



PLANNING COMMISSION MEETING AGENDA

Monday, November 06, 2023 at 6:00 PM
Commission Chambers, 300 Municipal Drive,
Madeira Beach, FL 33708

Meetings will be televised on Spectrum Channel 640 and YouTube Streamed on the City's Website.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PUBLIC COMMENT**

Public participation is encouraged. If you are addressing the Planning Commission, step to the podium and state your name and address for the record. Please limit your comments to three (3) minutes and do not include any topic that is on the agenda.

Public comment on agenda items will be allowed when they come up.

For any quasi-judicial hearings that might be on the agenda, an affected person may become a party to this proceeding and can be entitled to present evidence at the hearing including the sworn testimony of witnesses and relevant exhibits and other documentary evidence and to cross-examine all witnesses by filing a notice of intent to be a party with the Community Development Director, not less than five days prior to the hearing.

4. **APPROVAL OF MINUTES**

A. July 10, 2023 Minutes

B. September 11, 2023 Minutes

5. **NEW BUSINESS**

A. Ordinance 2023-21 Dune Protection and Beach Debris

B. Ordinance 2023-33 Amendment to Capital Improvement Element of Comprehensive Plan

C. 2024 Planning Commission Schedule

6. **OLD BUSINESS**

7. ADMINISTRATIVE/STAFF PRESENTATION

A. Enclosed and Open Accessory Structures

8. PLANNING COMMISSION DISCUSSION

9. NEXT MEETING

Next meeting is scheduled for Monday, December 4, 2023 at 6:00 p.m.

10. INFORMATIONAL MATERIALS

11. ADJOURNMENT

One or more Elected or Appointed Officials may be in attendance.

Any person who decides to appeal any decision of the Planning Commission with respect to any matter considered at this meeting will need a record of the proceedings and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The law does not require the minutes to be transcribed verbatim; therefore, the applicant must make the necessary arrangements with a private reporter or private reporting firm and bear the resulting expense. In accordance with the Americans with Disability Act and F.S. 286.26; any person with a disability requiring reasonable accommodation to participate in this meeting should call Jenny Rowan, Community Development Director at 727-391-9951, ext. 255 or fax a written request to 727-399-1131.

**THE CITY OF MADEIRA BEACH, FLORIDA
LOCAL PLANNING AGENCY / PLANNING COMMISSION**

Madeira Beach City Hall, Patricia Shontz Commission Chambers
300 Municipal Drive, Madeira Beach, FL 33708
www.madeirabeachfl.gov | 727.391.9951

July 10, 2023 - MINUTES

1. **CALL TO ORDER** Chairman Wyckoff called the meeting to order at 6:00 PM

2. **ROLL CALL**

Members in Attendance:

Chairman Wyckoff	Commissioner LaRue
Commissioner Meager	Commissioner Ghovae
Commissioner Dillon	Commissioner Connolly
Commissioner Noble	

Members Absent:

None

Staff Representatives:

Jenny Rowan, Community Development Director
Marci Forbes, Community Development Engineer
Andrew Morris, Long Range Planner
Lisa Scheuermann, Program Coordinator/Board Secretary

3. **PUBLIC COMMENTS**

Chairman Wyckoff opened the floor to public comment on any topics not related to the agenda.

No residents came forward.

4. **APPROVAL OF MINUTES**

Commissioner Dillon made a motion to accept the minutes from the June 5 meeting.

Commissioner Ghovae seconded the motion, and the motion passed unanimously.

The motion passed unanimously.

5. **NEW BUSINESS**

A. Vote on Second Vice Chair

Commissioner Dillon nominated Commissioner Connolly for Second Vice Chair.

All other commissioners voted Aye.

Commissioner Connolly was elected Second Vice Chair.

6. Old Business:

There was no old business.

7. ADMINISTRATIVE/STAFF PRESENTATION

A. Land Use Consistency with Forward Pinellas:

Jenny Rowan presented land use and talked about the 6/17/2023 public meeting. There was a PowerPoint presentation. The focus was on the Resort Category. Packets were on the Dias and Forward Pinellas sent a letter with comments stating that it should be in a matrix format.

Commissioner Ghovae had questions regarding temporary lodging and Alternative Temporary lodging Ms. Rowan clarified and explained the difference between Forward Pinellas and Madeira Beach maximum allowed.

It was stated that a DA would be needed in order to go higher than the county recommendations.

Commissioner LaRue asked a question regarding definition or zones. Will – C zones still be valid with the new definition. Chairman Wyckoff stated that it would be defined as adding subcategories withing existing zones.

Discussion on FAR with county vs. Madeira Beach in commercial areas followed.

Commissioner Ghovae asked for clarification between Resort Facility and Vacation Rental for overnight. He wanted a specific definition. A discussion of condo/hotel definitions followed.

The discussion turned to future land use map. Clarification was offered by Ms. Rowan.

The discussion continued regarding getting the Comp Plan ready to go to BOC in August. Ms. Rowan emphasized that the definition is only for densities, and nothing else.

Commissioner Ghovaee requested a vote before further discussion with Forward Pinellas because he wanted a clearer definition. Andrew Morris clarified with zoning will not change., R-2 and R-1 will not change but they do have a few places that are grandfathered in.

Commissioner Dillon confirmed that the red parts on the map will be change and the changes will be voted on at the next meeting.

Chairman Wyckoff moved the meeting on to item B.

B. Shade Structures:

Marci Forbes presented shade Structures. Madeira Beach wants other definitions and permitting requirements, and went over questions we should consider to be a shade structure and the impact on Female

Chairman Wyckoff asked if we can allow public discussion. The commission agreed and the floor was opened up to public comment.

Resident Christina came to the podium with a petition and passed it out.

Resident Jason loves living on the water but his house faces west. It's very hot and windy and he would like to have shade.

Mayor Rosteck came to the podium and referenced Cape Coral code and reminded commissioner Dillon of a discussion that they had been having by email.

Commissioner Dillon suggested the if a resident wanted to have a shade structure, maybe they should get permission from their neighbors like people have to do with their docks.

Discussion continued on research. The reason to present it is open to discussion. It was stated that the Government sets heights such as hurricane standards and visibility triangles. Some people that want shade structures are on the water and some aren't.

Discussion continued, covering with residents are entitled to, including whether or not a homeowner that does not own property on the water are entitled to a view, and whether they are in compliance with FEMA requirements.

Impervious Surface Ratio came up regarding sidewalks and Commissioner Dillon wanted to define "building" as sometimes a sidewalk can fall under the definition of building.

Commissioner LaRue would like to know how to fit this in to a code that complies with CSR and ISR. – Would like to have something substantial to analyze like a draft that would show it all clearly.

Another resident came to the podium and talked about Cheekie huts inside v. outside.

Commissioner LaRue would like two definitions. One for Cheekies and one for Shade Structures”.

The commission took a five-minute break.

C. 2.5 Foot Setbacks to Allow Vegetation Control:

Marci Forbes presented, using a Power Point presentation with images that show 2.5 foot setbacks in a few different circumstances.

Commissioner Ghovae suggested a landscape buffer of five feet.

Discussion followed on the definition of structure. It was mentioned that we need to clear up definitions to include pervious surfaces, and continued on regarding how this would be defined in code. Mayor Rostek approached the podium and talked about the definition of structure and questioned whether 2.5 pavers would be ADA compliant.

Discussion about sidewalk and perhaps doing away with 2.5 pavers continued.

8. NEXT MEETING

Next meeting is scheduled for Monday August 7, 2023, at 6:00 PM.

9. ADJOURNMENT

Commissioner Wyckoff adjourned the meeting at 8:05 PM.

Respectfully submitted:

Michael Wyckoff, Chairman

Date

Lisa Scheuermann, Board Secretary

Date

THE CITY OF MADEIRA BEACH, FLORIDA
LOCAL PLANNING AGENCY / PLANNING COMMISSION
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September 11, 2023 - MINUTES

1. CALL TO ORDER

Chairman Wyckoff called the meeting to order at 6:02 PM

2. ROLL CALL

Members in Attendance:

Chairman Wyckoff	Commissioner LaRue
Commissioner Meager	Commissioner Ghovae
Commissioner Dillon	Commissioner Connolly

Members Absent:

Commissioner Noble

Staff Representatives:

Jenny Rowan, Community Development Director
Marci Forbes, Community Development Engineer
Andrew Morris, Long Range Planner
Lisa Scheuermann, Program Coordinator/Board Secretary

3. PUBLIC COMMENTS

Chairman Wyckoff opened the floor to public comment on any topics not related to the agenda.

No residents came forward.

4. APPROVAL OF MINUTES

Minutes from the July meeting have not yet been completed.

5. NEW BUSINESS

A. Ordinance 2023-19 Definitions to be consistent with Forward Pinellas

The amendment was ready by Nancy Meyer, Esq.

A PowerPoint with items A through G was presented by Jenny Rowan.

Question by Wykoff regarding changes to Development Agreement. JR explained where we are inconsistent with Alternative Temporary Lodging.

Commissioner Ghovae asked why Madeira Beach Intensities and Densities were higher than Forward Pinellas, specifically, was it a previous mistake. Jenny Rowan answered: Yes.

Commissioner Wykoff asked what the downstream affects would be, JR responded that we are reducing by right, but a DA would be needed in the future.

Commissioner Dillon asked if the city is required to comply with Forward Pinellas. JR responded "Yes." She further explained that we can't be greater, but we can be less or equal.

Discussion followed and it was stated that Development Agreements do not allow exceptions to county requirements. Comprehensive Plan is the cap, and it can't be exceeded.

Commissioner Connelly asked if it is possible to go back and, in a few years, and find that we can increase something. JR said you can, or you can ask the country for a land use change.

Commissioner Ghovae asked if we give credit for wetlands. Ms. Rowan responded saying that Madeira Beach does not have wetlands, just Bird Key and that is preservation land and is not allowed to be developed.

Commissioner Dillon made the motion to Approve 2023-19 to be consistent with Forward Pinellas and Recommend approval to the Board of Commissioners.

Commissioner Connolly seconded the motion.

The motion passed unanimously.

