

**CITY OF BELLE ISLE, FLORIDA
CITY COUNCIL AGENDA ITEM COVER SHEET**

Meeting Date: August 4, 2026
To: Honorable Mayor and City Council
From: Yolanda Quiceno, City Clerk

Subject: RESOLUTION 26-08 - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, EXEMPTING THE CITY FROM SECTION 50-102(A)(9) OF THE LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

The City Attorney prepared Resolution 26-08 to formally exempt the City from the prohibition on canopy shelters contained in Section 50-102(a)(9) of the Land Development Code, as authorized by Section 41-3 of the City Code. Staff noted that the Code's requirement for an affirmative supermajority vote of the City Council to exempt the City from certain provisions demonstrates that there is not an automatic presumption that the City is immune from its own Code. The resolution establishes a formal Council record recognizing that the City may utilize canopy structures on City-owned property when necessary to protect public safety equipment and support municipal operations. The resolution was prompted after questions from residents regarding the apparent difference between the City's canopy and the prohibition on private residential canopies. The exemption is not intended to create a double standard or treat residents differently but rather recognizes the operational necessity of protecting public safety equipment at a City owned facility. Adoption of the resolution provides clarity for future enforcement questions and documents the City's exemption through formal Council action.

Staff Recommendation: Approval of Resolution 26-08

Suggested Motion: I move to adopt Resolution 26-08 - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, EXEMPTING THE CITY FROM SECTION 50-102(A)(9) OF THE LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE as written

Alternatives: Do not advance
Fiscal Impact: N/A at this time
Attachments: Ordinance 26-08

RESOLUTION 26-08

A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, EXEMPTING CITY FROM SECTION 50-102(A)(9) OF THE LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Belle Isle (the "City") is vested with home rule authority pursuant to Article VII, Section 2 of the Constitution of the State of Florida and Chapter 166, Florida Statutes, to enact ordinances and resolutions; and

WHEREAS, Section 41-3 of the Belle Isle City Code grants the City Council authority to exempt the City from any requirement of the Land Development Code upon an affirmative vote of a supermajority of its members; and

WHEREAS, Section 50-102(a)(9) of the Belle Isle Land Development Code prohibits canopy shelters, which include any fabric structure built in a tent-like manner used as a shelter for the storage of vehicles or equipment, in residential districts; and

WHEREAS, certain departments of the City have facilities located in residential districts and require canopy shelters to protect sensitive equipment used for law enforcement or other public purposes from exposure to the elements, and it is not feasible to place such equipment inside a permanent structure due to the nature of the equipment and the need for potential rapid deployment of such equipment in the interest of public health and safety; and

WHEREAS, the City Council desires to exempt the City from the restrictions of Section 50-102(a)(9) of the Land Development Code and finds such exemption to be in the best interest of the public welfare of the residents of the City of Belle Isle.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA, AS FOLLOWS:

SECTION 1. RECITALS. The foregoing recitals are true and correct and are incorporated in this Resolution by reference.

SECTION 2. EXEMPTION FROM LAND DEVELOPMENT CODE. The City Council hereby exempts the City from Section 50-102(a)(9) of the Belle Isle Land Development Code, as it may be amended from time to time. The City Council also ratifies and authorizes any use of canopy structures by the City prior to the effective date of this Resolution.

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect upon its adoption.

SECTION 4. SEVERABILITY. If any provision of this Resolution or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are declared severable.

ADOPTED by a ____ vote at a regular meeting of the City Commission of the City of Belle Isle, Florida, this ____ day of _____, 2026.

**CITY COMMISSION
CITY OF BELLE ISLE, FLORIDA**

[SEAL]

By: _____
Jason Carson, Mayor

ATTEST:

Yolanda Quiceno, City Clerk

Approved as to form and legality for use and reliance by the City of Belle Isle, Florida only:

Daniel W. Langley, City Attorney

City Manager Work Plan Items:

- FY 26/27 Budget:

The FY 26/27 budget process is in full swing, with the first workshop on August 4.

- RFPs:

Modernize Audio/Visual System – RFP is out

- Review/change City Charter:

It is time to review the city charter. We will start discussions and have workshops to go over possible changes after the budget process.

- Annexation:

The city council has put a future annexation study on hold until after the November 2026 election.

- Stormwater Appropriation – THUD:

We are waiting for an answer on the new appropriation request for FY 2027 – flood mitigation, through Rep. Darren Soto for \$3.6M.

- Judge/Daetwyler Dr. Transportation Grant:

FY 26/27 is the anticipated start of this project. We are discussing whether we need an environmental study.

- Hurricane Ian:

FEMA is going to give us a letter of the findings soon. Hopefully they accept the updated documentation that was submitted by us. We continue to wait...

- Hoffner Ave Traffic Improvements Grant:

The city has the fully executed State Funded Grant Agreement (SFGA agreement) between the city and the Florida Department of Transportation (FDOT). The city has no match money for this project. The new project scope has been submitted. We are waiting for an answer for the new scope's approval.