BOARD OF COMMISSIONERS
REGULAR WORKSHOP MEETING
AGENDA

Wednesday, June 28, 2023 at 6:00 PM
Commission Chambers

The Board of Commissioners of the City of Madeira Beach, Florida will meet in the Patricia Shontz Commission Chambers at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida to discuss the agenda items of City Business listed at the time indicated below. Meetings will be televised on Spectrum Channel 640 and YouTube Streamed on the City's Website.

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1. CALL TO ORDER

2. PUBLIC COMMENT

Public participation is encouraged. If you are addressing the Commission, step to the podium and state your name and address for the record. Please limit your comments to five (5) minutes and do not include any topic on the agenda. Public comment on agenda items will be allowed when they come up.

If you would like someone at the City to follow up on a comment or question made at the meeting, you may fill out a comment card with the contact information and give it to the City Manager. Comment cards are available at the back table in the Commission Chambers. It is not mandatory to complete a comment card.

3. ROLL CALL

4. DISCUSSION ITEMS

A. Discuss Live Aboard Vessels

B. City Dog Park Improvement Discussion

C. Discuss Parcel located on 95th ST N

D. City of Madeira Beach - Existing Boundaries of Election Districts

E. Beach Debris and Dune Protection

F. Density and Intensity Consistency with Forward Pinellas

G. 2 ½ foot setback to allow vegetation control

H. Planned Development

I. The City of Madeira Beach Master Plan and Land Development Regulations

J. FY 2023 Audit Engagement Letter

K. City Manager's Report for May 2023

5. ADJOURNMENT

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

Any person who decides to appeal any decision of the Board of Commissioners 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 the City Clerk at 727-391-9951, ext. 231 or 223 or fax a written request to 727-399-1131.

MEMORANDUM

Date: June 28, 2023
To: Board of Commissioners
From: Robin I. Gomez, City Manager
Subject: DISCUSS LIVE ABOARD VESSELS

Background

BOC to review and discuss LIVE ABOARD VESSELS City codes, State Statutes, and County Marina review processes.

Discussion:

Sgt Ronald Blair with the Pinellas County Sheriff's Office will provide a presentation.

Enclosed is the City's Live Aboard Vessels Code, Section

Sec. 78-61. - General regulations for live-aboard vessels.
Any owner of a vessel may use or permit the vessel to be used for living quarters as a "live-aboard" vessel as defined in Florida Statutes § 327.02 only as provided for in this section.

(1) All live-aboard vessels must be docked in a licensed marina facility located within Zoning District C-4, except as provided for in subsection (3) of this section.(2)All live-aboard vessels must contain a coast guard approved operable marine sanitation device. Discharge of sewage from all vessels must comply with section 78-37 of this chapter.(3)Live-aboard vessels must not be used for permanent living purposes in other than zoning district C-4. Transient, temporary, live-aboard vessels docking in other zoning districts must obtain a 72-hour nonrenewable permit in accordance with section 78-62 of this chapter.(4)Live-aboard vessels anchored in the intracoastal waterway or vessels temporarily anchored due to emergency conditions or situations are exempt from this section during the temporary emergency.

(2)

(Code 1983, § 5-104(A); Ord. No. 2019-21 , § 1, 10-8-19)

Sec. 78-62. - Permit requirements.

(a)Definitions.
Anchoring or mooring means the use of a heavy object—including a mooring buoy—attached to a vessel, placed overboard to keep the vessel from drifting by weight or by gripping the bottom.

Boat slip means a portion of a pier, main pier, finger pier, or float where a vessel is berthed or moored, or used for embarking or disembarking.

Live-aboard vessel or live-aboard shall be defined by Florida Statutes § 327.02(22), as may be amended from time to time, which currently means: (a) A vessel used solely as a residence and not for navigation; or (b) A vessel for which a declaration of domicile has been filed pursuant to Florida Statutes § 222.17; or (c) A vessel used as a residence that does not have an effective means of propulsion for safe navigation. A commercial fishing vessel is expressly excluded from the term "live-aboard vessel" pursuant to Florida Statutes § 327.02(22) (2019) as may be amended from time to time.

(b)Permit requirements. Except for vessels lawfully docked at private facilities or properties, anchoring or mooring any unattended live-aboard vessel in any of the waterways within the city for a continuous period of eight hours or more, or for any overnight period is prohibited unless a temporary live-aboard permit is obtained.(c)A temporary permit is required to be obtained from the city marina office prior to anchoring or mooring any live-aboard vessel in any of the waterways within the city for eight hours or more. The temporary permit period for anchoring or mooring a live-aboard vessel must not exceed 72 hours. Only one temporary permit may be issued for a lawfully registered or properly documented live-aboard vessel within any 30-day period. A fee to cover the costs associated with administering this requirement is provided in the city's schedule of fees. The city marina, or city manager, may establish and post reasonable rules and regulations for live-aboard anchoring or mooring and pump-out schedules to ensure the public health, safety, and welfare of persons and property within the city.(d)Anchoring or mooring a live-aboard vessel in any city waterway within 200 feet of any seawall is prohibited.(e)All live-aboard vessels, including temporarily permitted, live-aboard vessels must be removed, or evacuated, from city waterways within eight hours of a declared weather emergency.
(Code 1983, § 5-104(B); Ord. No. 2019-21 , § 1, 10-8-19)

Sec. 78-63. - Marinas.
(a)All marinas must have all required licenses and be in compliance with the requirements of chapter 110, article VII, of this Code for off-street parking and loading.(b)All marinas must have a working/operable pump-out station on premises that is readily available to all vessel owners.(c)All marinas providing live-aboard vessel accommodations for periods exceeding 72 hours must provide direct sewage hook-ups for each live-aboard vessel.(d)Marina operators must determine that each vessel using their docking facilities has obtained the required city permits.(e)Marinas providing live-aboard accommodations must have indoor bathroom facilities. All other marinas must have a minimum of one public restroom with a water closet and lavatory. All bathroom and restroom facilities must be in compliance with the Florida Building Code—Plumbing.(f)Marina operators must maintain, on the marina premises, a list of all live-aboard vessels for city review and inspection.(g)The number of live-aboard vessels in a marina must not exceed 15 percent of the total authorized boat slips.
(Code 1983, § 5-104(C); Ord. No. 2019-21 , § 1, 10-8-19)

ORDINANCE NO. 2019-21

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE CITY OF MADEIRA BEACH CODE OF ORDINANCES CHAPTER 78 WATERWAYS; ARTICLE II. –BOATS; DIVISION 2.-LIVE-ABOARD VESSELS; SEC. 78-61.- GENERAL REGULATIONS; SEC. 78-62. –PERMIT REQUIREMENTS; SEC. 78-63.- MARINAS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the City Commission finds that the proliferation of unregulated residential use of live-aboard vessels, and commercial use of live-aboard vessels as transient rental units, including advertised rentals of live-aboards (including online at transient rental sites such as Airbnb and VRBO) in Madeira Beach waters poses dangers to the environment, public safety and can cause damage to public and private property and;

WHEREAS, the City has a municipal marina with available sewage pump out facilities to prevent pollution of waters, and numerous private marinas also exist in the City that can berth, moor or store vessels on a temporary, transient or permanent basis in the C-4 commercial zoning district;

WHEREAS, Chapters 327 and 328 Florida Statutes contain a limited preemptions of some vessel regulation by the Florida Legislature, Section 327.60(2)(f) Florida Statutes (2019) expressly allows municipalities to regulate the following types of vessels as defined in Chapter 327, Florida Statutes, (and does not preempt municipalities from regulating):

1. Live-aboard vessels; and
2. Commercial vessels, (excluding commercial fishing vessels)

WHEREAS, On August 12, 2019, the Planning Commission conducted the required hearing of the proposed amendment and upon receiving public input recommends approval of the amendment; and

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

Section 1. The City of Madeira Beach, Florida, Code of Ordinances shall be amended as follows:

Chapter 78 - WATERWAYS

ARTICLE II. - BOATS

DIVISION 2. – **LIVE-ABOARD VESSELS**

Sec. 78-61. - General regulations for live-aboard vessels.

Any ~~person or~~ owner of a ~~boat~~ vessel may use ~~the boat~~ or permit ~~it~~ the vessel to be used for living quarters as a "live-aboard" vessel as defined in Florida Statute 327.02 ~~;~~ only as provided for in this section.

(1) All live-aboard vessels must be docked in a licensed marina facility located within Zoning District C-4, except as provided for in subsection (3) of this section.

(2) ~~The~~ All live-aboard vessels must contain a Coast Guard approved operable marine sanitation device. Discharge of sewage from all vessels ~~will be in compliance~~ must comply with section 78-37 of this chapter.

(3) ~~V~~ Live-aboard vessels ~~may~~ must not be used for permanent living purposes in other than zoning district C-4. ~~However, t~~ Transient, temporary, live-aboard vessels docking in other zoning districts must obtain a 72-hour ~~ten-day no-fee~~ nonrenewable permit in accordance with section 78-62 of this chapter.

(4) Live-aboard vessels anchored in the intracoastal waterway or vessels temporarily anchored due to emergency conditions or situations are exempt from this section during the temporary emergency.

(Code 1983, § 5-104(A)); (Ord. 2019-21 October 8, 2019)

Sec. 78-62. –Permit requirements.

~~(a) Live-aboard vessels, used for living purposes, desiring to stay in the city ten days or less must obtain within 72 hours of arrival, a ten-day no-fee nonrenewable permit from the city manager or his designated representative. The applicant will certify the vessel contains a Coast Guard approved operable sanitation device. This permit may only be acquired once on a quarterly (any contiguous three-month period) basis.~~

~~(b) Live-aboard vessels desiring to stay beyond the ten-day limit must obtain an annual permit from the city manager or his designated representative and pay a vessel inspection fee as prescribed in section 2-260.~~

(a) Definitions.

"Anchoring or mooring" means the use of a heavy object—including a mooring buoy—attached to a vessel, placed overboard to keep the vessel from drifting by weight or by gripping the bottom.

"Boat slip" means a portion of a pier, main pier, finger pier, or float where a vessel is berthed or moored, or used for embarking or disembarking.

"*Live-aboard vessel*" or "*live-aboard*" shall be defined by Section 327.02(22) Florida Statutes, as may be amended from time to time, which currently means: (a) A vessel used solely as a residence and not for navigation; or (b) A vessel for which a declaration of domicile has been filed pursuant to s. 222.17; or (c) A vessel used as a residence that does not have an effective means of propulsion for safe navigation. A commercial fishing vessel is expressly excluded from the term "live-aboard vessel" pursuant to Section 327.02(22) Florida Statutes (2019) as may be amended from time to time.

(b) Permit Requirements. Except for ~~live-aboard~~ vessels lawfully docked at private facilities or properties, anchoring or mooring any unattended live-aboard vessel in any of the waterways within the city for a continuous period of eight (8) hours or more, or for any overnight period is prohibited unless a temporary live-aboard permit is obtained.

(c) A temporary permit is required to be obtained from the City marina office prior to anchoring or mooring any live-aboard vessel in any of the waterways within the city for eight (8) hours or more. The temporary permit period for anchoring or mooring a live-aboard vessel must not exceed 72 hours. Only one (1) temporary permit may be issued for a lawfully registered or properly documented live-aboard vessel ~~or to a person~~ within any 30-day period. A fee to cover the costs associated with administering this requirement is provided in the city's schedule of fees. The city marina, or city manager, may establish and post reasonable rules and regulations for live-aboard anchoring or mooring and pump-out schedules to ensure the public health, safety, and welfare of persons and property within the city.

(d) Anchoring or mooring a live-aboard vessel in any city waterway within 200 feet of any seawall is prohibited.

(e) All live-aboard vessels, including temporarily permitted, live-aboard vessels must be removed, or evacuated, from city waterways within eight (8) hours of a declared weather emergency.

(Code 1983, § 5-104(B)); (Ord. 2019-21 October 8, 2019)

Sec. 78-63. - Marinas.

(a) All marinas ~~will~~ must have ~~appropriate~~ all required licenses and ~~will~~ be in compliance with the requirements of chapter 110, article VII, of this code for ~~regarding~~ off-street parking and loading ~~requirements of the city~~.

(b) All marinas ~~will~~ must have a working/operable pump-out station on premises ~~which~~ that is readily available to all vessel owners.

(c) All marinas providing live-aboard vessel accommodations for periods exceeding ~~ten days~~ 72 hours must provide direct sewage hook-ups for each live-aboard vessel.

(d) Marina operators ~~shall~~ must determine that each vessel using their docking facilities has obtained the ~~necessary~~ required city permits.

(e) Marinas providing live-aboard accommodations ~~will~~ must have indoor bathroom facilities ~~in compliance with the Standard Plumbing Code~~. All other marinas must have a minimum of one (1) public restroom with a water closet and lavatory. All bathroom and restroom facilities must be in compliance with the Florida Building Code—Plumbing.

(f) Marina operators ~~will have~~ must maintain, on the marina premises, a list of all live-aboard vessels~~, on premises,~~ for city review and inspection.

(g) The number of live-aboard vessels in a marina ~~will~~ must not exceed 15 percent of the total authorized boat slips ~~berths~~.

(Code 1983, § 5-104(C)); (Ord. 2019-21 October 8, 2019)

Section 2: **The provisions of this ordinance shall be deemed severable. If any part of the ordinance is deemed unconstitutional, it shall not affect the constitutionality of the other portions of the ordinance.**

Section 3: **All Ordinance or parts of ordinances in conflict with the provision of this ordinance be hereby repealed insofar as the same affect this Ordinance.**

Section 4: **This ordinance shall be in full force and effect upon adoption in the manner provided by law.**

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THIS 8th day of October, 2019.

ATTEST:

Clara VanBlargan
CLARA VANBLARGAN, City Clerk

Maggi Black
MAGGI BLACK, Mayor

PUBLISHED:

FIRST READING:

PUBLISHED:

PASSED ON SECOND READING:

Approved as to legal sufficiency:

City Attorney

CITY OF MADEIRA BEACH FLORIDA PINELLAS COUNTY

0000017267-01

Tampa Bay Times
Published Daily

ATE OF FLORIDA
COUNTY OF Pinellas } ss

Before the unersigned authority personally appeared Virginia Marshall who on oath says that he/she is Legal Advertising Representative of the Tampa Bay Times a daily newspsper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of adertisment, being a Legal Notice in the matter RE: Ordinance 2019-07, 17, 20 & 21 was published in Tampa Bay Times: 9/20/19 in said newspaper in the issues of Tampa Bay Times\Community Newspapers\Beaches

Affiant further says the said Tampa Bay Times is a newspaper published in Pinellas County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas County, Florida each day and has been entered as a second class mail mater at the post office in said Pinellas County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid promised any person, firm or corporation any discount, rebate, commission refund for the purpose of securing this advertisement for publication in the said newspaper.