B. Ordinance 2023-22 Future Land Use Element to be consistent with Forward Pinellas

Nancy Meyers, Esq. read the definition.

Jenny Rowan presented.

Discussion followed regarding Floor Area Ratio and Density in residential areas vs. commercial and mixed-use areas. Commissioner Ghovae offered density calculations. Commissioner Larue commented regarding differences. Chairman Wykoff said that Madeira Beach is different from other cities; and noted that it's hard to comply with county and may result in unintended consequences. Ms. Rowan said if standards don't work in the future, we could ask the county for a land use change.

Attorney Meyer referenced code for non-conforming use.

Commissioner Dillon asked a question regarding Town Center. Ms. Rowan stated that nothing in Town Center is changing. Dillon replied that he thinks Town Center is too dense.

The discussion went to temporary lodging units per acre and size limits per acre and Ms. Rowan stated the Town Center used a PD and DA, stressing that nothing is changing, and this is just a reformatting to a matrix, only a formatting change.

Andrew Morris explained.

Commissioner Meagher asked what would happen if we didn't pass the ordinance. Ms. Rowan replied that she doesn't know. Andrew Morris noted that the county would reference noncompliance every single time we ask for something.

Nancy noted that there may be a provision for a consequence or league action such as a fine if we aren't compliant.

Our densities are significantly lower than county standards. Places like the Barefoot Beach club are 60 and the county allows 125.

Commissioner Ghouvae asked if we reduce density and intensity would we have to address nonconforming and had a question re: resort facility vs. Temporary Alternative Lodging and hotel vs. resort would reduce units per acre by size and amenities. How big can a hotel unit be and still be considered a resort.

Dillon stated that descriptions are defined in the DA.

Discussion followed covering whether the language should be changed to say equal or lesser than Forward Pinellas.

Nancy clarified that consistent doesn't mean identical.

Chairman Wykoff asked if anyone in the audience would like to participate.

No one came forward.

Commissioner Dillon made the motion to Approve 2023-22 to be consistent with Forward Pinellas and Recommend approval to the Board of Commissioners.

Commissioner Ghouvae seconded the motion.

The motion passed unanimously.

C. Ordinance 2023-26: R-3 Medium Density Multifamily Residential Zoning District to be consistent with the Countywide Plan

Nancy Meyer read the definitions of 2023-26.

Ms. Rowan presented, noting that 2023-26 through 2023-30 are all similar. We are adding language to zoning. Density is not changing.

Commissioner Ghovae asked if we are modifying zoning. Ms. Rowan replied that we are only changing some terminology.

Commissioner Dillon asked what defines a multifamily. Nancy Meyer referred to section 82.2 for the definition. Three or more units is already in code. Basically, it's 18 units per acre. Discussion followed regarding DFE=BFE + four feet.

Commissioner Connolly asked why we are lower than county, stressing that if we were equal to county, tax revenue would be higher.

Ms. Rowan stated that alt tempory would be done via DA.

Discussion followed among the commissioners regarding beautification of parks, UPA, scale, and character of the area and future opportunities for larger UPA in more commercial areas.

A typo was noted to change 30 from gross to net for motions.

Chairman Wykoff asked if anyone in the audience would like to participate.

No one came forward.

Commissioner Dillon made the motion to Approve 2023-26 to be consistent with Forward Pinellas and Recommend approval to the Board of Commissioners with a word change on page 30 to state net land instead of gross.

Commissioner LaRue seconded.

The motion passed unanimously.

D. 2023-27: C-1 Tourist Commercial Zoning District to be consistent with the Countywide Plan

Nancy Meyer read the definition.

Ms. Rowan presented, stating that this is very similar to the other ones.

Discussion of the ordinance followed.

Commissioner LaRue made the motion to Approve 2023-27 to be consistent with Forward Pinellas and Recommend approval to the Board of Commissioners.

Commissioner Connolly seconded.

The motion passed unanimously.

E. Ordinance 2023-28: C-2 John's Pass Marine Commercial Zoning District to be consistent with the Countywide Plan

Nancy Meyer read the definition.

Ms. Rowan said this is imputing the definitions we talked about previously. Some discussion followed.

Chairman Wykoff asked if anyone in the audience would like to participate. No one came forward.

Commissioner LaRue made the motion to Approve 2023-28 to be consistent with Forward Pinellas and Recommend approval to the Board of Commissioners.

Commissioner Dillon seconded.

The motion passed unanimously.

F. Ordinance 2023-29: C-3 Retail Commercial Zoning District to be consistent with the Countywide Plan

Nancy Meyer read the definition. Ms. Rowan stated that this is about inputting new definitions and talked about including by-right and UPA and Alt temp lodging.

Discussion followed clarifying that like the others, it's a language change.

Commissioner LaRue made the motion to Approve 2023-29 to be consistent with Forward Pinellas and Recommend approval to the Board of Commissioners.

Commissioner Magher seconded.

The motion passed unanimously.

G. Ordinance 2023-30: C-4 Marine Commercial Zoning District to be consistent with the Countywide Plan

Nancy Meyer read the definition. Ms. Rowan said it's very similar to the others. Commissioner Dillon asked about the location so the C-4 areas. Ms. Rowan pointed them out on the map.

Chairman Wykoff asked if anyone in the audience would like to participate.

Mayor Rostek came forward, stating that he had been waiting for this one all night. He spoke about a problem property that has been going on for 18drug activity and to protective measure for ttresidenbts from the noise.

He made a case for his personal home and the noise that comes from the working waterfront.

He would like to have protective measures for the residents. The noise is very bothersome to him, at his home from the ice machine. He suggested limiting their **hours** of operation. He stressed that the noise from the Fishbusterz facility is a problem at all times, including when he is walking his dog.

Discussion from the commissioners followed, noting how it might be dealt with, even though it is not in the purview of the Planning Commission.

It was mentioned that the language could be added to the 2023-30 with the caveat that it goes to the BOC for them to decide on, since this is a code issue.

Ms. Rowan stated that the ordinance at hand is only about consistency with the county.

Discussion followed about how the Planning Commission might help the mayor with land development regulations in the future.

Nancy Meyer explained how it might be added to 2023-30 as it is sent to the BOC and mentioned that this is not the right spot to address the issue, but it can be sent to the BOC for them to decide.

Commissioner Connolly brought up live-aboard vessels. Ms. Rowan stated that it is not in this section.

The discussion continued.

Commissioner Ghovae asked for clarification about what the ordinance is actually covering, and made a motion to Approve 2023-30 to be consistent with Forward Pinellas and Recommend approval to the Board of Commissioners.

Commissioner LaRue seconded the motion.

The motion passed unanimously.

OLD BUSINESS:

There was no old business.

STAFF PRESENTATION:

There was no staff presentation.

Attorney Nancy Meyer said that she is not able to locate the answer to the question “what if we don’t want to be consistent with the county” and will speak with Mr. Trask and provide an answer to the Commission at a later date.

6. NEXT MEETING

Next meeting is scheduled for Monday October 2, 2023, at 6:00 PM.

7. ADJOURNMENT

Commissioner Wyckoff adjourned the meeting at 8:40 PM.

Respectfully submitted:

Michael Wyckoff, Chairman

Date

Lisa Scheuermann, Board Secretary

Date



Memorandum

Meeting Details: November 06, 2023, Planning Commission

Prepared For: Planning Commission

From: Community Development Department

Subject: Ordinance 2023-21 Dune Protection and Beach Debris

Background: The Madeira Beach Code of Ordinances Chapter 42, Article III, Beach Debris does not allow enforcement of camping, removal, or disturbance of the dune systems, and does not address commercial property on the beach.

Discussion: The Pinellas County Sheriff Office deputies discussed with staff that there is no provision in the Code that allows them to enforce the disturbance of the dune systems, camping near the dunes, or commercial property on the beach. There have been false crawls and disturbances to nesting sea turtles due to commercial property not being put up during the night. The deputies have discussed this with code enforcement in St Pete Beach and recommend adopting similar language from the St Pete Beach Land Development Code into the Madeira Beach Code of Ordinances.

Fiscal Impact: N/A.

Recommendation(s): Staff recommends amending the Madeira Beach Code of Ordinances to include similar language to St Pete Beach's Land Development Code to better equip the deputies to protect the important dune system and marine wildlife.

Attachments:

- Ordinance 2023-21 Dune Protection and Beach Debris
- St Pete Beach Land Development Code Sec. 25-5 Prohibitions
- FWC Marine Turtle Obstructed Nesting Attempt Report

ORDINANCE 2023-21

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING ARTICLE III (BEACH DEBRIS) OF CHAPTER 42 (OFFENSES AND MISCELLANEOUS PROVISIONS) OF THE MADEIRA BEACH CODE OF ORDINANCES TO AMEND THE PURPOSE TO INCLUDE COMMERCIAL PROPERTY; INCLUDE COMMERCIAL PROPERTY IN THE DEFINITIONS; ADD COMMERCIAL PROPERTY AND PROVISION RELATING TO BLOCKING PATHWAYS TO OBSTRUCTIONS ON THE BEACH PROVISION; REQUIRE PROPERTY TO BE STORED INSIDE DURING A NAMED STORM EVENT; INCLUDE COMMERCIAL PROPERTY IN LEAVE NO TRACE INFORMATIONAL SIGNS IN RENTAL UNITS; ADD PROHIBITION REGARDING CROSSING DUNES AND THE REMOVAL OF VEGETATION ON DUNES; PROVIDING FOR CONFLICT, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City Staff and Pinellas County Sheriffs Office Deputies from the Community Policing Unit have reviewed the current provisions of Article III (Beach Debris) of Chapter 42 (Offenses and Miscellaneous Provisions) of the Madeira Beach Code of Ordinances and have recommended changes to the same; and

WHEREAS, the recommended changes were presented to and reviewed by the Planning Commission at a public hearing; and

WHEREAS, the Planning Commission has recommended approval of the proposed changes; and

WHEREAS, the recommendations of staff have been found meritorious by the Board of Commissioners; and

WHEREAS, the Board of Commissioners has received input from the public at two public hearings.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, AS FOLLOWS:

Section 1. That Article III (Beach Debris) of Chapter 42 (Offenses and Miscellaneous Provisions) of the Land Development Code of the City of Madeira Beach, Florida, is hereby amended to read as follows:

ARTICLE III. BEACH DEBRIS

Sec. 42-30. Purpose.

