



CITY OF BELLE ISLE, FL

PLANNING & ZONING BOARD MEETING

Held in City Hall Chambers 1600 Nela Avenue, Belle Isle

Held the 4th Tuesday of Every Month

Tuesday, May 28, 2024 * 6:30 PM

AGENDA

Planning and Zoning Board Members

District 5 member – Rainey Conduff, Chairman

Vice Chairman – OPEN

District 1 member – OPEN | District 2 member – OPEN | District 3 member – Randy Holihan

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

District 7 member – Dr. Leonard Hobbs

Welcome to the City of Belle Isle Planning & Zoning meeting. Agendas and all backup material supporting each agenda item are available at the City Clerk's office or the city's website at www.belleislefl.gov. 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 Member Hobbs, District 7
3. **Presentations for Discussion and Recommendation to Council**
 - a. Comprehensive Plan Update - Stephen Noto, AICP, RVI Planning & Landscape Architecture
 - b. Proposed Revision to Fence Ordinance Section 50-102(B)
4. **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, FLORIDA
CITY COUNCIL AGENDA ITEM COVER SHEET**

Meeting Date: May 28, 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 elements reviewed as part of this presentation “Phase 1” are the Conversation, Housing, Intergovernmental Coordination, and Recreation and Open Space Elements. The remaining elements will be brought forth for review during the June meeting cycle.

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.

Conservation Element

- General re-organization of the policies for readability
- Policies 1.1.5 – 1.1.8
 - New policies related to the Clean Waterways Act and septic conversion.
- Objective 1.2
 - New objective related to groundwater recharge.
- Objective 3.1
 - New objective related to hazardous waste requirements.
- General grammatical and wordsmithing updates.

Housing Element

- Objective 1 and Policies 1.1.1 – 1.1.5
 - Updates for consistency with Florida Statutes
- Objective 2 and Policies 1.2.2 – 1.2.6
 - Updates relates to historically significant housing
- Objective 1.3 and Policies 1.3.1 – 1.3.6
 - Updates related to affordable housing per Florida Statutes requirements.
- Objective 1.4
 - Updates related to Special Needs Housing new Florida Statute requirements and existing policies.
- Policy 1.4.3 related to existing housing.
- Objective 1.5 and Policies 1.6.1 – 1.6.3 related to neighborhood character.

Intergovernmental Coordination Element

- All of this Elements Objectives and Policies were updated to improve existing policies, update policies related to coordination with adjacent governments and quasi-governmental organizations as it relates to an overall improvement of communication and relationships with said agencies. Governmental and quasi-government agency names were also updated.
- Updates were also provided with issues related to growth, water quality, transportation, and schools (Goal 2 and its Objectives and Policies).
- Updates related to Annexation (Goal 4) were provided based on feedback from the City about it’s goals and objectives related to annexation.

Recreation and Open Space Element

- Policy 1.1.2
 - Recommendation to create a Parks, Recreation, and Open Space Master Plan.
 - Updates to the City Maps were provided related to this.
- General updates to the City’s Level of Service (LOS) standards
- Coordination with local agencies for lake access.
- Other general updates.

As mentioned previously, these are just the first elements to be reviewed. No action is required at this time, as a vote by the Board will be taken at the June 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 at the June meeting.

Attachments: Preliminary Assessment; and Conversation, Housing, Intergovernmental Coordination, and Recreation and Open Space Elements in strikethrough/underline format.

INTERGOVERNMENTAL COORDINATION ELEMENT
GOALS, OBJECTIVES AND POLICIES

GOAL 1: COORDINATED AND COOPERATIVE LONG-RANGE PLANNING

PROVIDE FOR THE EXCELLENT DELIVERY OF SERVICES TO THE RESIDENTS OF BELLE ISLE THROUGH INTERGOVERNMENTAL COORDINATION AMONGST ALL AGENCIES MAKING DECISIONS AFFECTING THE CITY'S GROWTH MANAGEMENT AND PLANNING, TRANSPORTATION, ESSENTIAL SERVICES, NATURAL RESOURCES, EMERGENCY MANAGEMENT AND EDUCATION.

OBJECTIVE 1.1: INTERGOVERNMENTAL COMMUNICATION. The City of Belle Isle shall maintain effective and efficient communication and working relationships with Orange County, the Cities of Orlando and Edgewood, Orange County Utilities, Orlando Utility Commission, Greater Orlando Aviation Authority, St. Johns River Water Management District (SJRWMD), East Central Florida Regional Planning Council, and other special districts, agencies and units of governments identified to be active in the City.

Policy 1.1.1: The City shall adopt formal coordination procedures for mandated planning activities with other local governments, regional agencies, the state, and other governmental units (partner organizations).

Policy 1.1.2: The City will provide opportunities for partner organizations and affected entities to review and comment on the Comprehensive Plan prior to formal adoption of updates and amendments.

Policy 1.1.3: Belle Isle will implement procedures for the notification and exchange of information with Orange County, City of Edgewood, and the City of Orlando regarding changes in land use or zoning of areas within one mile of its boundaries.

Policy 1.1.4: Belle Isle will coordinate with partner agencies to develop procedures and protocol for the exchange of information and data in order to leverage available resources and foster a collaborative approach to addressing regional issues.

Policy 1.1.5: For any public facility within Belle Isle for which the City does not have responsibility, the City will participate in establishing Level of Service (LOS) with the entity that has operational and maintenance responsibility for that facility and adopt such standard(s) into the Comprehensive Plan and appropriate City plans and documents.

Policy 1.1.6: The City shall regularly review the Comprehensive Plan to determine if memorandums of understanding or other interlocal agreements are needed with adjacent jurisdictions or other agencies.

Policy 1.1.7: Continue interlocal agreements with Orange County and continue to identify issues for interlocal agreements with the City of Orlando and City of Edgewood. Where appropriate, the City Council will execute memorandums of understanding or other interlocal agreements with adjacent jurisdictions or other agencies in order to ensure coordination and formalize responsibilities.

Policy 1.1.8: The City will monitor updates to Florida Statutes on an annual basis relating to intergovernmental coordination to ensure the intergovernmental planning process maintains internal consistency and conforms with state and regional goals and objectives.

OBJECTIVE 1.2: JOINT AREA PLANNING AGREEMENTS. The City shall develop coordination mechanisms which will minimize the impact on the City from development which is adjacent to Belle Isle and provide formal procedures for working with the adjacent local government.

Policy 1.2.1: Continue discussions to identify issues for joint planning area agreements with Orange County, City of Orlando, and the City of Edgewood.

Policy 1.2.2: The Joint Planning Area Agreements shall address at a minimum the following issues:

- a. Boundaries of the joint planning area;
- b. future Future Land Use designation for land within the boundaries;
- c. procedures for sharing information and data particularly on Land Use and Zoning changes;
- d. Identification of the entities that provide infrastructure and the LOS for each facility or service;
- e. Establishment of annexation procedures for property within the Joint Planning Area;
- f. Establishment of common environmental regulations especially for water quality;
- g. Roadway extensions, widening, improvements and creation;
- h. Facilities and sites for recreation and open space; and
- i. Methods for resolving conflicts that arise with the Joint Planning Area;
- j. Annexation-Annexation of strategic parcels as identified by the City Council; and,
- k. Coordination-Coordination between Joint Planning Area partners regarding annexation strategies.

GOAL 2: COORDINATED AND COOPERATIVE FACILITIES AND INFRASTRUCTURE PLANNING. COORDINATE THE PLANS AND POLICIES OF THE CITY OF BELLE ISLE AND ADJACENT LOCAL GOVERNMENTS TO PROVIDE FOR THE DELIVERY OF ADEQUATE AND APPROPRIATE PUBLIC FACILITIES, INFRASTRUCTURE, AND NATURAL RESOURCE PROTECTION.

OBJECTIVE 2.1: TRANSPORTATION. Coordinate with, **MetroPlan Orlando**, Orange County Transportation Authority, Florida Department of Transportation, and LYNX in the planning, funding, and construction of transportation improvements within or affecting the City of Belle Isle and for implementation of the Transportation Element.

Policy 2.1.1: The City will coordinate proposed transportation planning and infrastructure improvements, including roadways, bikeways, sidewalks, pathways, and trails, affecting Belle Isle with other jurisdictions through the means described under the Transportation Element of this Plan.

Policy 2.1.2: The City will participate in the **MetroPlan Orlando** planning processes for system-wide facility needs.

Policy 2.1.3: The City shall monitor for conflicts, or potential conflicts, in level-of-service LOS standards for transportation facilities in other adjacent jurisdictions and shall pursue resolution of those conflicts through exchange of data with governmental partners.

Policy 2.1.4: The City shall maintain and annually update an inventory of the various level-of-service LOS standards for its and adjacent jurisdictions public utilities and where applicable shall discuss with the subject jurisdiction a means of coordinating those standards which are not in agreement. Data shall be acquired from the relevant jurisdictions.

