

ORDINANCE NO. 26-******

AN ORDINANCE OF THE TOWN OF BELLEAIR, FLORIDA, CREATING DIVISION 7. – “EXTERIOR PAINT COLORS” OF ARTICLE III, CHAPTER 74, OF THE LAND DEVELOPMENT CODE REGARDING THE PERMISSIBLE EXTERIOR PAINT COLORS FOR SINGLE-FAMILY RESIDENCES; MAKING RELATED FINDINGS; PROVIDING FOR SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2, of the Florida Constitution, and Chapter 166, Florida Statutes, provide municipalities with the authority to exercise any power for municipal purposes, except as prohibited by law, and to adopt ordinances in furtherance of such authority; and

WHEREAS, Florida courts have held that measures designed to enhance or maintain the aesthetic appeal of a community are a valid exercise of a local government’s police power; and

WHEREAS, the Town of Belleair, Florida, seeks to implement an approved color palette for single-family residences within the Town to provide further clarity and cohesion of home colors;

WHEREAS, the Town now seeks to amend its Land Development Code for such purposes and finds that such changes are in the Town’s best interest.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Belleair, Florida, that:

Section 1. The Land Development Code, Town of Belleair, Florida, is hereby amended by adding a division to be titled “Division 7. – Exterior Paint Colors” of Article III, Chapter 74, which division reads as follows:

DIVISION 7. – EXTERIOR PAINT COLORS

Sec. 74-260. – Permitted Exterior Paint Colors.

(a) Definitions.

(1) Accent color. The color application to any or all single-family dwelling building accents such as exterior window coverings, shutters, doors, and awnings.

(2) Principal building color. The approved color application to all walls of the principal single-family dwelling building and associated accessory structures.

(3) Trim color. The approved color application to any or all single-family dwelling building trim elements such as eaves, soffits, overhangs, cornices, friezes, fascias, windows, sills, brackets, and gutters (if painted).

(b) Paint colors. Single-family dwellings located in the Town shall use a primary exterior paint color selected from the approved color palette on file in the Town's Building Department. Trim colors shall similarly be selected from the approved color palette and must be consistent with the principal building color. Roof materials or painted roof surfaces shall be limited to the following approved colors: [XXXX]. Accent colors shall be complementary to the principal building color and trim color. A paint swatch shall be submitted to the Building Department for approval by the Town Manager or his or her designee. Exterior paint colors existing as of October 1, 2027 may remain but shall not be repainted other than in conformance with this section.

Section 2. Chapter 74, Division 6 of the Land Development Code is hereby amended as follows:

Secs. 74-235—74-260~~59~~. - Reserved

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 Town 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 Belleair Land Development Code contained in Sections 1 and 2 of this Ordinance as provided for therein and shall not codify the exordial clauses or any other sections not designated for codification.

Section 5. Pursuant to Florida Statutes § 166.041(5), this Ordinance shall take effect on October 1, 2027.

ADOPTED ON FIRST READING on the ____ day of _____, 2026, by the Board of Commissioners of the Town of Belleair, Florida.

ADOPTED ON SECOND AND FINAL READING on the ____ day of _____, 2026, by the Board of Commissioners of the Town of Belleair, Florida.

Mike Wilkinson, Mayor

ATTEST:

Christine Nicole, CPM, MMC
Town Clerk