The purpose of this article is to ensure the public beach and beach access areas of the city remain free from obstruction of any item of personal **or commercial** property in order to protect public ingress, egress and use, to promote public safety, protect citizens and visitors of city beaches, maintain a safe, welcoming and healthy beach and recreation environment, preserve the natural resource that are the city's public beaches and to protect endangered sea turtles.

(Ord. No. 2016-03, § 1, 4-12-16)

Sec. 42-31. Definitions.

Public beach means all beaches within the city. The public beaches are limited to and means that area of unconsolidated material within the city that extends landward from the mean low-water line of the United States Gulf of Mexico to the frontal dune, or where there is no frontal dune to the line of permanent vegetation or construction, whichever is more seaward.

Public beach access areas means those public beach access points within the city, including boardwalks, walkways and dedicated parking areas and the areas on the public beach beginning at the entrance of the beach access point perpendicular with the applicable road right of way to the water's edge.

Camping means the construction or erection of a shelter or similar structure for the purpose of sleeping; or lying upon the beach on a bedroll, blanket or other protective garb for the purpose of sleeping.

Dune means a mound, bluff or ridge of loose sediment, usually sand-sized sediment, lying upland of the beach and deposited by any natural or artificial mechanism, which may be bare or covered by vegetation and is subject to fluctuations in configuration and location. In the absence of a discernable dune, the seaward boundary of a dune will be deemed to be the line of native vegetation.

*Personal **or commercial** property* means all types of personal **or commercial** property used for swimming, sunbathing or beach recreation, including but not limited to tents (including tent frames), canopies, cabanas, umbrellas and other shading devices, beach chairs, hammocks, picnic tables and other furniture, volleyball nets, coolers, clothing, toys, towels, fishing poles or equipment, kayaks, canoes, catamarans, floats, sailboats, surfboards, kites, jet skis, sailboats, water cycles and other watercraft.

(Ord. No. 2016-03, § 1, 4-12-16)

Sec. 42-32. Obstructions on the beach.

- (a) It shall be unlawful for any person to leave an item of personal or commercial property unattended on the public beaches or within the public beach access areas between the one hour after sunset and sunrise of the following day, except as otherwise permitted by section 42-33.
- (b) Any item of personal or commercial property left on the public beach or within the public beach access area in violation of this article shall be deemed discarded by the owner and shall become the property of the city.
- (c) In the confiscation of any item under this section, the city's designated agency or officer is hereby authorized and directed to forthwith dispose of the property in accordance with directions of the city manager.
- (d) Unattended or abandoned items of personal or commercial property, and unattended unfilled holes in the public beach are in violation of this article and shall be deemed a public nuisance.
- (e) It shall be unlawful to block or cause to be blocked, by any means whatsoever, any pathway leading to or from a public beach.

(Ord. No. 2016-03, § 1, 4-12-16)

Sec. 42-33. Exceptions.

From one hour after sunset and sunrise of the following day, items of personal or commercial property that are relocated as close to (but not on) the dune or native vegetation, or where there are no dunes or native vegetation as close as practicable to an existing permanent structure or the line of buildings, will not be considered discarded by the owner, abandoned or in violation of this article, provided:

- (a) Such items shall not be placed on the dune or on native vegetation; and
- (b) Such items shall be stored in a neat and orderly manner; and
- (c) Such items shall not inhibit access to the public beach from the nearest public access area, nor obstruct access on the public beach, nor impact native vegetation, nor significantly affect sea turtles; and
- (d) Private property owners may store items under or adjacent to their private dune walkovers or boardwalks; and
- (e) Items shall not be placed on any public beach access point or within 20 feet of any trash receptacle; and
- (f) Items shall be stored inside a building during a named storm event such as a tropical storm or hurricane.

(Ord. No. 2016-03, § 1, 4-12-16)

Sec. 42-34. Digging holes on the beach.

It shall be required that all holes dug on the beach are to be attended at all times and shall be completely filled and restored to their original level condition prior to leaving the beach the same day it is created.

(Ord. No. 2016-03, § 1, 4-12-16)

Sec. 42-35. Camping.

It shall be unlawful to camp overnight on public beaches in the city.

(Ord. No. 2016-03, § 1, 4-12-16)

Sec. 42-36. Notice.

The city shall provide notice of this article by posting a permanent sign located at the entry of every public beach access point.

(Ord. No. 2016-03, § 1, 4-12-16)

Sec. 42-37. Leave no trace informational signs in rental units.

In each rental unit rented by the day or week, or longer period, within the city, there shall be posted or placed in a plainly legible fashion, in a conspicuous place in each rental unit for each occupancy, a sign in form and substance approved by the city manager that explains the "Madeira Beach Leave No Trace Ordinance" prohibiting tents and personal or commercial property on the public beach at night; and other most notable regulations that include:

- (a) Warning beachgoers that any unattended tents or property left on the public beach at night shall be deemed discarded by the owners and become the property of the city and may be removed and disposed of by the appropriate authority.
- (b) All holes on the beach are to be filled in the same day they are created.
- (c) Camping, bonfire and glass regulations.
- (d) Breach of the peace, sound restrictions and disorderly conduct.

(Ord. No. 2016-03, § 1, 4-12-16)

Sec. 42-38. Sand Dune Protection.

- (a) It shall be unlawful for any person or vehicle to cross, pass over or pass through any sand dune except where such crossing is marked for access.
- (b) The removal or disturbance of vegetation of a dune is prohibited and is in violation of this article. Planting of vegetation on the beach or dune must be suitable for beach and dune stabilization as required in Chapter 106 of the Code of Ordinances..

Sec. 42-~~38~~39. Enforcement.

- (a) The city is authorized to enforce this article and may follow the established procedures and schedule of violations and penalties set forth below to be assessed by law enforcement officials and code enforcement officials through its county court.
- (b) Violation of any provision of this article shall be subject to the following penalties:
 - i. First violation: \$100.00 fine.
 - ii. Second violation: \$200.00 fine.
 - iii. Third violation: Fine not to exceed \$500.00 pursuant to F.S. § 162.22.
- (c) Each violation of this article shall constitute a separate offense. In the initial stages and implementation of this article (implementation period not to exceed July 1, 2016), code enforcement officials may provide violators with no more than one written warning.
- (d) The city shall reserve its rights to such civil remedies in law and equity as may be necessary to ensure compliance with the provisions of this article, including but not limited to injunctive relief to enjoin and restrain any person from violating the provisions of this article and to recover such damages as may be incurred by the implementation of specific corrective actions.

(Ord. No. 2016-03, § 1, 4-12-16)

~~Sec. 42-39. Reserved.~~

Section 2. For purposes of codification of any existing section of the Madeira Beach Code 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 3. Ordinances or parts of ordinances in conflict herewith to the extent that such conflict exists are hereby repealed.

Section 4. In the event a court of competent jurisdiction finds any part or provision of the Ordinance unconstitutional or unenforceable as a matter of law, the same shall be stricken and the remainder of the Ordinance shall continue in full force and effect.

Section 5. The Codifier shall codify the substantive amendments to the Land Development Code of the City of Madeira Beach 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 6. Pursuant to Florida Statutes §166.041(4), this Ordinance shall take effect immediately upon adoption.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THIS _____ day of _____, 2024.

James "Jim" Rostek, Mayor

ATTEST:

Clara VanBlargan, MMC, MSM, City Clerk

APPROVED AS TO FORM:

Thomas J. Trask, City Attorney

PASSED ON FIRST READING: _____

PUBLISHED: _____

PASSED ON SECOND READING: _____

DIVISION 25 COASTAL PROTECTION AND CONSERVATION

Sec. 25.1. Purpose and intent.

This section is intended to provide for the protection and enhancement of the beach and dune system along the Gulf of Mexico by regulating the location of development on or adjacent to these natural resources and, to the fullest possible extent, to achieve a continuous and uninterrupted frontal dune along the entire Gulf of Mexico beachfront.

(Ord. No. 03-7, § 3, 5-1-03)

Sec. 25.2. Matters regulated.

The requirements of this section shall apply to all development of Gulf-front properties unless specifically exempted in section 25.3.

(Ord. No. 03-7, § 3, 5-1-03)

Sec. 25.3. Exemptions.

The following shall be exempt from the provisions of this section:

- (a) Structures or construction extending seaward of the mean high-water line which are regulated by F.S. § 161.041, such as groins, jetties, moles, breakwaters, seawalls, revetments, beach nourishment, inlet dredging, and like kinds of projects;
- (b) Piers, pipelines or outfalls which are regulated pursuant to the provisions of F.S. § 161.053;
- (c) Fencing or other structures approved by the state, county or city used to assist in sand erosion control or control of pedestrian beach use of dunes areas;
- (d) Gulf-front property which has been designated as a "critically eroded beach area" and has come within the jurisdiction of the county or the Florida Department of Environmental Protection; and
- (e) The following activities, provided that any such activity performed by private individuals shall require a permit from the city:
 - (1) The operation of city government vehicles performing an official function;
 - (2) Non-mechanical beach cleaning and debris removal;
 - (3) Landscape maintenance and modification that does not involve dune vegetation or removal of sand or dirt from the beach/dune system;
 - (4) Remodeling of habitable and non-habitable structures that does not involve alteration of the foundation, footprint, or structural envelope; or
 - (5) Replacement of impervious pavement with permeable surfaces such as pavers or crushed shell on a permeable base.

(Ord. No. 03-7, § 3, 5-1-03)

Sec. 25.4. Development controls.

The city, the State of Florida and Pinellas County have adopted construction control lines and other regulations to protect the beaches and dunes of Pinellas County, including those within the City of St. Pete Beach, as follows:

- (a) *St. Pete Beach Bulkhead Line.* There is established a beach bulkhead line, as provided by the official bulkhead line map, such map having been adopted and made part of this section by reference.
- (b) *Florida Coastal Construction Control Line.* The State of Florida has established a Coastal Construction Control Line (CCCL) in accordance with Section 161.053, Florida Statutes, that is administered by the Florida Department of Environmental Protection.