OBJECTIVE 2.2: POTABLE WATER AND WASTEWATER. Coordinate with Orange County Utilities and the Orlando Utility Commission in the planning, funding, and construction of utilities improvements within or affecting the City of Belle Isle and for implementation of the Infrastructure Element.

Policy 2.2.1: The City shall coordinate with the Orange County Health Department, Orange County Utilities, and Orlando Utilities Commission, for the provision of potable water, and the processing and disposal of wastewater.

Policy 2.2.2: The City shall provide up to date development data and population projections to utility providers to ensure efficient and ~~sufficiency~~ sufficient delivery of potable water and sanitary sewer services.

OBJECTIVE 2.3: NATURAL RESOURCES. Protect natural resource systems both internal to the City and those that cross governmental boundaries through a coordinated approach with partner agencies for implementation of the Conservation Element.

Policy 2.3.1: The City shall coordinate with ~~the~~, the Florida Department of Environmental Protection, the Orange County Environmental Protection ~~Department~~ Division, the St. John's River Water Management District, South Florida Water Management District, the City of Edgewood, and Orange County for the implementation of the goals, objectives and policies found in the Conservation Element.

Policy 2.3.2: The City shall participate with adjacent governmental and non-governmental natural resource protection agencies, including local, state and federal environmental agencies, in regularly conducted natural resource protection staff intergovernmental coordination meetings.

Policy 2.3.3: To provide increased protection of natural resource systems which cross government boundaries, the City shall continue to participate with other governments to prepare and implement water management plans, water supply plans, and other water resource management plans.

Policy 2.3.4: The City shall enter into interlocal agreement with the City of Edgewood and other applicable agencies, to establish a process to coordinate water quality monitoring in Lake Conway Chain of Lakes.

Policy 2.3.5: The City shall re-evaluate its policies for protecting and enhancing natural resources upon a review of natural resource management plans that are newly adopted

or revised by other partner agencies for consistency and to facilitate implementation, including the Orange County Low Impact Development Manual.

Policy 2.3.6: The City shall continue to pursue efforts to coordinate with Orange County, the St. Johns River Water Management District, and other participating agencies to implement a plan for surface water management in the Boggy Creek Watershed.

OBJECTIVE 2.4: WATER SUPPLY. The City shall ensure the coordination of the Comprehensive Plan with the St. Johns River Water Management District’s Regional Water Supply Plan and Water Supply Facilities Work Plan (WSFWP).

Policy 2.4.1: Participate in the water supply planning process in conjunction with the St. Johns River Water Management District and other pertinent entities with the objective to assist in the development of a regional water supply plan that will reasonably ensure adequate quantity and quality of potable water resources needed to meet future needs.

Policy 2.4.2: The City will maintain a water supply facilities work plan by updating the adopted Ten Year Water Supply Facilities Work Plan within 18 months of an update to the regional Water Supply Plan.

Policy 2.4.3: The City shall exchange water supply information with the St. Johns River Water Management District, East Central Florida Regional Planning Council and local governments through water supply planning work groups and through meetings on an as-needed basis.

Policy 2.4.4: The City shall notify the applicable water supplier upon submittal of any land use change or rezoning request which would increase water and wastewater demand to ascertain capacity availability.

OBJECTIVE 2.5: HOUSING. The City shall coordinate with Orange County to address housing needs, including the provision of affordable housing, for implementation of the Housing Element, as required by Florida Statutes.

Policy 2.5.1: The City shall coordinate with Orange County, nonprofit organizations, and the private sector to establish and implement strategies and techniques for improving the provision of affordable housing and for promoting neighborhood stability.

OBJECTIVE 2.6: SCHOOLS. Pursuant to State Law and the adopted Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency, the City shall continue to participate in cooperative planning with the School Board of Orange County to ensure that the public educational needs and desires of the community (K-12) are thoroughly and fairly assessed.

Policy 2.6.1: The City shall coordinate with the School Board of Orange County for: better coordination of the establishment of new schools in time and place with residential development; greater efficiency for the School Board and local governments by locating schools to take advantage of existing and planned infrastructure; improved student access and safety; locating and designing schools to serve as community focal points; greater efficiency through co-location of schools and other community facilities; reducing pressure on schools resulting from urban sprawl, in accordance with the “Amended and Restated Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency” dated March 9, 2011.

Policy 2.6.2: The City shall, throughout the planning period, coordinate with the Orange County Public Schools (OCPS) Staff to ensure that sufficient school capacity is available to support proposed development and that necessary infrastructure is available to accommodate new schools, as may be required by the Florida Statutes.

Policy 2.6.3: The City shall designate a representative to serve on the OCPS Technical Planning Committee to discuss issues and formulate recommendations regarding the coordination of land use and schools.

Policy 2.6.4: The City shall provide projected development data to OCPS on a regular basis to assist in development of a long-range planning model to project student enrollment.

Policy 2.6.5: As a member of the OCPS Technical Advisory-Planning Committee, the City shall review OCPS model projections for consistency with the City's projections and, if necessary, shall recommend additions or modifications to the model results.

Policy 2.6.6: The City shall coordinate with the OCPS to research and identify alternative planning and funding mechanisms to provide sufficient school capacity for future City growth.

Policy 2.6.7: The City shall participate in the periodic school impact fee study/ordinance update process, providing input and recommendations to Orange County and OCPS as appropriate.

OBJECTIVE 2.7: EMERGENCY MANAGEMENT. The City shall coordinate with other local governments and agencies to protect the residents of Belle Isle from the effects of natural hazards, hurricane and storm events, fires, pandemics and similar emergencies.

Policy 2.7.1: The City shall cooperate with Orange County and other agencies in the development and implementation of plans and programs to prevent and address natural hazards, fires, and similar emergencies.

Policy 2.7.2: The City shall cooperate with Orange County to maintain a current emergency management program providing adequate shelters, provisions, evacuation routes, emergency equipment, and personnel to assist City residents in emergencies.

Policy 2.7.3: The City shall participate in the Orange County Local Mitigation Strategy (LMS) Working Group to proactively coordinate on emergency management needs with local and regional partners, and to maintain qualification for federal emergency management grants.

Policy 2.7.4: The City shall continue to examine the need for interlocal agreements and other means to prepare for and deal with such emergencies.

GOAL 3: DISPUTE RESOLUTION.

PROVIDE FOR METHODS OF EFFECTIVE DIALOGUE AND COMMUNICATION WITH OTHER LOCAL GOVERNMENTS TO ADDRESS ISSUES WHICH HAVE AN EFFECT BEYOND THE

MUNICIPAL BOUNDARIES OF THE CITY.

OBJECTIVE 3.1: The City will adopt formal dispute resolution procedures for mandated planning activities with other local governments, regional agencies, the state, and other governmental units.

Policy 3.1.1: The City shall utilize the East Central Florida Regional Planning Council’s informal mediation process to resolve conflicts resulting from multi-jurisdictional land development regulations and to resolve annexation issues.

Policy 3.1.2: If required, the City of Belle Isle will utilize the formal dispute resolution processes and procedures set forth in Chapter 164, Florida Statutes to resolve conflict with other local governments.

Policy 3.1.3: The City will enter into interlocal agreements with adjacent local governments, as necessary, to formalize processes and procedures for dispute resolution of issues of multi-jurisdictional concern.

GOAL 4: ANNEXATION

MAINTAIN A COMPACT GROWTH BOUNDARY THAT CAN BE READILY SERVED BY EXISTING AND PLANNED INFRASTRUCTURE AND MANAGE GROWTH THROUGH THE PLANNING HORIZON.

OBJECTIVE 4.1: ANNEXATION STRATEGY. Develop a coordinated strategy for the annexation of lands into the City of Belle Isle to support logical municipal boundaries, neighborhood protection and orderly development patterns.

Policy 4.1.1: Develop a comprehensive annexation strategy that identifies and prioritizes areas for future City expansion based upon established criteria; an example of such criteria would be land that is located along major roadways.

Policy 4.1.2: Analyze the fiscal impacts of prioritized annexation areas to ensure net positive fiscal impact to the City.

OBJECTIVE 4.2: ANNEXATION COORDINATION. The City will coordinate with Orange County and the City of Orlando on the feasibility of a joint planning agreement relating to annexation priorities of the City.

Policy 4.2.1: The City shall coordinate with Orange County to ensure a coordinated annexation process. Should annexations occur, the City shall confer with all affected jurisdictions to insure an equitable and smooth transition from Orange County to City jurisdiction.

Policy 4.2.2: The City shall consider annexation requests from property owners who wish to voluntarily become a part of the city and whose properties are contiguous to existing city limits in accordance with Florida Statutes.

Policy 4.2.3: Any petition to annex property into the City of Belle Isle should not be approved if such annexation will adversely impact the supply and delivery of any public facilities and services, or otherwise present an unreasonable burden to the citizens of

Belle Isle.

GOAL 5: CONCURRENCY MANAGEMENT COORDINATION.

