

**AGENDA
TOWN OF BELLEAIR
LOCAL PLANNING AGENCY
TUESDAY, MARCH 25, 2014
6:00 P.M.**

Welcome. We are glad to have you join us. If you wish to speak, please wait to be recognized, then step to the podium and state your name and address. We also ask that you please turn-off all cell phones.

PLEDGE OF ALLEGIANCE

COMMISSION ROLL CALL

SPECIAL MEETING

1. Public Hearing - Consideration Of Proposed Amendment To The Town's Comprehensive Plan - Ordinance No. 490

Documents: [COMP PLAN2.PDF, 490 - COMP. PLAN CHANGES - FUTURE LAND USE ELEMENT.PDF](#)

2. Adjournment

Summary

To: Belleair Local Planning Agency
From: Micah Maxwell, Town Manager
Subject: Comprehensive Plan Changes – Ordinance 490
Memo Date: 3/20/2014

Summary: The Comprehensive Plan needs to be updated and changed in a few different areas. The commission also acts as the local planning agency for the town and approvals must be separated.

Previous Commission Action: None,

Background/Problem Discussion:

1. Policies 1.1.1 and 1.1.2 of the future land use element of the town's comprehensive plan are inconsistent with the town's code of ordinances.
2. Policy 1.1.2 also needs to be updated to allow the categories within it to allow for residential, mixed use, and public/semi-public use.

Alternatives/Options:

1. Policies 1.1.1 and 1.1.2 need to be changed from the language that states that the town shall include the primary and secondary uses of the countywide rules, to shall be consistent with the primary and secondary uses of the countywide rules. The current language obligates the town to have the same primary and secondary uses as the countywide rules, despite its conflict with the town's code of ordinances. Rather than changing the code to reflect this conflict, the town commission has asked staff to change the comprehensive plan to solve the conflict.

Financial Implications: None

Recommendation: Staff recommends approval

Proposed Motion: Move approval of Ordinance 490 amending the Town of Belleair's Comprehensive Land Use Plan

PROPOSED ORDINANCE NO. 490

AN ORDINANCE OF THE TOWN OF BELLEAIR, FLORIDA, AMENDING THE TOWN OF BELLEAIR COMPREHENSIVE PLAN, PURSUANT TO SECTION 163.3184, FLORIDA STATUTES, AMENDING THE FUTURE LAND USE ELEMENT TO CORRECT, CLARIFY AND RENDER CONSISTENT POLICIES 1.1.1 AND 1.1.2; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission of the Town of Belleair adopted a Comprehensive Plan in 2008, which meets the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act of 1985; and

WHEREAS, the Town Commission of the Town of Belleair has amended the Comprehensive Plan from time to time; and

WHEREAS, the Town Commission has determined it is both necessary and prudent to revise the wording of the Future Land Use Element to correct, clarify and be consistent with existing provisions of the Element and with the provisions of the Countywide Rules; and

WHEREAS, the Town Commission has considered these amendments over an extended period of time and at several work sessions; and

WHEREAS, the Town Commission has reviewed the input and recommendations of the Local Planning Agency and the Planning and Zoning Board; and

WHEREAS, the Town Commission of the Town of Belleair desires to amend the narrative description of certain portions of the Future Land Use element of the Comprehensive Plan pursuant to Section 163.3184, Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE Town Commission of the Town of Belleair, as follows:

- Section 1. This Ordinance shall be known as, cited as, and referred to as the “Town of Belleair Amended 2008 Comprehensive Plan” and shall be effective within the jurisdiction of Belleair, Florida.
- Section 2. The “Town of Belleair 2008 Comprehensive Plan” Future Land Use Element, Policy 1.1.1, is amended as set forth below:

Policy 1.1.1:

The Town of Belleair here by adopts the following residential land use categories as those which shall govern residential development within the community for the categories set forth below. These residential land use categories shall be consistent with include the primary and secondary uses listed in the corresponding Pinellas Planning Council *Countywide Plan Rules*, and as more specifically provided for and regulated by the Town Code of Ordinances, in particular Part II, Subpart B, Land Development Code.

- Residential Low (RL), density of 0 to 5 residential units per acre
- Residential Medium (RM), density of 0 to 15 residential units per acre

Section 3. The “Town of Belleair 2008 Comprehensive Plan” Future Land Use Element, Policy 1.1.2, is amended as set forth below:

Policy 1.1.2:

The Town of Belleair here by adopts the following land use categories as those which shall govern residential, mixed use, nonresidential and public/semi-public development within the community for the categories set forth below. These ~~nonresidential~~ land use categories shall be consistent with include the primary and secondary uses listed in the corresponding Pinellas Planning Council *Countywide Plan Rules*, and as more specifically provided for and regulated by the Town Code of Ordinances, in particular Part II, Subpart B, Land Development Code.

- Commercial General (CG)
- Recreation/Open Space (ROS)
- Preservation (P)
- Public/Semi-Public – Institutional (Medical Related)
- Public/Semi-Public – Institutional (Municipal Buildings/Private School)
- Transportation/Utility (TU)
- Residential/Office Limited (ROL)

Section 4. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held illegal, invalid or unconstitutional by the decision of any court or regulatory body of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

Section 5. The effective date of this plan amendment shall be the date the final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184(1)(b), *Florida Statutes*, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of non-compliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Community Affairs, Division of Resources and Planning management, Plan Procession Team.

PASSED ON FIRST READING: JANUARY 21, 2014

PASSED ON SECOND AND FINAL READING:

Mayor

ATTEST:

Town Clerk