Signature Affiant

Sworn to and subscribed before me this 09/20/2019

Signature of Notary Public

Personally known X or produced identification

Type of identification produced

Notary Public State of Florida
David Kersey
My Commission GG 282146
Expires 12/05/2022

LEGAL NOTICE

Item 4A.

NOTICE OF PUBLIC HE/ CITY OF MADEIRA BE

In accordance with the City of Madeira Beach Code of Ordinances, the City of Madeira Beach City Charter, and Florida Statutes §166.041(3)(a):

NOTICE IS HEREBY GIVEN, the Board of Commissioners of the City of Madeira Beach will conduct a Second Reading and Public Hearing for the adoption of proposed Ordinance 2019-07, Ordinance 2019-17, Ordinance 2019-20 and Ordinance 2019-21 on Tuesday, October 8, 2019 at 6:00 p.m. The meeting will be held in the Patricia Shontz Commission Chambers located at 300 Municipal Drive, Madeira Beach, FL 33708. The title of said Ordinance is as follows:

ORDINANCE 2019-07
AN ORDINANCE OF THE CITY OF MADEIRA BEACH AMENDING DIVISION 10. - PLANNED DEVELOPMENT, SEC. 110-386. – PURPOSE OF PLANNED DEVELOPMENT (PD) DISTRICT, STRENGTHENING PURPOSE AND INTENT; SEC. 110-387.- USES PERMITTED, ADDRESSING COMPATIBILITY AND SETTING STANDARDS FOR MIXED-USES; SEC. 110-388 – APPLICATION FOR PD ZONING, SPECIFYING SUBMISSION REQUIREMENTS AND DESIGN CRITERIA; SEC. 110-389. – PROCEDURE FOR APPROVAL OF PD ZONING, ADDING SPECIFIC PROCEDURES FOR REVIEW; SEC. 110-391. – REVIEW BY LOCAL PLANNING AGENCY, SPECIFYING RESPONSIBILITIES AND SPECIFYING REVIEW CRITERIA; SEC. 110-392. – NEIGHBORHOOD INFORMATION MEETING, REQUIRING MEETING TO BE HELD BEFORE LOCAL PLANNING AGENCY MEETING AND BE REPORTED AS AN ELEMENT OF APPLICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE

ORDINANCE NO. 2019-17
AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 110 – ZONING, ARTICLE VI. SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION III. – WALLS, FENCES, HEDGES, AND SAND FENCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE RECOGNITION OF STATE PREEMPTION; AND PROVIDING FOR AN EFFECTIVE DATE. FIRST READING.

ORDINANCE NO. 2019-20
AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING LAND DEVELOPMENT REGULATIONS; ARTICLE VII. – OFF-STREET PARKING AND LOADING, SEC. 110-953 – MAINTENANCE; SEC. 110-955. – METHODS OF PROVIDING REQUIRED PARKING; SEC. 110-956. – SHARED PARKING FACILITIES; DIVISION 2. – OFF-STREET PARKING SPACES, SEC. 110-971 – NUMBER OF SPACES; SEC. 110-973. – OFF-STREET PARKING SPACE STANDARDS, REGULAR CAR OFF-STREET PARKING LAYOUT; ADDING SEC. 110-974. VALET PARKING; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY AND; PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

ORDINANCE NO. 2019-21
AN ORDINANCE OF THE CITY OF MADEIRA BEACH, AMENDING CHAPTER 78 WATERWAYS; ARTICLE I; SEC. 78-1 CONTAINERS AND/OR BOTTLES PROHIBITED ON PUBLIC BEACHES; SEC. 78-2.-FISHING PROHIBITED; SEC 78-3.- SWIMMING AND SPEARFISHING; PROHIBITED IN CERTAIN AREAS; SEC. 78-4.-RESTRICTED SWIMMING AREAS ESTABLISHED; ARTICLE II. –BOATS; DIVISION 1-GENERALLY; SEC. 78-31.-ADOPTION OF STATE BOATING REGULATIONS; SEC. 78-32.-DEFINITIONS; SEC. 78-33.-SPEED RESTRICTIONS ON WATERCRAFT IN SPECIFIC AREAS; SEC. 78-34.- CONGESTED MARINE AREAS; SEC. 78-35.- WATERSKIING REGULATIONS GENERALLY; SEC. 78-36.- DOCKING LIMITATIONS; SEC. 78-37.- DISCHARGE OF SEWAGE FROM VESSELS INTO CITY WATERS; SEC. 78-38.- SLOW SPEED-MINIMUM WAKE AND IDLE SPEED-NO WAKE ZONES AND INFORMATIONAL MARKERS; SEC. 78-39.- AIRBOATS DECLARED A NUISANCE; OPERATION PROHIBITED; SEC. 78-40.- RESTRICTIONS ON USE OF PUBLIC PROPERTY; DIVISION 2.-LIVE ABOARD VESSELS; SEC. 78-61.- GENERAL REGULATIONS; SEC. 78-62.-PERMIT REQUIREMENTS; SEC. 78-63.- MARINAS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

A copy of the proposed Ordinances is available for inspection in the City Clerk's Office between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday. If you would like more information regarding the proposed Ordinances, please contact Linda Portal, Community Development Director, at 727-391-9951, ext. 255.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. All persons are hereby advised that any presentation they make to the Board of Commissioners will be encouraged to be as precise as possible and will be limited to three minutes per speaker to permit maximum participation by the public at large.

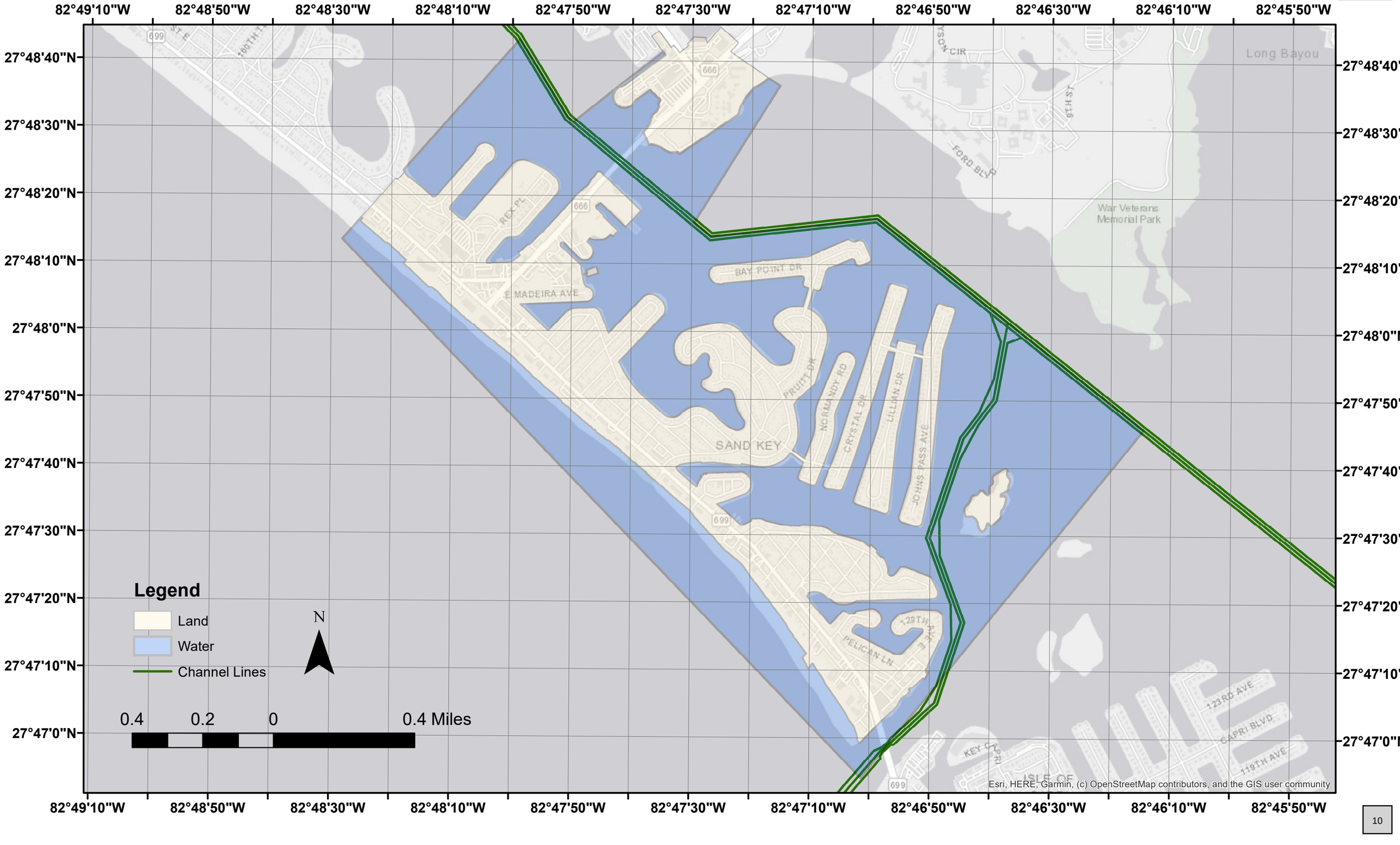
Persons who wish to appeal any decision made by the Board of Commissioners with respect to any matter considered during a public hearing at this meeting will need a record of the proceedings, and for such purpose may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. It is the responsibility of the person making the appeal to bear the cost of hiring a private reporter or private recording firm to make the verbatim record.

In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk's office no later t 4:00 p.m. on the day prior to the meeting: (727) 391-9951, E 231 or 223 or fax a written request to (727) 399-1131.

Clara VanBlargan, MMC, MSM, City Clerk

09/20/2019 0000017267-01

Madeira Beach Municipal Boundary Map



MEMORANDUM

TO: Honorable Mayor and Board of Commissioners

VIA: Robin Gomez, City Manager

FROM: Jay Hatch, Recreation Director

DATE: June 20, 2023

RE: City Dog Park Improvements

Background

Currently the City of Madeira Beach has a dog park located in the City Hall Parking lot between the Fire Station and the Ball Fields of ROC Park. Due to its abundance of use, the dog park has become a maintenance challenge and is due for a much-needed overhaul to better serve the community of dog owners who utilize it. Over the last year, staff has held various community input meetings to seek feedback on what the future of the dog park would look like. Those meetings were held on April 19, 2022, October 26, 2022, and May 17, 2023. Each meeting saw approximately 50-75 visitors and their pets. Feedback from those meetings was collected and staff worked with Leroy Chin of TranSystems to develop plans for potential renovation of the dog park. Of that feedback, concerns related to the surface, shade, and amenities were raised by the dog park users. To this point, Mr. Chin and staff have compiled drawings and cost estimates for the dog park improvements as it is currently designed.

At this time, staff is seeking direction from the board to move forward with bidding out the various aspects of the project to get a better understanding of the overall costs of the project in order to move forward with the dog park improvements.

Fiscal Impact

Current cost estimates are included in the attached document below. Staff intends to oversee construction of the project which should result in overall savings. Additionally, staff will utilize a sponsorship program for the dog park to help offset some of the costs associated with the project.

Recommendation

Staff recommends moving forward with Requests for Bids to determine the overall actual costs of the project. Staff would release the information as soon as possible and bring the results of the bids back to a future workshop for discussion.

Attachments

- Updated Preliminary Dog Park Design
- Preliminary Dog Park Cost Estimate
- Dog Park Meeting Feedback 1
- Dog Park Meeting Feedback 2
- Dog Park Meeting Feedback 3
- Dog Park Feedback - Resident
- Letter from Medicine River Animal Hospital
- Dog Park Feedback - Resident
- Dog Park Information - National Parks and Recreation Magazine

Madeira Beach Dog Park Site Plan 1 Construction Cost Estimate 3-29-2022					
Item No.	**Description**	**Units**	**Quantity**	**Unit Cost**	**Total Cost**
1	Dog watering station units on boardwalk	Ea.	2	$150.00	$300.00
2	Dog watering station unit in ground	Ea.	1	$4,500.00	$4,500.00
3	Gravity wall 2 foot depth 45 feet in length	LF	45	$275.00	$12,375.00
4	Custom Sails per Design Developent plan Stainless Steel	Ea.	1	$ 346,462.00	$346,462.00
5	Dog park containment fencing with top rails w/botton wire post 10 ft on center blk. PVC chain-link fence w/4-3 ft. wide. gates and 2- 5 ft wide gates, includes dog wash area	LF	325	$ 53.25	$17,306.25
6	West 30 ft. x 40 ft. boardwalk composite decking with 54 inch high handrail on 3 sides of decking area w/saddle wear deck surfacing	sq. ft.	1,000	$ 110.00	$110,000.00
7	Artificial K-9 turf	sq. ft.	7,500	$ 15.00	$112,500.00

8	Epoxy rubber surfacing at base of trees and palms	sq. ft.	160	$ 47.50	$7,600.00
9	Concrete flatwork	sq. ft.	340	$15.00	$ 5,100.00
10	Evergreen understory trees 2" caliper 6-8 ft. ht, 30 gal. cont.	Ea.	13	$ 350.00	$ 4,550.00
11	Fflowering understory trees 2" caliper 6-8 ft. ht, 30 gal. cont. 'Standards'	Ea.	4	$ 450.00	$ 1,800.00
12	Evergreen shurbs 18" spread, 24" height 3 gal. containers	Ea.	100	$ 20.75	$ 2,075.00
13	Flowering groundcovers 8-inch spread, 3-inch height,1 gal. cont.	Ea.	750	$ 12.50	$ 9,375.00
14	Irrigation System	sq.ft	8,756.00	$ 3.40	$ 29,770.40
15	Doggie pottie collection waste collection & concrete trash cans	Ea.	5.00	$ 850.00	$ 4,250.00
16	Dog washing Station	Ea.	1	$ 3,500.00	$ 3,500.00
17	**Sub-total based on city contracting with no construction manager**				$671,463.65

18	Madeira Beach Dog Park Conceptual Site Plan 1 Pareliminary Cost Estimate			$671,463.65
19	10% contingency for unforseen items	0.10	$	157,431.83
20	**Madeira Beach Dog Park Master Development Site Plan Construction Cost Estimate**			**$828,895.48**

From: Jeremy Purkis
Sent: Friday, March 3, 2023 3:01 PM
To: Leroy Chin <lchin@transystems.com>
Subject: RE: Madeira Beach Dog Park

Good Morning,

I received your request for a quotation on your project. Please see the quoted numbers below.