(Ord. No. 03-7, § 3, 5-1-03; Ord. No. 2012-14, § 1(Exh. A), 9-12-12)

Sec. 25.5. Prohibitions.

- (a) Reserved.
- (b) No person, municipality, county or other public or private agency shall develop or cause any development seaward of the CCCL without a permit from the Florida Department of Environmental Protection.
- (c) Further, no person, municipality, county or other public agency shall develop or cause any development or construct any seawall, revetment, or similar structure incidental thereto within the submerged lands of the Boca Ciega Bay and adjacent waters without a permit from any and all governmental agencies having jurisdiction over the submerged land.
- (d) **Except as otherwise provided in this section, the following shall be prohibited:**
 - (1) The removal or disturbance of vegetation of a dune;
 - (2) Planting of vegetation except for native, salt-resistant species suitable for beach and dune stabilization;
 - (3) The crossing, passing over or passing through any dune by any person or vehicle, except in where such crossing is marked for access pursuant to this section; or
 - (4) Blocking or causing to be blocked by any means whatsoever any pathway leading to or from a public beach.

(Ord. No. 03-7, § 3, 5-1-03; Ord. No. 2012-14, § 1(Exh. A), 9-12-12)

Sec. 25.6. Tiki huts.

- (a) The city may permit the location of a tiki hut on the beach in accordance with the following:
 - (1) Tiki huts shall be allowed only in conjunction with the approval of the owner of the property upon which the tiki hut will be located. No tiki hut shall have utility services, shall serve food or drinks, or shall be used for any other service beyond the sales of services for an approved commercial water sports operation.
 - (2) Tiki huts shall be removed from the beach in the event of the issuance of a warning for a storm that, in the opinion of the city, is expected to be of sufficient strength to warrant such removal.
 - (3) Any tiki hut or other similar structure placed or erected on the beach after the adoption of this Code without a permit from the city shall in violation of this Code and all remedies shall be sought in accordance with the provisions of section 3.16 of this Code.

(Ord. No. 03-7, § 3, 5-1-03; Ord. No. 2012-14, § 1(Exh. A), 9-12-12; Ord. No. 2016-15, § 2, 10-25-16)

Sec. 25.7. Dune preservation and enhancement.

In accordance with F.S. Ch. 161, the St. Pete Beach Comprehensive Plan and this Code, dunes along the Gulf of Mexico with the city shall be protected, and such dunes will be enhanced under the provisions herein.

(Ord. No. 03-7, § 3, 5-1-03)

Sec. 25.8. Development requirements.

- (a) Development on any Gulf-front property upon which no dune exists shall require the construction of a dune which shall be designed and constructed in accordance with the requirements of the Florida Department of Environmental Protection prior to the issuance of a certificate of occupancy.
- (b) Applicants for development on any Gulf-front property which has an existing dune and where such proposed development would alter any portion of the dune shall be required to file a plan in accordance with the requirements of the Florida Department of Environmental Protection for dune restoration. The restoration of the dune shall be completed prior to the issuance of a certificate of occupancy.

(Ord. No. 03-7, § 3, 5-1-03)

Sec. 25.9. Permit required.

- (a) *Dunes.* In no instance shall any person, municipality, county or other public or private agency excavate or otherwise cause damage to a dune or conduct or cause to be conducted any activity to improve or enhance a dune without obtaining the necessary permits from the Florida Department of Environmental Protection and the city.
- (b) *Other non-exempt activities.* All other non-exempt activities, including construction, excavation, fill placement, repair of shore protection structures, and other activities seaward of the coastal construction setback line and activities that would alter the topography or disturb the vegetation of the beach/dune system, including vehicular traffic relating thereto, are required to obtain a permit from both the Florida Department of Environmental Protection and the city.

(Ord. No. 03-7, § 3, 5-1-03)

Sec. 25.10. Permitting procedures.

- (a) *Development.* Applications for development of Gulf-front properties, including any proposed development activity regulated under this section, shall be required to submit a site plan in accordance with Division 5 of this Code. Prior to the issuance of any development order or other permit, the applicant shall provide copies of all required county and state permits.
- (b) *Other activities.* Applications for non-development activities enumerated in section 25.3 shall be filed with the city manager for administrative approval.

(Ord. No. 03-7, § 3, 5-1-03; Ord. No. 2012-14, § 1(Exh. A), 9-12-12)

Sec. 25.11. Variances.

Variances to this section may be sought under the procedures of section 3.13 of this Code.
(Ord. No. 03-7, § 3, 5-1-03)

FWC MARINE TURTLE OBSTRUCTED NESTING ATTEMPT (ONA) REPORT FORM

If you have any questions please contact FWC at the Tequesta Field Laboratory (561) 575-5407
Fax reports to: (561) 743-6228 or Email reports to: SeaTurtleLighting@MyFWC.com
Send reports to: ONA Reports, FWC, 19100 SE Federal Highway, Tequesta, FL 33469

Turtle Permit #: 013 Date of Incident: 5/13/2023
 Observer's Name: Julie Warburton
 Telephone (include area code): (727) 441-1790 E-mail address: lflynn@cmaquarium.org
 Species: Loggerhead Green Leatherback Other: _____

Crawl resulted in: Nest False Crawl
 Location of nest or false crawl (address, beach name and/or nearest landmark): 13536 Gulf Blvd

GPS Coordinates of nest or false crawl location:
(in the WGS projection in decimal degrees i.e., Lat 26.845412 Long -80.458796):
 Latitude 27.79082 Longitude -82.78986
 City: Madeira Beach County: Pinellas
 Local nest ID#: FC8 Zone nest/false crawl was located in: None

Obstruction(s) encountered: (select all that apply)

<input type="checkbox"/> Beach furniture	<input type="checkbox"/> Dune Crossover	<input type="checkbox"/> Nest Marking Materials	<input type="checkbox"/> Sand Fencing
<input type="checkbox"/> Boat	<input type="checkbox"/> Groins	<input type="checkbox"/> Nourishment Equipment	<input type="checkbox"/> Seawall
<input checked="" type="checkbox"/> Cabana	<input type="checkbox"/> Geotube/Sandbags	<input type="checkbox"/> Revetment	<input type="checkbox"/> Special Events Equipment
<input type="checkbox"/> Escarpment*	<input type="checkbox"/> Marine Debris	<input type="checkbox"/> Rock Outcropping	<input type="checkbox"/> Tent
			<input type="checkbox"/> Umbrella

**Open beach escarpments over 18" tall only*

Other Obstruction (please describe): _____
 Describe Event: Adult Cc emerged from the water and meandered southeast for 35.89m where she encountered a cabana. She then crawled southwest for 2.20m and created a body pit. The turtle then crawled southeast for 11.89m and created another body pit. She then continued to crawl east for 7.08m before turning west and returned to the water.

Julie Warburton
 Signature of Observer

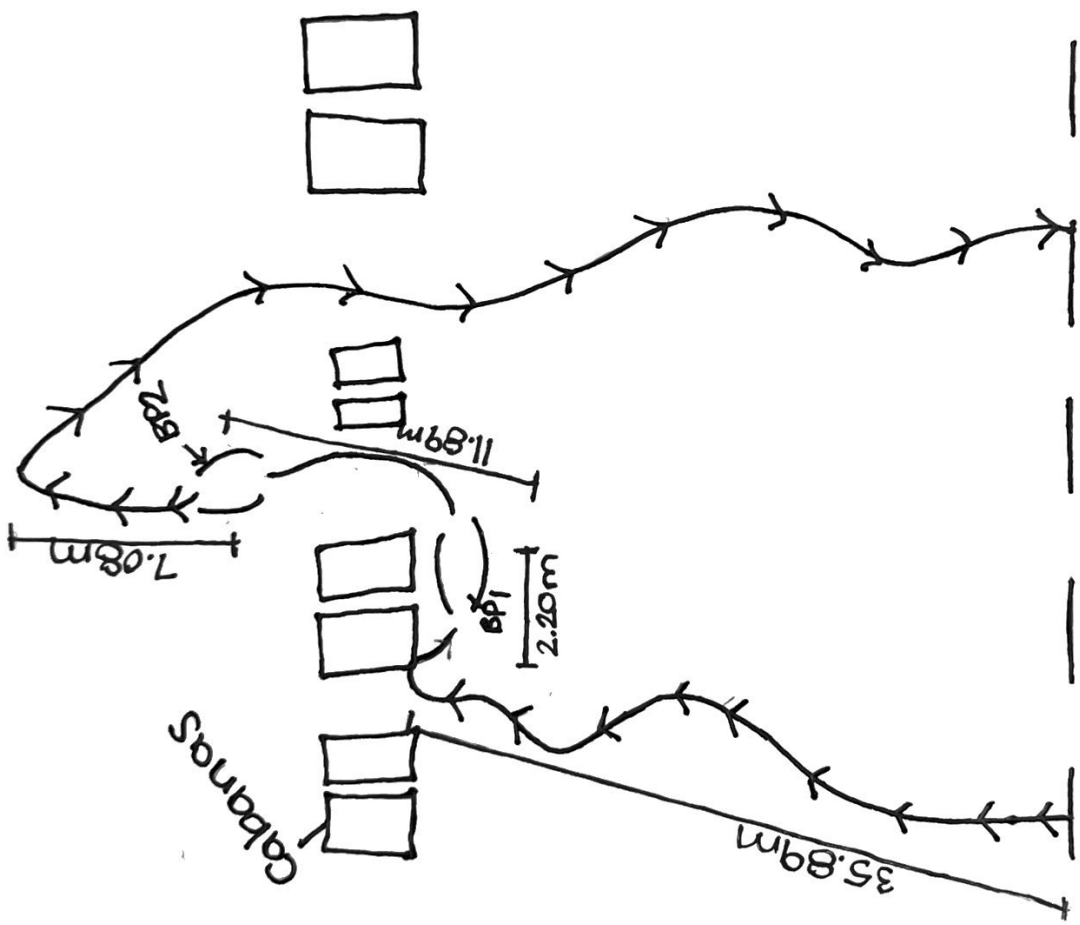
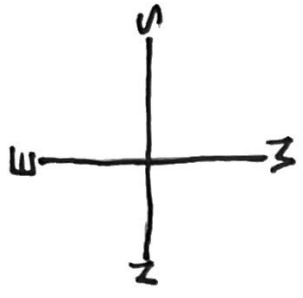
5/13/2023
 Date

Event photograph attached

13500 Gulf Blvd

13536 Gulf Blvd

veg



Key:

() - body pit

▭ - Cabanas

Item 5A.



