

ORDINANCE 2024-04

AN ORDINANCE OF THE CITY OF BELLEVUE, FLORIDA, REVISING SUBPART B THE CITY CODE OF ORDINANCES (THE LAND DEVELOPMENT REGULATIONS) TO REMOVE OR REVISE OUTDATED, CONFLICTING, INCONSISTENT OR UNCLEAR PROVISIONS, TO PROVIDE FOR CONSISTENCY WITH CURRENT FLORIDA STATUTES, TO UPDATE SIGN REGULATIONS CONSISTENT WITH FEDERAL COURT RULINGS, AND TO CREATE BETTER ORGANIZATIONAL STRUCTURE; MAKING RELATED FINDINGS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND FOR AN EFFECTIVE DATE.

WHEREAS, Subpart B of the City of Bellevue Code of Ordinances constitutes the Land Development Regulations (LDRs); and

WHEREAS, the current LDRs were adopted on April 30, 1992, by Ordinance No. 92-02; and

WHEREAS, in the ensuing years, developments in Florida law and in land planning practices have occurred but the LDRs were not regularly reviewed and updated to incorporate those changes; and

WHEREAS, in 2015 the United States Supreme Court issued its opinion in Reed v. Town of Gilbert which necessitates revisions to the City's sign regulations; and

WHEREAS, the City Manager, City Attorney, and other City Staff have identified a variety of revisions to language or terms in the LDRs which would remove, revise or clarify existing language or terms which may be outdated, unclear, or inconsistent or in conflict with other language or terms in the LDRs; and

WHEREAS, in its role as the City's Land Planning Agency, the City's Planning and Zoning Board has reviewed the revisions set forth in this Ordinance and has provided its advice, comments, and recommendations to the Commission; and

WHEREAS, the City Commission finds that it is in the best interest of the City, its residents, and property owners, to approve the provisions set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BELLEVUE, FLORIDA, AS FOLLOWS:

Section 1. Subpart B of the City of Bellevue Code of Ordinances is hereby amended to read as set forth in Attachment "A" to this Ordinance.

Section 2. For purposes of codification of any existing section of the City of Bellevue Code of Ordinances herein amended, words underlined represent additions to the original text, words stricken are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 3. If any section, subsection, sentence, clause, provision or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the City Commission would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 4. The Codifier shall codify the substantive amendments to the Belleview Code of Ordinances contained in Section 1 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 5. Pursuant to Florida Statutes §166.041(4), this Ordinance shall take effect immediately upon adoption.

CERTIFICATE OF ADOPTION AND APPROVAL

The above and foregoing ordinance was duly read and approved upon First Reading by a __ to __ vote of the City Commission of the City of Belleview, Florida, at a Regular Meeting held on the 7th day of May, 2024. Said ordinance was duly read, passed, and adopted upon Final Reading by a __ to __ vote of the City Commission of the City of Belleview, Florida at a Regular Meeting held on the _____ day of May 21, 2024.

For the City:

CHRISTINE K. DOBKOWSKI
Mayor/Commissioner

Attest:

MARIAH MOODY
City Clerk

Approved as to Form and Legal Sufficiency
For the use and Benefit of the City of Belleview Only:

FREDERICK E. LANDT, III
City Attorney

CERTIFICATE OF ADVERTISING

I HEREBY CERTIFY that foregoing Ordinance was advertised for a Public Hearing in
The _____, 2024 edition of the Voice of South Marion in accordance with Florida Statutes.

MARIAH MOODY
City Clerk

Attachment A