QUOTE: QOJP030223-A

Notes:

1. Product: Custom Sails – Per attached sketch and heights shown in red.
2. Pricing is based on Volusia County School State Contract (Piggyback)
3. Shipping to: Madeira Beach, FL
4. Engineering is included.
5. Quote based on pier mount footings.
6. FL Sales Taxes have been EXCLUDED
7. Estimated installation of $ has been included in the pricing below.

Quick Quote	STAINLESS
Model	Sails
Quantity	4
Price	$201,200.00
Drawings and calculations	$1,300.00
Est. Installation	$141,550.00
Shipping and handling	$2,412
Total	$346,462.00
Deposit for Order	$173,231.00

Quick Quote	STD STEEL
Model	Sails
Quantity	4
Price	$106,400.00
Drawings and calculations	$1,300.00
Est. Installation	$141,550.00
Shipping and handling	$2,412
Total	$251,662.00
Deposit for Order	$125,831.00

IMPORTANT TERMS & CONDITIONS:

Pre-Engineered Fabric Shade Products

Part 1 – General

1.1 Related Documents

Drawings and general provisions of the Contract, including General Conditions and Division 1 Specifications Sections, apply to this section.

1.2 Summary

The shade structure contractor shall be responsible for design, engineering, fabrication and supply of the work specified herein. The intent of this specification is to have only one manufacturer be responsible for the aforementioned functions.

1.3 Submittals

1.3.1 Pre-Bid Submittals

A. Provide proof of installed reference sites with structures for similar scope of project and installation that are engineered to International Building Code (IBC) specifications. Include in reference list of structure dimensions with install dates and project locations.

B. Provide information to establish desired fabric color and power coat color.

C. Provide proof of all quality assurance items including:

1. A list of at least six (6) public municipal installations where manufacturer's product as proposed pursuant to this bid has been installed and has been in continuous use for a minimum of five (5) years each.

2. All manufacturers shall provide proof of a minimum $ 2,000,000.00 (AG) General Public Liability Insurance, $ 2,000,000.00 Professional Liability (PL) insurance, $ 100,000.00 Inland Marine Insurance, and additional $ 5,000,000.00 Umbrella Liability insurance.

1.3.2 Award of Contract Submittals

A. Make available wet-sealed structural engineering drawings and calculations

B. Provide fabric color and powder coat color selections for final order.

Because of our commitment to continuous product development and improvement, we reserve the right to change specifications at any time without notice.

B. Or Equal: Standard for approved equal. Ten (10) day prior approval required for substitution of product design, materials and features specified above. Submittals must include plans, drawings, cut sheets, material data sheets, testing results and samples. Bids failing to meet this requirement will be deemed non-responsive.

C. Structures are engineered to meet or exceed the requirements of International Building Code (IBC), and the following standard specifications:

Wind Speed (Frame only): 165 M.P.H.

Wind Speed (Frame w/canopy): 90 M.P.H.

Live Load: --

Snow Load: --

Optional designs with greater wind speeds, live loads, and snow loads are available.

D. Material: All materials shall be structurally sound and appropriate for safe use. Product durability shall be ensured by the use of corrosion-resistant metals such as stainless steel, and coatings such as zinc-plating, galvanizing, and powder-coating on steel parts, subject to the Product-Specific requirements. Fabrics used shall include UV-stabilizers and fire retardants for longevity and safety.

E. Packaging: All metal posts, rafters and beams shall be wrapped in plastic and cardboard to protect the powder coat finish during shipping.

F. Weldments: All tubing members are factory-welded by Certified Welders to American Welding Society (AWS) specifications and to the highest standards of quality workmanship. Weldments are finished with a zinc-rich galvanized coating. No field welding is required in the assembly of the shade products.

G. Posts, Structural Frame Tubing, and Hardware: All tubing used shall be cold-formed and milled per ASTM A-135 and ASTM A-500. Material testing is in accordance with ASTM E-8. Minimum yield is 40,000 psi with a minimum tensile strength of 45,000 psi on all posts. All tubing shall be pre-cut to appropriate lengths, and all outside surfaces shall be galvanized, with an interior corrosion-resistant zinc-rich coating. Where required, support pipes shall be schedule 40 hot-dip galvanized or powder-coated black steel. All fastening hardware shall be stainless steel.

7. **Application of Powder-Coating.** Lastly, *PPG Envirocron™ Ultradurable* powder coatings shall be used to provide a combination of excellent physical and chemical resistance properties, outstanding resistance to outdoor weathering, and a durable and uniform final coat.

Powder Coat Characteristics:

Gloss (ASTM D-523):	80 Minimum @ 20°
Gloss (ASTM D-523):	80 Minimum @ 60°
Adhesion (ASTM D-3359):	100% (5B Pass)
Hardness (ASTM D-3363):	2H Pencil (Eagle)
Impact Resistance (ASTM D-2794):	40 In.-lbs. Direct
	20 In.-lbs. Reverse
Conical Mandrel (ASTM D-522):	1/8" Mandrel - No Cracking
Salt Spray (ASTM B-117):	1000 Hours Pass
	< 1/8" Scribe Creep
	No Blisters
Humidity (ASTM D-1735):	1000 Hours Pass
	< 1/16" Scribe Creep
	No Blisters
Film Properties (Thickness):	3 mils

I. Standard Footings: Footings shall be designed per stringent International Building Code (IBC) for the specified structure. Columns will be provided as standard direct embedment. Other footing designs are available.

J. Roofing: Structural frames and/or fabric sails are designed by Shade Systems only for use with Coolnet™ polyethylene shade fabric. Fabric is attached to frame or columns using stainless steel and clear vinyl coated cable. Cable fasteners are zinc-plated copper for maximum corrosion resistance.

2.2 Fastening System **(Frame Structure)**

A. Coolnet™ Shade Fabric shall be delivered complete with independent cables pre-inserted in fabric hems. Each cable shall be looped and clamped at each end. Fastening System to consist of the Turn-N-Slide™ fastening device which is factory installed at each roof rafter corner. The Turn-N-Slide features a concealed mechanism which allows the attachment hook and sleeve at each rafter corner to move along a track in the rafter. Cables are attached to hook which is welded to the moving sleeve, thereby distributing tension evenly over rafters and not directly onto the mechanism. Rafters are sealed with no penetrations on the top side, thereby preventing water from entering. Such moving sleeve with hook allows the looped ends of each cable to slide over the hook when the sleeve is at its upper position, and

Because of our commitment to continuous product development and improvement, we reserve the right to change specifications at any time without notice.

2.3 Fabric

A. Shade Fabric: Knitted of monofilament and tape construction high density polyethylene with Ultra-Violent (U.V.) stabilizers and flame retardant. Coolnet™ offers the ultimate combination of maximum sun protection, strength and durability to ensure maintenance free long-life performance. UV- Block Factor varies by standard color offered from 90% to 97%.

Coolnet™ Properties:

Nominal Fabric Mass:		Min. 340 g/m² // 10 oz/yd²
Fabric Thickness:	ASTM D5199-12	.06 inch
Temperature Range:		22°F to 155°F
Roll Width:		9 ft. 10 in.
Roll Length:		131 ft.
Tensile Strength:	ASTM D5034-09	Warp (202.4 lbf) / Weft (403.2 lbf)
Elongation:	ASTM D5034-09	Warp (112.3%) / Weft (50.8%)
Tongue Tear:	ASTM D2261-13	Warp (47.9 lbf) / Weft (50.1 lbf)
Burst Strength:	ASTM D6797-15	383.0 lbf
Flammability:	ASTM E-84 Class A	
Lead:		PASS
Phthalate:		PASS

Coolnet™ Shade Fabrics meet the most stringent Fire Standards for shade fabrics including CSFM 1237.1 and NFPA 701 across all color variants.

All hems and seams are double row lock stitched using exterior grade UV- stabilized polyethylene GORE™ TENARA™ sewing thread (GORE and TENARA are trademarks of W.L. Gore & Associates).

Because of our commitment to continuous product development and improvement, we reserve the right to change specifications at any time without notice.

Conversations with Scott Brushwood – Rep Services - Orlando
Thursday, March 9, 2023 6:10 PM
Scott Brushwood <sbrushwood@repservices.com>
Cc: Leroy Chin <lchin@transystems.com>
Subject: FW: Madeira Beach Dog Park

The pricing is about APPROXIMATELY $ 150,000.00. That is for product ONLY (including freight and engineering). **That does NOT include installation, foundations, or taxes.**

Let me know what you think and what else you need from me to take the next steps. Given the cost, I wanted to make sure the budget pricing was acceptable.
I would need to get figures from the install team, but a VERY rough guess would be about $ 110,000 – 120,000 for install. That would include the foundations and permitting. But that is a rough guess.

Complete estimate cost $270,000 to $300,000 with black iron steel and high quality powder coating.

Let me know, thanks!!

Regards

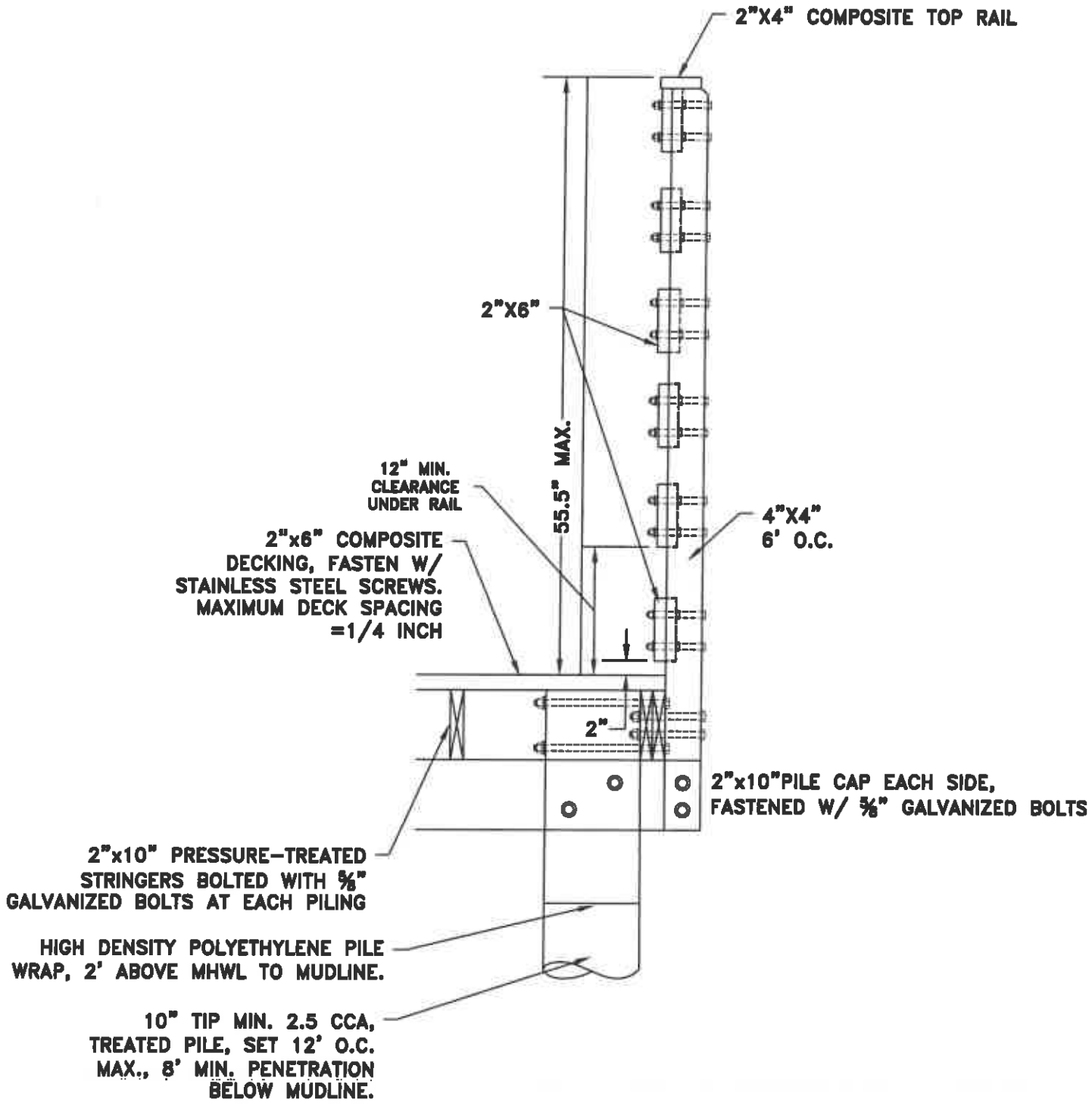
Scott Brushwood | Sales Consultant | email: scott@repservices.com
Rep Services, Inc | 1855 W. Kennedy Blvd | Tampa, FL 33606 | 800-750-2750 x414
☎(office): 727.538.8457 ☎(cell): 727.515.5115 | www.repservices.com
Experts at Play & Outdoor Spaces

Other comments are as follows:

