue to adopt Land Development Codes (LDC’s), and wherever possible shall be consistent with the LDC’s of the surrounding government to prevent urban sprawl and provide a mix and balance of uses.~~

**Policy 1.2.1:** The City of Belle Isle shall continue to ~~adopt~~ maintain LDC’s that contain specific ~~ways~~ regulations to implement the Comprehensive Plan, including but not limited to:

- a) Zoning and Subdivision regulations for the appropriate use and development of land in accordance with the Comprehensive Plan
- b) Ensure compatibility of adjacent land uses and neighborhood protection
- c) Maintain the level of service standards for all requisite infrastructure to support development and redevelopment, including parks, recreation and open space
- d) Provide for floodplain management, surface water management and water quality
- e) Ensure safe and convenient ingress/egress via interlocal agreements, cross-access easements between private property owners, and parking for all developments
- f) Protect natural resources, landscaping, the urban tree canopy and open space
- g) Identification and protection of historical sites
- h) Ensure safe and convenient ingress/egress via interlocal agreements, cross-access easements between private property owners, and parking for all developments
- i) Regulation of signage

- ~~a) Update the City’s Subdivision Regulations;~~
- ~~b) Regulate areas subject to seasonal or periodic flooding management;~~
- ~~c) Regulate use of land and lakes consistent with the Comprehensive Plan;~~
- ~~d) Ensure compatibility of adjacent land uses;~~
- ~~e) Maintain the level of service standard for recreation areas and open space;~~
- ~~f) Regulate signage~~
- ~~g) Ensure safe and convenient ingress/egress via interlocal agreements, and parking for all developments;~~
- ~~h) Protect identified historical sites;~~
- ~~i) Ensure that development orders and permits shall not be issued which lower the level of service for public facilities and service below the standards adopted in~~



- ~~)) Develop a landscape ordinance, including an arbor section, which requires the use of Xeriscaping~~

~~**Policy 1.2.2:** The Residential land use categories shown on the Future Land Use Map shall have the following maximum densities for both development and redevelopment:~~

- ~~a) Low Density Residential: 0 to 5.5 units per acre;~~
- ~~b) Medium Density Residential: 5.6 to 10 units per acre;~~

~~\*Density shall be defined as the total number of units divided by the number of acres suitable for development (not including wetlands, lakes, muck, etc).~~

**Policy 1.2.2:** The City's future land use map is comprised of a range of densities, all of which can be accommodated in the appropriate areas when the following policies and standards are met. All new development and redevelopment must be compatible with existing and planned surrounding development in order to protect the City's established residential neighborhoods and ensure a high quality of life for its residents.

**Policy 1.2.3:** The density ranges set forth in this Element provide the general range of appropriate densities in each future land use category. Densities in the upper limits of the allowable density range will be evaluated as to the availability and proximity of the road network; centralized sewer and water services; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with neighboring land uses; and any other relevant facts affecting the public health, safety, and welfare.

**Policy 1.2.4:** Higher density and intensity development shall occur in urbanized areas of the City, generally along the arterial roadway network. These developments are intended to provide for greater housing diversity, employment opportunities and a compact, mixed-use and multi-modal built environment.

**Policy 1.2.5:** Projects must demonstrate sensitive site design to address compatibility with the surrounding neighborhood. Such design may include but is not limited to: spatial separation between existing low-density uses and proposed higher-density uses through the use of open space, buffers, setbacks; consistent lot sizes and lot coverage requirements that align with abutting developed lots; limitations on building heights; performance standards; and other appropriate conditions of approval. Projects must demonstrate the transition of proposed densities within the project to the external boundaries, where proximate to established low-density residential neighborhoods.

**Policy 1.2.6:** The City of Belle Isle shall continue to review the Land Development Codes of the surrounding governments to determine

consistency and amendments that may be required to prevent urban sprawl and provide a mix and balance of uses.

**Policy 1.2.37:** The City shall continue to amend the Comprehensive Plan to be consistent with the adopted results of Orange County and St. John’s River Water Management District’s Wellhead protection study and Water Supply Facilities Work Plan.

**POLICY 1.2.48:** The ~~Commercial, Industrial, Professional-Office, Recreation and Open Space, and Conservation Land Uses~~ shall continue to have the following maximum densities and permitted uses following table details zoning district and future land use compatibility:

<b>Future Land Use Category</b>	<b>Zoning District</b>
<u>Agriculture</u>	<u>A-1, A-2</u>
<u>Low Density Residential</u>	<u>R-1-AAA, R-1-AA, R-1-A, R-1, and PUD</u>
<u>Medium Density Residential</u>	<u>R-2, R-3m and PUD</u>
<u>High Density Residential</u>	<u>R-2, R-3, and PUD</u>
<u>Commercial</u>	<u>C-1, C-2, C-3, and PUD</u>
<u>Professional-Office</u>	<u>P-O</u>
<u>Industrial</u>	<u>C-3, I-2,</u>
<u>Conservation</u>	<u>*Recreation, open space or other public uses consistent with the area</u>
<u>Recreation and Open Space</u>	<u>Public Uses</u>
<u>Public Building</u>	<u>Public Uses (*certain public buildings are permitted in other zoning categories)</u>

<u>Land Use</u>	<u>Uses</u>	<u>Density</u>
<u>Commercial</u>	<u>Retail and general sales to serve residents, workers, tourists, and businesses in Belle Isle.</u>	<u>Impervious Surface Ratio of 80%</u>
<u>Industrial</u>	<u>General industrial operations to permit a wide variety of manufacturing activities</u>	<u>Impervious Surface Ratio of 80%</u>
<u>Professional Office</u>	<u>Office and professional</u>	<u>Surface Ratio of 80%</u>

	services for residents, workers, tourists, and businesses in Belle Isle	
Recreation	Equipment for passive and active recreation	Surface Ratio of 35%
Conservation & Open Space	Walkways and gazebos only	Surface Ratio of 10%

**OBJECTIVE 1.3:** The City of Belle Isle shall continue to ~~eliminate~~ coordinate with landowners whose existing land uses are incompatible with the land use pattern and/or deemed legal non-conforming with the character of Belle Isle and/or inconsistent with the Future Land Use Map and bring them in to compliance with the Comprehensive Plan and LDC.

**Policy 1.3.1:** Existing zoning of undeveloped land shall be consistent with the adopted Comprehensive Plan and those undeveloped lands which are inconsistent with the adopted Comprehensive Plan ~~shall be administratively rezoned.~~ will be deemed legal non-conforming until such time as redevelopment occurs and/or compliance with Comprehensive Plan and LDCs is triggered.

**Policy 1.3.2:** Developed land ~~property~~ that existed prior to January 1, and is inconsistent with the adopted Comprehensive Plan shall be ~~“grandfathered.”~~ considered an existing non-conforming use. Expansion or increase of density/intensity of the non-conforming grandfathered use shall not be permitted without amending the Comprehensive Plan. a determination regarding remediation, such as a land use amendment, or compliance with Section 54-3 of the LDC.

**Policy 1.3.3:** Specific non-conforming uses or uses established prior to January 1, 1991 will not be used as a precedent for land use approvals inconsistent with the comprehensive plan without ~~a corresponding plan amendment.~~ an appropriate analysis as determined by the City Manager or designee, or as outlined in the LDC.

**Policy 1.3.4:** Development approvals shall contain an expiration date consistent with ~~a~~ the LDC and Florida Statutes realistic period necessary to complete the proposed development, and may negotiated by the City Manager or designee, and the City Council.

**Policy 1.3.5:** The City shall continue to deter blight conditions through enforcement of the ~~LDC Zoning Code,~~ which prohibits unsightly conditions and unhealthy collection of debris, to protect the Public health, safety and welfare. These efforts shall be coordinated between multiple Departments within that manage Code Enforcement issues.

**OBJECTIVE 1.4:** Unless otherwise exempted by the Florida Statutes or other policies, ~~the~~ City of Belle Isle shall ~~continue to~~ not approve any development orders and/or permits for development or redevelopment unless all public facilities and services necessary to meet the adopted Level of Service standards are available concurrent with the impact of the development.

**Policy 1.4.1:** All approvals of development orders (including institutional uses) issued on or after January 1, 1992 shall continue to be conditioned upon the demonstration of the availability of adequate levels of services and facilities, as established in the adopted Belle Isle Comprehensive Plan. If approval of a development proposal would result in a degradation of levels of service, a reasonable economic use and benefit of the property which does not lower the levels of service may be approved by the City Council with consideration of the uses of the surrounding properties.

**Policy 1.4.2:** The availability of services and facilities shall continue to be measured by the adopted Level of Service Standards outlined in the Infrastructure and Transportation Elements. ~~Comprehensive Plan.~~ An application shall be filed in conjunction with associated preliminary development submittals for determination of capacity. Should the availability of services and facilities be found adequate, a written Certificate of Capacity will be issued by Orange County Utilities (potable water, wastewater, and County roads), Orlando Utility Commission (potable water), Orange County Public Utilities (potable water), and/or Belle Isle (City roads, parks, and drainage). By issuing a Certificate of Capacity, the proposed development shall be vested with respect to available services and facilities for a reasonable period of time and subject to reasonable conditions established in the Concurrency Management Policy.

**Policy 1.4.3:** Conditions regulating the timing of development, with the availability of facilities and services, shall be incorporated into development approvals or developer agreements issued after January 1, 1992.

**Policy 1.4.4:** All development approvals or developer agreements issued after January 1, 1992 shall adhere to Orange County's requirement for the provision of potable water and wastewater and the requirements of the Orlando Utilities Commission and Orange County Public Utilities for the provision of potable water.

**Policy 1.4.35:** The City will require data and analysis for future land use map changes that demonstrate that adequate transportation, water/sewer supplies, waste, public safety, and associated public facilities are available to meet projected growth demands associated with the Future Land Use Map change.

**Policy 1.4.46:** The City shall encourage the use of low impact development design techniques for private development and as part of its own public work projects. Such practices may include, but are not limited to:

- a. ~~Development that adheres to the principles of "New Urbanism" or "Traditional Neighborhood~~

Development”.

- ~~b. Clustering of development.~~
- ~~c. Bioretention areas or “rain gardens”.~~
- ~~d. Development that adheres to the principles of “New Urbanism” or “Traditional Neighborhood Development”.~~
- ~~e. Development that adheres to the principles of “New Urbanism” or “Traditional Neighborhood Development”.~~
- ~~f. Clustering of development.~~
- ~~g. Bioretention areas or “rain gardens”.~~
- ~~h. Grass swales.~~
- ~~i. Permeable pavements.~~
- ~~j. Redirecting rooftop runoff to functional landscape areas, rain barrels or cisterns.~~
- ~~k. Elimination of curb and gutter where appropriate.~~
- ~~l. Minimization of impervious surfaces through use of shared driveways and parking lots.~~
- ~~m. Reduction in impervious driveways through reduced building setbacks.~~
- ~~n. Reduction in street paving by providing reduced street frontages for lots.~~
- ~~o. Permanent educational programs to ensure that future owners and residents of the site have an opportunity to fully understand the purpose, function, and maintenance of each LID component.~~
- ~~p. Limitations on the amount of turf allowed within the site and standards for implementation of best management practices for such turf, including minimum fertilizer applications.~~
- ~~q. Reuse of stormwater.~~
- ~~r. Use of “Florida Friendly” plant species and preferably native species for landscaping.~~
- ~~s. Use of low volume irrigation technologies and soil moisture sensors if potable water supply is used for irrigation.~~

- a. Development that adheres to the principles of “New Urbanism” or “Traditional Neighborhood Development”.
- b. Clustering of development.
- c. Ecofriendly: Bioretention areas or “rain gardens”, Grass swales. Reuse of stormwater, Use of “Florida Friendly” plant species and preferably native species for landscaping, Redirecting rooftop runoff to functional landscape areas, rain barrels or cisterns.
- d. Permeable pavements.
- e. Elimination of curb and gutter where appropriate.
- f. Minimization of impervious surfaces through use of shared driveways and parking lots.
- g. Reduction in impervious surfaces: building setbacks for

driveways, Reduction in street paving by providing reduced street frontages for lots.

- h. Permanent educational programs to ensure that future owners and residents of the site have an opportunity to fully understand the purpose, function, and maintenance of each LID component.
- i. Limitations on the amount of turf allowed within the site and standards for implementation of best management practices for such turf, including minimum fertilizer applications.
- j. Use of low-volume irrigation technologies and soil moisture sensors if potable water supply is used for irrigation.

**GOAL 2: TO PROMOTE A LAND DEVELOPMENT PATTERN WHICH IS CONSISTENT WITH THE EXISTING LAND DEVELOPMENT PATTERN, AND PROTECTS THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF BELLE ISLE, AND IS IN KEEPING WITH THE ESTABLISHED CHARACTER OF THE CITY AND IT'S NEIGHBORHOODS.**

**OBJECTIVE 2.1:** The future land use map designations and land development codes shall encourage the physical and functional integration of land uses through implementation of the following policies.

**Policy 2.1.1:** The City shall continue to initiate discussions for entering into a Joint Planning Area Agreement with Orange County, which will regulate development within the intergovernmental coordination area identified in the Intergovernmental Coordination Element.

**Policy 2.1.2:** The City shall continue to support, through technical assistance, publicly or privately sponsored small area studies conducted to identify strategies and make recommendations for physically and functionally integrating land use and zoning in developed areas. The City Council of Belle Isle shall review the strategies and recommendations for incorporation into the Comprehensive Plan.

**Policy 2.1.3:** The City shall continue to adopt pedestrian and bikeway plans as part of a Transportation System Plan showing the existing and proposed linkages between residential, non-residential, and recreational areas, and other jurisdictions.

**Policy 2.1.4:** The LDC's shall establish site design conditions (including but not limited to signage, building setbacks and heights, lighting and landscape buffering requirements), and use restrictions to provide compatibility with adjacent residential areas land uses.

**Policy 2.1.5:** The LDC's shall establish landscape requirements for all commercial areas in order to provide for sufficient buffers, open space, landscape features, stormwater, etc. to ensure compatibility, safety, and improve the aesthetics of the City and neighboring uses.

**Policy 2.1.6:** The LDC's shall include procedures for notifying City residents

through neighborhood meetings, public notice of public hearings of changes in land use, including zoning and subdivision considerations, in order to provide for the broadest public awareness.

**Policy 2.1.7:** ~~Beginning January 1992, t~~The City Council of Belle Isle shall accept applications for amendments to the Future Land Use Map and process applications in accordance with Florida Statutes. All amendments must be deemed consistent with the City's Comprehensive Plan. on a twice per year basis. The procedure for amending the Future Land Use Map shall be included in the LDC's.

**OBJECTIVE 2.2:** The City of Belle Isle shall continue to develop procedures in the regulations for the protection of the natural environment from the impacts of development.

**Policy 2.2.1:** The City's LDC's shall include a provision for identifying, monitoring, and regulating existing and proposed small quantity hazardous waste generators.

