PROPOSED ORDINANCE NO. ____

AN ORDINANCE OF THE TOWN OF BELLEAIR, FLORIDA, AMENDING THE TOWN OF BELLEAIR CODE OF ORDINANCES, PART II, SUBPART B LAND DEVELOPMENT CODE, PURSUANT TO THE REQUIREMENTS THEREFOR, SECTION 74-84; PROVIDING FOR AN AMENDED MINIMUM LOT AREA REQUIREMENT FOR THE HOTEL (H) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission of the Town of Belleair adopted the Code of Ordinances as set forth in Ordinance No. 349, on April 19, 1994, including Subpart B, Land Development Code; and

WHEREAS, the Town Commission of the Town of Belleair has from time to time approved amendments to the Land Development Code; and

WHEREAS, the Town Commission has reviewed and determined it necessary and prudent to update and revise the Land Development Code; and

WHEREAS, the Town Commission has received and considered the input and recommendation of the Planning and Zoning Board; and

WHEREAS, the Town Commission desires to amend the Land Development Code to revise the minimum lot area required for the Hotel (H) Zoning district; and

WHEREAS, the Town Commission has determined that the minimum lot area proposed for the Hotel (H) Zoning district is sufficient to accommodate a resort hotel based on the current permitted density/intensity standards for such hotel use.

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

Section 1. The Land Development Code, Sec. 74 – 84. Schedule of dimensional regulations is amended to revise the minimum lot area required for the Hotel (H) district by deleting the current required minimum lot area of twenty (20) acres and adding in its place the new required minimum lot area of fifteen (15) acres.

Section 2. The Land Development Code, Sec. 74-84. Schedule of dimensional regulations, is amended to revise the minimum required lot area for the Hotel (H) district in the table set forth below:

Sec. 74-84. Schedule of dimensional regulations.

The schedule of dimensional regulations for he various zoning districts is as follows:

	Lot Minimums				*Miminum Yard Setbacks* [6 & 7]								
District	*Area (Square Feet)*	*Width (feet)*	*Depth (feet)*	*Density Maximum Dwelling Units peracre*	*Front (feet)*	*Side (feet)*	*Rear (feet)*	*Minimum Offstreet Parking per Dwelling Unit* [1]	*Offstreet Dwelling*	*Maximum Height* [3] *(feet)*	*Flood Zone*	*Minimum Living Area per Unit* [2] *(square feet)*	*Floor Area Ratio (FAR)* [6]
RE	18,000	100	100	2	25	7.5[4]	25 feet or 20% of lot depth, whichever is less	2		32	34	2,000	---
R-1	10000	80	100	4	25	7.5[4]	25 feet or 20% of lot depth, whichever is less	2		32	34	1,200	---
R-2	7500	75	90	4	25	7.5[4]	25 feet or 20% of lot depth, whichever is less	2		32	34	1,000	---
RM-15	10,000	100	100	15	25	7.5[4]	15	1.5		32	34	1,000	---
RPD	5 acres	---	---	5	(See section 74-83)			1		32	---	1,200	---
H	~~20~~ 15 acres	---	---	28	(See section 74-83)			1		32	34	300	0.4
C-1	12,000	100	100	None	25	12	10	1		32	34	N/A	0.35
C-2	10,000	80	100	None	25	12	10	1		32	34	N/A	0.35
C-3	10,000	80	100	None	25	12	10	1		32	34	N/A	0.30

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District	*Area (Square Feet)*	*Width (feet)*	*Depth (feet)*	*Density Maximum Dwelling Units peracre*	*Front (feet)*	*Side (feet)*	*Rear (feet)*	*Minimum Offstreet Parking per Dwelling Unit* [1]	*Offstreet Dwelling*	*Maximum Height* [3] *(feet)*	*Flood Zone*	*Minimum Living Area per Unit* [2] *(square feet)*	*Floor Area Ratio (FAR)* [6]
C-4	10,000	80	100	None	25	12	10	1		32	34	N/A	0.5
GC	---	None	None	None	25	25	25			32	34	N/A	Town Commission Approval
C-5	10,000	None	None	None	10	5	10	1		32	34	N/A	0.5
SPM	10,000	80	100	25	25	25	25	1		32		N/A	0.30
P	Town commission shall estsablish dimensional regulations for the public district consistent with the public land use of lands withing this district. The dimensional regulations shall be based upon need for harmonizing public use of the land with necessity for protecting the public's safety, health and welfare by the use of such lands. However, in no case shall the floor area ration exceed 0.65 for institutional uses or 0.70 for transportation/utility												

[1] See article III, division 3, of this chapter, pertaining to off-street parking regulations.

[2] Exclusive of garages, breezeways, porches and patios.

[3] The height regulations contained in this section shall mean 32 or 34 feet from grade to the highest finished roof surface in the case of a flat roof, or to a point at the midpoint of the highest sloped roof, except for chimneys, parapets, bell towers and elevator penthouses. In no case shall a structure exceed 45 feet in height except in a RPD zoned district. Building height limitations for flood zone area construction are as follows: Any property which is located within an area of special flood hazard as designated on flood hazard boundary map or a flood insurance rate map, shall measure the maximum height standard from the Base Flood Elevation (BFE) of the flood zone the structure is located within. This shall not apply to any property located in the RPD district existing at the time of adoption of this land development code.

[4] See Section 74-113

[5]For impervious surface ratio, see section 74-112,

[6]On waterfront lots, all bildings, including guest cottages and servants quarters, shall be set back a minimum of 20 feet from the mean highwater mark or the seawall

[7]All setbacks are measured from property lines except as noted.

(Ord. No. 300, § III(2.02.02), 11-7-90; Ord. No. 318, § 5, 6-2-92; Ord. No. 328, § B(2.02.04), 8-3-93; Ord. No. 342, § 1, 11-2-93; Ord. No. 363, § 2, 3-19-96; Ord. No. 399, § 1, 11-20-01)

Section 3. 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 4. This Ordinance shall be in effect thirty (30) days after passage and approval and upon second and final reading, in the manner prescribed by Section 2.11 of the Town Charter of the Town of Belleair, Florida

PASSED ON FIRST READING:

PASSED ON SECOND AND FINAL READING:

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Gary H. Katica
Mayor

ATTEST:

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Donna Carlen
Town Clerk