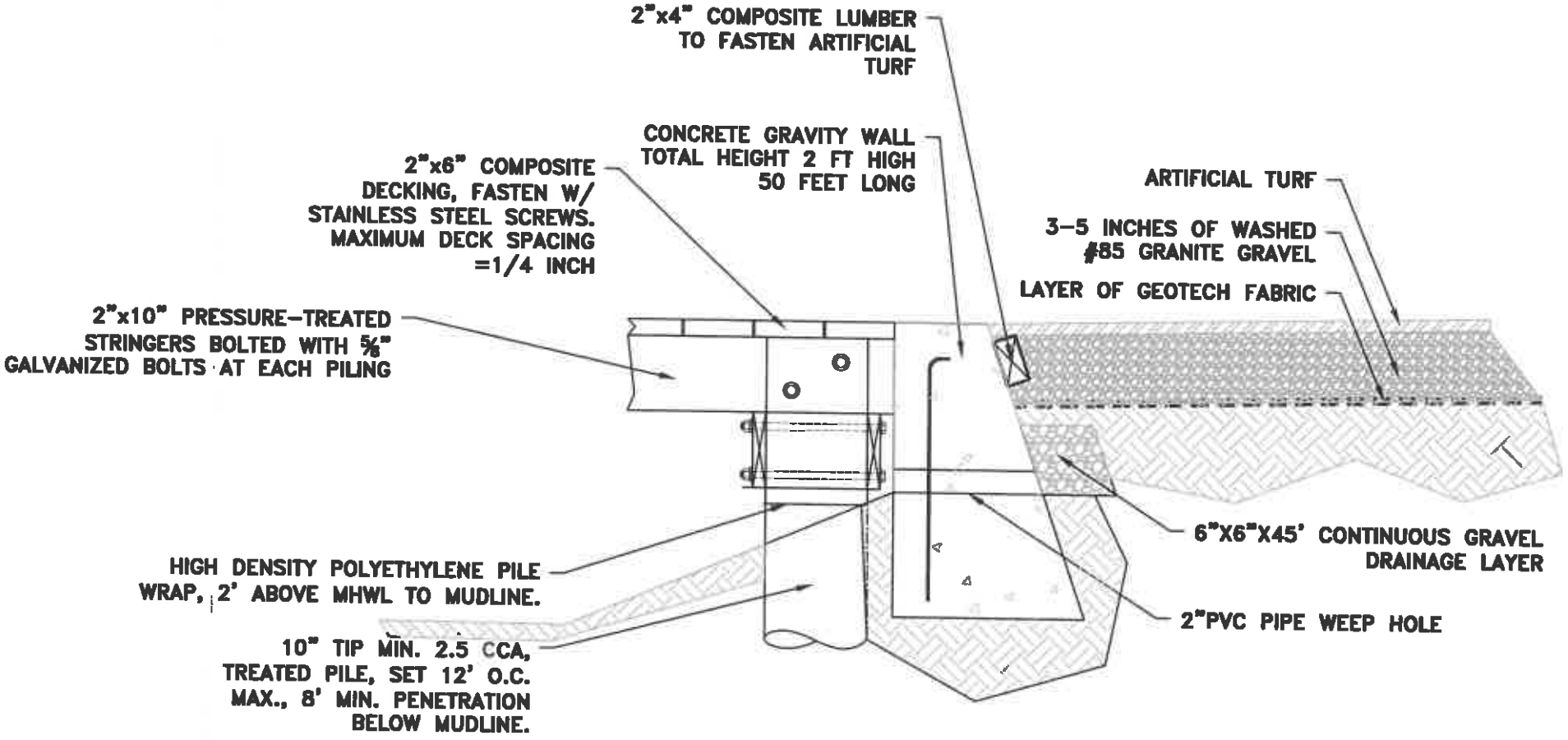
1. Is the cost based on 304 stainless steel on all components? WE DO NOT OFFER STAINLESS STEEL. These will be hot dipped galvanized with no powder coat. I am waiting on the factory for that cost. What is the cost based on? I could not find what the cost is based on what type of materials.
2. The concept plan we provided had various colors for the shade canopies. is there additional cost for our color selection? NO. The designer just picked that shade fabric color. We can do different colors of whatever FR fabric color you want. The rendering was more for concept than color selections. The color you selected is dull and unattractive need to make more festive.
3. The column selection we provided was cobalt blue why vanilla? They will be galvanized, no powder coat. So the columns will be gray.
4. What is the cost for the footer? I don't know the footer cost because I don't have an estimated footer size. I am guessing 10x10. But they could be bigger. I have requested the footer sizes and can then price. This was just AN ESTIMATE.
5. What is the cost for engineered drawings signed and sealed by a Florida licensed structural engineer. About $ 5,000.00.
6. Are these quick release canopies? YES. Building code requires a quick release mechanism.
7. I am going to assume the wind rating of 105 mph is for the canopy and must be taken down during a major storm event. What is the recommend wind rating to take down, on previous type unit we are being taking down if we encounter winds greater than 65 mph . are you saying at 105 mph we will not get any damage to the canopies? Also, can we safely say the metal columns are okay during a major hurricane force winds if the canopies are taken down? We recommend the fabric be taken down with wind speeds above 65 mph. Yes, the columns would be fine in hurricane winds with the fabric removed.

Thanks!

Leroy Chin, PLA
Vice President - Landscape Architect



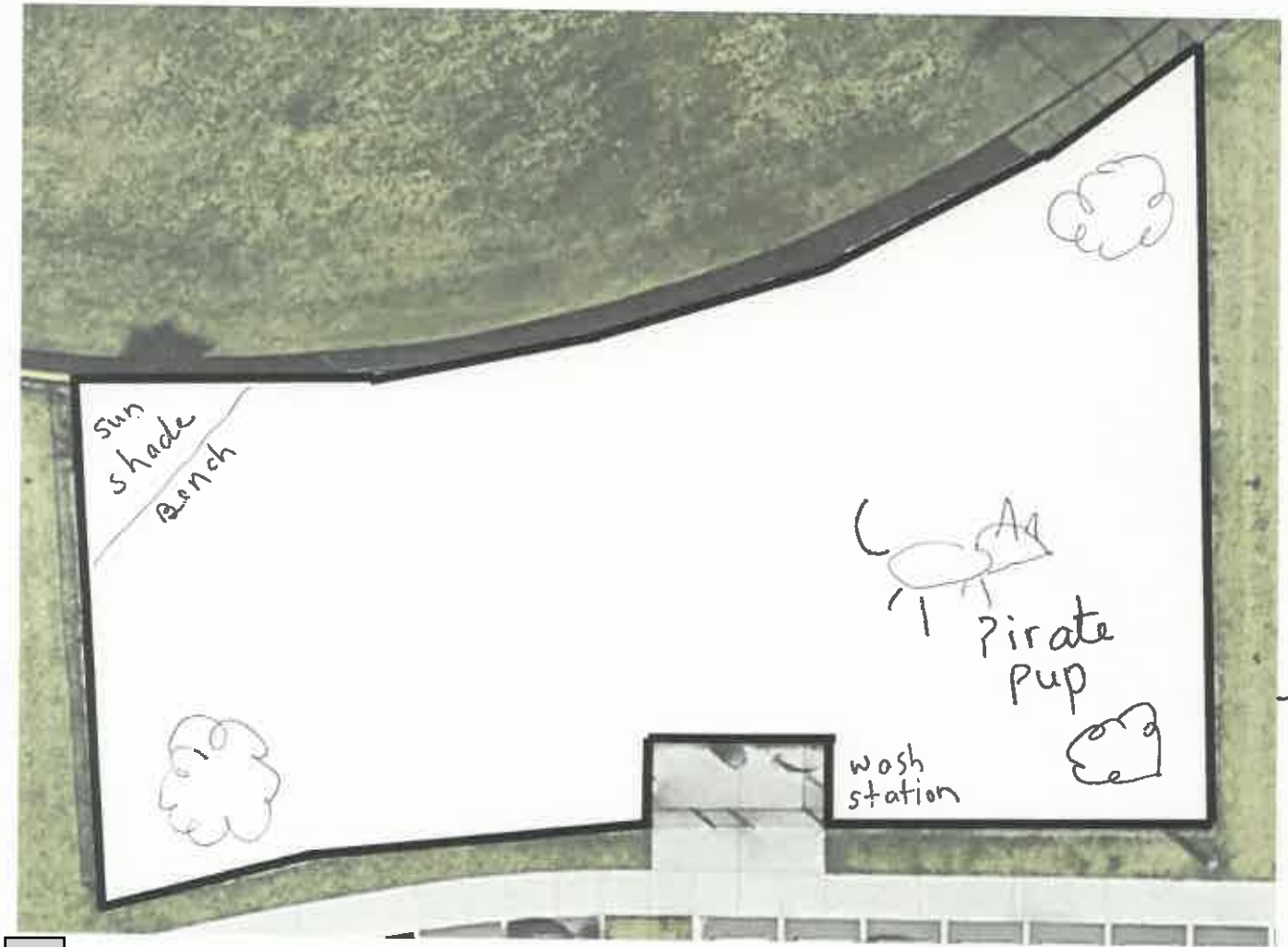
55.5" HEIGHT BOARDWALK LOCATIONS



CROSS SECTION AT BOARDWALK & DOG RUN

Madeira Beach Dog Park Discussion
April 19, 2022

Please illustrate what you envision the Madeira Beach Dog Park to look like. Please label any features that are included in your design.



Optional Information:

Name: Kandi Maiden

Email: sweetontwins@yahoo.com

Would you like to be included in future messaging about the Madeira Beach Dog Park and related fundraising opportunities? (YES) NO

How often do you visit the Madeira Beach Dog Park?

1) 1-2 days a week

2) 3-5 days a week

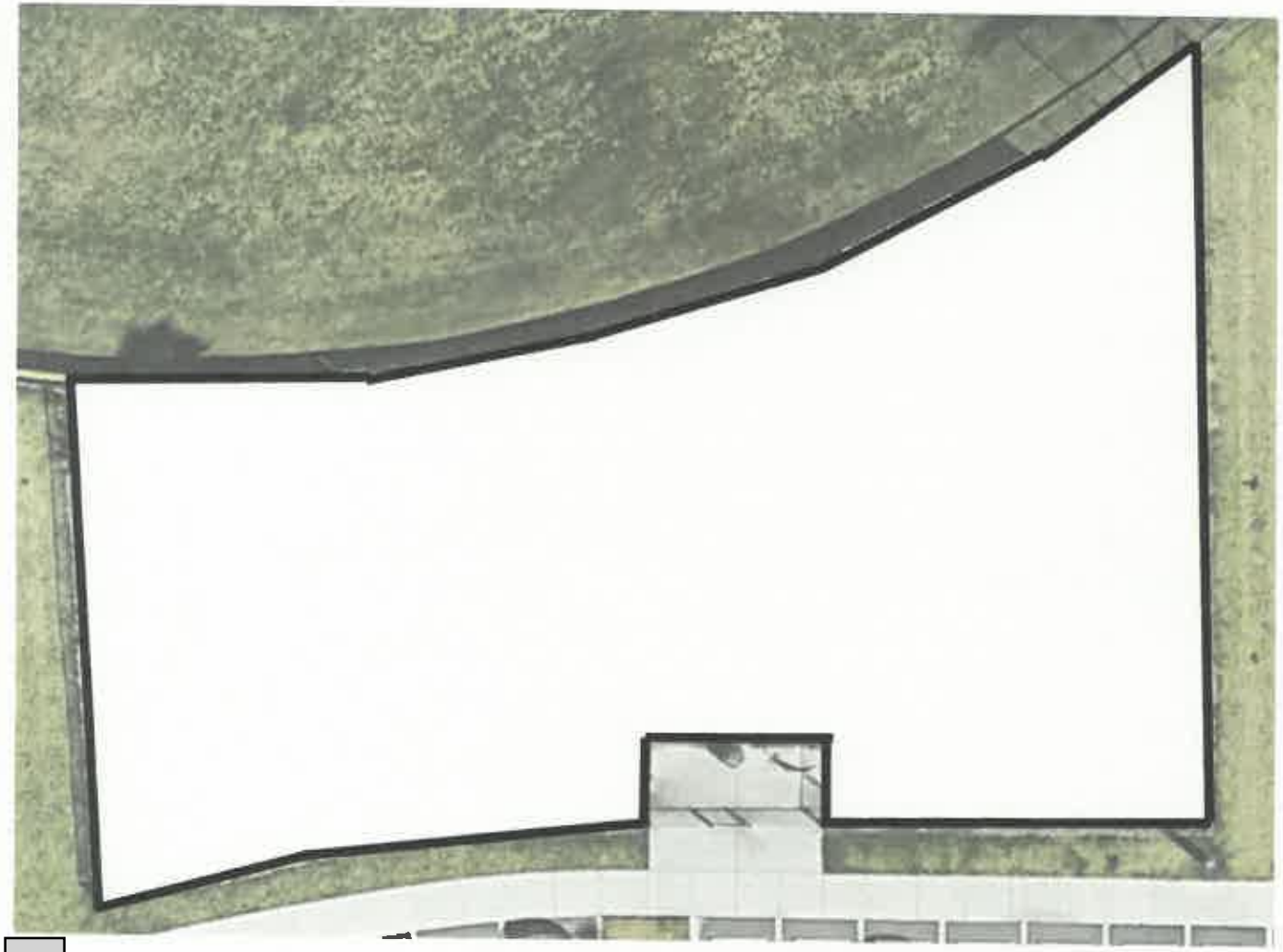
3) Daily

What are 5 features you'd like to see in this dog park?

* a small dog area *
washing station
more shade trees
benches
Sun shade
Beautiful grass
nice trash receptacle & signage

Madeira Beach Dog Park Discussion
April 19, 2022

Please illustrate what you envision the Madeira Beach Dog Park to look like. Please label any features that are included in your design.



Optional Information:

Name: Meghan Starnes

Email: megmcc87@gmail.com

Would you like to be included in future messaging about the Madeira Beach Dog Park and related fundraising opportunities? (YES) NO

How often do you visit the Madeira Beach Dog Park?

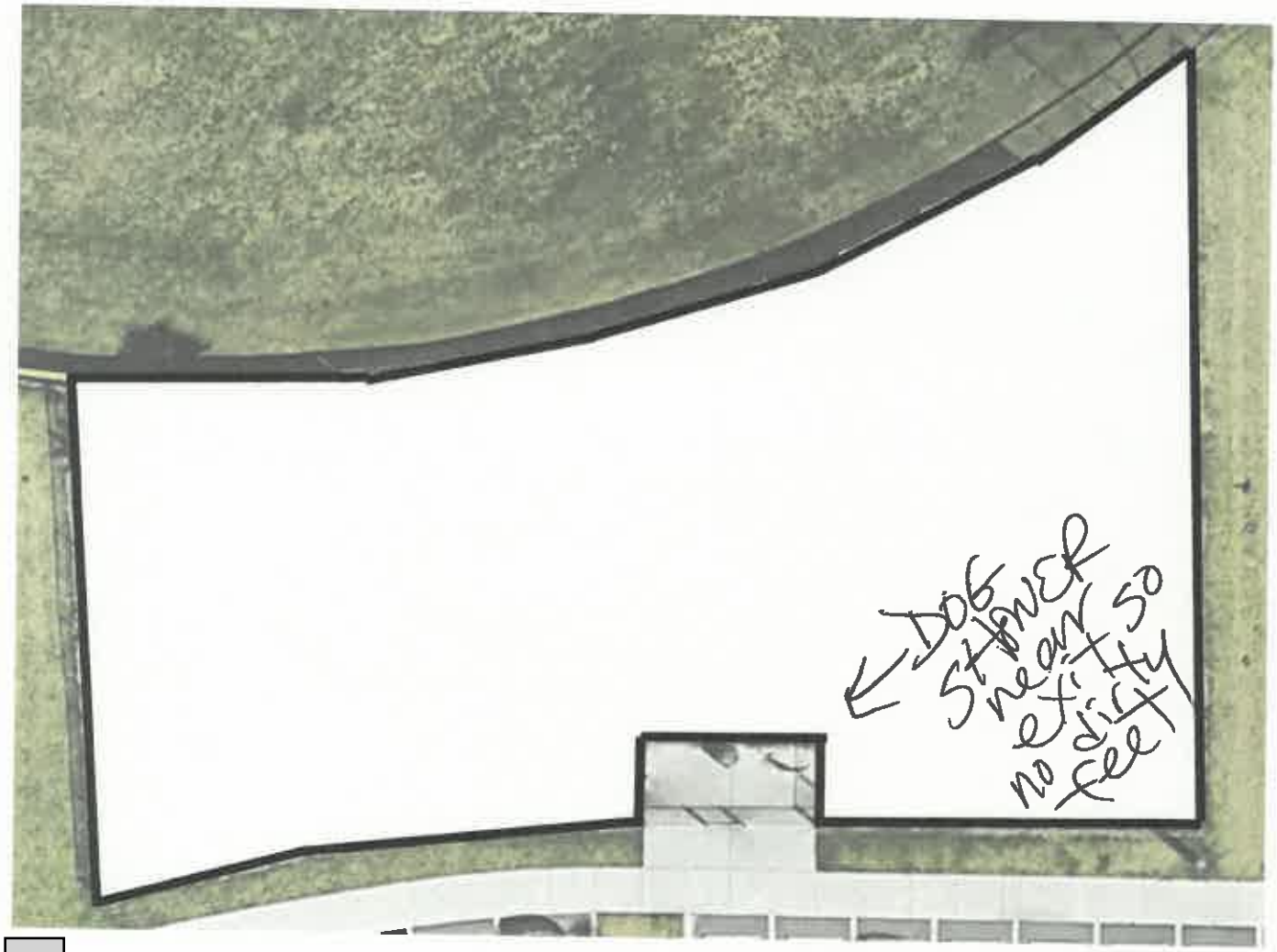
1) 1-2 days a week
2) 3-5 days a week
3) Daily

What are 5 features you'd like to see in this dog park?