**Policy 2.2.2:** All development in groundwater recharge areas and cones of influence for wellheads shall be required to address groundwater quality protection as part of the site plan.

**Policy 2.2.3:** The Future Land Use Map shall indicate conservation areas and areas to be preserved in a natural state.

**OBJECTIVE 2.3:** The City shall preserve any active-existing agricultural land uses through the implementation of the following policies:

**Policy 2.3.1:** ~~All~~ Any land with an agricultural land use classification shall be reclassified on the future land use map to an appropriate non-agricultural land use prior to being utilized for non-agricultural purposes.

**Policy 2.3.2:** All active agricultural uses in non-agricultural land use areas on January 1, 1991 shall be grandfathered. However, no new agricultural uses shall be permitted in these areas.

**Policy 2.3.3:** The Agricultural land use category shown on the Future Land Use Map shall allow the following uses:

Use	Density
Single Family Dwellings	1 unit per <del>five</del> <u>twenty</u> (5 20) acres
Sale of commodities produced on the premises	50 square feet/acre
Citrus production	n/a
Nurseries/greenhouses	n/a
Truck farms	n/a
Livestock/poultry production	n/a

**OBJECTIVE 2.4:** The location and development criteria, as identified in the policies listed below, shall be included in the LDC's to guide the distribution, extent and location of land uses.

~~**Policy 2.4.1:** The Future Land Use Map shall indicate a separate land use designation for Professional-Office, Industrial, and Commercial uses. The Professional-Office land Use designation shall correspond with the Professional-Office zoning district. The Industrial designation shall correspond with the Industrial zoning district. The Commercial Land Use designation shall correspond with C-1, C-2 and C-3 zoning districts.~~

~~**Policy 2.4.21:** Unless otherwise allowed through a Planned Unit Development or Mixed Use Future Land Use strategy, No commercial, industrial or professional-office activities shall be permitted in residential areas residential future land use classification without amending the Future Land Use Map, except those permitted under the City's home occupational regulations. Home occupations are exempt from this policy.~~

~~**Policy 2.4.32:** The City shall require appropriate open space, maximum impervious surface ratios, landscape buffers and site development standards for non-residential development to ensure attractive viewsheds, and a minimum 10' landscaped buffer between commercial and industrial developments (minimum 5' on each commercial and industrial property) in order to avoid a continuous commercial or industrial land use pattern without open space.~~

~~**Policy 2.4.43:** Beginning on January 1, 1992, The City of Belle Isle shall not issue any development orders for major medical facilities until a Certificate of Need has been issued by the State of Florida in accordance with relevant Florida Statutes of State Administrative Codes~~

~~**Policy 2.4.5:** After January 1, 1992, the City shall require sidewalks and/or bikeways between new residential areas and educational facilities as development occurs.~~

~~**Policy 2.4.64:** The LDC's shall include a provision for permitting facilities of public utilities, which provide essential service to existing and future land uses authorized by this plan, in all land use categories. All facilities of public utilities shall conform to appropriate location criteria, including buffering, as required by the City's Land Development Code.~~

**OBJECTIVE 2.5:** The LDC's shall regulate the development of vacant parcels within residential areas and the renovation of existing structures to be consistent with surrounding development.

**Policy 2.5.1:** The maximum floor to area ratio is 0.3 for one story and 0.25 for two story dwelling units, and shall not exceed a 35% impervious surface ratio for residential areas.



**Policy 2.5.2:** The maximum floor to area ratio is 0.5 for professional-office, industrial and commercial areas, and shall not exceed an 80% Base Impervious Surface Ratio (ISR) for commercial and industrial areas. Professional-office maximum ISR will be determined on a case-by-case basis ~~(, as outlined in Ordinance No. 03-15).~~

**OBJECTIVE 2.6:** The City shall coordinate land use and transportation planning through the LDC's, Future Land Use Map and implementation of the following policies:

**Policy 2.6.1:** Amendments to the Future Land Use Map shall consider the functional classifications of abutting roadways as follows:

Functional Classification	Acceptable Land Uses
Major Arterials (4 lanes)	Commercial, Professional-Office, Industrial
Minor Arterials (2 lane)	All Residential uses
Urban Collectors (2 lane)	Low or Medium Density Residential
Local Streets (2 lanes)	Low or Medium Density Residential

**Policy 2.6.2:** ~~As of June 1991, t~~The widening of a road shall not constitute sufficient reason to allow a change in Land Use designation on the Future Land Use Map. All development shall continue to be required to comply with the City's Concurrency measures.

**Policy 2.6.3:** Access management controls, including, but not limited to, joint driveways, frontage roads, and cross access agreements along collector and arterial roadways shall be required in all new development. For all state roadways, access management controls shall be approved by the Florida Department of Transportation.

**Policy 2.6.4:** The City shall require sidewalks and/or bikeways to provide connectivity within and along the perimeters of new development and redevelopment, as further required in the LDC.

**OBJECTIVE 2.7:** Belle Isle examined the need for Historical Preservation regulations as part of the Land Development Code's. ~~per an independent study conducted in 2002 through implementation of the following policies.~~

**Policy 2.7.1:** Belle Isle will adhere to the State Historical Preservation regulations by prohibiting development in areas identified as historically significant which would alter or destroy the nature or characteristics of the historical site or structures.

**Policy 2.7.2:** The City shall continue a program for providing historical information about Belle Isle to residents.

**Policy 2.7.3:** The City shall review properties which may be historically significant prior to adopting regulations in the LDC'S.

**OBJECTIVE 2.8:** The LDC's shall include a provision to preserve Belle Isle's existing neighborhoods from the encroachment of incompatible uses and densities through implementation of the following policies.

**Policy 2.8.1:** ~~After June 1991, t~~The following criteria shall be used in reviewing any proposed amendment to the Future Land Use Map changing the land use designation of a property from residential to non-residential.

- a) the character and density of surrounding land uses must have changed, e.g. single family to multi-family dwelling units;
- b) the adjacent road is designated as a major thoroughfare Major Arterial as shown in the Comprehensive Plan Transportation Element Transportation Element;
- c) sufficient land area is available to support the parking, stormwater retention, and minimum site standards established in the LDC's for the use;
- d) the non-residential use must be compatible with the surrounding land use.

**Policy 2.8.2:** ~~After June 1991, a~~All changes in zoning shall be consistent with the City's Comprehensive Plan, including but not limited to the Future Land Use Map.

**POLICY 2.8.3:** The City shall discourage the proliferation of urban sprawl by assessing development urban sprawl potential utilizing the criteria in F.S. § 163.3177(6)(a)(9)(a). ~~In order to discourage urban sprawl, the City shall require development to be consistent with existing or planned development on adjacent parcels.~~

**Policy 2.8.4:** ~~A mixture of land uses shall be encouraged within activity and commercial centers, outside of predominantly residential areas. Office and industrial land uses shall be located to provide a balanced land use mixture, in addition to commercial uses.~~

**GOAL 3: THE CITY SHALL CONTINUE TO MAINTAIN A CURRENT FUTURE LAND USE MAP THROUGH THAT IS COORDINATED WITH THE LDC AND SURROUNDING JURISDICTIONS, AND REVISIONS TO THE MAP SHALL BE MADE AS CHANGES ARE ADOPTED.**

**OBJECTIVE 3.1:** The City shall coordinate land uses in order to analyze development and redevelopment based on hazard mitigation report findings. a manner to avoid urban sprawl, ensure compatibility between uses, and protect existing neighborhood character.

**Policy 3.1.1:** Prior to or after January 2003, the The City shall continue to review hazard mitigation report findings to inform the residents of Belle Isle

and possible developers of hazardous areas.

**Policy 3.1.2:** The Future Land Use Map shall reflect the distribution of industrial areas in order to provide adequate and sufficient locations for industrial uses, particularly in existing corridors and areas in proximity to commercial activity centers, avoid large concentrations of industrial traffic through existing neighborhoods, ~~provide adequate and sufficient locations for industrial uses, particularly in existing corridors and areas in proximity to commercial activity centers, and provide~~ while providing a variety of locations with different transportation accessibility opportunities (such as arterials, highways, airports, and railroads). Such locations may be most appropriate along the south City boundary, which is in close proximity to SR 528, Boggy Creek Rd., Tradeport Dr., and Orlando International Airport.

**Policy 3.1.3:** The City of Belle Isle provides appropriate Future Land Use Planning for a Planning Horizon through the Year 2020 2040 and adopts the Future Land Use Map Series as Depicted in Part II, Map Series, and Listed Below, and uses the Future Land Use Designation as Defined in Part I:

- Map 1: City of Belle Isle Vacant Lands
- Map 2: City of Belle Isle Existing Land Use
- Map 3: City of Belle Isle Zoning
- Map 4: City of Belle Isle Future Land Use
- Map 5: City of Belle Isle Adjacent Land Use
- Map 6: City of Belle Isle Wetlands
- Map 7: City of Belle Isle Floodplains
- Map 8: City of Belle Isle General Soils, Waterwells
- Map 9: City of Belle Isle Water Service Areas
- Map 10: City of Belle Isle Central Sewer Service
- Map 11: City of Belle Isle CIP Projects

**GOAL 4: TO ACHIEVE ENERGY EFFICIENT LAND-USE PATTERNS TO HELP REDUCE GREEN-HOUSE GREENHOUSE GAS EMISSIONS.**

**Objective 4.1:** The City shall promote and encourage urban strategies such as infill development, mixed use development, transit oriented development and coordinated land use and transportation planning to promote efficient use of infrastructure.

**Policy 4.1.1:** The City shall encourage efforts to protect air quality from increases in green house gases by:

1. directing and incentivizing growth and redevelopment toward lands designated for mixed development or higher intensity planned development.
2. ~~Work~~ Coordinate with regional transportation planning partners such as MetroPlan Orlando and LYNX to improve alternative transportation routes

- within the City.
3. Adopt revisions to the Land Development Code by December 31, 2010, that provide density and intensity incentives to Mixed Use Development projects within the corridor, that will include bonuses for the inclusion of Workforce Housing and the use of Green Building techniques.

**Policy 4.1.2:** By December 31, 2010, the City shall review its Future Land Use Map to identify appropriate areas within the City for higher densities and amend the City’s Comprehensive plan to allow higher densities in these designated areas clustered around transit stops.

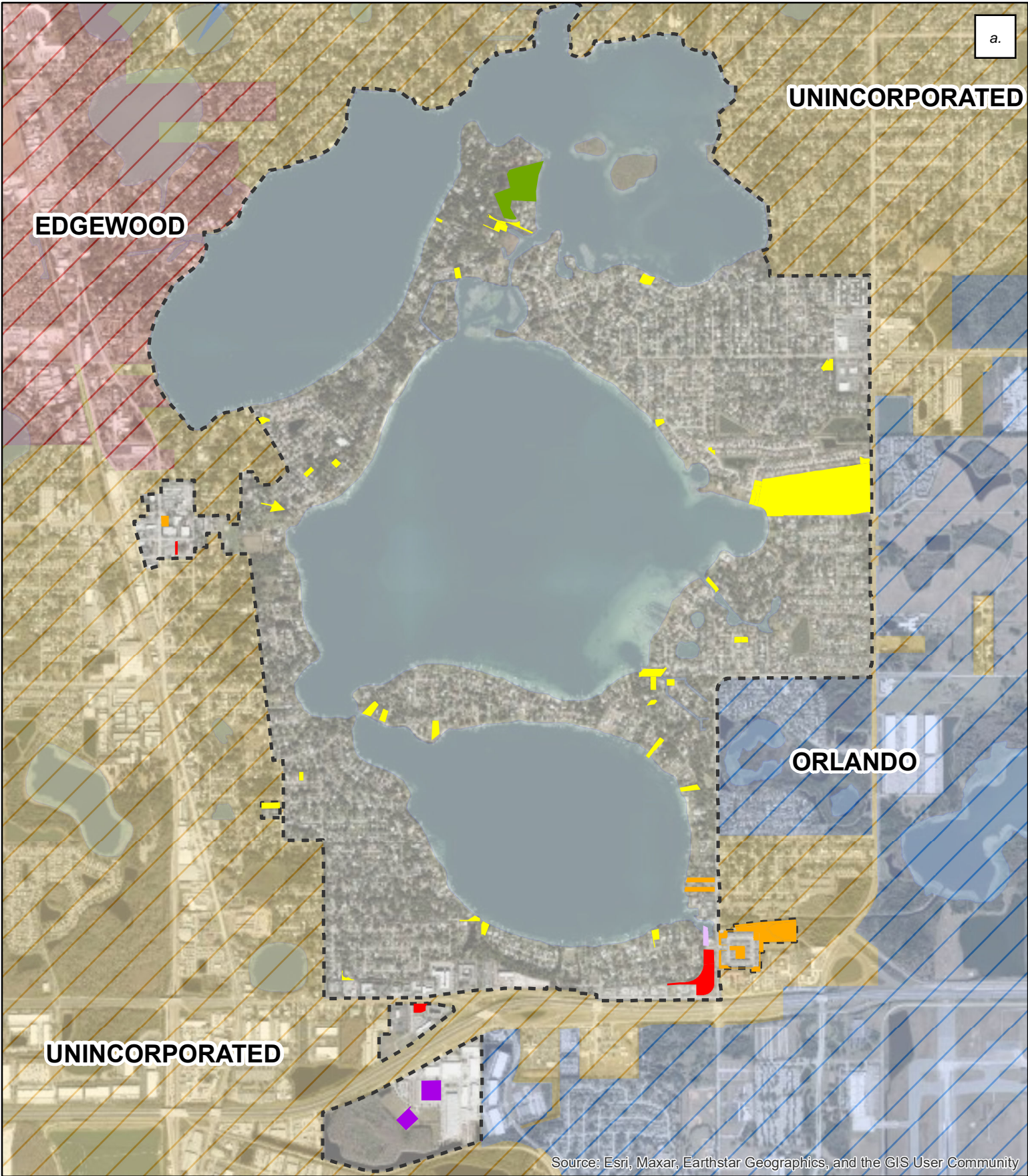
**Policy 4.1.3:** By December 31, 2010, the City shall review its Comprehensive Plan and Land Development Regulations to remove regulatory barriers to mixed-use and higher density development and encourage and attractive and functional mix of uses.

**Policy 4.1.4:** By December 31, 2010, the City shall develop and adopt strategies and incentives to encourage mixed use, higher density development in appropriate places within the City in order to reduce trip lengths, provide diverse housing types and efficient use of infrastructure and promote a sense of community.

**Policy 4.1.5:** Shopping centers shall include bicycle parking areas, and where appropriate, bus bays or shelters to encourage alternative transportation modes. Such requirements shall be referenced in the Land Development Regulations.

**Policy 4.1.6:** In new construction and redevelopment, the City shall encourage the use of new urbanism and sustainability concepts, including but not limited traditional neighborhood design, urban villages, livability and pedestrian-friendly environments (including safety enhancements improvements), and transit-oriented design, to reduce urban sprawl, decrease trip lengths, promote internal capture and promote multi-modal travel.





Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

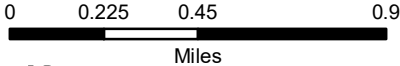


111 North Magnolia Ave  
Suite 1350  
Orlando, FL 32801  
Tel: 407.775.6500  
www.rviplanning.com

### City of Belle Isle • VACANT LAND

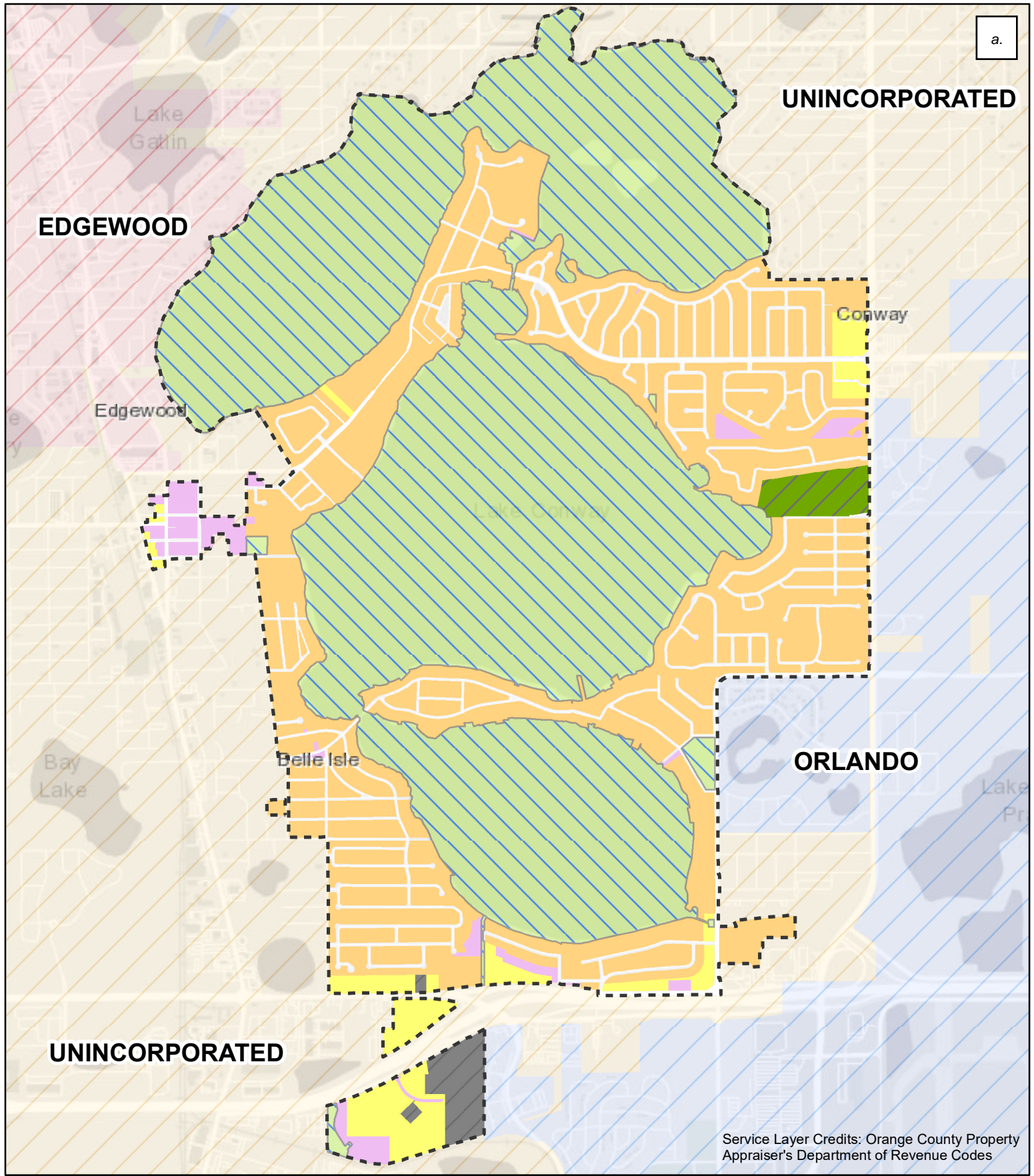
📍 City of Belle Isle, FL  
📅 Date: 6/12/2024  
# 23002514  
👤 Belle Isle

- 🗲 City Boundary
- 🟡 Vacant - Low Density Residential (35)
- 🟠 Vacant - Medium Density Residential (11)
- 🔴 Vacant - Commercial (4)
- 🟣 Vacant - Industrial (3)
- 🟪 Vacant - Professional / Office (1)
- 🟢 Vacant - Conservation (1)



Information furnished regarding this property is from sources deemed reliable. RVI has not made an independent investigation of the and no warranty is made as to their completeness. This plan is conceptual change, and does not represent an approval.





Service Layer Credits: Orange County Property Appraiser's Department of Revenue Codes

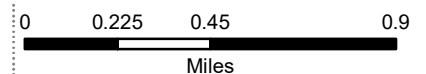
Document Path: L:\2023\23002514- Belle Isle Comprehensive Plan Update\04 PROJECT DATA\02 GIS\00 MXDs\Existing\_Land\_Use.mxd

**RVi**  
 111 North Magnolia Ave  
 Suite 1350  
 Orlando, FL 32801  
 Tel: 407.775.6500  
 www.rviplanning.com

### City of Belle Isle • EXISTING LAND USE

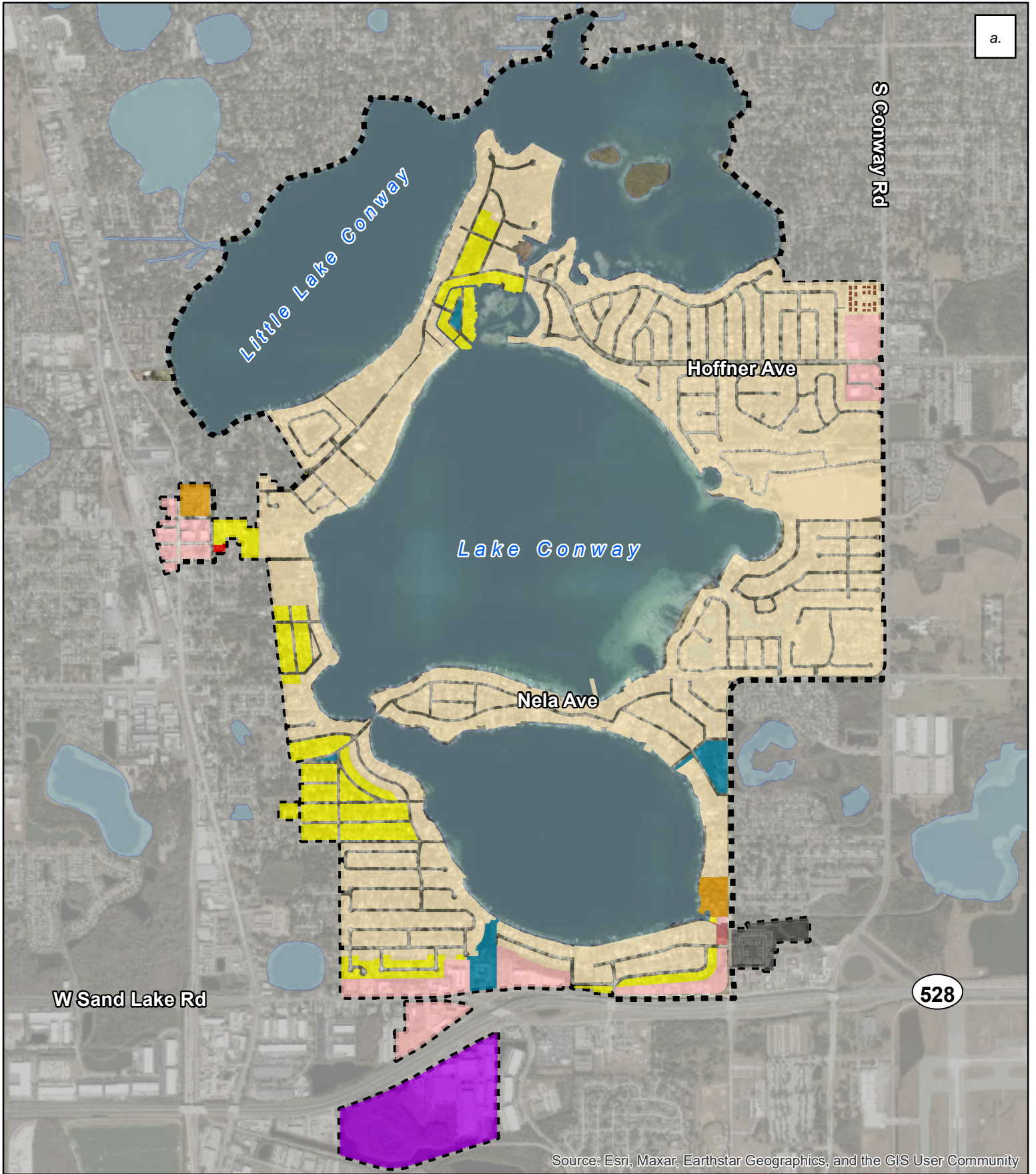
📍 City of Belle Isle, FL  
 📅 Date: 6/12/2024  
 # 23002514  
 🏠 Belle Isle

- ▬ City Boundary
- 🏠 Residential
- 🏢 Commercial / Retail
- 🏭 Industrial
- 🌱 Agricultural
- 🏛️ Institutional / Municipal
- 🌳 Parks / Environmental



Information furnished regarding this property is from sources deemed reliable. RVi has not made an independent investigation of the property and no warranty is made as to their completeness. This plan is conceptual and subject to change, and does not represent an approval.





Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



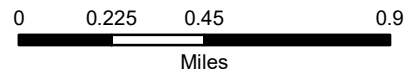
111 North Magnolia Ave  
Suite 1350  
Orlando, FL 32801  
Tel: 407.775.6500  
www.rviplanning.com

### City of Belle Isle • ZONING

- 📍 City of Belle Isle, FL
- 📅 Date: 6/12/2024
- # 23002514
- 👤 Belle Isle

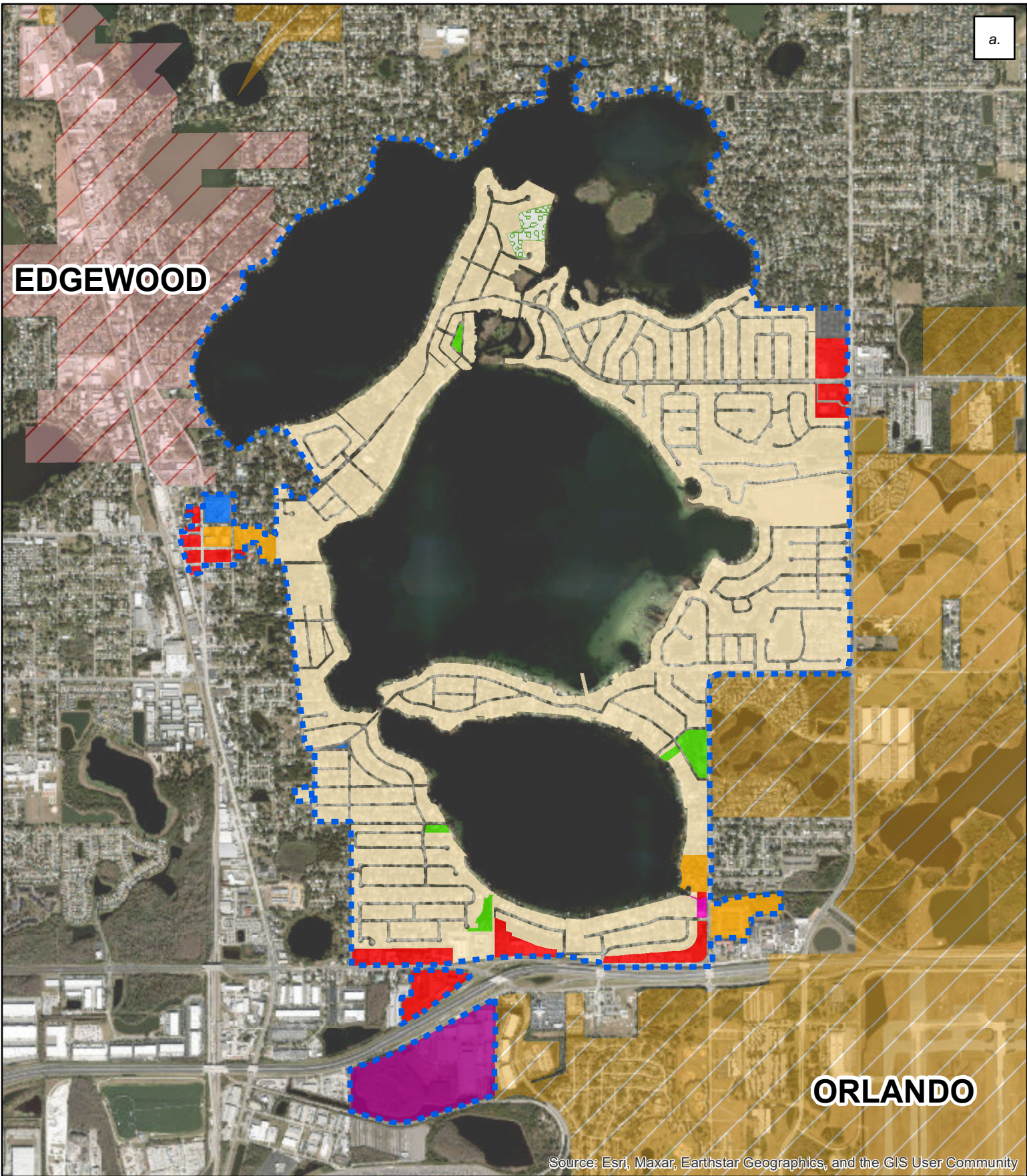
- 🔲 City Boundary
- 🔲 C-1
- 🔲 C-2
- 🔲 I-2

- 🔲 P-O
- 🔲 PD
- 🔲 PUB
- 🔲 R-1-A
- 🔲 R-1-AA
- 🔲 R-2
- 🔲 R-3
- 🔲 Hydrology



Information furnished regarding this property is from sources deemed reliable. RVI has not made an independent investigation of the and no warranty is made as to their completeness. This plan is conceptual change, and does not represent an approval.