Memorandum

Meeting Details: November 6, 2023, Planning Commission Meeting
Prepared For: Planning Commission
Staff Contact: Community Development Department
Subject: Ordinance 2023-33 Amendment to Capital Improvement Element of Comprehensive Plan

Background

Each fiscal year, the City is required by Florida Statutes and by its own comprehensive plan to amend its 5-year Capital Improvements Program (CIP) and update the Capital Improvements Element of the Comprehensive Plan.

Discussion

The Planning Commission representing as the Local Planning Agency (LPA) is required to review and make recommendations regarding the CIP and then have a public hearing to update the Capital Improvements Element of the Comprehensive Plan. The portions of the CIP that are to be reviewed are those facility improvements of \$100,000 or more that affect the levels of service standards adopted in the Comprehensive Plan. Forward Pinellas reviewed Ordinance 2023-33, and said it was not impacted by the Countywide Rules.

Fiscal Impact

The fiscal impact of the Capital Improvements Program is \$21,262,500.00 for FY 24, \$13,725,500.00 for FY 2025, \$8,146,500.00 for FY 2026, \$8,189,500.00 for FY 2027, \$737,000.00 for FY 2028, \$1,165,000.00 for FY 2028, \$65,000.00 for FY 2030.

Recommendation(s)

Staff recommends the approval of Ordinance 2023-33.

Attachments/Corresponding Documents

- Ordinance 2023-33
- Forward Pinellas Email
- Ordinance 2023-33 Business Impact Statement

ORDINANCE 2023-33

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF MADEIRA BEACH TO UPDATE THE CAPITAL IMPROVEMENT PROGRAM (CIP) SCHEDULE OF CAPITAL IMPROVEMENTS FOR FISCAL YEARS 2024 THROUGH 2030; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on November 6, 2023, the City of Madeira Beach Planning Commission conducted a public hearing and accepted public input regarding the update to the Capital Improvement Program (CIP) Schedule of Capital Improvements for the fiscal years 2024 through 2030 in the Capital Improvements Element of Comprehensive Plan of the City of Madeira Beach and provided its recommendation to the Board of Commissioners; and

WHEREAS, the City of Madeira Beach Board of Commissioners has considered the Planning Commission's recommendations and received input from the public at two public hearings.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA THAT;

Section 1. That the Capital Improvement Program (CIP) Schedule of Capital Improvements of the Capital Improvements Element of the City of Madeira Beach Comprehensive Plan is hereby amended and shall read as follows:

Project Title	FY-2023	FY-2024	FY-2025	FY-2026	FY-2027
Interior and Exterior Maintenance of Structures at Archibald Park	\$350,000.00	-	-	-	-
Beach Groin Renourishment Project	\$3,500,000.00	\$750,000.00	-	-	-
Patriot Park fishing piers rebuild	\$100,000.00	-	-	-	-
Mill and Resurface Parking Lot at Archibald Park	-	\$250,000.00	-	-	-
Pocket Park Improvements	\$150,000.00	-	-	-	-
Construct Code Enforcement Dayroom	\$150,000.00	-	-	-	-
Construct Public Works Building	\$200,000.00	\$2,000,000.00	-	-	-
Replacement of SCBA	-	\$185,000.00	-	-	-
John's Pass Boardwalk Repairs	\$50,000.00	\$50,000.00	\$50,000.00	-	-
Johns Pass Park – Parking lot improvements	\$450,000.00	-	-	-	-
Engineering and Construction of a City Parking Garage	\$250,000.00	\$3,000,000.00	\$3,000,000.00	-	-
Construct Basketball Court Enclosure	-	\$300,000.00	-	-	-
Construct Concession Stand	\$250,000.00	-	-	-	-
Renovate Dog Park	\$200,000.00	-	-	-	-
Install Recreation Center Solar Panels	\$100,000.00	-	-	-	-
Shade Awnings and Dugout Replacement	-	\$150,000.00	-	-	-
Resurfacing of Marina Parking Area	-	-	\$400,000.00	-	-
Seawall Renovation Project at City Marina	-	\$200,000.00	-	-	-
Construct Transient Docks at City Marina	\$200,000.00	\$1,000,000.00	-	-	-
Parking Equipment – City Wide	-	-	-	\$225,000.00	\$225,000.00
Replace a 2016 Peterbilt garbage truck	-	\$290,000.00	-	-	-
Watershed Management Plan	\$95,000.00	\$48,000.00	-	-	-
Mill and resurface, curb repair and stormwater drainage improvements at Area 3 – East Parsley, West Parsley, Marguerite, A Street, B Street, and Lynn Way	\$1,500,000.00	\$1,500,000.00	-	-	-

Mill and resurface, curb repair, and stormwater drainage improvements at Area 5 – 131 st Ave E & 129 th Ave.	\$1,000,000.00	\$1,000,000.00	-	-	-	-	-	-
Mill and resurface, curb repair and stormwater drainage improvements at Area 6 – 155th Ave, 154th Ave, 153rd Ave, 1st St E, 2nd St E, Harbor Dr and Municipal Dr	\$200,000.00	\$2,000,000.00	\$1,500,000.00	-	-	-	-	-
Emergency Stormwater Repairs throughout the City	\$200,000.00	\$200,000.00	\$200,000.00	-	-	-	-	-
Gulf Lane and Beach Access Drainage and Roadway Improvement Project	\$2,500,000.00	-	-	-	-	-	-	-
Generator replacement for 141st Stormwater Station	\$125,000.00	-	-	-	-	-	-	-

<u>Project Title</u>	<u>Item Name</u>	<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>
<u>Military Honor Court</u>	Construction of the Military Honor Court	<u>250,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Replace #44</u>	Replace 2018 Caterpillar Backhoe	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>85,000</u>	<u>-</u>	<u>-</u>
<u>Replace #19</u>	Replace 2004 Ford F550	<u>75,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Replace 2016 Duralift mounted bucket</u>	Replace Duralift mounted buck on truck #19	<u>-</u>	<u>-</u>	<u>45,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Painting of Fire Station</u>	Painting of Fire Station	<u>50,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Replacement of SCBA</u>	Replacement of Self Contained Breathing Apparatus	<u>-</u>	<u>250,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Replacement of Bunker Gear - Lucas</u>	Replacement of Bunker Gear per NFPA - Lucas	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>5,000</u>	<u>-</u>
<u>Replacement of Portable Radios</u>	Replacement of portable radios and updating the communications equipment per replacement plan	<u>53,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

<u>Project Title</u>	<u>Item Name</u>	<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>
<u>Replacement of Portable Radios Emergency Communications</u>	<u>Replacement schedule - Portable Radios for Emergency Communications</u>	-	-	-	-	-	-	55,000
<u>Replacement of Kitchen Appliances</u>	<u>Replacement of Kitchen Appliances</u>	-	-	12,000	-	-	-	-
<u>Replacement of Mobile Data Terminals</u>	<u>Replacement of MDTs with refurbished 3 yr warranty Panasonic Toughbooks</u>	-	11,000	-	-	-	-	-
<u>Replacement of Bunker Gear per NFPA - Ubiles</u>	<u>Replacement of Bunker Gear per NFPA - Ubiles</u>	-	-	-	4,500	-	-	-
<u>Replacement of Bunker Gear - Whitfield</u>	<u>Replacement of Bunker Gear per NFPA - Whitefield</u>	-	-	-	-	-	-	5,000
<u>Replacement of Bunker Gear - Wasilewski</u>	<u>Replacement of Bunker Gear per NFPA - Wasilewski</u>	-	-	-	-	-	-	5,000
<u>Replacement of Bunker Gear - Roberts</u>	<u>Replacement of Bunker Gear per NFPA - Roberts</u>	-	-	4,500	-	-	-	-

<u>Project Title</u>	<u>Item Name</u>	<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>
<u>Replacement of Bunker Gear - Childers</u>	<u>Replacement of Bunker Gear per NFPA - Childers</u>	<u>-</u>	<u>4,500</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Replacement of MDTs</u>	<u>Replacement schedule of Mobile Data Terminals</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>12,000</u>	<u>-</u>	<u>-</u>
<u>Replacement of all 2017 sets of bunker gear per NFPA</u>	<u>Per NFPA 10 yr old bunker gear must be replaced - primary or secondary</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>50,000</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Replacement Appliances - Laundry</u>	<u>Replacement of 10 yr old appliances in the fire station (laundry)</u>	<u>8,500</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Brick Pavers under shade awnings</u>	<u>Paver area under two shade awnings in Ball Field Area.</u>	<u>25,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

<u>Project Title</u>	<u>Item Name</u>	<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>
<u>Engineering for Concession/Basketball Court Facility</u>	<u>Engineering for Concession/Basketball Court Facility on existing tennis court location. Increased size of restrooms and enclosure of courts to expand programming offerings.</u>	<u>100,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Public Works & Building Services Facility</u>	<u>Building for Public Works employees & vehicles and Building Services operations.</u>	<u>1,500,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Johns Pass Park - Parking lot Improvements</u>	<u>Mill, Resurface, Stripe, and Improve Johns Pass Parking lot area.</u>	<u>450,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Quick Response Vehicle</u>	<u>Quick Response Vehicle (LOST Fund)</u>	<u>100,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

<u>Project Title</u>	<u>Item Name</u>	<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>
<u>Replacement of T125</u>	<u>Replacement schedule of 2017 Rosenbauer Truck 25</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>1,100,000</u>	<u>-</u>
<u>Replacement of 2014 Polaris Ranger</u>	<u>Replacement of 2014 Polaris Ranger</u>	<u>25,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Replacement of 2017 Explorer</u>	<u>Replacement of Fire Chief's vehicle per City's vehicle replacement plan LOST Fund</u>	<u>-</u>	<u>55,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Concession Stand</u>	<u>Engineering and Construction of Concession Stand Replacement. Upgrade of restroom facilities, concession kitchen, storage, and office space.</u>	<u>-</u>	<u>500,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Recreation Center Solar</u>	<u>Solar on roof of Recreation Center - BP Funds</u>	<u>100,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