ENSURE COORDINATION OF CONCURRENCY MANAGEMENT POLICIES BETWEEN ADJACENT LOCAL GOVERNMENTS AND AGENCIES.

OBJECTIVE 5.1: The Concurrency Management Policy for Belle Isle will identify the LOS for services not provided by the City that are consistent with the LOS standards adopted by the governmental agency that provides that service.

Policy 5.1.1: The Concurrency Management Policy for the City shall include a provision for reviewing the impact of development in Belle Isle in the surrounding areas. Unless a level of service standard has been waived in a respective Element, as allowed by the Florida Statutes, if such development would result in a LOS below that government's adopted standard, the City shall require the improvements necessary to maintain the LOS at an acceptable level.

Policy 5.1.2: The Concurrency Management Policy shall include a process for the provision of public facilities and services to inform the City on the current and projected LOS for a particular facility or service.

Policy 5.1.3: The Belle Isle Police Department shall meet all state standards including LOS standards for Police.

Policy 5.1.4: The City shall require the Concurrency Management Policy to review the impact on area schools for all proposed residential developments.

GOAL 1:

~~To coordinate with the various governmental agencies on the local, regional and state levels, to avoid duplication of services, improve communications between agencies and Belle Isle, and to ensure consistency and compatibility of each entities' goals, objectives and policies.~~

OBJECTIVE 1.1:

~~After December 2007, the City shall coordinate the implementation of the Comprehensive Plan with the various governmental agencies which provide services but do not have regulatory authority over the use of the land.~~

POLICY 1.1.1:

~~The City shall coordinate with the Florida Department of Transportation, Orange County, City of Orlando, City of Edgewood, and the Metropolitan Planning Organization for implementing the goals, objectives and policies in the Transportation Element.~~

POLICY 1.1.2:

~~The City shall coordinate with the Orange County Health Department,~~

~~Orange County Public Utilities, and Orlando Utilities Commission, for the provision of potable water, and the processing and disposal of wastewater.~~

~~POLICY 1.1.3:~~

~~The City shall coordinate with the St. John's River Water Management District, South Florida Water Management District, Orange County Engineering, Florida Department of Environmental Protection, and Orange County Public Works to implement the goals, objectives and policies found in the Infrastructure Element.~~

~~POLICY 1.1.4:~~

~~The City shall coordinate with the, the Florida Department of Environmental Protection, the Orange County Environmental Protection Department, the St. John's River Water Management District, South Florida Water Management District, the City of Edgewood, and Orange County for the implementation of the goals, objectives and policies found in the Conservation Element.~~

~~**POLICY 1.1.5:**The City shall coordinate with the Florida Department of Environmental Protection, Orange County, the School Board, and the City of Orlando for the implementation of the goals, objectives and policies in the Recreation and Open Space Element.~~

~~OBJECTIVE 1.2:~~

~~The City shall develop coordination mechanisms which will minimize the impact on the City, from development which is adjacent to Belle Isle, and provide formal procedures for working for the adjacent local government.~~

~~POLICY 1.2.1:~~

~~Continue discussions to identify issues for joint planning area agreements with Orange County, City of Orlando, and the City of Edgewood.~~

~~POLICY 1.2.2:~~

~~The Joint Planning Area Agreements shall address at a minimum the following issues:~~

- ~~l. Boundaries of the joint planning area;~~
- ~~m. future Land Use designation for land within the boundaries;~~
- ~~n. procedures for sharing information and data particularly on Land Use and Zoning changes;~~
- ~~o. identification of the entities that provide infrastructure and the LOS for each facility or service;~~
- ~~p. establishment of annexation procedures for property within the Joint Planning Area;~~
- ~~q. establishment of common environmental regulations especially~~

- for water quality;
- r. ~~roadway extensions, widening, improvements and creation;~~
- s. ~~facilities and sites for recreation and open space; and~~
- t. ~~methods for resolving conflicts that arise with the Joint Planning Area.~~

POLICY 1.2.3:

~~Continue interlocal agreement with Orange County and continue to identify issues for interlocal agreements with the City of Orlando and City of Edgewood.~~

POLICY 1.2.4:

~~The City shall utilize the East Central Florida Regional Planning Council's informal mediation process to resolve conflicts resulting from multi-jurisdictional land development regulations and to resolve annexation issues.~~

OBJECTIVE 1.3:

~~The City shall have consistent LOS standards for public facilities and services which are provided by governments other than Belle Isle such as Orange County Public Schools.~~

POLICY 1.3.1:

~~The Concurrency Management Policy for Belle Isle will identify the LOS for services not provided by the City that are consistent with the LOS standards adopted by the governmental agency that provides that service.~~

POLICY 1.3.2:

~~The Concurrency Management Policy for the City shall include a provision for reviewing the impact of development in Belle Isle in the surrounding areas. If such development would result in a LOS below that government's adopted standard, the City shall require the improvements necessary to maintain the LOS at an acceptable level.~~

POLICY 1.3.3:

~~The Concurrency Management Policy shall include a process for the provision of public facilities and services to inform the City on the current and projected LOS for a particular facility or service.~~

POLICY 1.3.4:

~~The Belle Isle Police Department is being established April 1, 2009 and will meet all state standards including LOS standards for Police.~~

POLICY 1.3.5:

The City shall require the Concurrency Management Policy to review the impact on area schools for all proposed residential developments.

Objective 1.4:

The City shall, throughout the planning period, coordinate with Orange County Public Schools (OCPS) to ensure that sufficient school capacity is available to support proposed development and that necessary infrastructure is available to accommodate new schools.

Policy 1.4.1

The City shall designate a representative to serve on the OCPS Technical Planning Committee to discuss issues and formulate recommendations regarding the coordination of land use and schools.

Policy 1.4.2

The City shall provide projected development data to OCPS on a regular basis to assist in development of a long-range planning model to project student enrollment.

Policy 1.4.3

As a member of the OCPS Technical Advisory Committee, the City shall review OCPS model projections for consistency with the City's projections and, if necessary, shall recommend additions or modifications to the model results.

Policy 1.4.4

The City shall comply with the Amended Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency adopted in 2008 along with the goals, objectives and policies of the Public School Facilities Element.

Policy 1.4.5

The City shall coordinate with the OCPS to research and identify alternative planning and funding mechanisms to provide sufficient school capacity for future City growth.

Policy 1.4.6

The City shall participate in the periodic school impact fee study/ordinance update process, providing input and recommendations to Orange County and OCPS as appropriate.

Objective 1.5:

Effectively coordinate with all applicable local, state and federal agencies regarding

~~the City's adopted Water Supply Facilities Work Plan (WSFWP).~~

Policy 1.5.1:

~~The city shall review and coordinate with the most recently published District Water Supply Plan and St. John's River Water Management District staff in projecting the future supply and demand for potable water and alternative sources and in preparing amendments to the Water Supply Facilities Work Plan that affects the City within 18 months of any updates to the District Water Supply Plan.~~

Policy 1.5.2:

~~The City shall exchange water supply information with the St. Johns River Water Management District, East Central Florida Regional Planning Council and local governments through water supply planning work groups and through meetings on an as-needed basis.~~

Policy 1.5.3:

~~The City shall notify the applicable water supplier upon submittal of any land use change or rezoning request which would increase water and wastewater demand to ascertain capacity availability.~~

DRAFT

RECREATION AND OPEN SPACE ELEMENT

GOALS, OBJECTIVES AND POLICIES

GOAL 1: DIVERSE, EQUITABLE AND UNIQUE PARKS, RECREATION AND OPEN SPACE.

TO PROVIDE, MAINTAIN, AND PRESERVE A DIVERSE PARK, RECREATIONAL, AND OPEN SPACE SYSTEM WHICH PROVIDES EQUITABLE ACCESS AND DISTRIBUTION TO THE CITY OF BELLE ISLE’S UNIQUE NATURAL ASSETS AREAS FOR RECREATION AND OPEN SPACE THAT WILL BENEFIT THE ALL RESIDENTS OF BELLE ISLE.

OBJECTIVE 1.1: PUBLICLY ACCESSIBLE AND WELL-PLANNED PARK SYSTEMS. The City shall ~~require~~ continually seek to improve the City’s unique parks and recreational assets and ensure that public access be provided for its residents and visitors. ~~City and County recreation areas in Belle Isle.~~

Policy 1.1.1: The Future Land Use Map, or a separate Park, Recreation Open Space Master Map, shall indicate all recreation areas within the City, including all access points to the Conway Chain of Lakes.

Policy 1.1.2: The City shall prepare and maintain a Parks, Recreation and Open Space Master Plan to inventory and guide the future planning, design, protection and maintenance of new and existing infrastructure and amenities in both the natural and built environments.

Policy 1.1.23: The City shall continue to seek grant funding to enhance, acquire, and develop parks and open space, as well as a master Parks, Recreation and Open Space Master Plan.

Policy 1.1.34: ~~After January 1, 1992, the~~The City shall require the provision of sidewalks and bikeways between all new residential areas and recreation sites as development occurs.