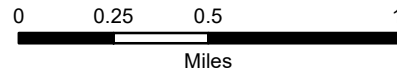


Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

### City of Belle Isle • FUTURE LAND USE

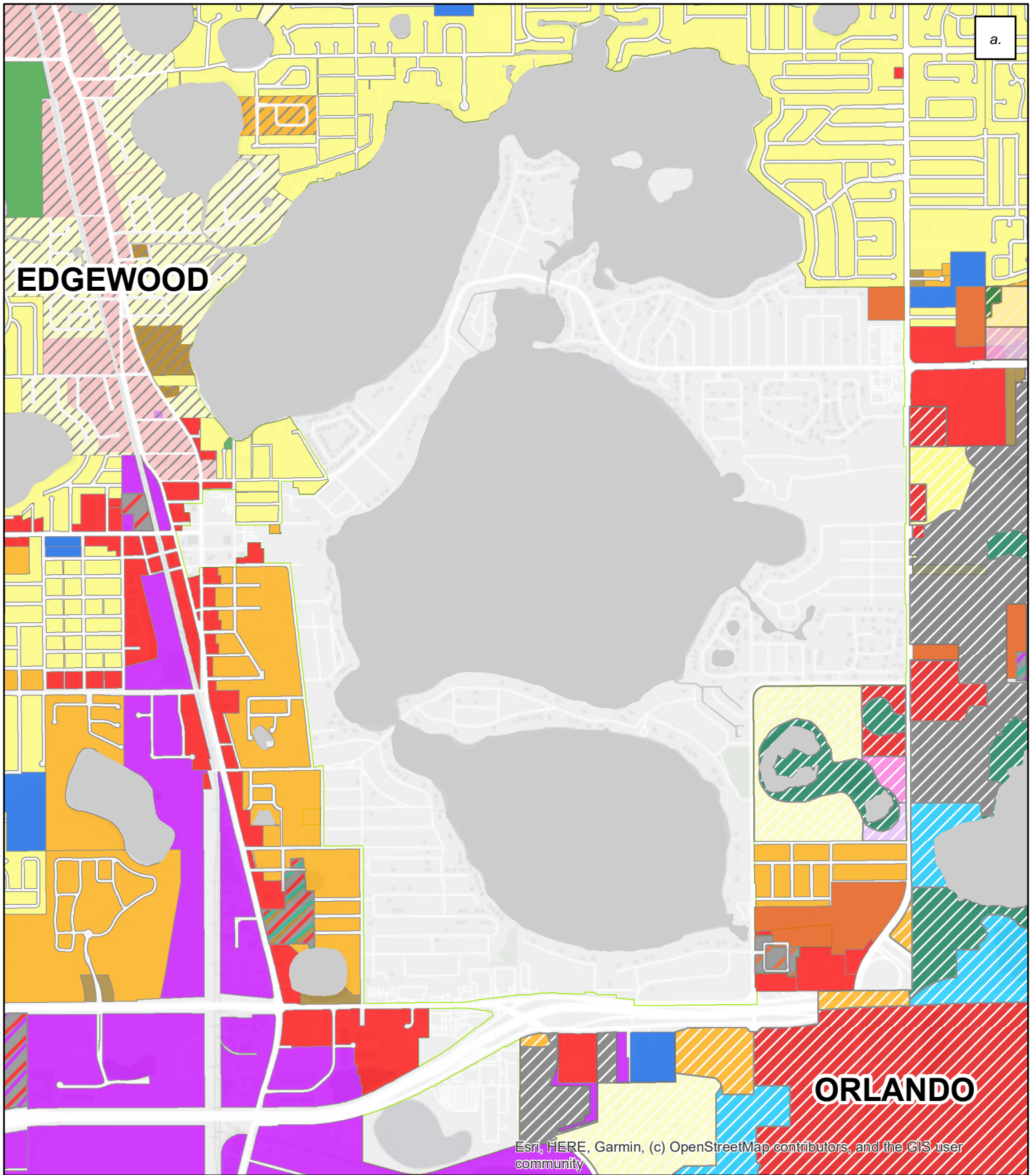
📍 City of Belle Isle, FL  
 📅 Date: 6/12/2024  
 # 23002514  
 🏠 Belle Isle

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



Information furnished regarding this property is from sources deemed reliable. RVi has not made an independent investigation of the and no warranty is made as to their completeness. This plan is conceptual change, and does not represent an approval.





**EDGEWOOD**

**ORLANDO**

Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

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

**IRVI**  
 111 North Magnolia Ave.  
 Suite 1350  
 Orlando, FL 32801  
 Tel: 407.775.6500  
 www.rviplanning.com

📍 City of Belle Isle, FL  
 📅 Date: 6/12/2024  
 # 23002514  
 📍 Belle Isle

**Edgewood - Land Use**

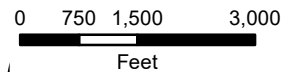
- Low Density Residential
- Medum Density Residential
- High Density Residential
- Commercial
- Institutional

**Orlando - Land Use**

- Community Activity Center
- Conservation
- Industrial
- Metropolitan Activity Center
- Mixed Use Corridor Med. Intensity
- Office Low Intensity
- Office Medium Intensity
- Public/Recreational & Institutional
- Residential Low Intensity
- Residential Medium Intensity

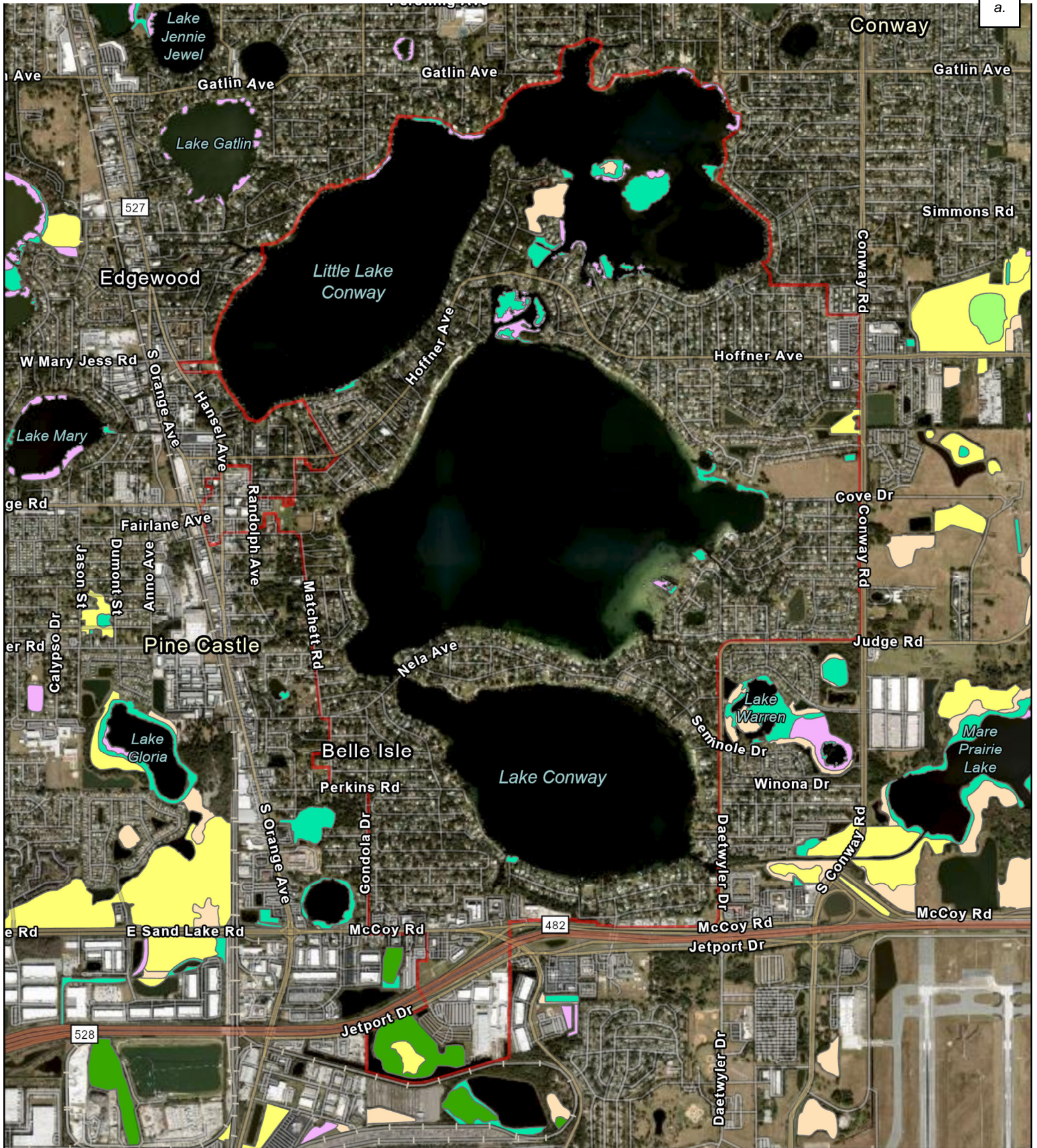
**Orange County - Land Use**

- Commercial
- Industrial
- Institutional
- Office
- Low Density Residential
- Low-Medium Density Residential
- Medium Density Residential
- PD-Medium Density Residential
- PD - Commercial
- PD-Commercial/Industrial
- PD-Low Density Residential/Industrial
- PD-Office/Commercial/Medium Density Residential
- PR-OS



Information furnished regarding this property is from sources deemed reliable. IRVI has not made an independent investigation of these sources. Warranty is made as to their completeness. This plan is subject to change, and does not





**Belle Isle 2023 Comprehensive Plan**

📍 Belle Isle, FL  
 📅 Date: 2/12/2024  
 # 23002514

**2022 Orange County Wetlands**

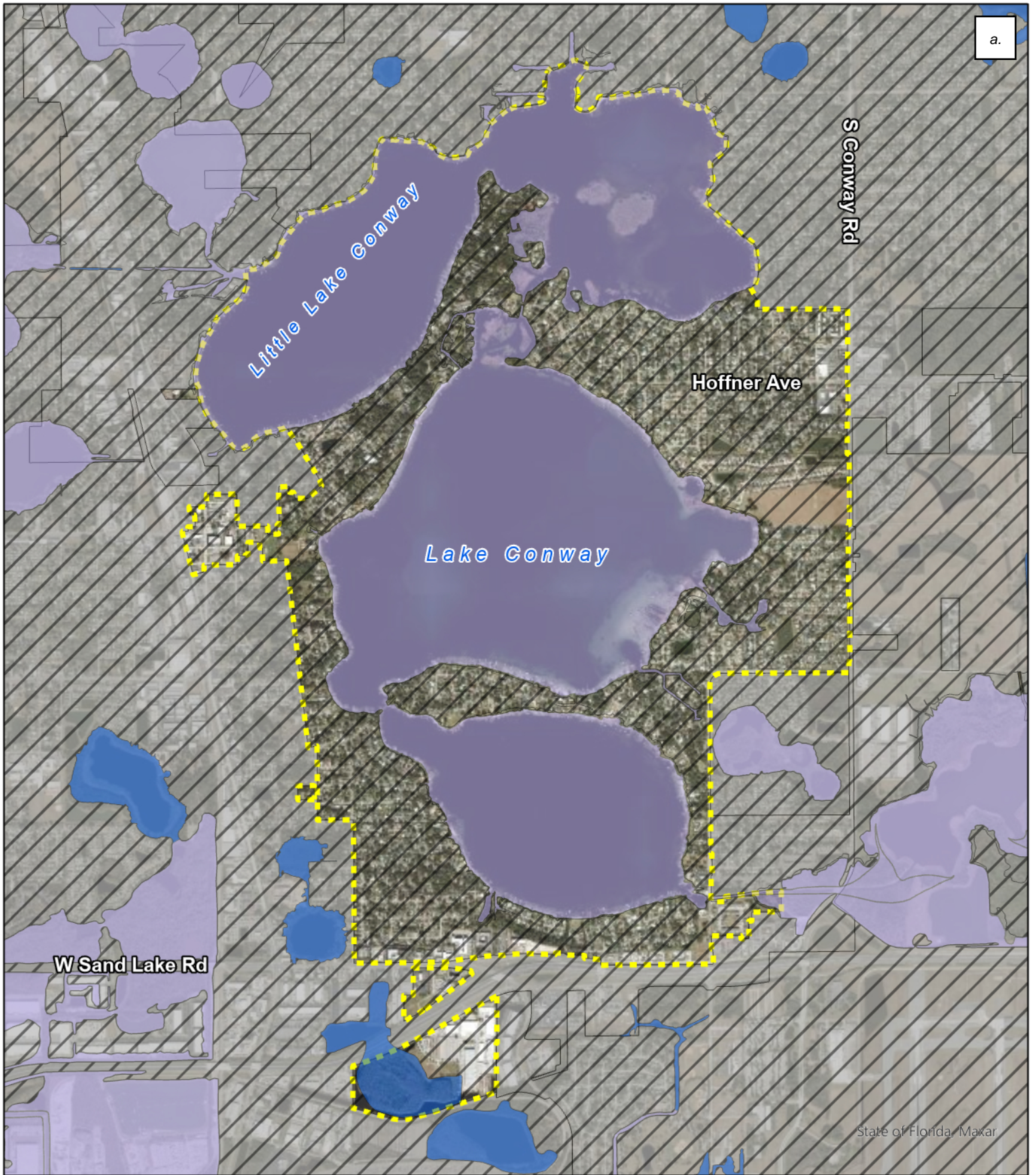
- Cypress
- Hydric Pine Flatwoods
- Mixed Wetland Forests/Hardwoods
- Mixed Scrub-Shrub Wetlands
- Freshwater Marshes
- Other Wetlands



Information furnished regarding this property is from sources deemed reliable. RVI has not made an independent investigation of the property and no warranty is made as to their accuracy.