Better grass/turf, Things for dog to climb on, Water station moved

Madeira Beach Dog Park Discussion
April 19, 2022

Please illustrate what you envision the Madeira Beach Dog Park to look like. Please label any features that are included in your design.



Optional Information:

Name: LIZ BARNETT

Email: Lizardbarnett@yahoo.com

Would you like to be included in future messaging about the Madeira Beach Dog Park and related fundraising opportunities? (YES) NO

How often do you visit the Madeira Beach Dog Park?

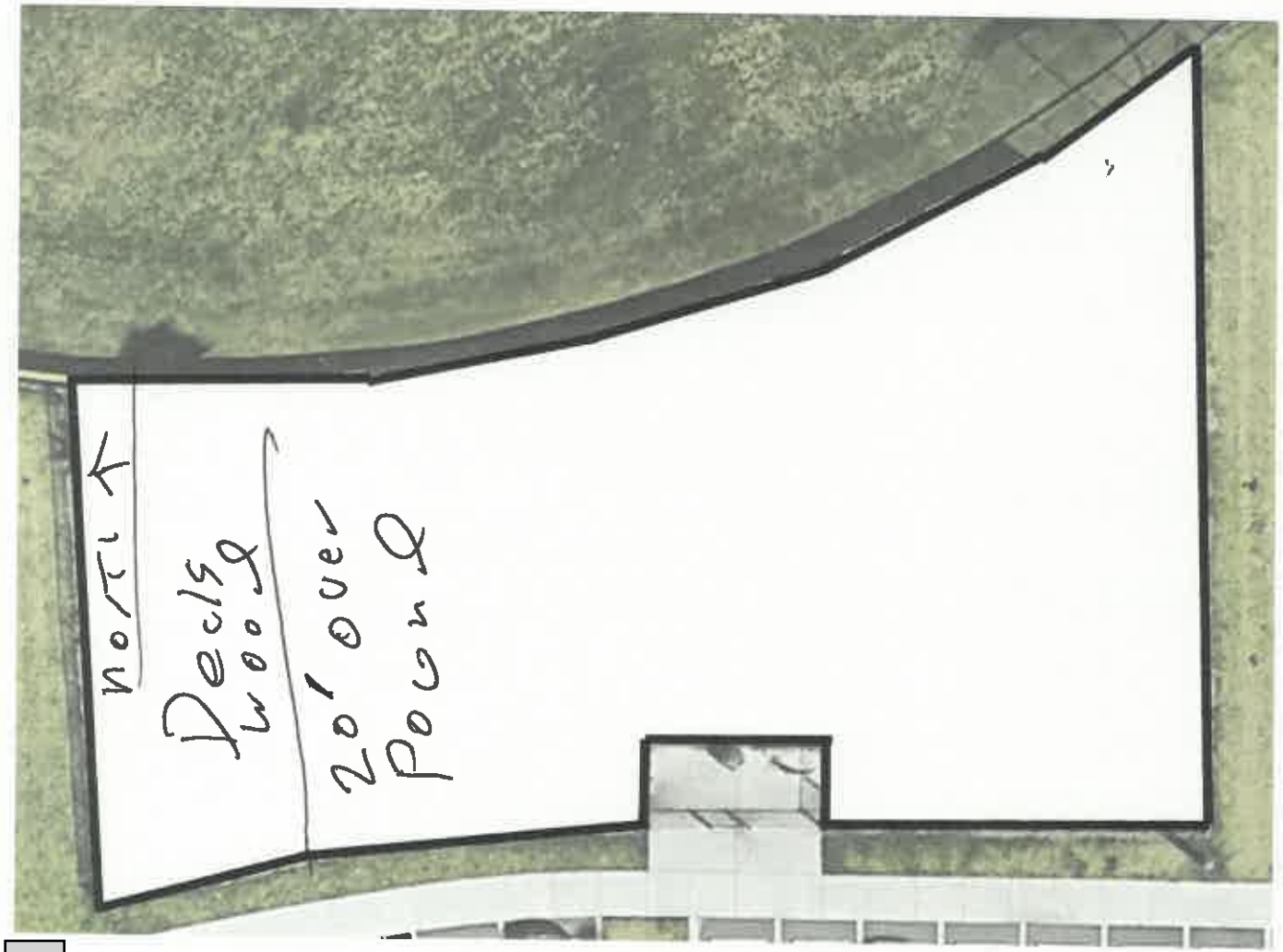
1) 1-2 days a week
2) 3-5 days a week
3) Daily

What are 5 features you'd like to see in this dog park?

1. DOG SHOWER
2. NO DIRT
3. MORE SHADE
4. USE Fire Dept Land for small dog park
5. Exercise Station

Madeira Beach Dog Park Discussion
April 19, 2022

Please illustrate what you envision the Madeira Beach Dog Park to look like. Please label any features that are included in your design.



Optional Information:

Name: Dawn Shephard

Email: DJShephard restoration@gmail.com

Would you like to be included in future messaging about the Madeira Beach Dog Park and related fundraising opportunities? (YES) NO

How often do you visit the Madeira Beach Dog Park?

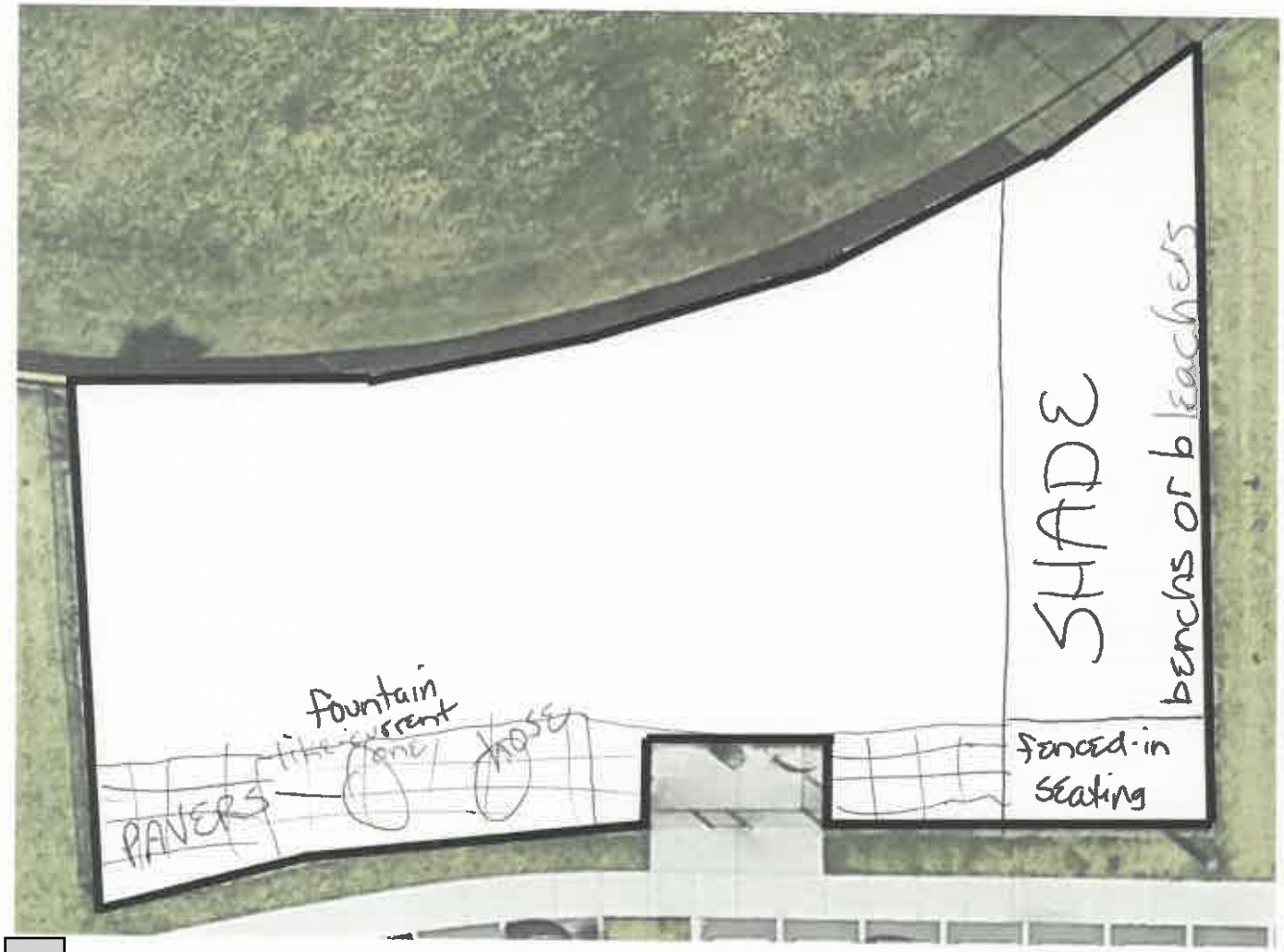
1) 1-2 days a week
2) 3-5 days a week
3) Daily

What are 5 features you'd like to see in this dog park?

Shade
Ground Cover
Seating
More water
Wash house

Madeira Beach Dog Park Discussion
April 19, 2022

Please illustrate what you envision the Madeira Beach Dog Park to look like. Please label any features that are included in your design.



Optional Information:

Name: Dennis Pollman

Email: bertpollman@yahoo

Would you like to be included in future messaging about the Madeira Beach Dog Park and related fundraising opportunities? YES NO

How often do you visit the Madeira Beach Dog Park?

1) 1-2 days a week

2) 3-5 days a week

3) Daily

What are 5 features you'd like to see in this dog park?

K-9 turf

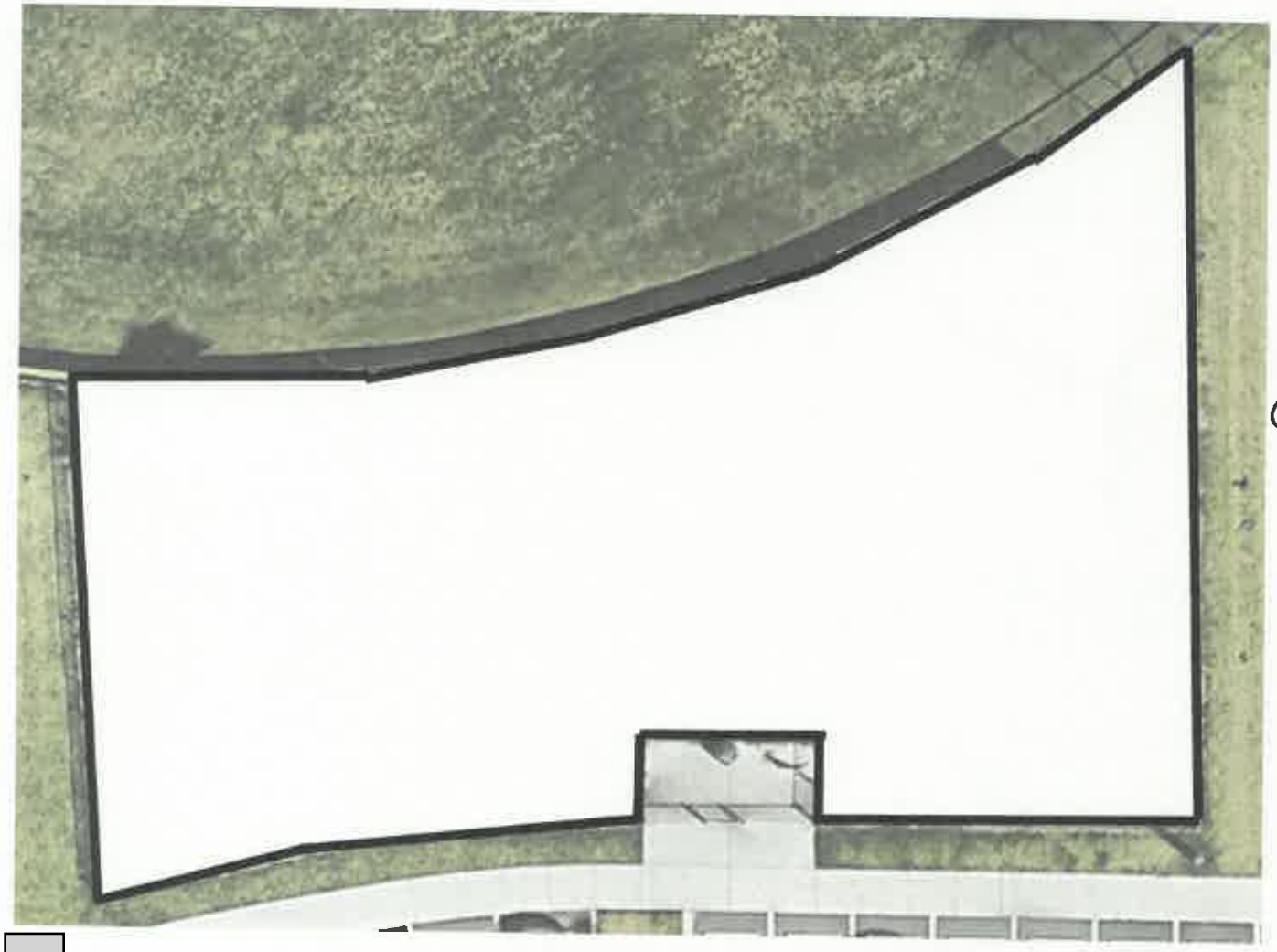
shade

seats or "bleachers"

shower hose

Madeira Beach Dog Park Discussion
April 19, 2022

Please illustrate what you envision the Madeira Beach Dog Park to look like. Please label any features that are included in your design.