Policy 1.1.45: The City shall maintain the adopted pedestrian, bikeway, and canoe ~~canoe~~ waterway access plans as part of the Parks, Recreation and Open Space Master Plan.

Policy 1.1.6: The City will maintain a master sign or park information policy to ensure uniform public information standards for all public parks.

OBJECTIVE 1.2: COORDINATED PARKS SYSTEMS. The City shall coordinate the provision of recreation sites, facilities and open space with other public ~~entities~~ agencies via the Intergovernmental Element and private resources through the implementation of the following policies:

POLICY 1.2.1: The City shall coordinate the provision of recreation sites and facilities with Orange County to reduce duplication of services and improve the City’s LOS Level of Service.

OBJECTIVE 1.3: MAINTAIN LEVELS OF SERVICE FOR PARKS AND RECREATIONAL

FACILITIES. The City shall coordinate the provision of recreation sites, facilities and open space with other public entities and private resources through the implementation of the following policies to maintain established Levels of Services.

POLICY 1.3.1: The Land Development Codes (LDC's) shall include definitions of the following terms:

- a) resource based parks (~~passive parks~~);
- b) activity based parks (~~none in Belle Isle~~);
- c) active recreation
- d) passive recreation
- e) park service areas; and
- f) open space, which shall include all natural resource areas which protect natural amenities, all buffer areas within residential or commercial areas, and all passive recreation areas.

POLICY 1.3.2: The City shall adopt a Level of Service for activity and resource-based parks of 1 acre per 1,000 people and will monitor this LOS through the creation of a Parks, Recreation and Open Space Master Plan.

POLICY 1.3.3: The LDC's shall include standards for development and dedication of parks and open space by private entities for public ownership and use.

GOAL 2: MAINTAIN AND PRESERVE CHAIN OF LAKES RECREATIONAL ASSETS. The City of Belle Isle shall provide active and passive recreational opportunities while protecting and improving its environmentally sensitive areas and natural resources and. ~~Furthermore, the City shall ensure residents and visitors continued public access to the Conway Lake Chain Chain of Lakes.~~

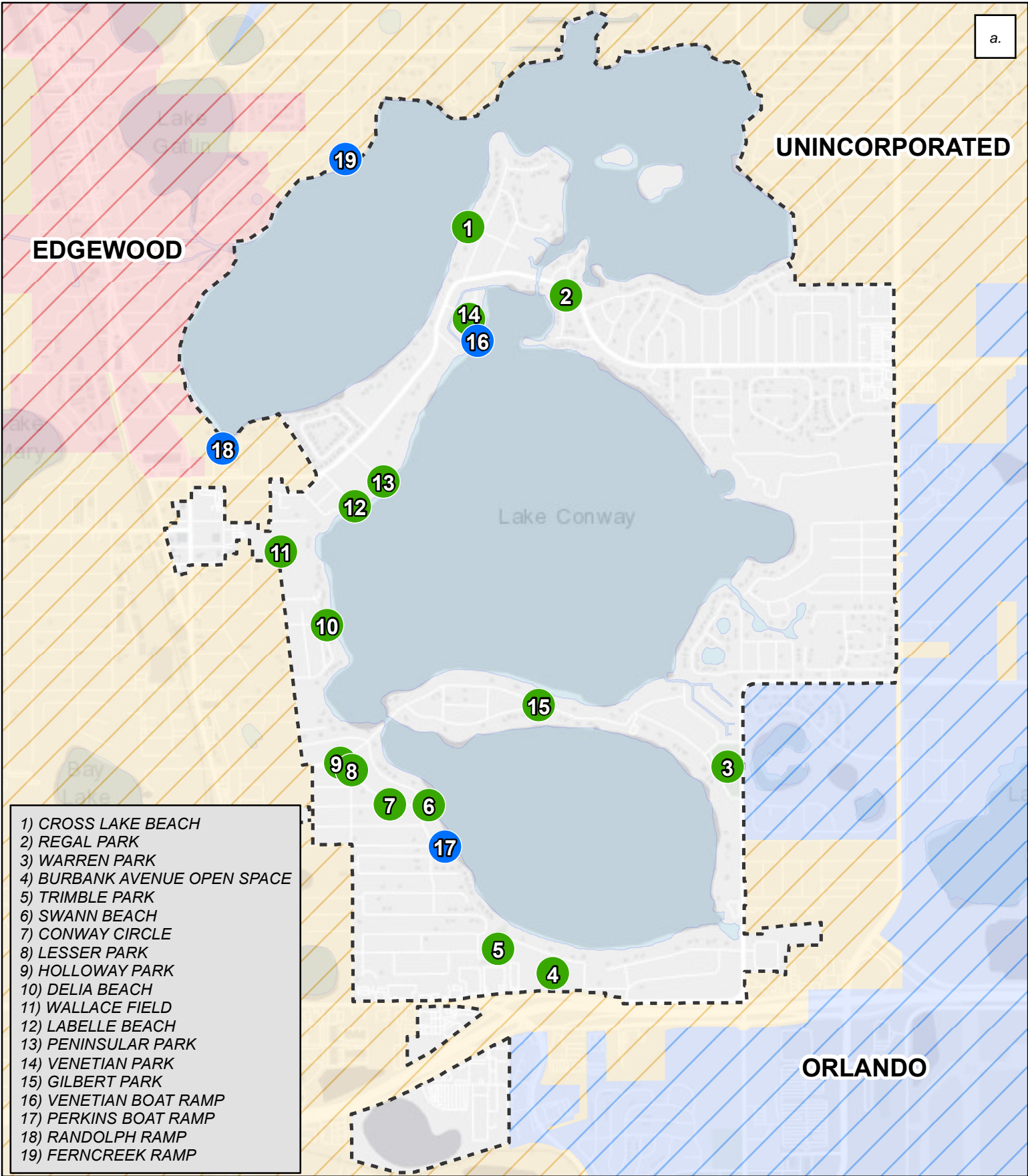
OBJECTIVE 2.1: ENHANCE LAKE ACCESS. The City shall require public boat ramps based on a Level of Service standard of one public boat ramp per 3,000 residents and public canoe launches based on the Level of Service standard of one public canoe launch per 1,500 residents.

POLICY 2.1.1: To encourage public access, ensure active and passive public recreation opportunities, and to facilitate environmental education, informational signs will be posted at all City parks and boat ramps regarding the presence of the Conway Lake Chain of Lakes canoe trails. An element of the signs will be information for all watercraft regarding safety and, in particular, safe use of powerboats within the designated canoe trails where self-propelled craft will be used. This effort will be coordinated with adjacent jurisdictions.

Policy 2.1.2: The City will maintain a public boat ramp map within the Parks, Recreation and Open Space Master Plan to ensure all users are aware of availability and access options.

POLICY 2.1.23: The City will continue maintenance and enhancement of park and open space features such as benches, tables, fountains and exercise equipment at all ~~active~~ city parks.

DRAFT



- 1) CROSS LAKE BEACH
- 2) REGAL PARK
- 3) WARREN PARK
- 4) BURBANK AVENUE OPEN SPACE
- 5) TRIMBLE PARK
- 6) SWANN BEACH
- 7) CONWAY CIRCLE
- 8) LESSER PARK
- 9) HOLLOWAY PARK
- 10) DELIA BEACH
- 11) WALLACE FIELD
- 12) LABELLE BEACH
- 13) PENINSULAR PARK
- 14) VENETIAN PARK
- 15) GILBERT PARK
- 16) VENETIAN BOAT RAMP
- 17) PERKINS BOAT RAMP
- 18) RANDOLPH RAMP
- 19) FERNCREEK RAMP

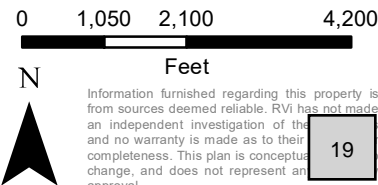
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IRVI
 111 North Magnolia Ave
 Suite 1350
 Orlando, FL 32801
 Tel: 407.775.6500
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City of Belle Isle • PARKS & BOAT RAMPS

📍 City of Belle Isle, FL
 📅 Date: 10/18/2023
 # 23002514
 🏠 Belle Isle

- 📏 City Boundary
- Park
- Boat Ramp



HOUSING ELEMENT

GOALS, OBJECTIVES AND POLICIES

GOAL 1: HIGH QUALITY HOUSING & NEIGHBORHOODS.

~~To encourage the provision of housing which is safe, sanitary, affordable, and adequate to meet the future and existing needs of the citizens of Belle Isle for housing for moderate income, low income, very low income, group homes, foster care facilities and households with special housing needs.~~ **TOMAINTAIN AND ENHANCE THE HIGH-QUALITY HOUSING IN THE CITY OF BELLE ISLE, PROVIDE SAFE AND LIVABLE HOUSING SUPPLY FOR RESIDENTS OF ALL AGES, AND PROTECT THE CITY’S RESIDENTIAL NEIGHBORHOOD CHARACTER.**

OBJECTIVE 1.1: HOUSING DIVERSITY. Provide a diverse inventory of housing to meet the long-term needs of the existing and future populations of Belle Isle in a manner that upholds the small-town residential character of Belle Isle.

