



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

Meeting Date: February 16, 2021

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Letter to FWC to allow for a Canoe Trail

Background: Florida Statute 327.46 (1) (c) states: Municipalities and counties have the authority to establish by ordinance the following other boating-restricted areas: An ordinance establishing a vessel-exclusion zone if the area is reserved exclusively:

- a. As a canoe trail or otherwise limited to vessels under oars or under sail.
- b. For a particular activity and user group separation must be imposed to protect the safety of those participating in such activity.

The City's Comprehensive Plan, dating back to 1990, laid out a canoe trail along the shore of the center and south lobes of Lake Conway. Each time the Comprehensive Plan was updated, the canoe trail remained in the plan. We have public places along both lobes of the lake to establish a canoe trail, including the launch at Warren Park that was specifically built for this purpose in 2017.

The City will follow the criteria outlined in Chapter 68D-21, F.A.C (68D-21.004. Criteria for Approval of Ordinances), paragraph (4) which states an ordinance establishing a vessel exclusion zone (an area from which all vessels or certain classes of vessels are excluded) will be approved if the area is reserved exclusively:

1. As a canoe trail or otherwise limits vessel propulsion if the applicant demonstrates by competent substantial evidence how the restriction is necessary to protect public safety pursuant to Section [327.46, F.S.](#), and if:
 - a. One of the following restrictions, as defined in Rule [68D-23.103](#), F.A.C., is imposed: "No Motorized Vessels" or "No Motorboats" or "Motorboats Prohibited;" "No Power-driven Vessels;" "No Internal Combustion Motors;" "Manually Propelled Vessels Only;" and,
 - b. Imposition of the restriction will not unreasonably or unnecessarily endanger navigation or interfere with the use of a navigation channel that is lawfully marked with lateral aids to navigation.

If there is a conflict with the trail and the skiing course on the south lobe, the City staff will work with skiers to alleviate the conflict.

The Council may also want to have a short discussion on whether or not the City should consider designating the Sandbar as a swim only area and include this in this application to FWC.

Staff Recommendation: Request the Mayor sign the letter to FWC. The staff will work with the City Attorney's Office for the proper application process and ordinance.

Suggested Motion: I move that we move forward with applying to the FWC for the Canoe Trail as outlined in the City's Comprehensive Plan.

Alternatives: Do not apply to the FWC.

Fiscal Impact: TBD

Attachments: Letter to FWC
Draft ordinance
Canoe Trail Excerpt from Comprehensive Plan