Optional Information:

Name: _____

Email: _____

Would you like to be included in future messaging about the Madeira Beach Dog Park and related fundraising opportunities? YES NO

How often do you visit the Madeira Beach Dog Park?

1) 1-2 days a week

2) 3-5 days a week

3) Daily

What are 5 features you'd like to see in this dog park?

Water feature

Turf - Artificial

More Benches

_____

_____

MADEIRA BEACH DOG PARK

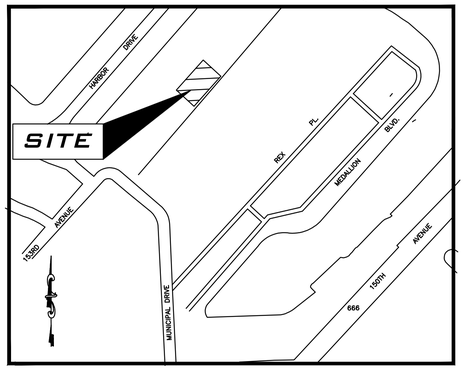
FACILITY RENOVATIONS & EXPANSION

300 MUNICIPAL DRIVE, CITY OF MADEIRA BEACH, FORIDA

INDEX OF DRAWINGS

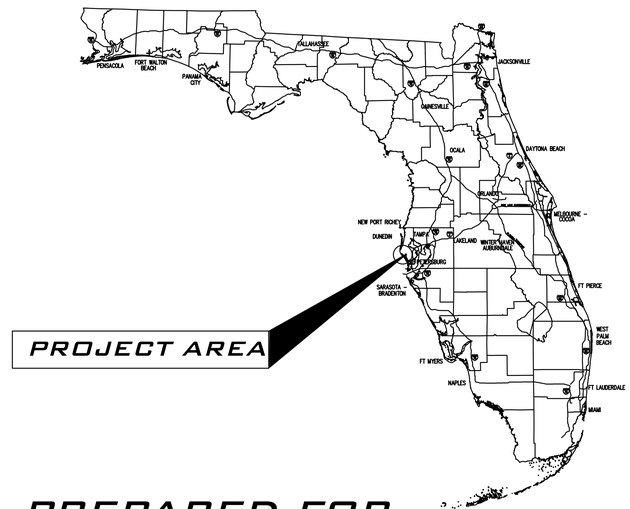
DRAWING TITLE	SHEET NO.
COVER SHEET	1
EXIST. CONDITIONS, DEMO, EROSION	2
SITE PLAN	3
HARDSCAPE ELEMENTS	4
BOARDWALK DETAILS	5 & 6
PRELIMINARY CANOPY STRUCTURAL DETAILS	7
LANDSCAPE PLAN & DETAILS	8
IRRIGATION PLAN	9
IRRIGATION DETAILS	10

VICINITY MAP



CITY OF MADEIRA BEACH, PINELLAS COUNTY

LOCATION MAP



PREPARED FOR

CITY OF MADEIRA BEACH
FACILITY RENOVATIONS & EXPANSION
300 MUNICIPAL DRIVE
CITY OF MADEIRA BEACH, FLOIRIDA 33708

REV.#	DATE	REVISION	BY

TRANSYSTEMS
565 SOUTH HERCULES AVENUE
CLEARWATER, FL 33764
PHONE 727.822.4151
WWW.TRANSYSTEMS.COM

I, LEROY CHIN, HEREBY CERTIFY AS A LICENSED PROFESSIONAL LANDSCAPE ARCHITECT, REGISTERED IN ACCORDANCE WITH FLORIDA STATUTE 471 (481) THAT THE ABOVE PROJECT'S SITE AND/OR CONSTRUCTION PLANS, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, WILL MEET APPLICABLE DESIGN CRITERIA SPECIFIED BY CITY MUNICIPAL ORDINANCE, STATE AND FEDERAL ESTABLISHED STANDARDS. I UNDERSTAND THAT IT IS MY RESPONSIBILITY AS THE PROJECT'S PROFESSIONAL LANDSCAPE ARCHITECT TO PERFORM A QUALITY ASSURANCE REVIEW OF THESE SUBMITTED PLANS.

LEROY CHIN, FL RLA 1206

WORK ORDER NO.	SE22.417.00
DATE:	JUNE 12, 2023
SCALE:	N/A
SHEET NO.	1 OF 10

Jun 19, 2023 - 5:09pm I:\CAD Projects\Projects_SEFI X Drive\2022\SE22-417.00 Madeira Beach Dog Park Renovations\Engineering\Land\SE22-417-T DOG PARK MASTER DEVELOPMENT PLAN 4-13-2023.dwg

SEC. XX, TWP. XX S., RNG. XX E.

PINELLUS COUNTY, FLORIDA

N

0' 10' 20'

SCALE: 1" = 10'

SYMBOL LEGEND			
	BACK FLOW PREVENTION DEVICE		IRRIGATION CONTROL VALVE
	BOLLARD		IRRIGATION WATER VALVE
	CABLE TV BOX		LIGHT POLE
	CLEANOUT		MAILBOX
	CONCRETE LIGHT POLE		MISCELLANEOUS TREE
	CONCRETE MONUMENT (FOUND)		MONITORING WELL
	CONCRETE MONUMENT (SET)		NAIL AND DISK (SET)
	CROSS WALK POLE		NAIL & DISK (FOUND)
	CYPRESS		OAK TREE
	ELECTRIC BOX		PALM TREE
	ELECTRIC METER		PARKING SPACES
	ELECTRIC TRANSFORMER		PINE TREE
	ELEVATION		POWER/UTILITY WOOD POLE
	ELEVATION BACK OF CURB / EDGE OF PAVEMENT		RECLAIMED WATER METER
	ELEVATION BACK OF CURB / FLOW LINE / EDGE OF PAVEMENT		RECLAIMED WATER VALVE
	ELM		SANITARY MANHOLE
	FIRE HYDRANT		SANITARY SEWER CLEANOUT
	FLAG POLE		SIGN
	GAS MARKER POST		STORM SEWER MANHOLE
	GAS VALVE		TELEPHONE PEDESTAL
	GRATE INLET		TEMPORARY BENCHMARK
	GUY WIRE ANCHOR		TRAFFIC SIGNAL JUNCTION BOX
	HANDICAP PARKING SPACE		WATER METER
	IRON PIPE (FOUND)		WATER VALVE
	IRON ROD (FOUND)		WOOD PILING
	IRON ROD (SET)		X-CUT (FOUND)
			YARD DRAIN

INSTALL 1-INCH BRONZE BALL VALVE IN TRAFFIC RATED RETANGLE VALVE BOX AND EXTEND 1-INCH SCHEDULE 40 PVC WATER LINE ADJACENT TO GRAVITY WALL

APPROXIMATE LOCATION OF EXISTING 1-INCH POTABLE WATER LINE - SITE CONTRACTOR SHALL LOCATE AND CAP OFF LINE TO WATER FOUNTAIN IN DOG PARK THIS POTABLE WATER LINE SHALL BE UTILIZED FOR NEW DOG WATERING BOWLS. PROVIDE BRONZE BALL VALVE AND VALVE BOX AT THIS LOCATION

REMOVAL OF EXISTING PALMS

REMOVE 300 LINEAL FEET OF 4 FT HIGH BLACK PVC CHAIN LINK FENCING INCLUDING TOP RAILS, LINE POSTS, CORNER POSTS, 3 - 4 FT.48" GATES, 2 - 6 F. 48" GATES AND STORE ON SITE FOR REINSTALLATION - NEW BLACK PVC HARDWARE TO BE PROVIDED FOR REINSTALLATION AT FUTURE DATE.

REMOVAL OF EXISTING TREE

CLEAR & GRUB 3-4-INCHES IN DEPTH OF 8,300 SQ. FT. IN REMOVAL OF EXISTING VEGETATION FOR FUTURE DEVELOPMENT OF DOG PARK. PROPOSED FINAL GRADE WILL MATCH EXISTING GRADES ONCE K9 GRASS SURFACE HAS BEEN INSTALLED - COORDINATE WITH K9 MATERIAL INSTALLER IN PROVIDING SUB-GRADES OF K9 GRASS SEE DETAIL SHEET 2 IN PREPARATION OF CLEARING & GRUBBING. CARE SHALL BE TAKEN NOT TO DISTURB EXISTING IRRIGATION SYSTEM.

REMOVAL OF EXISTING PALMS

REMOVAL OF EXISTING PALM

REMOVE 150 SQ. FT.EXISTING PLANT MATERIALS/CLEAR & GRUB 8" DEPTH/DISPOSE OFF SITE - CARE SHALL BE TAKEN NOT TO DISTURB EXISTING IRRIGATION SYSTEM

REMOVE 2 SIGNS & STORE ON SITE FOR REINSTALLATION AT FUTURE DATE AT SAME LOCATION

REMOVAL OF EXISTING WATER FOUNTAIN INCLUDING CONCRETE BASE. EXISTING WATER FOUNTAIN SHALL BE TURNED OVER TO OWNER, AND CAP EXISTING WATER LINE

REMOVAL OF EXISTING PALMS

REMOVAL OF EXISTING PALMS

REMOVE 475 SQ. FT.EXISTING PLANT MATERIALS/CLEAR & GRUB 8" DEPTH/DISPOSE OFF SITE - CARE SHALL BE TAKEN NOT TO DISTURB EXISTING IRRIGATION SYSTEM

REMOVE 200 SQ. FT. OF CONCRETE PAVEMENT & DISPOSE OFF SITE

REMOVE 233 SQ. FT. OF BRICK PAVERS INCLUDING BASE MATERIAL & DISPOSE OFF SITE

EXISTING GRADES ARE TO REMAIN AS PROPOSED K-9 ARTIFICIAL TOP OF TURF GRADES UNLESS OTHERWISE NOTED

REMOVAL OF EXISTING TREE

REMOVAL OF EXISTING PALM

REMOVE 150 SQ. FT.EXISTING PLANT MATERIALS/CLEAR & GRUB 8" DEPTH/DISPOSE OFF SITE - CARE SHALL BE TAKEN NOT TO DISTURB EXISTING IRRIGATION SYSTEM

REMOVE 875 SQ. FT.EXISTING PLANT MATERIALS/CLEAR & GRUB 8" DEPTH/DISPOSE OFF SITE - CARE SHALL BE TAKEN NOT TO DISTURB EXISTING IRRIGATION SYSTEM

NOT A BOUNDARY SURVEY

REV.#	DESCRIPTION	DATE	BY

TRANSYSTEMS

565 SOUTH HERCULES AVENUE
CLEARWATER, FL 33764
PHONE 727.822.4151
WWW.TRANSYSTEMS.COM

EXISTING COND. & DEMOLITON PLAN
MADEIRA BEACH DOG PARK
300 MUNICIPAL DRIVE
CITY OF MADEIRA BEACH FLORIDA

I, LEROY CHIN, HEREBY CERTIFY AS A LICENSED PROFESSIONAL LANDSCAPE ARCHITECT , REGISTERED IN ACCORDANCE WITH FLORIDA STATUTE 471 (481) THAT THE ABOVE PROJECT'S SITE AND/OR CONSTRUCTION PLANS, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, WILL MEET APPLICABLE DESIGN CRITERIA SPECIFIED BY CITY MUNICIPAL ORDINANCE, STATE AND FEDERAL ESTABLISHED STANDARDS. I UNDERSTAND THAT IT IS MY RESPONSIBILITY AS THE PROJECT'S PROFESSIONAL LANDSCAPE ARCHITECT TO PERFORM A QUALITY ASSURANCE REVIEW OF THESE SUBMITTED PLANS.

LEROY CHIN, FL RLA 1206

PROJECT NUMBER	SE22.417.00
FIELD DATE: 6/12/2023	
DRAWN BY: LC	FB: xxx PG: xxx
SCALE: 1" = 10'	
SHEET NO. 2 OF 10	

Jun 19, 2023 - 1:12pm I:\Civil Projects\Projects_-_SSPI_V Drive\2022\SE22.417.00 Madeira Beach Dog Park Renovations\Engineering\Xsoft\SE22-417-1 DOG PARK MASTER DEVELOPMENT PLAN 4-13-2023.dwg

SEC. XX, TWP. XX S., RNG. XX E.
PINELLAS COUNTY, FLORIDA

N

0' 10' 20'
SCALE: 1" = 10'

TYPICAL 25 FT. X 41.5 FT. COMPOSITE DECKING ON PRESSURE TREATED STRUCTURE FINISH SEE SHEET 4 & 5 FOR CONSTRUCTION DETAILS

PROPOSED LOCATION FOR TRASH RECEPTACLE

TYP. DOG WATERING STATION & DOGGIE POT THIS LOCATION MOUNTED MIDPOINT ON WOODEN RAILING OF BOARDWALK DECK SEE DETAIL THIS SHEET

TYPICAL 90 L. FT. OF BOARDWALK RAILING 46.2 INCHES HIGH CONSTRUCTION DETAILS SEE SHEET 4 & 5

SE 18"HDPE INV 2.88

W 15"RCP INV 2.66

INSTALL 3/4-INCH BRONZE BALL VALVE MOUNTED ON STRUT STRINGER

28 L. F. OF 3/4-INCH SCH. 40 PVC PIPE MOUNTED ON STRINGER

DECKING ELEV. 5.99 SEE DETAIL ON SHEET 4 & 5 FOR CONSTRUCTION OF BOARDWALK

16 LF 4 FT. HIGH RELOCATED BLACK PVC CHAIN LINK FENCING PROVIDE NEW BLACK PVC COMMERCIAL GRADE HARDWARE AS NECESSARY AND TIE INTO BOARDWALK HANDRAIL

DARK GREEN BONDED RUBBER SURFACE 3 FT. DIAMETER - 1 SQ. FT. AT BASE OF EAGLESTON HOLLY TREES IN ARTIFICIAL TURF AREAS - 2 TOTAL