**RVI**  
 111 N. Magnolia Avenue  
 Suite 1350  
 Orlando, FL 32801  
 Tel: 407.775.6500  
 www.rviplanning.com






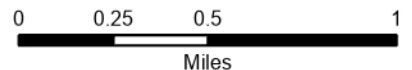
State of Florida, Maxar

## City of Belle Isle • FLOODPLAIN

**RVi**  
 111 North Magnolia Ave  
 Suite 1350  
 Orlando, FL 32801  
 Tel: 407.775.6500  
 www.rviplanning.com

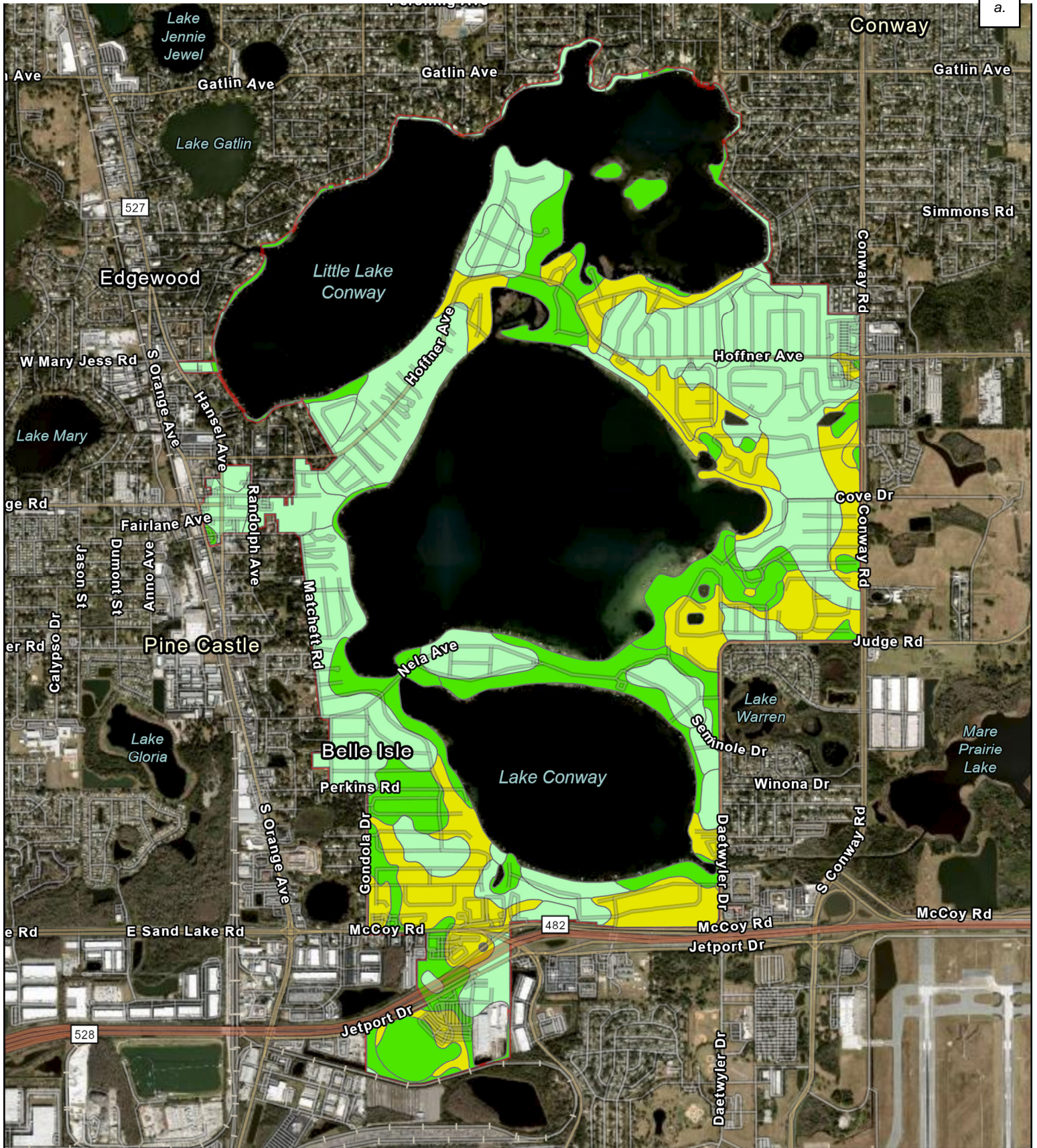
- 📍 City of Belle Isle, FL
- 📅 Date: 6/11/2024
- # 23002514
- 🏠 Belle Isle

-  City Boundary
-  Flood Zone A
-  Flood Zone X
-  Flood Zone AE



Information furnished regarding this property is from sources deemed reliable. RVi has not made an independent investigation of the and no warranty is made as to their completeness. This plan is conceptual change, and does not represent an approval.





**Belle Isle 2023  
Comprehensive Plan**

📍 Belle Isle, FL  
 📅 Date: 2/12/2024  
 # 23002514

**2021 NRCS Soil Hydro Groups**

- A
- A/D
- B/D

**RVi**  
 111 N. Magnolia Avenue  
 Suite 1350  
 Orlando, FL 32801  
 Tel: 407.775.6500  
 www.rviplanning.com



Information furnished regarding this property is from sources deemed reliable. RVI has not made an independent investigation of the property and no warranty is made as to their accuracy.



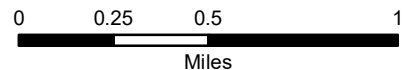


111 North Magnolia Ave  
 Suite 1350  
 Orlando, FL 32801  
 Tel: 407.775.6500  
 www.rviplanning.com

**City of Belle Isle • WATER SERVICE PROVIDER**

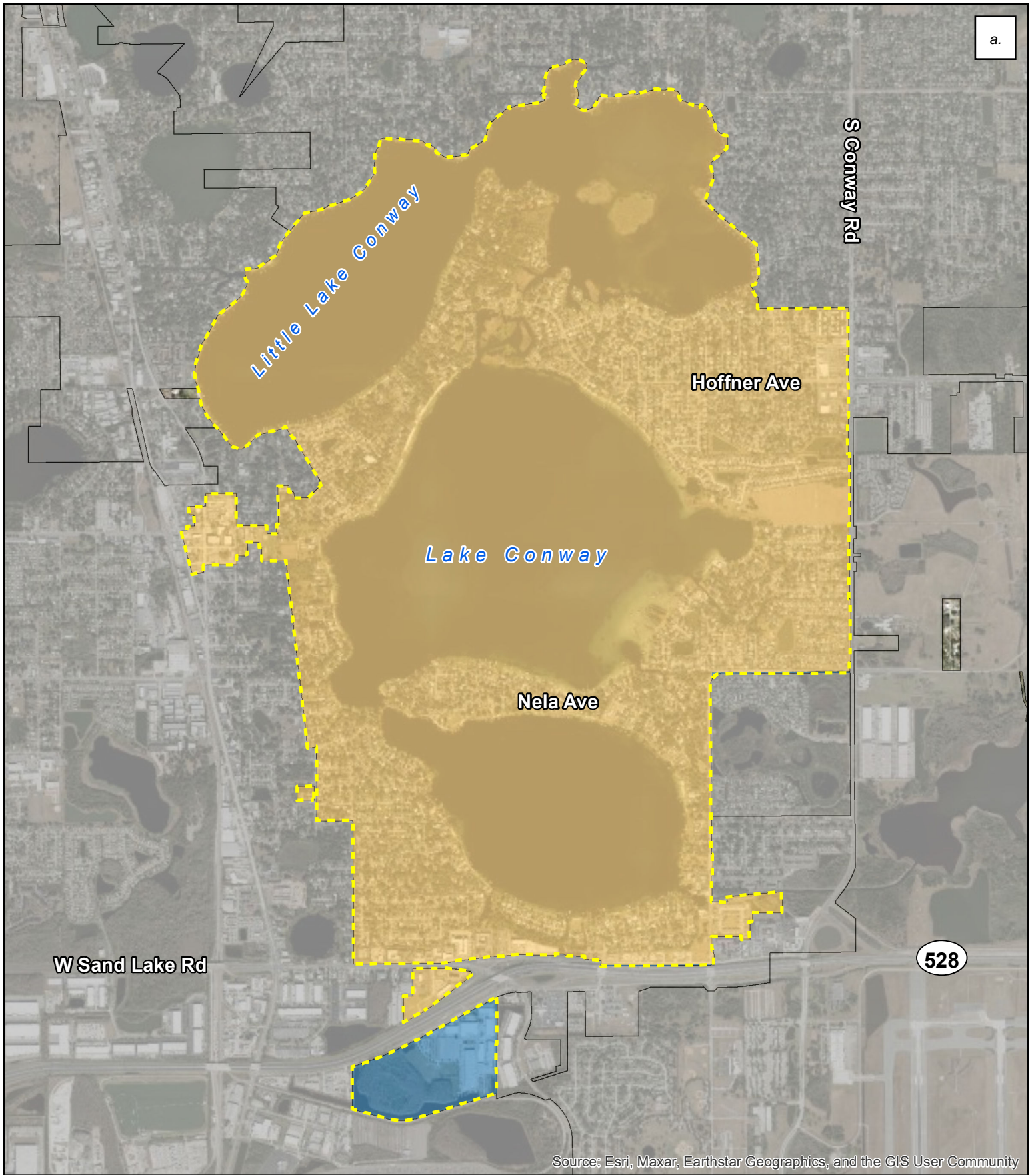
- 📍 City of Belle Isle, FL
- 📅 Date: 6/12/2024
- # 23002514
- 👤 Belle Isle

- Orange County
- Orlando Utilities Commission



Information furnished regarding this property is from sources deemed reliable. RVi has not made an independent investigation of the property and no warranty is made as to their completeness. This plan is conceptual and subject to change, and does not represent an approval.



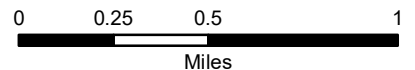


111 North Magnolia Ave  
 Suite 1350  
 Orlando, FL 32801  
 Tel: 407.775.6500  
 www.rviplanning.com

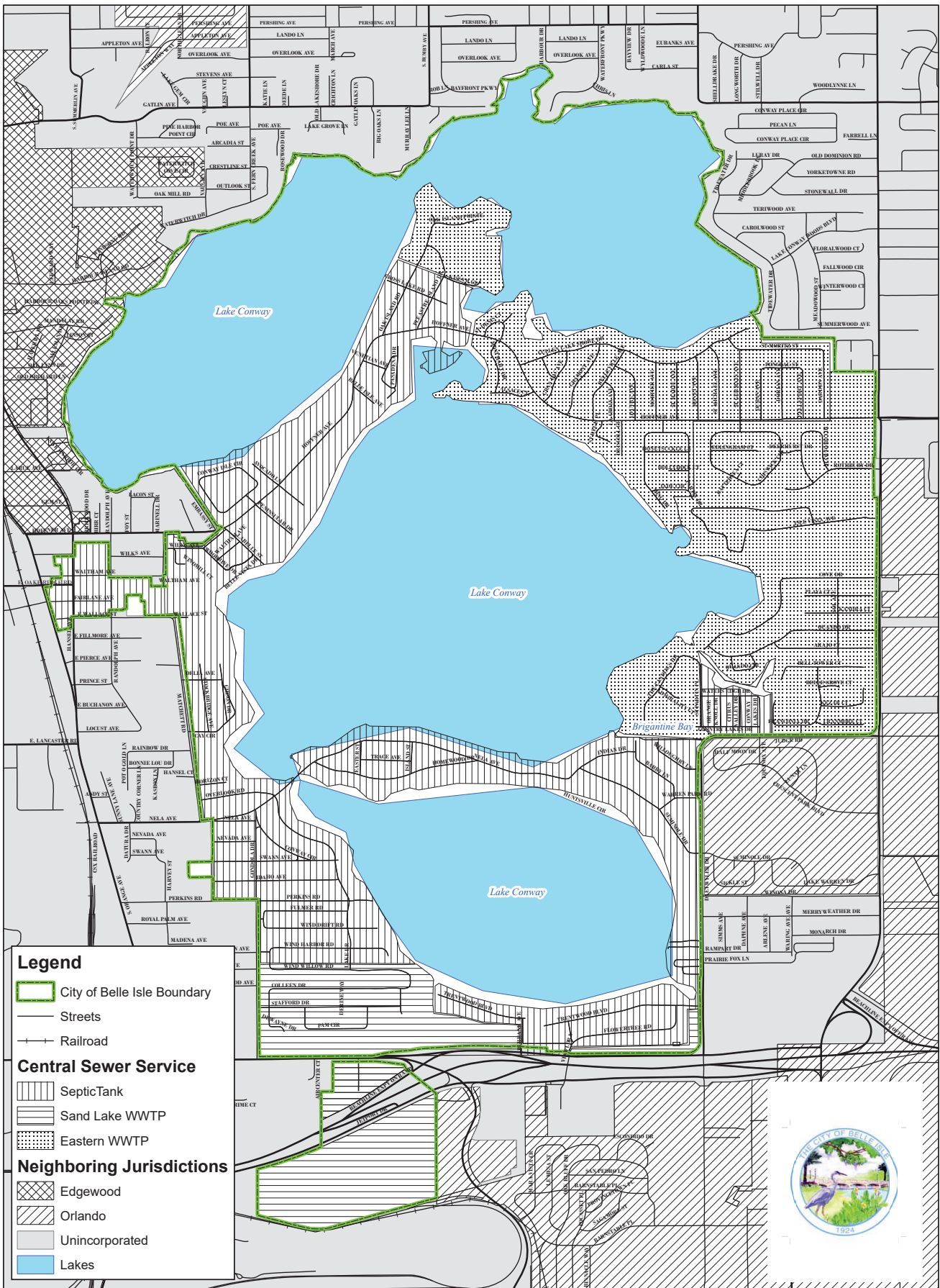
**City of Belle Isle • WASTEWATER SERVICE PROVIDER**

- 📍 City of Belle Isle, FL
- 📅 Date: 6/12/2024
- # 23002514
- 👤 Belle Isle

- Orange County
- Orlando



Information furnished regarding this property is from sources deemed reliable. RVI has not made an independent investigation of the property and no warranty is made as to their completeness. This plan is conceptual and subject to change, and does not represent an approval.



