

ORDINANCE NO 24-03

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING THE TEXT OF THE CITY OF BELLE ISLE COMPREHENSIVE PLAN TO AMEND THE FUTURE LAND USE ELEMENT, CAPITAL IMPROVEMENT ELEMENT, CONSERVATION ELEMENT, HOUSING ELEMENT, INTERGOVERNMENTAL COORDINATION ELEMENT, INFRASTRUCTURE ELEMENT, PUBLIC SCHOOLS FACILITIES ELEMENT, RECREATION AND OPEN SPACE ELEMENT, PRIVATE PROPERTY RIGHTS ELEMENT, AND TRANSPORTATION ELEMENT; AMENDING THE FUTURE LAND USE MAP OF THE CITY OF BELLE ISLE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, Article VIII, § 2, Constitution of the State of Florida, as revised in 1968, grants to municipalities those governmental, corporate and proprietary powers necessary to conduct municipal government, perform municipal functions, and render municipal services, and further authorizes such municipalities to exercise any power for municipal purposes, except as otherwise provided by law;

WHEREAS, Chapter 166, Fla. Stat., the Municipal Home Rule Powers Act, further affirms the authority and jurisdiction granted to municipalities by the Florida Constitution and establishes the home rule authority of such municipalities; and

1 **WHEREAS**, Chapter 163, Fla. Stat., Part II, known as the Community Planning
2 Act (the "Act"), requires, authorizes, and empowers municipalities to prepare,
3 adopt, amend, and enforce Comprehensive Plans to guide development within the City
4 and further authorizes the City Council of the City of Belle Isle to plan for the
5 City's future development and growth, to responsibly guide the future growth and
6 development of the City, to implement adopted or amended Comprehensive Plans by the
7 adoption of appropriate land development regulations, and to establish, support and
8 maintain procedures to carry out the provisions and purposes of such Act; and

9
10 **WHEREAS**, the City finds it is in the City's best interest to amend the text
11 of certain goals, objectives, and policies set forth in the Future Land Use Element,
12 Capital Improvement Element, Conservation Element, Housing Element,
13 Intergovernmental Coordination Element, Infrastructure Element, Public School
14 Facilities Element, Recreation and Open Space Element, and Transportation Element
15 of the City of Belle Isle Comprehensive Plan, as fully described in Section 2 and
16 Exhibit A ("Comprehensive Plan Amendments" or "Amendments"); and

17
18 **WHEREAS**, the Amendments adopted by this Ordinance are internally consistent
19 with the City of Belle Isle Comprehensive Plan and its goals, objectives and policies
20 and are in compliance with the Act; and

21
22 **WHEREAS**, this Ordinance is to be transmitted to the State of Florida Department
23 of Commerce in accordance with general law; and

1 **WHEREAS**, the Planning and Zoning Board in its role as the City's local planning
2 agency held the required public hearing for the adoption of the proposed
3 Comprehensive Plan Amendments to receive and consider comments related to the
4 Amendments and to give its recommendation concerning the same to the City Council;
5 and

6
7 **WHEREAS**, the City Council held the required public hearings for the adoption
8 of the proposed Comprehensive Plan Amendments to receive and consider comments
9 related to the Amendments; and

10
11 **WHEREAS**, based on the matters of record received by the City Council at the
12 required public hearings after proper notice and finding that the proposed Amendments
13 meet the requirements of the Act, the City Council, in the exercise of its home rule
14 and statutory authority, has determined it necessary and desirable, in order to
15 protect the public health, safety and welfare, to adopt these Amendments to the
16 City's Comprehensive Plan.

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18 **IT IS HEREBY ORDAINED BY THE CITY OF BELLE ISLE AS FOLLOWS:**

19
20 **SECTION 1. RECITALS.** The above recitals are true and correct and
21 incorporated herein as legislative findings of the City Council.

22 **SECTION 2. TEXT AMENDMENT ADOPTION.** The City of Belle Isle hereby amends the
23 text of the Future Land Use Element, Capital Improvement Element, Conservation
24 Element, Housing Element, Intergovernmental Coordination Element, Infrastructure

1 Element, Public School Facilities Element, Recreation and Open Space Element,
2 Private Property Rights Element and Transportation Element of the City of Belle Isle
3 Comprehensive Plan as set forth in **Exhibit "A"** attached hereto and incorporated
4 herein by this reference (words that are stricken out are deletions; words that are
5 underlined are additions; provisions not included are not being amended).

6 **SECTION 3. MAP AMENDMENT.** The City of Belle Isle hereby amends the Future
7 Land Use Map of the City of Belle Isle Comprehensive Plan as set forth in **Exhibit**
8 **"B"** attached hereto and incorporated herein by this reference.

9 **SECTION 4. EFFECTIVE DATE.** The effective date of the Comprehensive Plan
10 Amendments, if the amendments are not timely challenged, shall be 31 days after the
11 State Land Planning Agency notifies the City that the Comprehensive Plan Amendments
12 package is complete. If timely challenged, an amendment does not become effective
13 until the State Land Planning Agency, or the Administration Commission enters a
14 final order determining the adopted amendment to be in compliance.

15 **SECTION 5. CONFLICTS.** In the event of a conflict or conflicts between this
16 Ordinance and any other ordinances or part thereof, this Ordinance controls to the
17 extent of the conflict.

18 **SECTION 6. SEVERABILITY.** If any part of this Ordinance is found to be invalid,
19 preempted, or otherwise superseded, the remainder shall nevertheless be given full
20 force and effect to the extent permitted by the severance of such invalid, preempted,
21 or superseded part.

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23 FIRST READING/PUBLIC HEARING was held on September 17, 2024.
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25

1 SECOND READING/PUBLIC HEARING AND ADOPTED at a regular meeting of the City Council
2 of the City of Belle Isle, Florida, held in City Hall, Belle Isle, on this _____
3 day of _____, 2024.

	YES	NO	ABSENT
4			
5 Frank Vertolli	_____	_____	_____
6 Holly Bobrowski	_____	_____	_____
7 Danny Otterbacher	_____	_____	_____
8 Jason Caron	_____	_____	_____
9 Beth Lowell	_____	_____	_____
10 Stanley Smith	_____	_____	_____
11 Jim Partin	_____	_____	_____

12

13

CITY OF BELLE ISLE

14 ATTEST:

15 _____

16 Yolanda Quiceno, City Clerk

Nicholas Fouraker, Mayor

17

18 Approved as to form and legality

19 For use and reliance by

20

21 _____

22 Daniel W. Langley, City Attorney

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