Policy 1.1.1: The City will encourage and promote development controls through the Land Development Code that provide flexibility and innovation in residential design and permit a range of housing types, sizes, and styles. ranges.

Policy 1.1.2: The City will evaluate and modify, as necessary, all zoning and subdivision regulations and building and development codes to encourage the use of proven, innovative techniques to support the development of a diverse housing supply.

Policy 1.1.3: The City will continually review and update its architectural and site design regulations, where allowed by Florida Statutes, to improve the structural and aesthetic qualities of single-family and multifamily housing stock in the City.

Policy 1.1.4: The City will protect residential neighborhoods from encroachment and detrimental impacts of development by enforcing existing regulations that require buffering and compatibility measures between single-family areas and more intensive uses, such as multi-family buildings, institutional uses and other non-residential development.

Policy 1.1.5: The City will recognize the value of strong and stable neighborhoods as it relates to protection of housing stock by encouraging neighborhood identity, through various design measures such as landscaping, signage, monumentation and public art, to foster a strong sense of community throughout the City.

OBJECTIVE 1.2: HISTORICALLY SIGNIFICANT HOUSING. Preserve and protect historically significant housing and residential structures.

Policy 1.2.1: The City will evaluate establishing a Historic Preservation Board or similar organization in efforts to identify and protect historically significant housing within the City.

Policy 1.2.2: The City will assist property owners of historically significant housing in submitting their properties for inclusion in State or National Register of Historic Places.

Policy 1.2.3: The City will encourage property owners to rehabilitate and renovate their historically significant structures by supplying them with technical assistance and or other information regarding any available state and federal grants and consider establishing a program to grant waivers or variances from Land Development Code requirements.

POLICY 1.2.4: The City shall require all permits for rehabilitation or renovation of historically significant sites or structures to indicate how the historical significance will be impacted and how negative impacts are being minimized. The City shall not permit demolition of historically significant housing units unless the applicant can show an endangerment to public health, safety or welfare. [Formerly Policy 1.4.4]

Policy 1.2.5: The City will consider Land Development Code amendments to allow for administrative waivers or variances from Land Development Code requirements that allow renovations, expansions, or rehabilitation of historic structures.

POLICY 1.2.6: The City shall continue to apply for Federal and State grants for the identification of historically significant sites in Belle Isle. [Formerly Policy 1.4.3]

OBJECTIVE 1.3: AFFORDABLE HOUSING. ~~By December 2012, t~~ The City will shall have identified identify methods for preserving existing affordable housing sites for the current and future population and will work to manage such an important issue through the implementation of the following policies: [Formerly Objective 1.1]

POLICY 1.13.1: ~~The City has identified affordable~~ Affordable housing as is a regional issue, and the City shall continue to provide technical support upon the establishment by coordinate with Orange County of a regional housing resource center to assist in the provision of affordable housing, including the collection and analysis of data, provided the City has the in-house staff and ability to do so. [Formerly Policy 1.1.1]

POLICY 1.13.2: The City shall continue discussions with non-profit housing groups and adjacent governmental entities for preserving and providing additional affordable housing units in and adjacent to Belle Isle. [Formerly Policy 1.1.2]

POLICY 1.13.3: ~~The minimum setbacks, lot coverage, and size of structure requirements can be varied during the plan review process to provide~~ The performance and design standards provided for in the LDC, including but

not limited to setbacks, lot coverage and size of structure, can be varied within each residential district for the ~~location~~ provision of additional affordable housing units.

~~**POLICY 1.1.4:** The City shall require a five (5) foot landscaped buffer with an eight (8) foot masonry wall between residential land uses and all professional-office, commercial, and industrial land uses.~~

~~**POLICY 1.43.64:** The City shall allow and encourage affordable housing developments to include day care and adult day care facilities, and basic accommodations for job training. [Formerly Policy 1.1.6]~~

~~**POLICY 1.23.45:** The City shall permit housing for very-low, low, and moderate- income families in all residential land use categories in accordance with state and federal regulations. [Formerly Policy 1.2.4]~~

~~**POLICY 1.23.26:** The City shall continue to study the its regulations and permitting processes to determine where improvements and streamlining can be made to facilitate the provision and preservation of affordable housing units and to expedite approval of such projects. [Formerly Policy 1.2.2]~~

~~**Objective 1.2:** The City shall preserve the residential areas in the City that are currently low income or moderate income housing on the Future Land Use Map and in the LDC's. The City shall implement the below-stated policies in order to assist in accommodating the existing and projected housing need as estimated below.~~

~~Projected Increase in Cost-Burdened Households~~

~~Source: Shimberg Center~~

~~Growth in severely cost burdened (50%+) households with income less than 80% AMI by tenure and income level.~~

~~Tenure: Owner~~

Household Income as % of AMI	2005-2010	2010-2015	2015-2020	2020-2025	Total
<20%	6	4	6	8	24
20-29.9%	5	6	6	6	23
30-39.9%	3	4	5	5	14
40-49.9%	2	2	4	2	10
50-59.9%	4	0	1	2	7
60-79.9%	0	1	-1	2	2

Total below 80% AMI	20	14	21	25	80
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Growth in severely cost burdened (50%+) households with income less than 80% AMI by tenure and income level.

Tenure: Renter

Household Income as % of AMI	2005-2010	2010-2015	2015-2020	2020-2025	Total
<20%	0	2	-4	1	2
20-29.9%	2	0	2	0	4
30-39.9%	3	-4	-4	0	1
40-49.9%	0	2	0	0	2
50-59.9%	0	1	0	0	1
60-79.9%	0	0	0	0	0
Total below 80% AMI	5	4	0	1	10

~~**POLICY 1.2.1:** The City shall continue to allow mobile home parks and subdivisions under the Medium Density Residential Land use classification as shown on the Future Land Use Map to operate. All existing mobile home parks and subdivisions not classified with a Medium Density Residential Land Use shall be grandfathered.~~

~~**POLICY 1.2.5:** The Future Land Use Map shall indicate sufficient land for residential uses to meet the projected need for an additional 43 acres by the year 2010 based upon the projected population.~~

OBJECTIVE 1.3 4: SPECIAL NEEDS HOUSING. The City shall facilitate the provision of housing, with adequate density and distribution of those sites, for those residents with special needs, such as disabled persons, senior citizens and children in foster care, through the implementation of the following policies.

~~**POLICY 1.3 4.1:** The City shall have the authority to vary the minimum lot size, setbacks, living area and height for the low and medium density residential land use classifications where the following housing types will be located:~~

- ~~a. Foster Care;~~
- ~~b. Senior Citizen Care Facilities; and~~
- ~~c. Housing units designed for disabled persons.~~

~~**POLICY 1.3 4.2:** The City shall streamline the permitting process for~~

~~permits for housing units for people with special needs, specifically physical or developmental disabilities, foster care children, and senior citizens within the following guidelines:~~

- ~~— up to 24 hours for a single housing unit;~~
- ~~— up to 10 business days for multiple housing units which are not part of a subdivision plat applications; and~~
- ~~— up to 60 days for each step of the subdivision plat application.~~

POLICY 1.3.4.31: The City shall permit the location and development of housing units for people with special needs, as identified in Objective 1.3, in all residential land use categories.

POLICY 1.4.4.2: ~~Group homes (community residential facilities), as regulated by F.S. Chapter 393, shall be located as follows: The City will include in its Land Development Regulations principles and criteria consistent with Chapter 419, F. S., guiding the location of group homes and foster care facilities licensed or funded by the State.~~

- ~~a. Homes with six (6) or fewer residents shall be permitted in any low or medium density land use category;~~
- ~~b. Homes with seven (7) or more residents shall be permitted in any medium density land use category.~~

POLICY 1.4.5.3: The City shall provide technical support on an as needed basis to the various agencies which provide housing to people with special needs as mentioned above.

POLICY 1.2.4.36: ~~The performance standards Land Development Code, including setbacks, lot coverage and size of structure, can be varied within each residential district for the location of following housing types:~~

- ~~a. Mobile Homes;~~
- ~~b. Group Homes;~~
- ~~c. Foster Care Facilities; and~~

OBJECTIVE 1.4.5: QUALITY HOUSING STOCK AND SAFE NEIGHBORHOODS.

The City shall regulate housing construction through strict enforcement of the Florida Building Code, Florida Fire Prevention Code, and any other relevant all regulations to eliminate substandard housing conditions and protect the City's residential neighborhoods.

POLICY 1.4.5.1: The City shall define these terms as follows:

- a. Standard Housing meets requirements set forth in the acceptability criteria for standard housing, and substandard is any housing unit which does not meet the criteria;
- b. Abandoned or vacated housing unit is one which has not been lived in for over six months;

- c. Building Codes are all adopted construction codes;
- d. Rehabilitation shall mean any improvements to substandard housing to meet standard housing criteria;
- e. Renovation shall mean any improvements to standard housing; and
- f. Demolition shall mean the destruction of any housing unit.