# Map 10: City of Belle Isle Central Sewer Service Areas

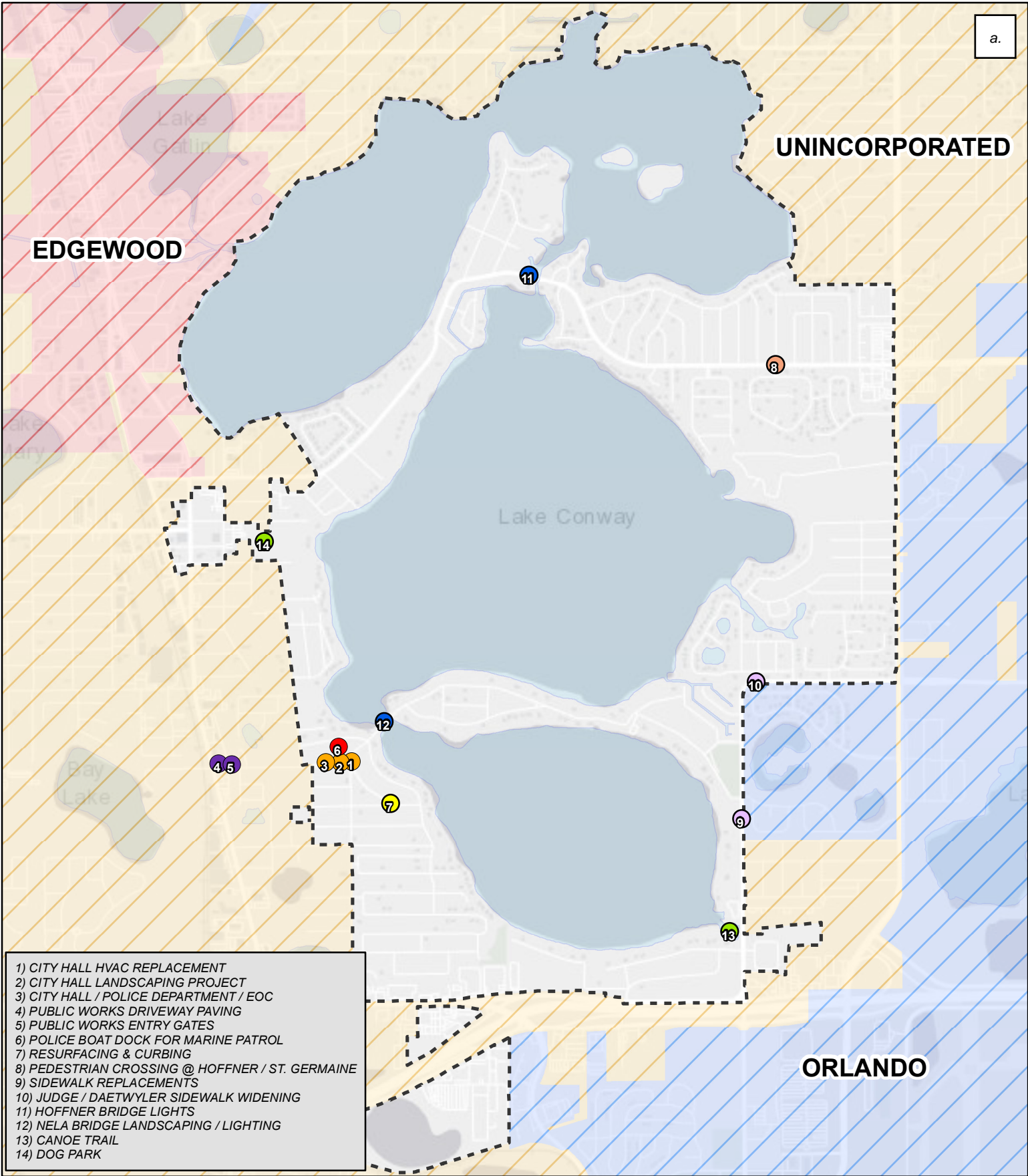
0 800 1,600 3,200 4,800 6,400 Feet

1 in = 1,500 ft



Source: Orange County Property Appraiser and GIS  
Effective: January 2009

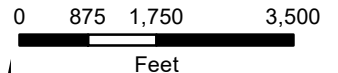




- 1) CITY HALL HVAC REPLACEMENT
- 2) CITY HALL LANDSCAPING PROJECT
- 3) CITY HALL / POLICE DEPARTMENT / EOC
- 4) PUBLIC WORKS DRIVEWAY PAVING
- 5) PUBLIC WORKS ENTRY GATES
- 6) POLICE BOAT DOCK FOR MARINE PATROL
- 7) RESURFACING & CURBING
- 8) PEDESTRIAN CROSSING @ HOFFNER / ST. GERMAINE
- 9) SIDEWALK REPLACEMENTS
- 10) JUDGE / DAETWYLER SIDEWALK WIDENING
- 11) HOFFNER BRIDGE LIGHTS
- 12) NELA BRIDGE LANDSCAPING / LIGHTING
- 13) CANOE TRAIL
- 14) DOG PARK

## City of Belle Isle • CAPITAL IMPROVEMENT PLAN

- 📍 City of Belle Isle, FL
- 🗺️ Date: 6/12/2024
- 🏠 # 23002514
- 👤 Belle Isle
- 🔲 City Boundary
- 🟦 Bridges
- 🟡 Buildings
- 🟪 Infrastructure
- 🟩 Parks
- 🟥 Police Dept
- 🟪 Sidewalks
- 🟨 Streets
- 🟠 Traffic Calming



Information furnished regarding this property is from sources deemed reliable. RVI has not made an independent investigation of the property and no warranty is made as to their accuracy, completeness. This plan is conceptual and does not represent an approved change, and does not represent an approval.



## PUBLIC SCHOOLS FACILITIES ELEMENT

### GOALS, OBJECTIVES AND POLICIES

**GOAL 1: IMPLEMENT A COUNTY WIDE SCHOOL CONCURRENCY PROGRAM THE CITY SHALL ESTABLISH PLANS, REGULATIONS AND PROGRAMS, IN CONJUNCTION WITH ORANGE COUNTY PUBLIC SCHOOLS (OCPS) TO FACILITATE THE FUTURE AVAILABILITY OF PUBLIC SCHOOL FACILITIES TO SERVE CITY RESIDENTS, CONSISTENT WITH THE ADOPTED LEVEL OF SERVICE FOR PUBLIC SCHOOLS AND WITH STATE OF FLORIDA CONCURRENCY STATUTES AND REGULATIONS.**

**Objective 1.1:** Level of Service Standards. The City shall coordinate with OCPS to implement a Concurrency Management System that ensures adequate classroom capacity to accommodate the impacts of new residential development throughout the planning period.

**Policy 1.1.1:** The Concurrency Management System shall include standards and procedures to ensure that new residential development complies with the Level of Service (LOS) Standards provided in the interlocal agreement between OCPS and the City and the adopted Capital Improvements Element and Intergovernmental Coordination Element. The adopted LOS shall be used to determine the available capacity of Elementary, Middle and High Schools within the designated Concurrency Service Area (CSA) where the development is proposed. ~~In accordance with 9J-5.025(3)(c)7, F.A.C., the adopted LOS standards except for backloged facilities as provided for in the Capital Improvements Element Policy 1.8.4 for the purposes of implementing school concurrency shall be calculated as a percentage of the Adjusted FISH Capacity as follows: by school type for all cities and the unincorporated areas of Orange County shall be as follows:~~

School Type	Standard*	Concurrency Service Area (CSA)
Elementary Zones K through 8 Attendance Zones	110%	Modified Middle School Attendance Zones
Middle Attendance Zones	100%	K through 8 School Middle School
High	100%	High School Attendance Zones

The LOS for OCPS' K-8 schools shall be incorporated in the adopted LOS for elementary and middle schools in the following manner: All grades of Arbor Ridge K-8 and Windy Ridge K-8 shall be incorporated in the adopted LOS for elementary

schools. For Blankner K-8, grades kindergarten through five shall be included in the adopted LOS for elementary schools and grades six through eight shall be included in the adopted LOS for middle schools.

\* Permanent FISH + "In-slot" school, not to exceed Core Capacity for Elementary, K

*through 8, and Middle School Types. Permanent FISH, not to exceed Core Capacity for High Schools.*

**Policy 1.1.2:** The adopted LOS must be achieved in all CSAs ~~by April 1, 2012,~~ except for deficient CSAs, except where improvements needed to achieve adequate classroom capacity are specifically identified in the OCPS ten (10) year District Capital Outlay Plan (DCOP) ~~for funding by April 1, 2017.~~

**Policy 1.1.3:** The City shall cooperate with and shall support OCPS efforts to initiate and implement any of the following strategies to ensure compliance with adopted LOS standard.

- a) Building new schools to relieve over-capacity schools in CSAs that exceed the adopted LOS,
- b) Renovating over-capacity schools to add permanent capacity and replace on-campus portables,
- c) Rezoning students from over-capacity schools to under-capacity schools,
- d) Moving special programs from over-capacity schools to under-capacity schools to utilize excess permanent capacity where it exists.

**Policy 1.1.4:** The City shall utilize the OCPS calculation of school capacity, which is determined annually by OCPS using the Adjusted FISH Capacity for each school and CSA within the school district. Consistent with the Interlocal Agreement, Adjusted FISH Capacity shall be defined as the number of students who can be served in a permanent public school facility as provided in FISH (Florida Inventory of School Houses) Capacity, adjusted to include the design capacity of modular or in-slot classrooms on the campuses designed as modular or in-slot schools, not to exceed the adopted Core Capacity for that school.

**Policy 1.1.5:** The number of elementary, middle and high school students generated by a residential development shall be calculated by multiplying the number of dwelling units by the student generation rates by school type as set forth in the current Orange County Public Schools School Impact Fee Study Update (Added 6/08, Ord. 08-11) ~~in Table 12 of the Orange County Public Schools Public School Facilities Element Data, Inventory and Analysis dated May 2, 2008.~~

**Policy 1.1.6:** The City shall cooperate with OCPS in its efforts to meet adopted LOS standards through the adoption of a ten (10) year, financially feasible District Capital Outlay Plan (DCOP). Where the LOS cannot be achieved through the construction of new school capacity as provided in the five (5) year DCOP, the City shall cooperate with OCPS in its efforts to adopt a long range ten (10) year DCOP as part of the School District’s annual capital planning process.

**Policy 1.1.7:** Where adequate school facilities will be in place or under actual construction within three (3) years after the issuance of final subdivision or site plan approval, or the functional equivalent, the City shall not deny an application

for site plan approval, final subdivision approval, or the functional equivalent thereof, for any development, or phase of a development, that includes residential uses, based solely on failure to achieve and maintain the adopted LOS in a CSA.

**Policy 1.1.8:** The City, in conjunction with OCPS, shall review LOS standards for public school facilities annually. Changes to those standards shall be processed as amendments to this Element and the City’s Capital Improvements Element.

**Policy 1.1.9:** The City shall amend its concurrency management system in its Land Development Regulations or contract with Orange County to implement its school concurrency review in order to implement school concurrency.

**Objective 1.2:** OCPS, in conjunction with the City, shall adopt and annually update school Concurrency Service Areas (CSAs), which will be used to evaluate capacity of schools available to accommodate students generated by proposed development.

**Policy 1.2.1:** ~~CSAs are depicted in the Orange County Public Schools Public School Facilities Element Data, Inventory and Analysis dated May 2, 2008. The established CSAs are less than district wide.~~ OCPS, in coordination with Orange County, the City of Belle Isle and other municipalities, has established CSAs that are less than district-wide. CSA maps are available from OCPS and the OCPS web site

**Policy 1.2.2:** CSAs shall be reviewed annually in conjunction with the adoption of a ten (10) year District Capital Outlay Plan (DCOP). CSA boundaries may be adjusted to ensure that the utilization of school capacity is maximized to the greatest extent possible, taking into account transportation costs, court approved desegregation plans, and other factors.

**Policy 1.2.3:** Changes or modifications to the adopted CSAs shall follow the process and guidelines as outlined in Section 14 of the Amended Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency.

**Objective 1.3:** The City and OCPS shall develop and maintain throughout the planning period a joint process for the implementation of School Concurrency as provided for in the adopted Amended Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency.

**Policy 1.3.1:** The City shall not approve a developer-initiated Comprehensive Plan amendment or rezoning that would increase residential density on property that is not otherwise vested until such time as OCPS has determined whether sufficient capacity will exist concurrent with the development or a capacity enhancement agreement is executed that provides for the needed capacity to accommodate the proposed development.

**Policy 1.3.2:** The City will determine if a development is vested or exempt from school concurrency. Unless the development is determined to be vested or exempt from concurrency, the City shall not approve a residential site plan, plat,

or its functional equivalent, until a concurrency determination has been conducted by OCPS and a School Concurrency Certificate has been issued for the development consistent with the provisions of the adopted interlocal agreement. Vested rights and exemptions respecting concurrency and consistency shall be in accordance with applicable law.

~~**Policy 1.3.3:** School concurrency shall not apply to property within a development of regional impact (DRI) for which a Development Order was issued prior to July 1, 2005, or for which a DRI application was submitted prior to May 1, 2005, unless the developer elects otherwise or unless the developer files a Notice of Proposed Change (NOPC) and/or Substantial Deviation to increase the total number of residential dwelling units.~~

~~**Policy 1.3.4:** For DRIs that include residential development and are submitted after July 1, 2005, the City shall include OCPS planning staff on the review team for the DRI, and shall ensure that DRI Development Orders, and DRI Development Order amendments that increase the total number of residential dwelling units, address the issue of school capacity. Where existing school capacity is exceeded, mitigation for school impacts shall be included in any mitigation agreements, Development Orders and agreements.~~

**Policy 1.3.53:** Any proposed residential development that creates an impact of less than one student shall be considered de minimis and therefore exempt from capacity review.

**Policy 1.3.64:** Consistent with Section 16.2 of the Interlocal Agreement, the following residential uses shall be exempt from the requirements of school concurrency:

- a. Any proposed residential development considered de minimis as defined by PSFE Policy 1.3.5.
- b. One single-family house, one (1) duplex, and/or one accessory dwelling unit being developed on an existing, platted residential lot of record.
- c. Any building or structure that has received a Building Permit as of the effective date of the Interlocal Agreement, or is described in section 163.3167(8), Florida Statutes.
- d. Any new Residential Development that has site plan approval for a site pursuant to a specific development order approved prior to the effective date of school concurrency, including the portion of any project that has received final subdivision plat approval as a residential subdivision into one (1) dwelling unit per lot.
- e. Any amendment to any previously approved Residential Development, which does not increase the number of dwelling units or change the type of dwelling units (e.g. converts single-family to multi-family, etc.)
- f. Any age-restricted community that qualifies as one of three types of communities for older persons as "housing for older persons" in the Housing for Older Persons Act, 42 U.S.C. § 3607(b). This exemption shall be applied in conformity with the principles set forth in Volusia County v. Ormond Beach L.P., 760 So. 2d, 126 (Fla.2000). Provided, however, that any senior housing community or dwelling unit that loses its qualification as housing for older persons shall be required to meet

- applicable school concurrency requirements in effect at the time the qualification as housing for older persons is lost.
- g. Alterations or expansion of an existing dwelling unit where no additional dwelling units are created.
  - h. The construction of accessory buildings or structures which will not create additional dwelling units.
  - i. The replacement of a dwelling unit where no additional dwelling units are created and where the replacement dwelling unit is located on the same lot. If the type of dwelling unit is different from the original dwelling unit type, the exemption shall be limited to an exemption based on the current student generation rate for the original dwelling unit type. Documentation of the existence of the original dwelling unit must be submitted to the concurrency official.
  - j. Developments of Regional Impact that have filed a complete application for a development order prior to May 1, 2005, or for which a development order was issued prior to July 1, 2005. This exemption shall expire upon withdrawal, denial, or expiration of the application for a development order. This exemption shall not apply where the developer files a Notice of Proposed Change and/or Substantial Deviation (as provided in Statute) to increase the number of residential units. If such Development of Regional Impact has been approved, or is approved, through a development order, such exemption shall expire for any phase of the development order upon expiration of the development build-out date for such phase, or for the entire development order upon expiration of the development order, or upon the material default of the school mitigation conditions of the development order or a related development agreement, unless such project, or portions of such project, remains exempt pursuant to another exemption provision.
  - k. The portion of any Residential Development that, prior to the effective date of school concurrency, is the subject of a binding and enforceable development agreement or Capacity Enhancement Agreement designated as a Capacity Commitment Agreement by resolution of the School Board; however, such exemption shall expire upon expiration of the development agreement, Capacity Enhancement Agreement, extension thereof, or upon any material default of the school impact mitigation conditions of such development agreement or Capacity Enhancement Agreement, unless such project, or portions of such project, remains exempt pursuant to another exemption provision.
  - l. Any residential development with a letter from the City vesting it for purposes of complying with school concurrency, or which would be vested at common law for purposes of such concurrency requirement implemented by the Interlocal Agreement, provided that the School Board may contest a vested rights determination as provided in the land development regulations of the City.
  - m. Group living facilities that do not generate students and including residential facilities such as local jails, prisons, hospitals, bed and breakfasts, motels and hotels, temporary emergency shelters for the homeless, adult halfway houses, firehouse sleeping quarters, dormitory-type facilities for post-secondary students, and religious

non-youth facilities, regardless of whether such facilities may be classified as residential uses.