CONCRETE TRASH RECEPTACLE MOUNTED TO PROPOSED SURFACES 6 TOTAL UNITS

INSTALL 210 LINEAL FEET OF 1-INCH SCH. 40 PVC POTABLE WATER LINE

3 FT. X 3 FT. X 6-INCH CONCRETE PAD TO MOUNT TRASH CAN 3 TOTAL

PROPOSED GRAVITY WALL ELEV. 6.80 DEPTH OF WALL 1.8 FT. - SEE DETAIL ON SHEET 4 GRAVITY WALL DETAILS

DOG RUN FOR ALL DOGS

INSTALL 4"X6" WOODEN TIMBER WITH WATERING BOWL & DOGGIE POT SEE DETAIL THIS SHEET

55 LF 4 FT. HIGH RELOCATED BLACK PVC CHAIN LINK FENCING PROVIDE NEW BLACK PVC COMMERCIAL GRADE HARDWARE AS NECESSARY AND TIE INTO BOARDWALK HANDRAIL

TYP. DOG WATERING STATION & DOGGIE POT THIS LOCATION MOUNTED ON WOODEN 4"X6" POST SEE DETAIL THIS SHEET

36 LF 4 FT. HIGH RELOCATED BLACK PVC CHAIN LINK FENCING PROVIDE NEW BLACK PVC COMMERCIAL GRADE HARDWARE AS NECESSARY

INSTALL 3/4-INCH BRONZE BALL VALVE IN TRAFFIC RATED RECTANGLE VALVE BOX AND EXTEND 3/4-INCH SCHEDULE 40 PVC WATER LINE IN A 13 FT. 2-INCH SCH 40 SLEEVE TO WATERING BOWL

INSTALL 10 FT. OF 2-INCH SCH 40 SLEEVE

300 SQ. FT. CONCRETE PAD 6 INCHES THICK

PROPOSED LOCATION FOR TRASH RECEPTACLE

27 LF 4 FT. HIGH RELOCATED BLACK PVC CHAIN LINK FENCING PROVIDE NEW BLACK PVC COMMERCIAL GRADE HARDWARE AS NECESSARY

TYP 4 FT WIDE 48-INCH HIGH RELOCATED BLACK PVC GATE QTY. = 3

75 SQ. FT. CONCRETE PAD 6 INCHES THICK

INSTALL 13 FT. OF 2-INCH SCH 40 SLEEVE

12 FT WIDE 48-INCH HIGH RELOCATED BLACK PVC MAINTENANCE GATE

INSTALL 3/4-INCH BRONZE BALL VALVE IN TRAFFIC RATED RECTANGLE VALVE BOX AND EXTEND 3/4-INCH SCHEDULE 40 PVC WATER LINE IN A 5.5 FT. 2-INCH SCH 40 SLEEVE TO WATERING BOWL

INSTALL 5 FT. OF 2-INCH SCH 40 SLEEVE

DARK GREEN BONDED RUBBER SURFACE 3 FT. DIAMETER - 7 SQ. FT. AT BASE OF CRAPE MYRTLE 'NATCHEZ' TREES IN ARTIFICIAL TURF AREAS - 3 TOTAL

TYPICAL REMOVAL OF EXISTING WATER FOUNTAIN & INSERT DOG WATERING STATION

7,200 +/- SQ. FT. OF K-9 ARTIFICIAL TURF WITH IRRIGATION SYSTEM K-9 TURF CONTRACTOR TO PROVIDE FINAL GRADE PER EXISTING GRADES SHOWN ON THIS DRAWING. EXCAVATE AS NECESSARY TO PROVIDE GEOTECH FABRIC & PROVIDE BASE MATERIALS TO OBTAIN PROPOSED EXISTING GRADES. ALL SPOILS REMOVAL TO OBTAINED SUB-GRADE SHALL BE DISPOSED OF OFF SITE. - SEE DETAIL THIS SHEET.

61 LINEAL FEET OF 4 FOOT HIGH BLACK PVC NEW CHAIN LINK FENCING PROVIDE NEW HARDWARE COMMERCIAL GRADE - NEW 4' HIGH X 12' WIDE TWO LEAF GATES AT MID POINT OF NEW FENCING FOR MAINTENANCE ACCESS

SEPARATE DOG RUN FOR SMALL DOGS

EXISTING GRADES ARE TO REMAIN AS PROPOSED K-9 ARTIFICIAL TOP OF TURF GRADES UNLESS OTHERWISE NOTED

107 LF 4 FT. HIGH RELOCATED BLACK PVC CHAIN LINK FENCING PROVIDE NEW BLACK PVC COMMERCIAL GRADE HARDWARE AS NECESSARY

340 LINEAL FEET OF 4 FOOT HIGH BLACK RELOCATE PVC CHAIN LINK FENCING PROVIDE NEW HARDWARE COMMERCIAL GRADE (TYP.)

TYP. DOG WATERING STATION & DOGGIE POT THIS LOCATION MOUNTED ON WOODEN 4"X6" POST SEE DETAIL THIS SHEET

INSTALL 4"X6" WOODEN TIMBER WITH WATERING BOWL & DOGGIE POT SEE DETAIL THIS SHEET

PROPOSED LOCATION FOR TRASH RECEPTACLE

73 SQ. FT. CONCRETE PAD 6 INCHES THICK DOG ENCLOSURE 7'X7'

45 SQ. FT. CONCRETE PAD 6 INCHES THICK DOG WASH ENCLOSURE

23 LINEAL FEET OF 4 FOOT HIGH BLACK PVC CHAIN LINK FENCING COMMERCIAL GRADE WITH 3'X48" HIGH CHAIN LINK GATE

TYP 3 FT WIDE 48-INCH HIGH NEW BLACK PVC GATES QTY. = 3

NW 15"RCP INV 2.85

NE 18"HDPE INV 2.78

SE 18"HDPE INV 2.88

CBW

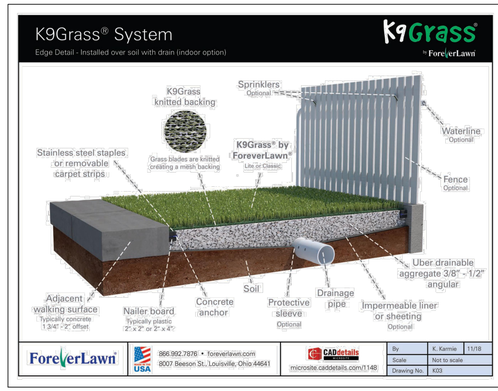
HANDRAIL(TYP.)

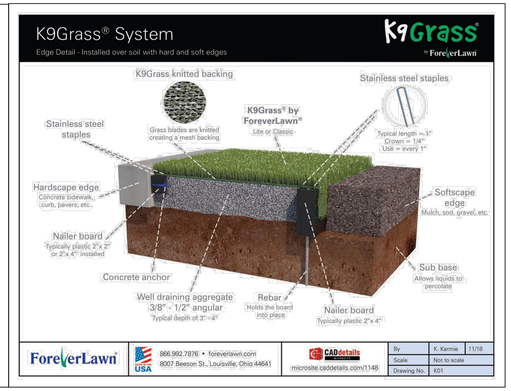
CONC.

TOB

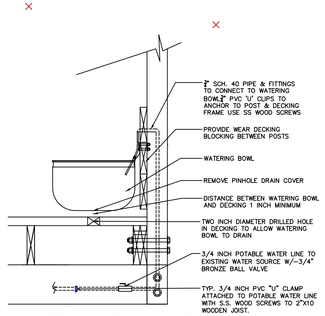
TOS

0.5' CONC. CURB





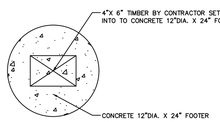
PROPOSED K9 ARTIFICIAL TURF INFO. OR EQUAL
NOT TO SCALE



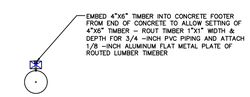
PROPOSED WATER STATION ON BOARDWALK DECK

DOGGIE POT
Forest Green Poly Plastic
Pet Waste Bag Dispenser
Mounted to 4"x6" Wooden Post

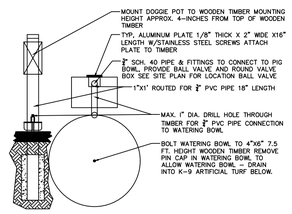
WAUSAU TILE 2 WAY DOME
CONCRETE TRASH RECEPTACLE TF1150
Weather Stone Brown (W25)
Wausau Tile Inc.
9001 Business Highway 51
Rothschild, WI 54474
Phone # 715-359-3121



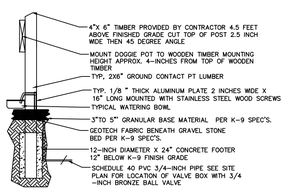
PLAN VIEW OF FRAMING
NTS



DOG WATERING STATION
PLAN VIEW - NTS



DOG BOWL/TIMBER DETAIL
NTS



DOG WATERING STATION
THIS DETAIL FOR AREA OF K-9 FOREVER LAWN
CROSS SECTION VIEW
NTS

LARGE ROUND STAINLESS STEEL
SUPER FLOW WATER BOWL LISTED PRICE $99.67
FARM & RANCH DEPOT
PHONE NO. 1–888–327–6030
342 NORTH QUEEN ST.
REAR WAREHOUSE D#373
LANCASTER, PA 17603
E–MAIL: customerservice@farmranchdepot.com
https://farmandranchdepot.com/Water–Bowls/

NOT A BOUNDARY SURVEY

REV.#	DESCRIPTION	DATE	BY

TRANSYSTEMS
565 SOUTH HERCULES AVENUE
CLEARWATER, FL 33764
PHONE 727.822.4151
WWW.TRANSYSTEMS.COM

SITE PLAN
MADEIRA BEACH DOG PARK
300 MUNICIPAL DRIVE
FLORIDA

I, LEROY CHIN, HEREBY CERTIFY AS A LICENSED PROFESSIONAL LANDSCAPE ARCHITECT , REGISTERED IN ACCORDANCE WITH FLORIDA STATUTE 471 (481) THAT THE ABOVE PROJECT'S SITE AND/OR CONSTRUCTION PLANS, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, WILL MEET APPLICABLE DESIGN CRITERIA SPECIFIED BY CITY MUNICIPAL ORDINANCE, STATE AND FEDERAL ESTABLISHED STANDARDS. I UNDERSTAND THAT IT IS MY RESPONSIBILITY AS THE PROJECT'S PROFESSIONAL LANDSCAPE ARCHITECT TO PERFORM A QUALITY ASSURANCE REVIEW OF THESE SUBMITTED PLANS.

LEROY CHIN, FL RLA 1206

PROJECT NUMBER	SE22.417.00
DATE:	6/12/2023
DRAWN BY: LC	FB: xxx PG: xxx
SCALE:	1" = 10'
SHEET NO.	3 OF 10

Jun 19, 2023 - 5:17pm K:\DAD Projects\Projects_SE\P X Drive\2022\SE22.417.00 Madeira Beach Dog Park Renovations\Engineering\Xcref\SE22.417-T DOG PARK MASTER DEVELOPMENT PLAN 4-13-2023.dwg

SEC. XX, TWP. XX S., RNG. XX E.

PINELLAS COUNTY, FLORIDA

N

0' 10' 20'

SCALE: 1" = 10'

SYMBOL LEGEND			
⟷	BACK FLOW PREVENTION DEVICE		IRRIGATION CONTROL VALVE
(B)	BOLLARD	IW	IRRIGATION WATER VALVE
CATV	CABLE TV BOX		LIGHT POLE
CO	CLEANOUT	MB	MAILBOX
	CONCRETE LIGHT POLE		MISCELLANEOUS TREE
■	CONCRETE MONUMENT (FOUND)	MW	MONITORING WELL
□	CONCRETE MONUMENT (SET)		NAIL AND DISK (SET)
CW	CROSS WALK POLE		NAIL & DISK (FOUND)
	CYPRESS		OAK TREE
	ELECTRIC BOX		PALM TREE
E	ELECTRIC METER	P	PARKING SPACES
	ELECTRIC TRANSFORMER		PINE TREE
x0.00	ELEVATION		POWER/UTILITY WOOD POLE
x0.00 x0.00	ELEVATION BACK OF CURB EDGE OF PAVEMENT		RECLAIMED WATER METER
x0.00 x0.00 x0.00	ELEVATION BACK OF CURB FLOW LINE EDGE OF PAVEMENT		RECLAIMED WATER VALVE
	ELM	S	SANITARY MANHOLE
	FIRE HYDRANT	SCO	SANITARY SEWER CLEANOUT
	FLAG POLE		SIGN
	GAS MARKER POST	D	STORM SEWER MANHOLE
	GAS VALVE		TELEPHONE PEDESTAL
	GRATE INLET		TEMPORARY BENCHMARK
	GUY WIRE ANCHOR		TRAFFIC SIGNAL JUNCTION BOX
	HANDICAP PARKING SPACE		WATER METER
	IRON PIPE (FOUND)		WATER VALVE
●	IRON ROD (FOUND)	#	WOOD PILING
○	IRON ROD (SET)	×	X-CUT (FOUND)
		YD	YARD DRAIN

COLUMN 12" DIAMETER HEIGHT 13' HT. W/MOUNTING BRACKETS FOR SHADE CANOPY AT 30' - 304 STAINLESS STEEL CONCRETE FOOTER AS REQUIRED

COLUMN 12-3/4" DIAMETER HEIGHT 16' HT. 304 STAINLESS STEEL COLUMN WITH CONCRETE FOOTER AS REQUIRED

TYPICAL FOUR POINT HYPAR SAIL SHADE STRUCTURE W/VARIOUS COLORS (TERRA COTTA, YELLOW, ATOMIC ORANGE, COBALT BLUE IN PROVIDING A FESTIVE ATMOSPHERE, COLUMNS COBALT BLUE

COLUMN 16" DIAMETER HEIGHT 16' HT. W/MOUNTING BRACKETS FOR SHADE CANOPY AT WEST 13' & EAST 16' - 304 STAINLESS STEEL CONCRETE FOOTER AS REQUIRED

EXISTING BALL FIELD FENCING

COLUMN 12-3/4" DIAMETER HEIGHT 16' HT. 304 STAINLESS STEEL COLUMN WITH CONCRETE FOOTER AS REQUIRED

COLUMN 16" DIAMETER HEIGHT 16' HT. W/MOUNTING BRACKETS FOR SHADE CANOPY AT WEST 13' & EAST 16' - 304 STAINLESS STEEL CONCRETE FOOTER AS REQUIRED

COLUMN 10-3/4" DIAMETER HEIGHT SHADE CANOPY AT 13' - 304 STAINLESS STEEL CONCRETE FOOTER AS REQUIRED

COLUMN 10-3/4" DIAMETER HEIGHT FOR SHADE CANOPY AT 13' - 304 STAINLESS STEEL' CONCRETE FOOTER AS REQUIRED

COLUMN 12-3/4" DIAMETER HEIGHT @ 10' & EAST 13' - 304 STAINLESS STEEL CONCRETE FOOTER AS REQUIRED

48 L. F. OF GRAVITY WALL TOP CAP ELEV. 5.8 DEPTH OF GRAVITY WALL 3.5 FT.

TYPICAL FOUR POINT HYPAR SAIL SHADE STRUCTURE 40 FT X 55 FT SHADE CANOPY COLOR YELLOW, HEIGHT SEE CALL OUT OF COLUMNS,MANUFACTURE TO CONFIRM COLUMN SIZE, INCLUDE COST FOR SIGNED SEALED DRAWINGS BY FLORIDA STRUCTURAL ENGINEER