POLICY 1.45.2: The City of Belle Isle shall maintain ~~the~~ all adopted levels of service and rehabilitate publicly owned infrastructure and facilities in older neighborhoods in order to prevent neighborhood decline. [Formerly Policy 1.1.5]

Policy 1.45.3: The City shall continue to conserve existing housing and improve the quality of neighborhoods by emphasizing neighborhood planning, community redevelopment programs, and enforcing appropriate development regulations.

POLICY 1.45.24: The City shall not permit any development which is inconsistent in terms of residential unit type, lot sizes and setbacks, with the surrounding neighborhood, nor shall the City permit any roadway which severs or fragments existing neighborhoods.

POLICY 1.45.5: The City, based on staff availability and resources, ~~shall~~ may approve or deny within 72 hours any application for the conservation, rehabilitation, or demolition of any housing unit which the applicant has shown will be used for the provision of, or replaced with affordable housing.

POLICY 1.45.6: The City shall use the Land Development Code to prevent housing units from becoming substandard by:

- A. notification to property owners to maintain their property, if the property threatens public health, safety and welfare; and
- B. not assessing a Belle Isle permit fee for upgrading plumbing, electrical, mechanical, heating, air-conditioning, and ventilation to comply with adopted building codes.

OBJECTIVE 1.5 6: NEIGHBORHOOD CHARACTER. ~~To e~~ Encourage a unique architectural design that complements the city's City's appearance, charm, and character, and considers the objectives of all facilities and services provided by the City.

Policy 1.5 6.1: ~~By December 31, 2010, the~~ The City's Land development Development regulations Code shall be amended to incorporate additional provisions for energy conservation, "green city" concepts and encourage and/or mandate new or existing developments to acquire Leadership in Energy and Environmental Design (LEED) and/or Florida Green Building Coalition (FGBC) certifications.

Policy 1.5 6.2: The City shall continue to conserve existing housing and improve the quality of neighborhoods by emphasizing neighborhood planning, community redevelopment programs, and enforcing appropriate

development regulations.

Policy 1.5 6.3: The City will evaluate establishing a Neighborhood Planning Program that will coordinate law enforcement, code enforcement, traffic calming, beautification and land development regulations to redevelop or maintain older neighborhoods.

DRAFT

CONSERVATION ELEMENT

GOALS, OBJECTIVES AND POLICIES

Goal 1:

TO PRESERVE THE NATURAL ENVIRONMENT OF BELLE ISLE, AND TO CONSERVE THE CITY'S NATURAL RESOURCES FOR EXISTING AND FUTURE GENERATIONS.

Objective 1.1:

The City shall adopt the following policies to maintain or improve air and water quality and continue to meet or exceed all applicable air and water quality standards.

Policy 1.1.17:

The City shall continue to ~~adopt~~ enforce LDC's regulations 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.

Policy 1.1.2 2-7:

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.

Policy 1.1.3 6:

The City shall assist and cooperate with ~~FDEP~~ the Florida Department of Environmental Protection in identifying all point and non-point ~~pollution~~ sources of water pollution.

Policy 1.1.4 2-6:

The City shall continue to identify sources that discharge pollutants into the City's Municipal Separate Storm Sewer System (MS4) ~~and~~ develop programs to reduce or eliminate their impact.

Policy 1.1.5:

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.

Policy 1.1.6:

All new development within the city of Belle Isle shall be required to connect to and be served by the utilities' central sewer service.

Policy 1.1.7:

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.

Policy 1.1.8:

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.

Objective 1.2:

The City shall adopt the following policies to maintain or improve groundwater recharge to enable safe and sustainable water consumptive use.

Policy 1.2.1 1-3:

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.

Policy 1.2.2 1-2:

The City of Belle Isle shall continue with the established Wellhead Protection Program in conjunction with Orange County and St. John's River Water Management District. The program shall address the following issues:

- 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 1.4 3: ~~Goal 3~~ 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.

Policy 1.4 3.1 ~~Objective 3.1:~~

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.

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

Objective 1.5 4: ~~Objective 2.1:~~

The City shall conserve, appropriately use, and protect the water quality of the Conway Lake Chain and the adjacent wetlands to maintain their environmental and recreational benefits.

Policy 1.5 4.1 ~~2.8:~~

The City shall maintain the existing interlocal agreement with Orange County Environmental Protection Department to support the enforcement of the regulation prohibiting development of all natural water bodies and floodplains.

Policy 1.5 4.2 ~~1.8:~~

~~Prior to 2005,~~ The City shall attempt to enter discussions for the development of an interlocal agreement with Orange County Environmental Protection Department to monitor activities which, may be detrimental to the ecology along the Conway Chain of Lakes.

Policy 1.5 4.3 ~~2.1.4:~~

The City shall employ aquatic plant management practices, which reduce the

degree of non-native, undesirable aquatic plants so as to ensure that the lakes are available for recreational boating and fishing.

Goal 2:

Native Vegetation, Conservation Lands, Wetlands and Species Protection

Objective 2.1.1 ~~4.3~~:

The City shall preserve wetland areas, and protect wildlife and their habitats which are endangered, threatened, or of special concern ~~Goal 2: The City of Belle Isle shall~~ and protect its environmentally sensitive areas and ensure that existing and proposed development does not degrade or diminish its natural resources.

Policy 2.1.1 ~~4.3.2~~:

~~By December 31, 2010~~ The City shall adopt an ordinance concerning the protection of wildlife and plants that are endangered, threatened or a species of special concern identified in and consistent with the Florida Department of Environmental Protection and Florida Statutes.

Policy 2.1.2 ~~4.3.4~~:

The City shall adopt ~~by January 1993~~ a conservation ordinance which is designed to:

- a. Preserve and protect all wildlife and their habitats listed as endangered, threatened or of special concern pursuant to Florida Statute Chapter 372 by designating conservation/wetland areas for protection on the Future Land Use Map;
- b. Regulate the protection ~~removal~~ and mitigation of all wetlands;
- c. Preserve the natural function of wetlands by prohibiting development in wetlands, and limiting development surrounding wetlands;
- d. Prohibit development of all natural water bodies and floodplains; and
- e. Prohibit the issuance of any development orders which will harm or destroy any wildlife, wildlife habitat, wetland, or water body.

Policy 2.1.3 ~~4.2.2~~:

The City of Belle Isle shall protect scarce ecological communities as well as upland and wetland communities through the establishment of conservation easements. The City requires a 10' buffer between these areas and any property line and a 35' building setback requirement from the property line, and by utilizing available funding sources including (by way of example but not limited to):

- a. Transfer of Development Rights, shall be reviewed on a case by case basis, but shall not exceed 25% of the development rights of the property to be conserved;
- b. Conservation Trust Fund; and
- c. State and Federal grants.

Policy 2.1.4 ~~1.1.9~~:

The City shall continue to adopt regulations for environmentally sensitive lands based on the following standards:

- A. Development shall be prohibited in areas designated with a Conservation land use classification;
- B. Permits shall be required for any allowed activity such as gazebos, walkways and trails in these areas.

Policy 2.1.5 ~~1.2.5~~:

~~Prior to January 2005,~~ The City shall adopt the following natural resource protection items:

- A. A tree preservation ordinance for individual parcels; and
- B. A landscape ordinance which requires Xeriscaping in all new commercial developments, City owned property, and common areas in new subdivisions

Policy 2.1.6 ~~2.1.2~~:

The City shall continue management of licensed aquatic plant management firms to control aquatic plants in accordance with all county, water management district and state restrictions and requirements.

Policy 2.1.7 ~~2.1.3~~:

The City shall continue to enforce its floodplain regulations, which prohibit the altering of, or construction in any stream or floodway, and the adding of any fill to wetland floodplain areas.

Objective 2.2 ~~1.2~~:

The City shall preserve its natural resources: the Conway Chain of Lakes; soils; minerals; and native vegetative communities through implementation of the following policies.

Policy 2.2.1 ~~1.2.1~~:

The City shall prohibit all mining activities in Belle Isle.

Policy 2.2.2 ~~1.2.3~~:

The Future Land Use Map shall indicate areas for conservation and protection within Belle Isle.

Policy 2.2.3 ~~1.2.4~~:

The City shall require all new commercial and subdivision developments to submit soil suitability studies and a plan for preventing soil erosion on the site.

Goal 3:

Hazardous Waste Prevention and Mitigation

Objective 3.1:

Belle Isle shall meet all federal and state guidelines for the management of hazardous waste and protect the environment from the effects of the storage and transportation of hazardous waste.

Policy 3.1.1 1.3.4:

The City shall cooperate with the Orange County Environmental Protection Division to ensure the proper use, storage, disposal, and recycling of hazardous materials.