**Objective 1.4:** Upon completion of an OCPS Concurrency Review, a development that fails to meet school concurrency may be postponed until adequate public school capacity is created through the construction of new schools or any combination of methods specified in Policy 1.1.3. As an alternative, the impact of development may be mitigated by making a proportionate share contribution consistent with OCPS policy.

**Policy 1.4.1:** A development shall be deemed to meet concurrency if there is sufficient capacity in the CSA where the development is located or where sufficient capacity exists in one or more contiguous CSAs, so long as the LOS in the adjacent zone does not exceed 95% of the LOS, and the LOS for the specific school type when considered District-wide does not exceed 100% of capacity. The evaluation of capacity in the adjacent CSAs will also take into account transportation costs and court-ordered desegregation plans. CSAs are depicted in the support document of the Public School Facility Element entitled Orange County Public Schools Public School Facilities Element Data, Inventory and Analysis dated May 2, 2008.

Any changes or modifications to the adopted LOS shall follow the process and guidelines as outlined in Section 13 of the Amended Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency.

**Policy 1.4.2:** Proportionate share, when used for mitigation, shall be calculated based on the number of elementary, middle and high school students generated by the development at build out. As provided for in the adopted interlocal agreement, proportionate share shall be calculated based on reasonable methods of estimating cost of school construction, including the cost of land, equipment, school buses, and where appropriate, temporary classroom space needed to house students generated by the development while permanent space is being constructed. Any proportionate share mitigation must be directed by OCPS to a school capacity improvement identified in capital improvement schedule in the adopted financially feasible five (5) year DCOP and in the City's Capital Improvements Element to maintain financial feasibility based on the adopted LOS standards. If a school capacity improvement does not exist in the District Facilities Work Program, OCPS may in its sole discretion, add a school capacity improvement to mitigate the impacts from a proposed residential development, so long as the financial feasibility of the District Facilities Work Program can be maintained and so long as the City agrees to amend its Capital Improvements Element to include the new school capacity improvement.

**Policy 1.4.3:** Proportionate Share Mitigation may include payments of money, construction of schools, donations of land, expansion of permanent capacity of existing school campuses, payment of funds necessary to advance schools contained in the ten (10) year DCOP, establishment of charter schools that meet State Requirements for Educational Facilities (SREF) standards, payments into mitigation banks, establishment of an Educational Facilities Benefit District, Community Development District, or other methods identified in Section 17.6(b) of the Interlocal Agreement and as may be negotiated between the developer

and OCPS and, as appropriate, the City.

**Policy 1.4.4:** Any of the Proportionate Share options set forth in Policy 1.4.3 that are utilized by developers as mitigation are eligible for school impact fee credits as provided for in Florida law.

**GOAL 2: MAINTAIN A HIGH QUALITY EDUCATIONAL SYSTEM FOR THE CURRENT AND FUTURE RESIDENTS OF ORANGE COUNTY THROUGH COORDINATED EFFORTS WITH ORANGE COUNTY PUBLIC SCHOOLS (OCPS), AS PROVIDED IN THE ADOPTED INTERLOCAL AGREEMENT.**

**Objective 2.1:** The City shall coordinate and cooperate with OCPS throughout the planning period to review and maintain procedures established in the adopted interlocal agreement and maintain consistency with the adopted Comprehensive Plan.

**Policy 2.1.1:** Pursuant to the adopted interlocal agreement, a Technical Advisory Committee comprised of representatives from the City, other Orange County Municipalities, OCPS and the Regional Planning Council shall be established to discuss issues of mutual concern. OCPS shall be responsible for making meeting arrangements, providing notification and maintaining a written summary of meeting actions.

**Policy 2.1.2:** The Technical Advisory Committee shall meet quarterly, or as needed, to discuss issues and formulate recommendations regarding coordination of land use and school facilities. Specific areas addressed by the committee shall include, but shall not be limited to:

- a) Short and long-range planning, population and student projections, and future development trends;
- b) Co-location and joint-use opportunities, and ancillary infrastructure improvements needed to support the school facilities and ensure safe student access to schools;
- c) Planning for needed supporting infrastructure for schools such as utilities, roads, sidewalks, etc.;
- d) The need for new schools to meet the adopted LOS within the adopted CSAs and the coordination of annual revisions to the ten (10) year District Capital Outlay Plan and
- e) Update of the DCOP for inclusion in the City's Comprehensive Plan.

**Policy 2.1.3:** The City shall provide an update of approved residential developments, phases of development and estimated build out by phase to the OCPS Planning Department annually.

**Policy 2.1.4:** The City shall review OCPS generated future enrollment and growth projections on an annual basis and provide input to the OCPS Planning Department.

**Objective 2.2:** City and OCPS shall, throughout the planning period, coordinate the siting of new public schools to ensure public school facilities are located to address the

needs of future residential development, are coordinated with necessary services and infrastructure development, provide for safe learning environments, and are consistent with the City’s adopted Future Land Use Map, other provisions of the Comprehensive Plan and the City’s Land Development Regulations.

**Policy 2.2.1:** Applications for Future Land Use Map amendments, rezonings, conditional use/special exceptions and site plans for schools shall be given priority status. OCPS shall not be required to pay application fees or impact fees for the development of public school facilities, provided, however, OCPS shall not be exempt from payment of capital connection fees for water and wastewater.

**Policy 2.2.2:** The City shall protect existing schools from the intrusion of incompatible land uses through the development review process. Likewise the City shall provide protection for existing residential neighborhoods through the development review process as new schools, renovations and/or expansions are proposed.

**Policy 2.2.3:** In an effort to enhance local communities and neighborhoods, the City will participate with OCPS in the school siting, design and development process so that the school serves as a focal point for the community and is compatible with the Future Land Use Map and with land uses and neighborhoods surrounding proposed school sites.

**Policy 2.2.4:** Where feasible, OCPS and the City shall work jointly to co-locate public facilities such as parks, libraries, and community centers with public schools. Where such co-location occurs, both entities shall establish an ongoing management relationship via written agreement that permits the school’s use of the public facilities and the public’s use of school facilities for community meetings and sports activities.

**Policy 2.2.5:** In accordance with Section 1006.23, Florida Statutes, and as funding permits, the City shall provide construction of sidewalks along roadways and trails connecting neighborhoods that are within two miles of schools to the school facility. OCPS shall be responsible for the construction of sidewalks and trails on school property and shall provide connections to existing and future sidewalks and trails identified by the City.

**Policy 2.2.6:** In addition to implementation of efficient school pick-up and drop-off procedures and routing, Turn lanes and signalization shall be provided at school entrances and at other locations near schools, where warranted, to provide safe access to students and the public. Responsibility for construction of school-related signalization and road construction at school entrances shall be the responsibility of OCPS.

**Policy 2.2.7:** OCPS shall coordinate with the City in the construction of new public school facilities and in rehabilitation of existing public school facilities to serve as emergency shelters as required by Section 1013.372, Florida Statutes.

**GOAL 3: TO WORK WITH OCPS TO DEVELOP A FINANCIALLY FEASIBLE TEN (10) YEAR**



**DISTRICT CAPITAL OUTLAY PLAN (DCOP) AND CONSISTENT CITY PUBLIC SCHOOL FACILITIES ELEMENT AND CAPITAL FACILITIES ELEMENT.**

**Objective 3.1:** Prior to June 1<sup>st</sup> of each year, OCPS shall coordinate with the City to develop a financially feasible ten (10) year DCOP for review and approval by the OCPS Board and adoption into the City’s Capital Improvements Element through the Comprehensive Plan Amendment process.

**Policy 3.1.1:** The ten (10) year DCOP shall include all capital projects which increase capacity of public schools within the City and address the deficiencies necessary to maintain or improve LOS.

**Policy 3.1.2:** The City shall include the ten (10) year DCOP in the annual update of the City’s Capital Improvements Element.

**Policy 3.1.3:** The City shall coordinate with OCPS to review and update the adopted Concurrency Service Area (CSA) boundaries, and associated enrollment projections in the City’s annual update of the Public School Facilities Element and Capital Improvements Element, to ensure that the Comprehensive Plan Capital Improvements Element continues to be financially feasible and that the adopted school LOS will continue to be achieved.

**Policy 3.1.4:** The City shall coordinate with OCPS by reviewing and providing input into the annual update of the ten (10) year DCOP. Such coordination may include the review and update of adopted CSA boundaries, student enrollment projections, and LOS for each school and CSA within the City.

**Policy 3.1.5:** ~~In accordance with F.S. 163.3180(9)(a), t~~The City adopts a long-term school concurrency management system for the ~~2007/2008~~—2017/2018 ten (10) planning period for areas where significant backlog exists.

**INSERT FIGURES**

**SCHOOLS MAP FIGURES 4, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 18, and Orange County Public Schools Ancillary Facilities 2007-08**

**MULTI-MODAL TRANSPORTATION ELEMENT**

**GOALS, OBJECTIVES AND POLICIES**

**GOAL 1: TO PROVIDE A SAFE, CONVENIENT AND ENERGY EFFICIENT MULTIMODAL TRANSPORTATION SYSTEM IN BELLE ISLE BY USING ALTERNATE MEANS OF TRANSPORTATION, BY COORDINATING ROAD TRANSPORTATION PLANNING WITH LAND USE PLANNING WITHIN THE CITY AND OTHER NEIGHBORING JURISDICTIONS, AND THROUGH THE LAND DEVELOPMENT CODES (LDC'S), THROUGH IMPLEMENTATION OF THE FOLLOWING POLICIES IN THE LAND DEVELOPMENT CODE.**

**OBJECTIVE 1.1:** The City shall coordinate ~~road~~ transportation planning with land use through interrelated policies found in the Transportation Element, Future Land Use Element, and the Future Land Use Map.

**POLICY 1.1.1:** ~~After June 1991, the~~ In order to protect existing neighborhoods, the City shall not approve future land uses changes or rezonings that cause the use of a road to differ from its functional classification.

**POLICY 1.1.2:** ~~After June 1991, all~~ All planning, designing, and construction of new roads and widening of improvements to existing roads shall consider adjacent land uses and residential areas existing neighborhoods ~~and to~~ minimize negative impacts through buffering, location and design.

**POLICY 1.1.3:** ~~After June 1991, the~~ The City shall not issue permits for roadways improvements which fragment or sever existing established neighborhoods, or create incompatible traffic patterns through low-density areas.

**POLICY 1.1.4:** ~~As of June 1991, the~~ The widening of a road shall not constitute sufficient reason for the City to allow a change in Land use Use designation on the Future Land Use Map, unless sufficient capacity can be proven through review of a sufficient traffic impact study based upon the City's adopted methodology.

**POLICY 1.1.5:** The City shall require all development and redevelopment to utilize access management controls including, but not limited to, joint driveways, frontage roads and cross access agreements along collector and arterial roads.

**POLICY 1.1.6:** The City shall continue to coordinate with FDOT and the State Access Management Program in implementing access management controls and multimodal improvements, as described in Policy 1.1.5, to ensure adequate, safe and efficient access to McCoy Road, consistent with State Highway System Connection Permits as outlined in Chapters 14-96 and 97, F.A.C.

**Policy 1.1.7:** Planned Developments and other innovative land

development ideas solutions should be encouraged to reduce travel demand and increase multimodal transportation opportunities through site design, provision of infrastructure, mixed use development patterns and flexible design standards.

**OBJECTIVE 1.2:** The City shall work with other jurisdictions on regional transportation issues to create a safe, convenient and efficient multimodal motorized and non-motorized transportation system through implementation of the following policies.

**POLICY 1.2.1:** The City shall continue to provide Orange County with information on the City transportation system to be included in the County's Future Transportation Map.

**POLICY 1.2.2:** Belle Isle shall continue to coordinate the City's ~~5-year~~ 5-year transportation improvement program with the plans of Metroplan Orlando (MPO), Orange County, Florida Department of Transportation, ~~Orlando-Orange County~~ Central Florida Expressway Authority, and the City of Orlando.

**POLICY 1.2.3:** The City shall continue to coordinate with the Metropolitan Planning Organization, MetroPlan Orlando, in order to provide a safer, more convenient and more efficient transportation system for the whole region.

**POLICY 1.2.4:** Belle Isle shall coordinate with local transit providers such as SunRail and LYNX in order to provide mass transit options, ~~including but not limited to buses, light and heavy rail system~~, to the residents of the City.

**POLICY 1.2.5:** The City shall, whenever possible, attend or have representation on relevant transportation meetings in Central Florida, and coordinate with other governmental agencies and recommend in the Intergovernmental Coordination Element.

**POLICY 1.2.6:** The City shall continue to serve as a member of the technical review committee of the ~~orlando-orange county~~ Central Florida Expressway Authority ~~expressway authority in order to review and comment on the creation of a beltway and on the bee-line master review and provide comments on any and all regional transportation planning issues plan.~~

**OBJECTIVE 1.3:** The City shall continue to have LDC's which will regulate development in order to provide a safe, more convenient, and more efficient motorized and non-motorized multimodal transportation system.

**POLICY 1.3.1:** Belle Isle shall adopt a peak hour minimum level of service standard of "C" on all City roads. The level of service standard shall be based on the ~~information data~~ provided in the Transportation Element.

**POLICY 1.3.2:** The City shall adopt a peak hour level of service standard consistent with Orange County's adopted level of service standards for County Roads in and adjacent to Belle Isle as follows:

Roadway	Classification	LOS
Gondola Dr., Matchett Rd.	Local Street	<del>G</del> E
Daetweler/Judge/Conway Rds.	Urban Collector	E
Hoffner Ave.	Minor Arterial	E
Nela Ave./Seminole Dr.	Urban Collector	E

**POLICY 1.3.3:** The City shall adopt a peak hour level of service standard consistent with Florida Department of Transportation’s level of service standards for State Roadways adjacent to Belle Isle as follows:

Roadway	Classification	LOS
Conway Rd. (N. of Hoffner)	Minor Arterial	<del>E</del> D
Orange/Hansel Aves.	Principal Arterial	D

**POLICY 1.3.4:** The City shall adopt a peak hour level of service standard of 3,530 vehicles per peak hour for McCoy Road, which is a ~~four-lane~~four-lane divided minor arterial. The City shall revise this LOS standard by amending the plan to establish a standard that is consistent with the FDOT minimum LOS standard for the roadway when the roadway is improved.

**POLICY 1.3.5:** The City shall assist DOT in maintaining and improving the LOS on McCoy Road by requiring developers to provide a method of access management, including by way of example, not by way of limitation, joint access driveways, multi-modal options, frontage roads and cross access agreement, for all new development along McCoy Road. The City shall also provide for ways to tie into existing access management controls.

**POLICY 1.3.6:** The City ~~shall~~ may not issue development orders ~~after~~ after January 1, 1992 that reduce the level of service below the adopted level of service standard for any road unless the application enters into a binding agreement to pay for or construct its proportionate share of required improvements. An applicant shall not be held responsible for the additional cost of reducing or eliminating deficiencies. Proportionate share calculations shall follow the standards outlined in F.S. 163.3180(5)(h)(2).

