

ORDINANCE NO. 576

AN ORDINANCE OF THE TOWN OF BELLEAIR, FLORIDA, AMENDING SECTION 66-10 (DEFINITIONS) OF CHAPTER 66 (ADMINISTRATION AND GENERAL PROVISIONS) OF THE LAND DEVELOPMENT CODE OF THE TOWN OF BELLEAIR TO INCLUDE A DEFINITION FOR CIRCULAR DRIVEWAY; AMENDING SECTION 74-155 (ACCESS) OF ARTICLE III (DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS) OF CHAPTER 74 (LAND USE REGULATIONS) OF THE LAND DEVELOPMENT CODE OF THE TOWN OF BELLEAIR TO INCREASE THE NUMBER OF ACCESS POINTS TO TWO ALLOWING FOR CIRCULAR DRIVES IN RESIDENTIAL DEVELOPMENTS OF LESS THAN 75 UNITS; AMEND SEPARATION OF ACCESS POINTS TO INCLUDE DEVELOPMENTS OTHER THAN INDIVIDUAL SINGLE-FAMILY DRIVEWAYS, TO PROVIDE THAT THE DISTANCE BETWEEN ACCESS POINTS SHALL NOT APPLY TO INDIVIDUAL CONNECTIONS TO THE RIGHT-OF-WAY ON THE SAME PROPERTY FOR CIRCULAR DRIVEWAYS AND TO INCLUDE A PROVISION FOR WIDTH AND SETBACK OF DRIVEWAYS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, Town staff has reviewed Section 66-10 and recommended adding the definition for circular driveway; and

WHEREAS, Town staff has reviewed Section 74-155 and recommended increasing the number of access points to two allowing for circular drives in residential developments of less than 75 units, amending separation of access points to include developments other than individual single-family driveways, to provide that the distance between access points shall not apply to individual connections to the right-of-way on the same property for circular driveways and to include a provision for width and setback of driveways; and

WHEREAS, the Town Commission finds that the amendments to Section 66-10 and Section 74-155 of the Land Development Code as set forth in this Ordinance are in the best interests of the Town.

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

Section 1. The definition for Circular Driveway shall be added to Section 66-10 (Definitions) of Article I (General Provisions) of Chapter 66 (Administration and General Provisions) of the Land Development Code of the Town of Belleair as follows:

Circular driveway means a one-way driveway which enters and leaves the property at two points along the same frontage.

Section 2. Section 74-155 (Access) of Article III (Development Design and Improvement Standards) of Chapter 74 (Land Use Regulations) of the Land Development Code of the Town of Belleair is hereby amended to read as follows:

Sec. 74-155. Access.

All proposed development shall meet the following standards for vehicular access and circulation:

(1) *Number of access points.*

- a. All projects shall have access to a public right-of-way. The number of access points shall be as follows:

Type of Development	Number of Access Points	Preferred Type of Access
Residential, less than 75 units*	2	Residential or minor collector
Residential, 75 or more units*	2	Minor collector
Nonresidential, less than 300 required parking spaces	1	Collector
Nonresidential, 300 to 999 required parking spaces	2	Major collector
Nonresidential, 1,000 or more required parking spaces	2 or more	Major collector or arterial

*Individual single-family driveway access; where distance from intersecting roadway intersections can be met, circular driveway connections may be allowed.

- b. Notwithstanding the provisions in subsection a. of this subsection:

1. A nonresidential development or a multifamily residential development on a corner lot may be allowed two points of access. However, no more than one access shall be onto an arterial roadway.
2. Schools may have one additional access, provided that the additional access drive is limited to school bus use only.

(2) *Separation of access points.*

- a. The separation between access points, for developments other than individual single-family driveways, onto arterial and collector roadways; or between an access point and an intersection of an arterial or collector roadway with another road, shall be as shown in the following table:

Functional Class of Roadway	Distance Between Access Points *
Major arterial	300 feet
Minor arterial	250 feet
Major collector	185 feet
Minor collector	140 feet

*These distances do not apply to individual connections to the right-of-way on the same property for circular driveways.

- b. The distance between access points shall be measured from the centerline of the proposed driveway or roadway to the centerline of the nearest adjacent roadway or driveway.
- c. Adjacent uses may be required to share a common driveway provided that appropriate access easements are granted between or among the property owners.

(3) Width and setback of driveways.

- a. Driveways for single family dwellings shall be at least ten feet in width.
- b. For single-family dwellings, there shall be one driveway access point per street frontage except for circular driveways.
- c. Driveways for multi-family and nonresidential uses shall be at least 12 feet in width.
- d. No driveway shall exceed 24 feet in width at the property line, nor be located closer than three feet to a side-yard property line unless an agreement for a shared driveway is provided.
- e. Circular driveways beginning and ending at the right-of-way are allowed on all lots provided sufficient maneuvering space is provided and a safety hazard is not created. Circular driveways shall have a maximum of two driveway access points per street frontage, allowing two drives, one being a maximum of 20 feet in width and the other being a maximum of 12 feet in width, totaling not more than 30 feet in width combined at the property line, nor located closer than three feet to a side-yard property line unless an agreement for a shared access driveway is provided.
- f. Driveway flares at the street may be added to the allowable width provided they do not add more than two (2) feet to the width of each driveway, and extend no further than three (3) feet from street entry.

~~(3)~~(4) *Alternative designs.* Where natural features, the previous development pattern and provisions for access, or spacing of existing driveways and roadways cause the access requirements set out in subsections (1), ~~(2)~~, and ~~(2)~~ (3) of this section to be physically or legally infeasible, alternate designs may be approved by the town commission only as a function of their approval of a site development plan.

~~(4)~~(5) *Access to residential lots; access to nonresidential uses not to be through residential areas.*

- a. Access to nonresidential uses shall not be through an area designed, approved or developed for residential use.
- b. All lots in a proposed residential subdivision shall have frontage on and access from an existing street meeting the requirements of this land development code.
- c. Access to all lots in a proposed residential subdivision shall be by way of a residential street.

Section 3. Ordinances or parts of ordinances in conflict herewith to the extent that such conflict exists are hereby repealed.

Section 4. For purposes of codification of any existing section of the Code of Ordinances, Town of Belleair, herein amended, words **underlined** represent additions to original text, words **~~stricken~~** are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 5. 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 6. The Codifier shall codify the substantive amendments to the Code of Ordinances, Town of Belleair, contained in Sections 1 and 2 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 7. This Ordinance shall be effective immediately upon its passage and adoption.

ADOPTED ON FIRST READING by the Town Commission of the Town of Belleair, Florida, at the meeting held on the **13th** day of **August, 2024**.

PUBLISHED on the **4th** day of **September, 2024**.

PASSED AND ADOPTED ON SECOND READING by the Town Commission of the Town of Belleair, Florida, at the meeting held on the **17th** day of **September, 2024**.

Michael Wilkinson, Mayor

ATTEST:

Christine Nicole, CPM, MMC, Town Clerk