Policy 3.1.2 1.3.3:

The City shall assess the impact of hazardous waste on the City’s natural resources, especially Conway Chain of Lakes, by reviewing periodic testing and studies of the land and waterways.

Policy 3.1.3 1.4.4:

The City’s Land Development Codes Code shall include a process for granting occupational licenses which shall require businesses to identify their impact on air and water quality, and whether they are a small quantity hazardous waste generator through the DEP Hazardous Waste regulation Section.

Goal 4:

Air Quality and Climate Action

Objective 4.1 1.4:

The City shall adopt the following policies to maintain or improve air quality ~~and water quality~~ and continue to meet or exceed all applicable air ~~and water~~ quality standards.

Policy 4.1.1 1.4.4:

The City shall continue to support air quality regulations established by the Environmental Protection Agency (EPA) by maintaining land use controls and by enforcing nuisance abatement regulations.

Policy 4.1.2 1.4.5:

The City shall require all new subdivisions and site plans to include provisions for alternative transportation modes ~~in order~~ to reduce the air pollution attributable to private automobiles.

Objective 4.2 Goal 4:

To conserve energy resources for future generations and help reduce greenhouse gas

emissions.

~~Objective 4.1~~ Policy 4.2.1:

~~To conserve natural resources and reduce pollution~~ The City shall reduce greenhouse gas emissions by implementing the following policies:

- a. **~~Policy 4.1.1:~~** The City shall evaluate and consider the future use of hybrid and alternative fuel vehicles as well as electric vehicles into its fleet of vehicles.
- b. **~~Policy 4.1.2:~~** The City shall adopt Land Development Code regulations ~~by 2010~~ that require new development and redevelopment to incorporate sustainable building design, construction materials, and energy conservation strategies consistent with national and state-recognized green building standards.
- c. **~~Policy 4.1.3:~~** The City shall adopt new Land Development Code Regulations to implement incentives to encourage new construction and redevelopment to obtain green certification such as Leadership in Energy and Environmental Design (LEED) or Florida Green Building Coalition (FGBC) certification.
- d. **~~Policy 4.1.4:~~** The City shall partner with Orange County and the other municipalities to develop a local climate action plan.
- e. **~~Policy 4.1.5:~~** The City shall support Orange County's regulation of businesses and industries that have an impact on air quality and through code enforcement help to ensure that proper pollution control devices are used and maintained.
- f. **~~Policy 4.1.6:~~** The City shall support, encourage, and coordinate with the County's effort to create incentives to support green building and green development for the private sector such as reduced fees, and expedited permit review.





PLANNING & ZONING

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1600 Nela Avenue
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407.240.2222 fax

Finance Department
407.851.7730 x104

Planning Department
407.793.5348 x103

Public Works
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Code Enforcement
407.849.8450

Police Department (PD)
407.240.2473 Office

407.836.4357
Non-Emergency

Website:
www.belleislefl.gov

CITY OF BELLE ISLE, FLORIDA PLANNING AND ZONING AGENDA ITEM

Meeting Date: May 28, 2024
To: The Planning and Zoning Board
From: Raquel Lozano, City Planner
Subject: Proposed Revision to Fence Ordinance Under Section 50-102(B)

Background:

In 2023, the City Council requested the Planning and Zoning Board review section 50-102(B) to allow front yard fences and gates on residential properties. Ultimately, the Board determined that front yard fences and gates may be permitted in the City due to the number of variance applications and variance approvals for front yard fences following three board meetings. The City placed the Board's recommendation to adopt changes to section 50-102(B) to the land development code until the arrival of the new City Manager for additional input.

City staff has reviewed the drafted ordinance language (Ord. No. XX-XX) and created edits and recommendations for the Board to consider. The Board may recommend the new ordinance language as presented or may include additional edits to the fence ordinance for the City Council to review for adoption.

Staff Recommendation:

To review staff comments on the proposed fence ordinance language, and motion to approve with or without edits to the attached Ord. No XX-XX.

Alternatives:

Do not approve changes to the fence ordinance or approve ordinance with conditions.

- Attachments:** Ordinance No. XX-XX (City Staff Revision)
City of Belle Isle - P&Z Meeting - Staff Report (May 28, 2024)
DW Comments (last edit) (July 11, 2023)
Belle Isle Ord. No. 98-4
Belle Isle Ord. No. 99-1

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

WHEREAS, the City further wishes to add additional fence requirements specific to the Hoffner Avenue 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 natural grade in the rear
17 and side yards. ~~No fences or walls shall be permitted in front yards. The maximum~~
18 height for any front yard fence or wall shall be four feet.

19 1. If a driveway gate is installed, then the gate must be setback at least 20
20 feet away from the edge of the road. For purposes of calculating the distance,
21 road means the improved or paved portion but does not include the entirety of the
22 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
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1 impair visibility of oncoming vehicular or pedestrian traffic from any intersecting
2 street, driveway or alley way.

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

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

14 * * * * *

15 (17) *Overlay Districts.*

16 a. *Hoffner Avenue*

17 1. All properties within Belle Isle City Limits adjoining Hoffner Avenue may
18 install a front or side yard fence or wall with a maximum height of six feet.

19 2. If a driveway gate is installed, the gate shall maintain a minimum setback
20 of 20 feet from the right-of-way line abutting the private property line. An area
21 clear of sight obstructions shall be provided, between the height of 2.5 and 8
22 feet, bounded by the point of intersection of the edge of the driveway and the
23 near edge of the nearest intersecting sidewalk or roadway and measuring 10 feet

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1 toward the property and 70 feet along said near edge of the nearest intersecting
2 sidewalk or roadway.

3 3. Lake Conway Estates Sub-overlay

4 i. For all properties that are part of Lake Conway Estates adjoining Hoffner
5 Avenue's right-of-way, a masonry wall up to eight feet high may be constructed in
6 the vicinity of the Hoffner Avenue right-of-way line, provided that wall conforms
7 to the Belle Isle approved wall materials and design requirements. Payment for
8 such wall may be by any legal means. The property owner must pay for such a wall,
9 but ownership and maintenance shall be transferred to Lake Conway Estates
10 Homeowner's Association along with a 15-foot maintenance easement from the
11 centerline of the wall on any private property at the completion of construction.

12 ii. In order to preserve as many trees as possible and avoid interfering with
13 existing utility lines, the alignment of the masonry wall may be allowed to
14 encroach into the Hoffner Avenue right-of-way by a maximum of ten feet in accord
15 with wall easements granted to Lake Conway Estates Residents' Association by the
16 City of Belle Isle's Ordinances 98-4 and 99-1. Such encroachment is available but
17 discouraged and is subject to prior approval by the City to determine if
18 reasonably necessary to achieve the above objectives.

19 iii. If a property owner wishes to maintain ownership of the masonry wall on the
20 property owner's property, the entire wall must be located on such property and
21 must not stray into the Hoffner Avenue right-of-way. Under this condition, it is
22 not necessary for the wall to be built using the Belle Isle-approved wall
23 materials and design. If the wall is not built according to the Belle Isle-

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1 approved wall materials and design, then the maximum height of the wall is limited
2 to six feet.

3 b. Daetwyler Drive

4 1. Due to continuing increases in traffic on Daetwyler Drive, property owners
5 may build an opaque fence or wall to a height of up to six feet in the front or
6 side yard that adjoins the Daetwyler Drive right-of-way.

7 2. If a driveway gate is installed, the gate shall maintain a minimum setback
8 of 20 feet from the right-of-way line abutting the private property line.

9 Section 3. Codification. Section 2 of this Ordinance will be incorporated into
10 the Belle Isle City Code. Any section, paragraph number, letter and/or any
11 heading may be changed or modified as necessary to effectuate the foregoing.
12 Grammatical, typographical, and similar or like errors may be corrected, and
13 additions, alterations, and omissions not affecting the construction or meaning
14 of this Ordinance and the City Code may be freely made.

15
16 Section 4. Severability. If any section, subsection, sentence, clause, phrase,
17 word, or provision of this Ordinance is for any reason held invalid or
18 unconstitutional by any court of competent jurisdiction, whether for substantive,
19 procedural, or any other reason, such portion shall be deemed a separate,
20 distinct, and independent provision, and such holding shall not affect the
21 validity of the remaining portions of this Ordinance.

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1 Section 5. Conflicts. In the event of a conflict or conflicts between this
2 Ordinance and any other Ordinance or provision of law, this Ordinance governs and
3 controls to the extent of any such conflict.

4
5 Section 6. Effective Dates. This Ordinance shall become effective immediately
6 upon adoption by the City Commission of the City of Belle Isle, Florida (the
7 "Effective Date") and shall apply to all applications for permits received on or
8 after the Effective Date.

9
10
11 First Reading held on September 5, 2023

12 Second Reading held on _____.

13
14 ADOPTED at a regular meeting of the City Commission of the City of Belle Isle,
15 Florida, held in City Hall, Belle Isle, on this _____ day of _____,
16 2023.