**POLICY 1.3.7:** The LDC’s shall require all development to have access to a City, County or State road, a road built to City standards or a standard recommended by the City Engineer and approved by the City Council in unique situation.

**POLICY 1.3.8:** The LDC’s shall contain roadway design standards including a provision requiring private roads to meet City standards or a standard approved by the City Engineer in unique situations.

**POLICY 1.3.9:** The LDC’s shall provide requirements for the following items:

- a. adequate storage and turning lanes into and out of development;
- b. spacing and design of median openings, curb cuts, and driveway accesses;
- c. provision of frontage roads;
- d. access between outparcels and the main parcel
- e. regulating signage along roadways; and
- f. for limiting speed and cut through traffic in residential neighborhoods.
- g. Multi-modal street design, including bicycle lanes and pedestrian paths.

**POLICY 1.3.10:** ~~The LDC's shall require sidewalks and bikeways to be included in all new development proposals to promote alternative modes of transportation.~~

**POLICY 1.3.110:** ~~By 2010 2040,~~ the City shall evaluate its land development code requirements and revise as needed to include guidelines and incentives that support development that encourages pedestrian and bicycle walking connectivity ~~and biking~~ as well as the use of alternative modes of transportation.

**Policy 1.3.12:** Any development/redevelopment within ½ mile of SR 482 from CR 527 to end of ramp will shall coordinate transportation planning efforts with Orange County and Florida Department of Transportation.

**OBJECTIVE 1.4:** ~~The City shall continue to implement mechanisms to increase the use and accessibility of modes of transportation other than the private automobile. ensure a~~ connected multimodal system that is safe, accessible for all ages and abilities, economically sustainable, energy efficient, and enhances a sense of place.

**POLICY 1.4.1:** The City shall maintain the pedestrian and bikeway plans showing existing and planned linkages connections between residential areas and recreation areas.

**POLICY 1.4.2:** ~~After January 1992,~~ sSidewalks shall be required in all new developments, and all new roads shall contain bikeways.

**POLICY 1.4.3:** ~~By June 2004, the~~ The City shall require sidewalks as development occurs that will link residential areas with educational facilities, recreational facilities, and commercial areas.

**POLICY 1.4.4:** ~~By June 2012, t~~ The City shall ~~have~~ continue to determined methods for promoting the use of mass transit by residents of Belle Isle, by modifying the LDC's, as deemed appropriate by the City Council. This may include the incentives for providing mass transit facilities, or requiring buss pullouts along bus routes, where possible. ~~for inclusion in the LDC'S and shall address at a minimum the following:~~

- A. ~~Creation of development incentives for providing mass transit facilities;~~

and

~~B. Requiring bus pullouts along bus routes to prevent traffic from stacking up.~~

**POLICY 1.4.6:** The City shall continue to participate in planning efforts with Lynx to help improve transit headway in areas where more concentrated development will be located.

**Policy 1.4.7:** In coordination with the County and MetroPlan Orlando, the City shall increase, as where feasible, the number of miles of bicycle trails and ~~roadside bicycle lanes~~ bikeways ~~contained within~~ provided throughout the City.

DRAFT



# CITY OF BELLE ISLE, Florida

---

## Planning and Zoning: Staff Report

June 14, 2024

Variance Request: 1633 Wind Drift Road

Application Request: Public Hearing #2024-06-008 - PURSUANT TO BELLE ISLE CODE SEC. 42-64 AND 50-102 (A) (1), THE CITY OF BELLE ISLE PLANNING & ZONING BOARD WILL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW A DETACHED METAL GARAGE TO BE BUILT ARCHITECTURALLY DIFFERENT FROM THE PRINCIPAL BUILDING WITH UNLIKE MATERIALS, SUBMITTED BY APPLICANT DAVID SMITH, LOCATED AT 1633 WIND DRIFT ROAD, BELLE ISLE, FL 32809 ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #30-23-30-0604-01-030.

**Existing Zoning/Use: R-1-AA / Single-Family Home**

### **Background**

The applicant seeks to build a detached metal garage in the rear yard.

Section 50-102 (A) (1) defines a garage as: *buildings which are detached from the principal building and are designed or used for the purpose of parking and/or storing motor vehicles, boats, and/or recreational vehicles, and related items, and are architecturally similar to the principal building and of like materials.*

### **Staff Recommendation**

Staff provides an evaluation based on the variance criteria for the application below.

1. Special Conditions and/or Circumstances (Section 42-64 (1) d):

The literal enforcement of the code does not result in an unnecessary hardship nor are there any physical or topographic special conditions and circumstances peculiar to the land. The existing principal building accommodates an attached two-car garage.

2. Not Self-Created (Section 42-64 (1) e):

According to the applicant’s Narrative Letter, the request to build a garage with architectural materials different than those of the principal building is a personal hardship. A personal hardship is not an allowable basis for granting a variance approval. A hardship results from the conditions of the property.

3. Minimum Possible Variance (Section 42-64 (1) f):

The variance request makes reasonable use of the land as the proposed structure meets all other zoning requirements for a detached garage.

4. Purpose and Intent (Section 42-64 (1) g):

The structure's purpose is to store the property owner's motor vehicles. The homeowner intends to utilize the existing driveway to access the detached garage. City Staff reviewed and found no other existing detached garages in the neighborhood. The proposed variance request is not in harmony with the purpose and intent of the land development code.

Based on the variance criteria of sections 42-64 (d), (e) and (g), Staff recommends that the Board not approve the requested variance to build a detached garage architecturally different from the principal building with unlike materials as there are no special conditions or circumstances of the land, the request is a self-created hardship, and does not meet the purpose and intent of the city code.

**Additional Notes**

Please note that the Board may approve the proposed variance application as it is 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.



ORDINANCE NO. XX-XX

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT CODE SECTION 50-102 ACCESSORY STRUCTURES TO ALLOW THE INSTALLATION OF FENCES AND WALLS IN FRONT YARDS WITHIN CERTAIN DEFINED OVERLAY AREAS AND CREATING RESTRICTIONS FOR SUCH FENCES AND WALLS: PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City of Belle Isle Land Development Code currently restricts fences in front yards; and

WHEREAS, the City wishes to allow fences and walls in front yards, set height restrictions for such fences and walls, and create rules for the installation of such fences and walls that will enhance the safety of drivers, pedestrians, and property owners; and

WHEREAS, the City further wishes to add additional fence and wall requirements specific to the Hoffner Avenue overlay district, Lake Conway Estates sub-overlay district, and the Daetwyler Drive overlay district due to those districts' unique nature; and

WHEREAS, the City finds that this Ordinance advances the interests of public health, safety, and welfare.

NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA AS FOLLOWS:

1 Section 1. Recitals. The foregoing recitals are hereby ratified and  
2 confirmed as being true and correct and are hereby made a part of this Ordinance  
3 as legislative findings.

4 Section 2. City Code Amendment. Section 50-102 in Chapter 50, Article IV  
5 of the City Code of Ordinances is hereby amended, all as follows (words that are  
6 stricken out are deletions; words that are underlined are additions; stars \* \* \* \*  
7 \* indicate breaks between sections, subsections, or paragraphs and do not indicate  
8 changes to the City Code; provisions not included are not being amended):

9 Sec. 50-102. - Accessory structures.

10 \* \* \* \* \*

11 (b) *Fences and walls.*

12 \* \* \* \* \*

13 (5) *Maximum height and permitted locations of fences, walls, and privacy*  
14 *screens.*

15 a. Except as provided in subsection (b) (5)b of this section, fences and walls  
16 shall be limited to a maximum height of six feet above the natural grade in the  
17 rear and side yards. ~~No fences or walls shall be permitted in front yards. The~~  
18 maximum height for a front yard fence or wall shall be four feet above the natural  
19 grade. In the front yard, chain link fences shall be prohibited.

20 1. All gates shall maintain a minimum setback of 20 feet from the edge of the  
21 roadway. Roadway shall indicate the improved or paved portion, but does not  
22 include the entirety, of the right-of-way.

23 b. A maximum fence height of eight feet shall be permitted in the following  
24 situations:

25

1 1. The property line along which the fence will be installed abuts a boat ramp  
2 facility, public park, or commercially zoned property.

3 2. The property owner constructing the fence has obtained the written consent  
4 of all owners of property that either share a property line and property corner  
5 along which the fence or wall will be installed and of any owner of the property  
6 with a property line within 50 feet of the fence or wall to be installed.

7 c. Residential property owners shall not construct an additional fence or wall  
8 that abuts any subdivision or commercial screening wall and can be viewed from the  
9 abutting public right-of-way, street, sidewalk, or abutting other public access  
10 areas.

11 \* \* \* \* \*

12 (7) *Construction of fences or walls near Lake Conway.* No fence or wall located  
13 within 35 feet of ~~the 86.9 contour line of Lake Conway's~~ normal high water contour  
14 line shall exceed four feet in height.

15 (8) *Location along lot lines.* A structural fence or wall shall be erected so  
16 that the entire fence and all supporting structures are entirely on the owner's  
17 property. Fence posts and all other supporting structures, as well as the rough  
18 side of the fence, if any, shall face the owner's property, except when said fence  
19 separates a residential lot from a business or industrial lot. No inspection or  
20 ~~any~~ permit issued by the city shall be any evidence or guarantee that the fence  
21 has been so correctly located on the subject property.

22 \* \* \* \* \*

23 (13) *Obstruction of visibility.* No fence or wall shall be constructed, nor shall  
24 anything be placed, planted or allowed to grow in such a manner as to obstruct or  
25

1 impair visibility of oncoming vehicular or pedestrian traffic from any intersecting  
2 street, driveway or alley way.

3 a. An area clear of sight obstructions shall be provided between the height of 2.5  
4 and 8 feet.

5 b. A clear view triangle for a driveway is formed on each side of the driveway by  
6 measuring the distance of 70 feet along the right-of-way and 10 feet along the edge  
7 of the driveway.

8 (14) *Existing fences.* Any fence or wall which is erected and in violation of this  
9 chapter at the time of its passage shall be exempt from the requirements of this  
10 chapter, excluding those requirements of 50-102(b)(11), unless such fence or wall  
11 is deemed a traffic or safety hazard.

12 (15) *Nonconforming fences.* All fences, walls, or privacy screens in violation of  
13 this chapter at the time of its passage shall be governed by the following  
14 conditions: Any fence, wall, or privacy screen that is in violation of the section  
15 and is determined to be a traffic or safety hazard shall be made to conform to  
16 this chapter three months from such determination. No portion of a nonconforming  
17 fence, wall, or privacy screen shall be enlarged, extended, or structurally  
18 altered except to make it conform to this chapter.

19 \* \* \* \* \*

20 (17) Overlay Districts.

21 a. Hoffner Avenue

22 1. Fences and walls abutting Hoffner Avenue shall be limited to a maximum  
23 height of six feet above the natural grade in the front yard.

24

25

1 2. All gates shall maintain a minimum setback of 20 feet from the right-of-way  
2 line abutting the private property line.

3 3. Lake Conway Estates Sub-overlay

4 i. Masonry walls within Lake Conway Estates adjoining Hoffner Avenue shall be  
5 limited to a maximum height of eight feet above the natural grade within the  
6 right-of-way, provided the wall conforms to the Belle Isle approved wall materials  
7 and design requirements.

8 ii. A masonry wall may encroach within the northerly five feet and southernly  
9 five feet of the Hoffner Avenue right-of-way in Lake Conway Estates, or a maximum  
10 encroachment of ten feet with the City Council approval, providing that the wall  
11 accommodates existing trees and utilities in the surrounding area and aligns with  
12 the existing subdivision wall.

13 iii. All privately owned fences and walls shall be located on such private  
14 property, shall not encroach into the Hoffner Avenue right-of-way, and must meet  
15 all other requirements of this section.

16 b. Daetwyler Drive

17 1. Property owners may build an opaque fence or wall in the front yard at a  
18 maximum height of six feet from the grade as it abuts the Daetwyler Drive right-  
19 of-way.

20 2. All gates shall maintain a minimum setback of 20 feet from the right-of-way  
21 line abutting the private property line.

22 Section 3. Codification. Section 2 of this Ordinance will be incorporated into  
23 the Belle Isle City Code. Any section, paragraph number, letter and/or any  
24 heading may be changed or modified as necessary to effectuate the foregoing.

25

1 Grammatical, typographical, and similar or like errors may be corrected, and  
2 additions, alterations, and omissions not affecting the construction or meaning  
3 of this Ordinance and the City Code may be freely made.

4  
5 Section 4. Severability. If any section, subsection, sentence, clause, phrase,  
6 word, or provision of this Ordinance is for any reason held invalid or  
7 unconstitutional by any court of competent jurisdiction, whether for substantive,  
8 procedural, or any other reason, such portion shall be deemed a separate,  
9 distinct, and independent provision, and such holding shall not affect the  
10 validity of the remaining portions of this Ordinance.

11  
12 Section 5. Conflicts. In the event of a conflict or conflicts between this  
13 Ordinance and any other Ordinance or provision of law, this Ordinance governs and  
14 controls to the extent of any such conflict.

15  
16 Section 6. Effective Dates. This Ordinance shall become effective immediately  
17 upon adoption by the City Commission of the City of Belle Isle, Florida (the  
18 "Effective Date") and shall apply to all applications for permits received on or  
19 after the Effective Date.

20  
21  
22 First Reading held on July 16, 2024.

23 Second Reading held on \_\_\_\_\_.

24

25

1 ADOPTED at a regular meeting of the City Commission of the City of Belle Isle,  
2 Florida, held in City Hall, Belle Isle, on this \_\_\_\_\_ day of \_\_\_\_\_,  
3 2023.

	YES	NO	ABSENT
4 Ed Gold	_____	_____	_____
5 Anthony Carugno	_____	_____	_____
6 Karl Shuck	_____	_____	_____
7 Randy Holihan	_____	_____	_____
8 Beth Lowell	_____	_____	_____
9 Stanley Smith	_____	_____	_____
10 Jim Partin	_____	_____	_____

11 ATTEST: \_\_\_\_\_

CITY OF BELLE ISLE

12  
13 Yolanda Quiceno, CMC-City Clerk

\_\_\_\_\_

14  
15 Nicholas Fouraker, Mayor

16 \_\_\_\_\_

17 Approved as to form and legality

18 For use and reliance by

19 Giffin Chumley, City Attorney

20 STATE OF FLORIDA

21 COUNTY OF ORANGE

22 I, Yolanda Quiceno, City Clerk of the City of Belle Isle, do hereby certify that  
23 the above and foregoing document ORDINANCE XX-XX was duly and legally passed by

24

25

1 the Belle Isle City Council, in session assembled on the \_\_\_\_\_ day of  
2 \_\_\_\_\_ 2024. At this session, a quorum of its members was present.

3

4

5 Yolanda Quiceno, CMC-City Clerk

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25