

**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:**

**PASSED ON SECOND AND FINAL READING:**

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**Mayor**

**ATTEST:**

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**Town Clerk**