<u>Project Title</u>	<u>Item Name</u>	<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>
<u>Dog Park</u>	<u>Dog park upgrade. Synthetic turf and other improved features.</u>	<u>200,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Shade Awnings and Dugout Replacement</u>	<u>Replace dugouts and add shade awnings to Recreation Fields.</u>	<u>200,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Basketball Court Enclosure</u>	<u>Building to enclose existing basketball court.</u>	<u>-</u>	<u>500,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Concrete around Field 2</u>	<u>Concrete on both sides of Field 2 to replace existing shell which is currently in place. Improves seating access and minimizes maintenance to the area.</u>	<u>30,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>City Centre Complex Sidewalk</u>	<u>Replacement of Sidewalk along Rex Place</u>	<u>25,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

<u>Project Title</u>	<u>Item Name</u>	<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>
<u>Recreation Truck</u>	<u>Vehicle Replacement for #20 - Chevy Silverado</u>	<u>-</u>	<u>40,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Passenger Van Replacement</u>	<u>Vehicle Replacement for #97 - Ford Van</u>	<u>-</u>	<u>-</u>	<u>40,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Bus Replacement for Social Club</u>	<u>Replacement of E450 Bus with larger, handicap accessible bus for Senior Program.</u>	<u>150,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Roadway Resurfacing Village Blvd, Boardwalk Pl, & Surface Lot</u>	<u>Mill and resurface Village Blvd, Boardwalk Place, and the surface parking lot.</u>	<u>-</u>	<u>1,000,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Archibald Restroom rebuild.</u>	<u>Demo and Rebuild Archibald Restrooms</u>	<u>1,000,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Parking lot light repair</u>	<u>Repair the current light system for the parking lot</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

<u>Project Title</u>	<u>Item Name</u>	<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>
<u>Beach Groin Renourishment Project</u>	<u>50% Match Grant with FDEP to renourish the 22-23 exposed beach groins.</u>	<u>3,500,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Park Improvements</u>	<u>Enhance pocket parks in Boca Ciega neighborhood</u>	<u>150,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Mill and Resurface parking lot at Archibald</u>	<u>Mill and Resurface the parking lot and thermo stripe</u>	<u>-</u>	<u>450,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Patriot Park Fishing Piers rebuild</u>	<u>Rebuild 2 fishing piers located at Patriot Park</u>	<u>125,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Replace #36</u>	<u>Replace #36 a Chevy 1500 with a utility bed</u>	<u>-</u>	<u>-</u>	<u>60,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>#40 Replacement</u>	<u>Replace #40 a 2009 F350 dump truck</u>	<u>-</u>	<u>-</u>	<u>150,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Purchase new F250 Utility Truck</u>	<u>Purchase new F250 utility truck for Grounds Maint. Employee.</u>	<u>60,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

<u>Project Title</u>	<u>Item Name</u>	<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>
<u>Replace #112</u>	<u>Replace 2018 Chevy 1500 with liftgate</u>	<u>-</u>	<u>-</u>	<u>60,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Replace #109</u>	<u>Replace 2016 John Deere Gator 825i</u>	<u>-</u>	<u>-</u>	<u>25,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Landscape equipment</u>	<u>Landscape equipment needed to maintain city parks.</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Satellite office</u>	<u>Satellite office for Building Department - in conjunction with new Public Works facility</u>	<u>700,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>New 150hp motor for Building Department boat</u>	<u>New motor for Building Department boat</u>	<u>20,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>New Ford Lightning Truck</u>	<u>New Building Department Vehicle</u>	<u>65,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Boat Power Poles</u>	<u>Anchor system for building department boat</u>	<u>6,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Replace #21 Broyhill Load & Pack</u>	<u>Replace #21 Broyhill Load & Pack</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>275,000</u>	<u>-</u>	<u>-</u>

<u>Project Title</u>	<u>Item Name</u>	<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>
<u>Replace #29</u>	<u>Replace #29</u> <u>2019 Kenworth</u> <u>T880 with 32 yd</u> <u>Heil Packer</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>325,000</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Replace #68</u>	<u>Replace 2019</u> <u>F250 with Easy</u> <u>Dump</u>	<u>-</u>	<u>-</u>	<u>75,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Replace #33</u>	<u>Replace # 33 a</u> <u>2016 Peterbilt</u> <u>Garbage truck.</u>	<u>325,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Replace #26</u>	<u>Replace #26 a</u> <u>2020 Kenworth</u> <u>T880 with 32</u> <u>Yd Heil Packer</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>350,000</u>	<u>-</u>	<u>-</u>
<u>Truck Lift</u> <u>Improvement -</u> <u>96 gallon cans</u>	<u>Truck Lift</u> <u>Improvement -</u> <u>96 gallon cans.</u> <u>Three trucks 2</u> <u>lifts each for</u> <u>total of 6 units.</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Replace #18</u>	<u>Replace #18</u> <u>2023 Peterbuilt</u> <u>Claw truck</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>275,000</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Replace #3</u>	<u>Replace 2019</u> <u>F250 with Easy</u> <u>Dump</u>	<u>-</u>	<u>-</u>	<u>75,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Dual Bin Cleaner</u> <u>Trailer Mounted</u>	<u>Dual Bin Trailer</u> <u>mounted cleaner</u> <u>to clean 64G &</u> <u>96G containers</u>	<u>80,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

<u>Project Title</u>	<u>Item Name</u>	<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>
<u>Replace #5</u>	<u>Replace a 2019 Chevy Silverado 1500 with a liftgate</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>60,000</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Replace #24</u>	<u>Replace a 2019 Chevy Silverado 1500 with a liftgate</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>60,000</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Area 5 - 131st Ave E & 129th Ave.</u>	<u>Mill & Resurface, Curb Repair, and Stormwater drainage improvements</u>	<u>2,005,000</u>	<u>495,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Area 4</u>	<u>E Madeira Ave, N Bayshore to 145th, 1st Ave E, 148th Ave, 147th Ave, 146th Ave, 145th Ave. Mill & Resurface, Curb Repair, and Stormwater drainage improvements.</u>	<u>-</u>	<u>-</u>	<u>200,000</u>	<u>7,000,000</u>	<u>-</u>	<u>-</u>	<u>-</u>

<u>Project Title</u>	<u>Item Name</u>	<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>
<u>Area 6a - 155th Ave, 154th Ave, 153rd Ave, 1st St E, 2nd St E, Harbor Dr and Municipal Dr</u>	<u>Mill and resurface, fix curbing and upgrade stormwater inlets and outfalls as needed</u>	<u>500,000</u>	<u>4,000,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Area 9</u>	<u>Bay Point, Pruitt, Sunset Cove, Virginia, S Bayshore, & Marlyn Way Mill Resurface, Storm Repair/replacement and Curb</u>	<u>-</u>	<u>200,000</u>	<u>7,000,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Area 7</u>	<u>American Legion Dr. Mill & Resurface, Curb Repair, and Stormwater drainage improvements</u>	<u>-</u>	<u>1,500,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Area 3 - East Parsley, West Parsley, Marguerite Dr, A Street, B Street, and Lynn Way</u>	<u>Mill & Resurface, Curb Repair, and Stormwater drainage improvements</u>	<u>4,000,000</u>	<u>500,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

<u>Project Title</u>	<u>Item Name</u>	<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>
<u>Gulf Lane and Beach Access Drainage and Roadway Improvement Project</u>	<u>Mill & Resurface, Curb Repair, and Stormwater drainage improvements</u>	<u>1,800,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Replace #70</u>	<u>Replace 2021 F250 with Utility Body</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>60,000</u>	<u>-</u>
<u>Replace #111 - 2016 Chevy Silverado 2500</u>	<u>Replace a 2016 Chevy Silverado 2500 - With a similar truck for use during flooding</u>	<u>-</u>	<u>60,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

<u>Project Title</u>	<u>Item Name</u>	<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>
<u>Generator replacement for 141st Stormwater Station</u>	The current generator was installed in 2007 and is near the end of its life. Staff would like to run natural gas to cut down on maintenance and fuel costs. Duke proposed an estimate of \$29,000 to run the gas line from Gulf Blvd. Generator Cost estimate at \$60,0000	90,000	-	-	-	-	-	-
<u>Replace #77</u>	Replace 2018 Elgin Whirlwind Street Sweeper	-	-	350,000	-	-	-	-
<u>Replace #110 - 2016 Chevy Silverado 2500</u>	Replace a 2016 Chevy Silverado 2500 - With a similar truck for use during flooding	-	60,000	-	-	-	-	-

<u>Project Title</u>	<u>Item Name</u>	<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>
<u>Transient Docks</u>	Year 1 - Engineering & Design Year 2 - Construction	<u>200,000</u>	<u>1,000,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Enclose Old Boat Pamp</u>	Connect seawalls along old boat ramp. Remove trees and install a matching vinyl fence. This area will be filled and have a proper EPA approved boat wash down facility. The old washdown facility will be converted into car parking.	<u>-</u>	<u>50,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Resurfacing Marina Parking Area</u>	Recoat and resurface asphalt parking area around Marina.	<u>-</u>	<u>-</u>	<u>-</u>	<u>400,000</u>	<u>-</u>	<u>-</u>	<u>-</u>

<u>Project Title</u>	<u>Item Name</u>	<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>
<u>Seawall Project</u>	<u>Replace 360' of sea wall from the fuel dock to the boat ramp. Cost of 6' high seawall is at \$450.00 per foot.</u>	<u>200,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Digital Information Sign</u>	<u>Install a high quality informational digital sign in front of the Marina adjacent to 150th avenue. The sign will be used to broadcast public information about Madeira Beach and the Marina.</u>	<u>60,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>ParkSmart's in/on-ground smart sensors</u>	<u>ParkSmart's innovative in/on-ground smart sensors monitor individual parking spaces and relay occupancy.</u>	<u>-</u>	<u>50,000</u>	<u>50,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

<u>Project Title</u>	<u>Item Name</u>	<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>
<u>Parking Garage</u>	<u>Engineering services for parking garage and construction of the garage</u>	<u>3,000,000</u>	<u>3,000,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>A parking meter/kiosk</u>	<u>A parking meter/kiosk system can significantly benefit the parking department.</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>15,000</u>	<u>15,000</u>	<u>-</u>	<u>-</u>
<u>New Parking Vehicle</u>	<u>Having an additional vehicle for the parking department would be incredibly helpful in many ways. First and foremost, it would allow for increased efficiency and productivity.</u>	<u>35,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Total:</u>		<u>\$21,262,500</u>	<u>\$13,725,500</u>	<u>\$8,146,500</u>	<u>\$8,189,500</u>	<u>\$737,000</u>	<u>\$1,165,000</u>	<u>\$65,000</u>

Section 2. All ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. In the event a court of competent jurisdiction finds any part or provision of the Ordinance unconstitutional or unenforceable as a matter of law, the same shall be stricken and the remainder of the Ordinance shall continue in full force and effect.