	YES	NO	ABSENT
17			
18 Ed Gold	_____	_____	_____
19 Anthony Carugno	_____	_____	_____
20 Karl Shuck	_____	_____	_____
21 Randy Holihan	_____	_____	_____
22 Beth Lowell	_____	_____	_____
23 Stanley Smith	_____	_____	_____
24 Jim Partin	_____	_____	_____

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ATTEST: _____

CITY OF BELLE ISLE

Yolanda Quiceno, CMC-City Clerk

Nicholas Fouraker, Mayor

Approved as to form and legality

For use and reliance by

Giffin Chumley, City Attorney

STATE OF FLORIDA

COUNTY OF ORANGE

I, Yolanda Quiceno, City Clerk of the City of Belle Isle, do hereby certify that the above and foregoing document ORDINANCE 23-05 was duly and legally passed by the Belle Isle City Council, in session assembled on the _____ day of _____ 2023. At this session, a quorum of its members was present.

Yolanda Quiceno, CMC-City Clerk

1 chapter, excluding those requirements of 50-102(b)(11), unless such fence or wall
2 is deemed a traffic or safety hazard.

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

10 * * * * *

11 (17) *Overlay Districts.*

12 a. *Hoffner Avenue*

13 1. All properties within Belle Isle City Limits adjoining Hoffner Avenue may
14 install a front or side yard fence or wall with a maximum height of six feet.

15 2. If a driveway gate is installed, the gate shall be at least 20 feet outside
16 the right-of-way line. A sight triangle of at least 15 feet from the driveway to
17 the right-of-way shall be provided.

18 3. *Lake Conway Estates Sub-overlay*

19 i. For all properties that are part of Lake Conway Estates adjoining Hoffner
20 Avenue's right-of-way, a masonry wall up to eight feet high may be constructed in
21 the vicinity of the Hoffner Avenue right-of-way line, provided that wall conforms
22 to the Belle Isle approved wall materials and design requirements. ^{Payment for such} The property
23 owner must pay for such wall, but ownership and maintenance shall be transferred
24 wall may be by any legal means

24 **It is possible the property owner may get cost participation of neighbors, donors, grants and such. The key**
25 **provision is that the wall reverts to ownership by LCERA.**

It may not be necessary to have a 15' easement on the subject property if the wall is 10' out in the right of way. That is why it is specified from the centerline of the wall.

1 to Lake Conway Estates Homeowner's Association along with a 15-foot maintenance
2 from the centerline of the wall on any private property
3 easement, at the completion of construction.

3 ii. In order to preserve as many trees as possible and avoid interfering with
4 existing utility lines, the alignment of the masonry wall may be allowed to
5 encroach into the Hoffner Avenue right-of-way by a maximum of ten feet in wall
6 The ordinances have specific rules so making it in "accord with" will prompt reading those easements.
7 easements granted to Lake Conway Estates Residents' Association by the City of
8 Belle Isle's Ordinances 98-4 and 99-1. Such encroachment is available but
9 discouraged and is subject to prior approval by the City to determine if
10 reasonably necessary to achieve the above objectives.

10 iii. If a property owner wishes to maintain ownership of the masonry wall on the
11 property owner's property, the entire wall must be located on such property and
12 must not stray into the Hoffner Avenue right-of-way. Under this condition, it is
13 not necessary for the wall to be built using the Belle Isle-approved wall
14 and will have a
15 materials and design. If the wall is not built according to the Belle Isle-
16 approved wall materials and design, then the maximum height of the wall is limited to
17 six
18 feet.

I believe this is clearer and more concise. The original wording implies any wall not meeting the design requirement is limited to 6'. It is possible someone could build a wall according to the approved design and wish to maintain ownership. In that case they should also be limited to the 6' height. Ownership is the issue, not the design.

17 b. Daetwyler Drive
18 1. Due to continuing increases in traffic on Daetwyler Drive, property owners
19 may build an opaque fence or wall to a height of up to six feet in the front or
20 side yard that adjoins the Daetwyler Drive right-of-way.

21 2. If a gate is installed, there must be a gate recess of 20 feet behind the
22 right-of-way. Include site triangle language from pg, 40 lines 16 and 17 for consistency.

23 Section 3. Codification. Section 2 of this Ordinance will be incorporated into
24 the Belle Isle City Code. Any section, paragraph number, letter and/or any

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ORDINANCE 98 - 4

AN ORDINANCE OF THE CITY COUNCIL OF BELLE ISLE, FLORIDA, IN COMPLIANCE WITH THE CITY CODE OF ORDINANCES, APPENDIX A, LAND DEVELOPMENT CODE, CHAPTER I, ARTICLE B, GENERAL PROVISIONS, SECTION 1, BY WHICH THE CITY COUNCIL IS GRANTING THE CITY AN EXEMPTION FROM CERTAIN REQUIREMENTS OF THE LAND DEVELOPMENT CODE, CHAPTER IV, ARTICLE C, SECTION 1. ACCESSORY STRUCTURES., (B) FENCES, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Belle Isle City Council finds it necessary to exempt the City from certain provisions and requirements of the City Code, Appendix A, Land Development Code; and

WHEREAS, such a provision for exemption is provided within the existing Land Development Code; and

WHEREAS, it is in the best interest, health, safety and welfare of the citizens for the City Council to have the authority within the City Code to exercise such exemptions from time to time; and

WHEREAS, the exemption is granted with a super majority vote (majority plus one) of the Council;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of Belle Isle, Florida, that the City Council does hereby grant an exemption to the requirements of Chapter IV, Article C, Section 1. Accessory Structures, (B) Fences: as follows:

1. **Allow for the construction of a wall, up to eight feet in height from the natural grade**
2. **Allow for the construction of a wall within the northerly five feet and southerly five feet of the right-of-way of Hoffner Avnue in Lake Conway Estates.**

Effective Date: This Ordinance shall take effect immediately upon its passage and adoption.

Passed first reading on the 2 day of June, 1998.

Advertised on the 7 day of June, 1998.

Passed and adopted at second reading on the 16 day of June, 1998.

Bill Hand
BILL HAND, MAYOR

ATTEST:

Belinda L. Bateman
Belinda L. Bateman, CMC/AAE
City Clerk

STATE OF FLORIDA
COUNTY OF ORANGE

I, BELINDA L. BATEMAN, CITY CLERK of the City of Belle Isle, Florida do hereby certify that the above and foregoing Ordinance was duly and legally passed and adopted by the City Council of Belle Isle, Florida, in session assembled, at which session a quorum of the City Council was present, on the 16 day of June, 1998.

Belinda L. Bateman
Belinda L. Bateman, CMC/AAE
City Clerk

ORDINANCE 99 – 1

AN ORDINANCE OF THE CITY COUNCIL OF BELLE ISLE, FLORIDA, IN COMPLIANCE WITH THE CITY CODE OF ORDINANCES, APPENDIX A, LAND DEVELOPMENT CODE, CHAPTER 1, ARTICLE B, GENERAL PROVISIONS, SECTION 1, AMENDING THE EXEMPTION PROVISION IN CHAPTER IV, ARTICLE C, SECTION 1. ACCESSORY STRUCTURES., (B) FENCES, BY ADDING A NEW ITEM 3., AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Belle Isle City Council finds it necessary to amend the provisions and requirements of the City Code, Appendix A, Land Development Code; and

WHEREAS, the exemption provision is provided within the existing Land Development Code; and

WHEREAS, it is in the best interest, health, safety and welfare of the citizens for the City Council to have the authority within the City Code to exercise such exemptions from time to time; and

WHEREAS, the exemption is granted with a super majority vote (majority plus one) of the City Council;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of Belle Isle, Florida, that the City Council does hereby grant an amendment to the exemption provisions of Chapter IV, Article C, Section 1. Accessory Structures, (B) Fences: by adding a new item 3. as follows:

- 3. Allow for the use of an additional five feet of right-of-way, within the northerly ten feet and southerly ten feet of right-of-way along Hoffner Avenue in Lake Conway Estates for the construction of a wall, to provide for the accommodation of existing trees and utilities, such additional five feet to be considered on a case by case basis by the City Council.**

Effective Date: This Ordinance shall take effect immediately upon its passage and adoption.

Passed first reading on the 16 day of February, 1999.

Advertised on the 21 day of February, 1999.

Passed and adopted at the second reading on the 2 day of March, 1999.

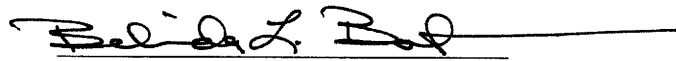

BILL HAND, MAYOR

ATTEST:


Belinda L. Bateman, CMC/AE
City Clerk

STATE OF FLORIDA
COUNTY OF ORANGE

I, BELINDA L. BATEMAN, CITY CLERK of the City of Belle Isle, Florida, do hereby certify that the above and foregoing Ordinance was duly and legally passed and adopted by the City Council of Belle Isle, Florida, in session assembled, at which session a quorum of the City Council was present, on the 2 day of March, 1999.


Belinda L. Bateman, CMC/AE
City Clerk