Section 4. Pursuant to Section 163.3184(3), Florida Statutes, the effective date of this plan amendment, if the amendment is not timely challenged, is 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment is effective on the date the state land planning agency, or the Administration Commission enters a final order determining this adopted amendment to be in compliance. 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 noncompliance 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 will be sent to the state land planning agency.

**PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF
MADEIRA BEACH, FLORIDA, THIS _____ day of _____, 2023.**

James "Jim" Rostek, Mayor

ATTEST:

Clara VanBlargan, MMC, MSM, City Clerk

APPROVED AS TO FORM:

Thomas J. Trask, City Attorney

PASSED ON FIRST READING: _____

PUBLISHED: _____

PASSED ON SECOND READING: _____

From: [Fisher, Linda A](#)
To: [Morris, Andrew](#)
Cc: [Jenny Rowan](#); [Wennick, Emma](#)
Subject: RE: Ordinance 2023-33 Amendment to Capital Improvement Element of Comprehensive Plan and Ordinance 2023-21 Dune Protection and Beach Debris
Date: Wednesday, October 25, 2023 12:46:46 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

Hi Andrew,

Thank you for submitting these ordinances. Since they don't touch on any topic areas that are addressed in the Countywide Rules, they don't require a consistency review. Do you need that in a formal letter, or will this email suffice?

Best,
Linda



Linda Fisher, AICP
 Principal Planner
 Direct: 727-424-3351
 Main: 727-464-8250
forwardpinellas.org



Forward Pinellas serves as the planning council and metropolitan planning organization for Pinellas County.

All government correspondence is subject to the public records law.

From: Morris, Andrew <Amorris@madeirabeachfl.gov>
Sent: Tuesday, October 24, 2023 9:43 AM
To: Fisher, Linda A <lfisher@forwardpinellas.org>
Cc: Jenny Rowan <jrowan@madeirabeachfl.gov>
Subject: Ordinance 2023-33 Amendment to Capital Improvement Element of Comprehensive Plan and Ordinance 2023-21 Dune Protection and Beach Debris

CAUTION: *This message has originated from outside of the organization. Do not click on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe.*

Linda,

At our next Planning Commission meeting, we will have two ordinances being heard. Ordinance 2023-33 is an amendment to the Capital Improvement Element of the Comprehensive Plan and Ordinance 2023-21 is for dune protection and beach debris. Could Forward Pinellas review these Ordinances to make sure they are in compliance with the Countywide Rules? Thank you.

Best Regards,

Andrew Morris

Andrew Morris, AICP
Long Range Planner
300 Municipal Drive
Madeira Beach, FL 33708
O: (727) 391-9951 Ext. 296
Email: amorris@madeirabeachfl.gov



Disclaimer: Under Florida law (Florida Statute 668.6076), email addresses are public records. If you do not want your email address released in response to a public records request, please do not send electronic mail to the City of Madeira Beach. Instead, contact the appropriate department/division.

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Business Impact Estimate

Proposed ordinance's title/reference: ORDINANCE 2033-33, AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF MADEIRA BEACH TO UPDATE THE CAPITAL IMPROVEMENT PROGRAM (CIP) SCHEDULE OF CAPITAL IMPROVEMENTS FOR FISCAL YEARS 2024 THROUGH 2030; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Madeira Beach is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City of Madeira Beach is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Madeira Beach hereby publishes the following information:

¹ See Section 166.041(4)(c), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

Each fiscal year, the City is required by Florida Statutes and by its own comprehensive plan to amend its 5-year Capital Improvements Program (CIP) and update the Capital Improvements Element of the Comprehensive Plan.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Madeira Beach, if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;**
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and**
- (c) An estimate of the City of Madeira Beach’s regulatory costs, including estimated revenues from any new charges or fees to cover such costs.**

The fiscal impact of the Capital Improvement Program (CIP) for the City of Madeira Beach is \$21,262,500.00 for FY 24, \$13,725,500.00 for FY 2025, \$8,146,500.00 for FY 2026, \$8,189,500.00 for FY 2027, \$737,000.00 for FY 2028, \$1,165,000.00 for FY 2028, \$65,000.00 for FY 2030. It is not foreseen there would be direct economic impacts on private businesses by the proposed ordinance.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

There is no foreseen impact on businesses with the proposed ordinance. The fiscal impact of the Capital Improvement Program (CIP) would be on the City of Madeira Beach.

4. Additional information the governing body deems useful (if any):

This ordinance assures that the Madeira Beach Comprehensive Plan is consistent with Florida Statutes.

**PLANNING COMMISSION REGULAR MEETINGS
2024**

Hearing Date	Site Plan and PD Application* Deadline	Zoning Application* Deadline	Mail/Post Agenda	Distribute Agenda / Packets
<i>First Monday of the Month at 6:00 p.m.</i>	<i>Min. of 45 days prior to meeting</i>	<i>Min. of 30 days prior to meeting</i>	<i>Min. 10 days prior to meeting</i>	<i>Min. 1 week before meeting</i>
01.08.2024	11.22.2023	12.09.2023	12.29.2023	12.29.2023
02.05.2024	12.22.2023	01.05.2024	01.26.2024	01.29.2024
03.04.2024	01.16.2024	02.02.2024	02.23.2024	02.26.2024
04.01.2024	02.15.2024	03.01.2024	03.22.2024	03.25.2024
05.06.2024	03.22.2024	04.05.2024	04.26.2024	04.29.2024
06.03.2024	04.19.2024	05.03.2024	05.24.2024	05.27.2024
07.01.2024	05.17.2024	05.31.2024	06.21.2024	06.24.2024
08.05.2024	06.21.2024	07.05.2024	07.26.2024	07.29.2024
09.09.2024	07.26.2024	08.19.2024	08.30.2024	08.30.2024
10.07.2024	08.23.2024	09.06.2024	09.27.2024	09.30.2024
11.04.2024	09.20.2024	10.04.2024	10.25.2024	10.28.2024
12.02.2024	10.18.2024	11.01.2024	11.22.2024	11.25.2024
January 2025 Date TBD				

*Applies only to complete applications requiring no additional information for final review.

PART II - CODE OF ORDINANCES
Chapter 110 - ZONING
ARTICLE VI. - SUPPLEMENTARY DISTRICT REGULATIONS
DIVISION 4. ACCESSORY STRUCTURES

DIVISION 4. ACCESSORY STRUCTURES

Sec. 110-471. Building permits required.

Building permits are required for the construction or placement of all accessory structures.

(Code 1983, § 20-505(A))

Commented [JR1]: Need definition of enclosed vs open accessory structure.

Sec. 110-472. R-1, single-family residential zones.

Accessory structures may not be located in front yards in R-1, single-family residential zones.

- (1) *Lots not on water.* For lots not on water in R-1, single-family residential zones, accessory structures may be located in side or rear yards but must provide a minimum of 2½-foot setback to allow for vegetation control.
- (2) *Lots on water.* For lots on water in R-1, single-family residential zones, accessory structures may be located in side or rear yards. If the accessory structure is located in a side yard, a minimum of 2½-foot side setback must be provided. If the accessory structure is located in the rear yard, ~~the same rear setback as required for principal structures must be provided.~~ a minimum of a 7-foot side setback and 12-foot rear setback must be provided, so not to interfere with seawall tiebacks, but may be located 8 feet from the waters edge of the seawall with a signed and sealed certification from an engineer, registered in the State of Florida, stating the structure will not affect the integrity or functioning of the seawall or its deadmen.

(Code 1983, § 20-505(B))

Commented [JR2]: Similar to the pool requirements.

Sec. 110-473. R-2, low density multifamily residential zones.

Accessory structures may not be located in front yards in R-2, low density multifamily residential zones.

- (1) *Lots not on water.* For lots not on water in R-2, low density multifamily residential zones, accessory structures may be located in side or rear yards but must provide a minimum of 2½-foot setback to allow for vegetation control.
- (2) *Lots on water.* For lots on water in R-2, low density multifamily residential zones, accessory structures may be located in side or rear yards. If the accessory structure is located in a side yard, a minimum of 2½-foot side setback must be provided. If the accessory structure is located in the rear yard, ~~the same rear setback as required for principal structures must be provided.~~ a minimum of a 5-foot side setback and 12-foot rear setback must be provided, so not to interfere with seawall tiebacks, but may be located 8 feet from the waters edge of the seawall with a signed and sealed certification from an engineer, registered in the State of Florida, stating the structure will not affect the integrity or functioning of the seawall or its deadmen.

(Code 1983, § 20-505(C))

Commented [JR3]: Similar to the pool requirements.

Sec. 110-474. R-3, medium density multifamily residential zones.

Accessory structures (except carports) may not be located in front yards in R-3, medium density multifamily residential zones.

- (1) *Lots not on water.* For lots not on water in R-3, medium density multifamily residential zones, accessory structures (except carports) may be located in side yard, but must provide a five-foot minimum side setback. If the accessory structure is located in the rear yard, a minimum of two-foot setback must be provided to allow for vegetation control.
- (2) *Lots on water.* Accessory structures (except carports) on lots on water in R-3, medium density multifamily residential zones must provide the same setbacks as are required for the principal structure.
- (3) Carports in the R-3, medium density multifamily residential zones may be located in the front or side yard and must provide a five-foot side yard setback and ten-foot front yard setback.
- (4) The accessory structure must meet the intersection visibility requirement.

(Code 1983, § 20-505(D); Ord. No. 2022-12 , § 1, 5-11-22)

Sec. 110-475. C-1, tourist commercial zones.

Accessory structures may not be located in front yards in C-1, tourist commercial zones.

- (1) *Lots not on water.* For lots not on water in C-1, tourist commercial zones, accessory structures may be located in side yard, but must provide a five-foot minimum side setback. If the accessory structure is located in the rear yard, a minimum of 2½-foot setback must be provided to allow for vegetation control.
- (2) *Lots on water.* Accessory structures on lots on water in C-1, tourist commercial zones must provide the same setbacks as are required for the principal structure.

(Code 1983, § 20-505(E))

Sec. 110-476. C-2, John's Pass marine commercial zone.

Accessory structures may not be located in front yards in the C-2, John's Pass marine commercial zone. Accessory structures in the C-2, John's Pass marine commercial zone must provide the same side and rear setbacks as are required for the principal structure.

(Code 1983, § 20-505(F))

Sec. 110-477. C-3, retail commercial zones.

~~Enclosed a~~Accessory structures may not be located in front yards in C-3, retail commercial zones. ~~Enclosed a~~Accessory structures in C-3, retail commercial zones must provide a ten foot side and rear setback, the same side and rear setbacks as are required for the principal structure. ~~Open accessory structures may be located in any yard in C-3, retail commercial zone. Open accessory structures must provide a xx~~ foot front, side, and rear setback and must meet the intersection visibility requirements.

(Code 1983, § 20-505(G))

- Commented [JR4]:** Sec. 110-321: Rear 10 ft or 18 ft on water. Side yard 10 ft or 33% if lot wider than 80 ft.
- Commented [JR5]:** Need feedback. Shade for outdoor seating in the front yard = more pedestrian friendly.
- Commented [JR6]:** To do more research.

Sec. 110-478. C-4, marine commercial zones.

Accessory structures may not be located in front yards in C-4, marine commercial zones. Accessory structures in C-4, marine commercial zones must provide a ten foot side, and rear setback, the same side and rear setbacks as are required for the principal structure. Accessory structures for working waterfronts or marina uses, which are required by federal or state regulations to be immediately proximate to the waters edge, are permitted within the required setback.

(Code 1983, § 20-505(H))

Commented [JR7]: Sec. 110-351: Rear yard 18 ft, side yard 10 ft or 33% for widths greater than 80 ft

Sec. 110-479. P/SP, public-semi public zones.

There are no restrictions regarding accessory structures in P/SP, public-semi public zones. Accessory structures in P/SP, public-semi public zones must be consistent with site plan approval.

(Code 1983, § 20-505(I))

Sec. 110-480. Maximum size in R-1, R-2 and R-3 zones.

- (1) For single-family structures, the maximum size for an enclosed accessory structure ~~will be~~ is eight feet wide by ten feet long by ~~eight ten~~ feet high. The maximum size for an open accessory structure is 10-feet wide by 10-feet long by 14-feet high. Single-family structures may only have one enclosed and one open accessory structure.
- (2) For duplex and multifamily structures, ~~there may not be more than two~~ the maximum size for an enclosed accessory structures ~~for a maximum size of six is~~ eight feet wide by eight feet long by eight ten feet high or a single accessory structure eight feet by ten feet by eight feet. The maximum size for an open accessory structure may be ten feet wide by ten feet long by twelve feet high. Duplex and multifamily structures may only have two enclosed and xx open accessory structures.
- (3) For temporary lodging structures, the maximum size for an enclosed accessory structure is eight feet wide by eight feet long by ten feet high. The maximum size for an open accessory structure may be xx feet wide by xx feet long by xx feet high. Temporary lodging structures may only have two enclosed and xx open accessory structures.
- (4) The maximum size of a carport in the R-3, medium density multifamily residential zone for single family structures, is 20 feet wide by 22 feet long by ten feet high. For single family structures, there may not be more than one carport. The limit to the number of carport structure for duplex, ~~and~~ multifamily, ~~and~~ temporary lodging structures will be regulated by parking requirements and the site plan approval process.

(Code 1983, § 20-505(J); Ord. No. 2022-12, § 2, 5-11-22)

Commented [JR8]: More research and feedback

Sec. 110-481. Maximum size in C-1, C-2, C-3 and C-4 zones.

~~As~~ The maximum size for an enclosed accessory structure ~~is not to exceed eight 8~~ feet wide by 12 feet long by ~~eight 10~~ feet high. Properties may be installed and only have one enclosed and two open accessory type structures ~~may be placed on any lot or group of lots under the same ownership.~~

(Code 1983, § 20-505(K))

Commented [JR9]: Need to address Accessory structures for working waterfronts or marina uses, which are required by federal or state regulations to be immediately proximate to the waters edge

Sec. 110-482. Lot coverage.

The area covered by accessory structures shall be included in the allowable lot coverage.
(Code 1983, § 20-505(L))

Sec. 110-483. Tiedowns.

All accessory structures must have tiedowns per the Standard Building Code. This also applies to all accessory type structures in place before the passage of the ordinance from which this section was derived.
(Code 1983, § 20-505(M))

Sec. 110-484. Placement.

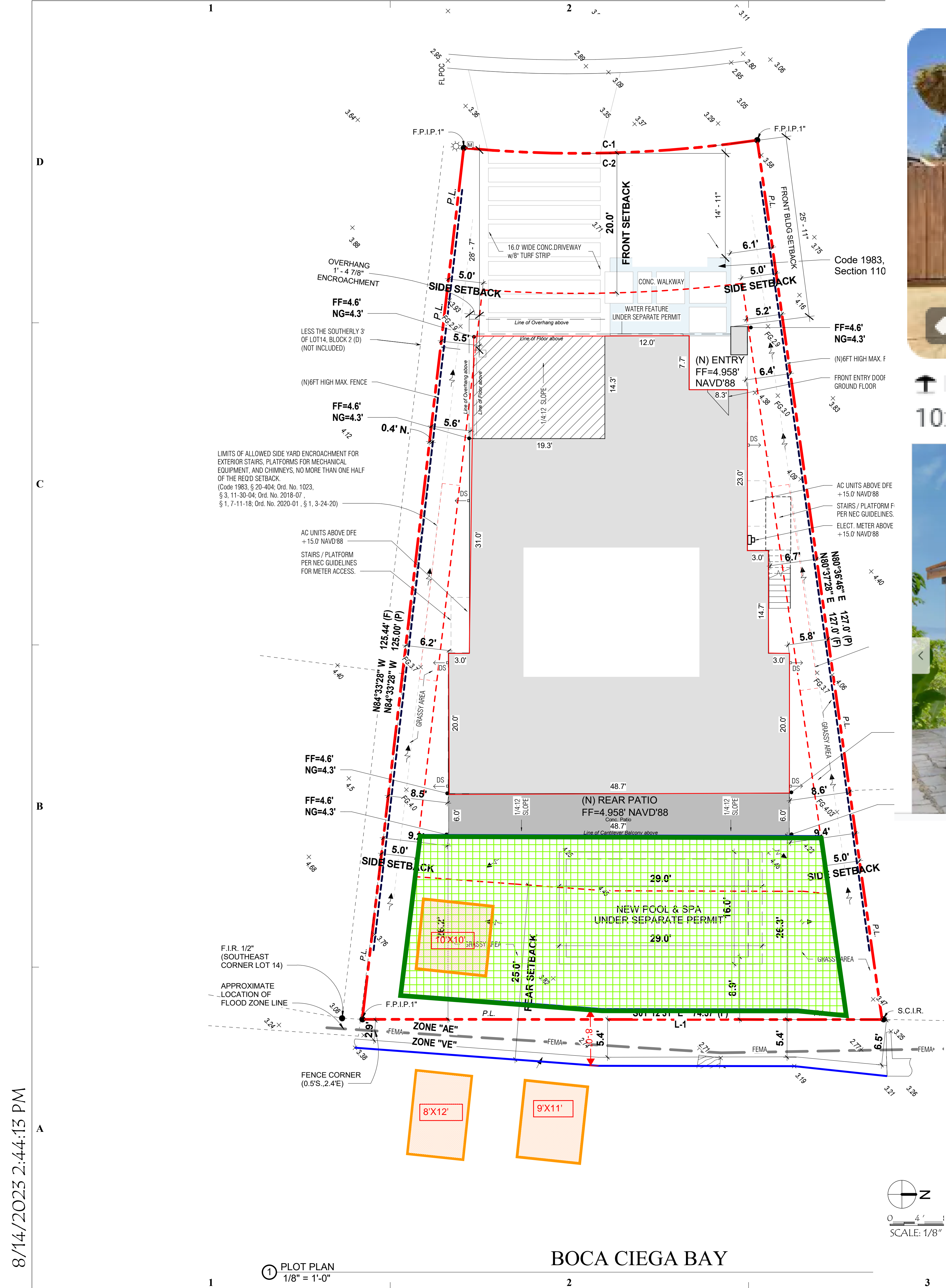
An accessory type structure may not be placed forward of the front entrance of the principal structure. In no case shall an accessory type structure be placed closer to any lot line adjacent to a street than provided for the principal structure nor closer than 18 feet to any seawall on the Gulf of Mexico.
(Code 1983, § 20-505(N); Ord. No. 918, § 3, 12-7-99)

Commented [JR10]: Revisit

Sec. 110-485. Prohibited accessory structures.

Manufactured housing, mobile homes, semi-trailers and other motor vehicles shall not be permitted to be used as storage buildings or other such uses.
(Code 1983, § 20-505(O))

Secs. 110-486—110-500. Reserved.



Palapa Structures
10x10 Foot Tahitian Palm Tiki Hu...



Louvered Roof



Fixed Roof