TYPICAL FOUR POINT HYPAR SAIL SHADE STRUCTURE 40 FT X 55 FT SHADE CANOPY COLOR ATOMIC ORANGE, HEIGHT SEE CALL OUT OF COLUMNS,MANUFACTURE TO CONFIRM, COLUMN SIZE, INCLUDE COST FOR SIGNED SEALED DRAWINGS BY FLORIDA STRUCTURAL ENGINEER

4 FT. WIDE PEDESTRIAN GATES 4 FEET HIGH DOUBLE SWING GATE ACTION (TYPICAL)

300 SQ. FT. OF 6-INCH THICK 3,000 PSI CONC. LARGE DOG CONTROL ENTRANCE

TYPICAL FOUR POINT HYPAR SAIL SHADE STRUCTURE 40 FT X 55 FT SHADE CANOPY COLOR COBALT BLUE, HEIGHT SEE CALL OUT OF COLUMNS,MANUFACTURE TO CONFIRM COLUMN SIZE, INCLUDE COST FOR SIGNED SEALED DRAWINGS BY FLORIDA STRUCTURAL ENGINEER

COLUMN 12-3/4" DIAMETER HEIGHT FOR SHADE CANOPY AT WEST @ 10' & EAST 13' - 304 STAINLESS STEEL, CONCRETE FOOTER AS REQUIRED

2 RELOCATED 48" HIGH X 6 FT WIDE MAINTENANCE GATES REINSTALLED AT MAINTENANCE ENTRANCE TO DOG PARK

75 SQ. FT. OF 6-INCH THICK 3,000 PSI CONC. (12.5' X 6') MAINTENANCE ENTRANCE

75 SQ. FT. OF 6-INCH THICK 3,000 PSI CONC. SMALL DOG CONTROL ENTRANCE

COLUMN 8-5/8" DIAMETER HEIGHT 10' HT. W/MOUNTING BRACKET FOR SHADE CANOPY AT 10' - 304 STAINLESS STEEL

45 SQ. FT. OF 6-INCH THICK 3,000 PSI CONC. DOG WASH FACILITY

DOG RINSING ENCLOSURE 6FTX7FT STATION W/HITCHING POST, DOOR MOUNTED FOOT PEDAL CONTROL, CONCRETE SLAB 6-INCHES THICK

SE 15"CORR INV 2.88

NW 15"RCP INV 2.85

NE 18"HDPE INV 2.78

NE 15"RCP INV 2.66

0.5' CONC. CURB

HANDRAIL(TYP.)

NOT A BOUNDARY SURVEY

REV.#	DESCRIPTION	DATE	BY

TRANSYSTEMS

565 SOUTH HERCULES AVENUE
CLEARWATER, FL 33764
PHONE 727.822.4151
WWW.TRANSYSTEMS.COM

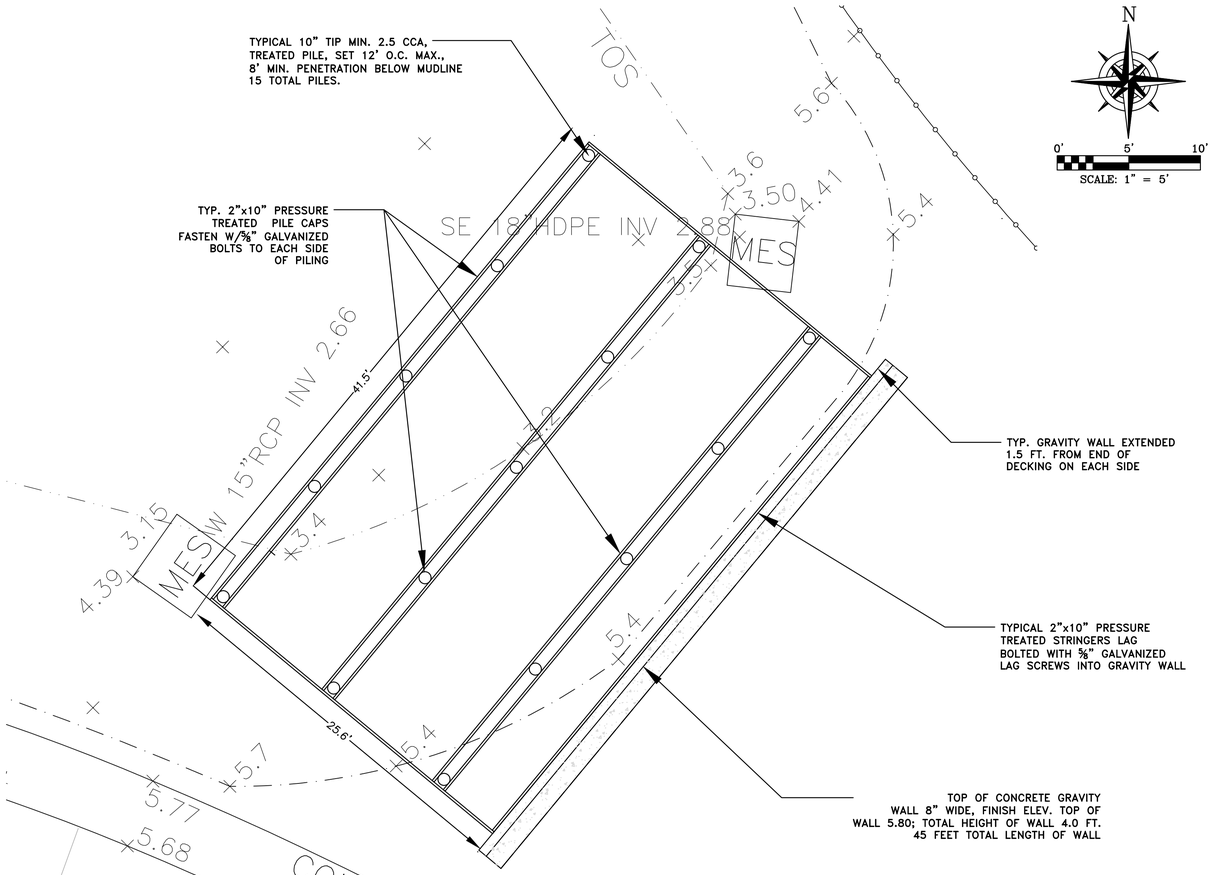
HARDSCAPE ELEMEMT SITE PLAN
MADEIRA BEACH DOG PARK
300 MUNICIPAL DRIVE
FLORIDA

I, LEROY CHIN, HEREBY CERTIFY AS A LICENSED PROFESSIONAL LANDSCAPE ARCHITECT , REGISTERED IN ACCORDANCE WITH FLORIDA STATUTE 471 (481) THAT THE ABOVE PROJECT'S SITE AND/OR CONSTRUCTION PLANS, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, WILL MEET APPLICABLE DESIGN CRITERIA SPECIFIED BY CITY MUNICIPAL ORDINANCE, STATE AND FEDERAL ESTABLISHED STANDARDS. I UNDERSTAND THAT IT IS MY RESPONSIBILITY AS THE PROJECT'S PROFESSIONAL LANDSCAPE ARCHITECT TO PERFORM A QUALITY ASSURANCE REVIEW OF THESE SUBMITTED PLANS.

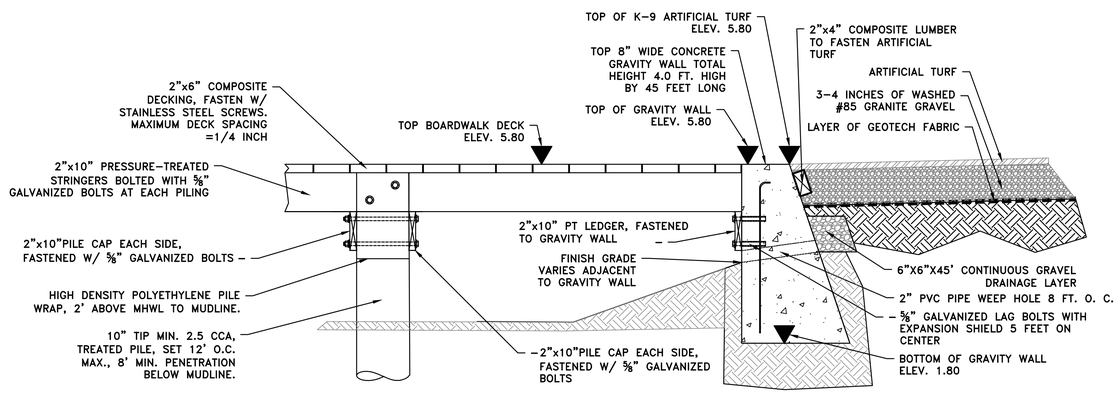
LEROY CHIN, FL RLA 1206

PROJECT NUMBER	SE22.417.00
DATE:	6/12/2023
DRAWN BY: LC	FB: xxx PG: xxx
SCALE:	1" = 10'
SHEET NO. 4 OF 10	

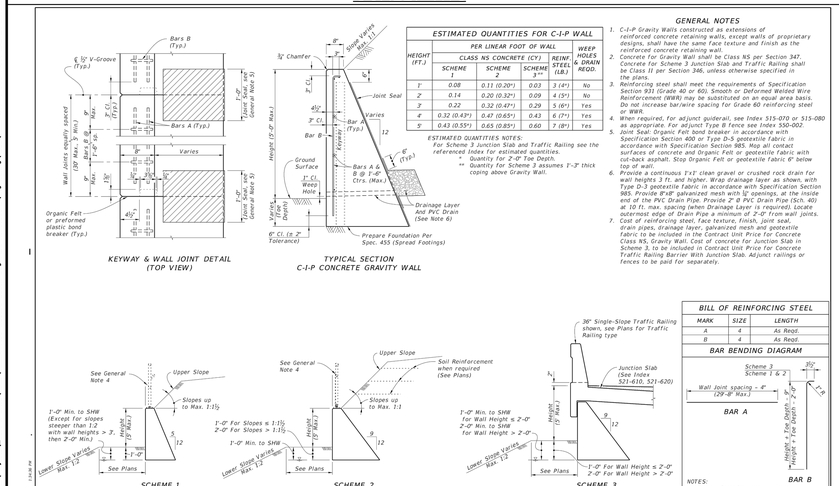
Jan 19, 2023 - 5:12pm I:\Old Projects\Projects_SEP X Drive\2022\SE22.417.00 Madeira Beach Dog Park Renovations\Engineering\Acad\SE22-x-417-T DOG PARK MASTER DEVELOPMENT PLAN 4-13-2023.dwg

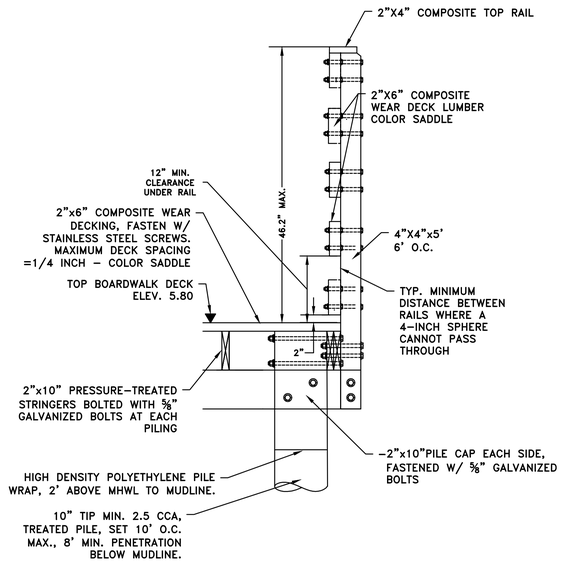


LAYOUT OF BOARDWALK PILES & PILE CAPS
SCALE: NTS

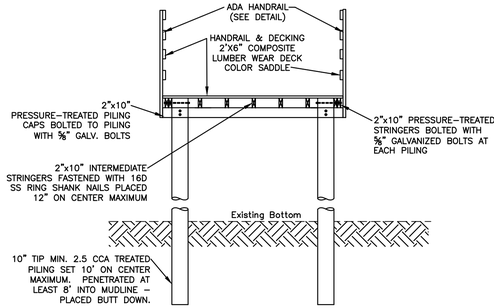


CROSS SECTION AT BOARDWALK
& DOG RUN AT GRAVITY WALL – NTS





TYPICAL 46.2" HIGH BOARDWALK HANDRAIL
CROSS SECTION – NTS



GENERAL NOTES:

1. ALL CONSTRUCTION TO MEET OR EXCEED PINELLAS COUNTY LAND DEVELOPMENT CODE SECTION 166.
2. PILING SPACING (CENTER TO CENTER) TO BE 10 FEET NOMINAL.
3. NAIL ALL JOINTS WITH 30D GALVANIZED NAILS BEFORE BOLTING.
4. SCREW COMPOSITE DECKING TO EACH STRINGER WITH SS #504 SCREWS.
5. ALL BOLTS, NUTS & WASHERS SHALL BE GALVANIZED.
6. ALL TIMBER PILES SHALL BE SOUTHERN PINE GRADE ONE (1) & TREATED 2.5 P.C.F. OF C.C.A. (10" MINIMUM TIP DIAMETER).
7. ALL PILINGS TO BE SEATED WITH FREE FALLING HAMMER LAST 2 FEET MINIMUM.
8. ALL FRAMING, CAPS AND STRINGERS SHALL BE SOUTHERN PINE GRADE ONE (1), FINISHED RS, & TREATED W/0.6 OF C.C.A.
9. STRINGER LAP JOINTS = 4 FEET MIN. FOR DOUBLE STRINGERS.
10. 2 FEET MIN. FOR INTERMEDIATE STRINGERS.
11. ALL PLANKS (COMPOSITE) AND POSTS SHALL BE SOUTHERN PINE GRADE ONE (1), FINISHED S4S AND TREATED WITH 0.4 P.C.F. OF C.C.A.
12. ALL PERIMETER FRAMING TO BE DOUBLE 2"x10".

TYPICAL CROSS SECTION OF BOARDWALK – NTS

REV.#	DESCRIPTION	DATE	BY

TRANSYSTEMS
565 SOUTH HERCULES AVENUE
CLEARWATER, FL 33764
PHONE 727.822.4151
WWW.TRANSYSTEMS.COM

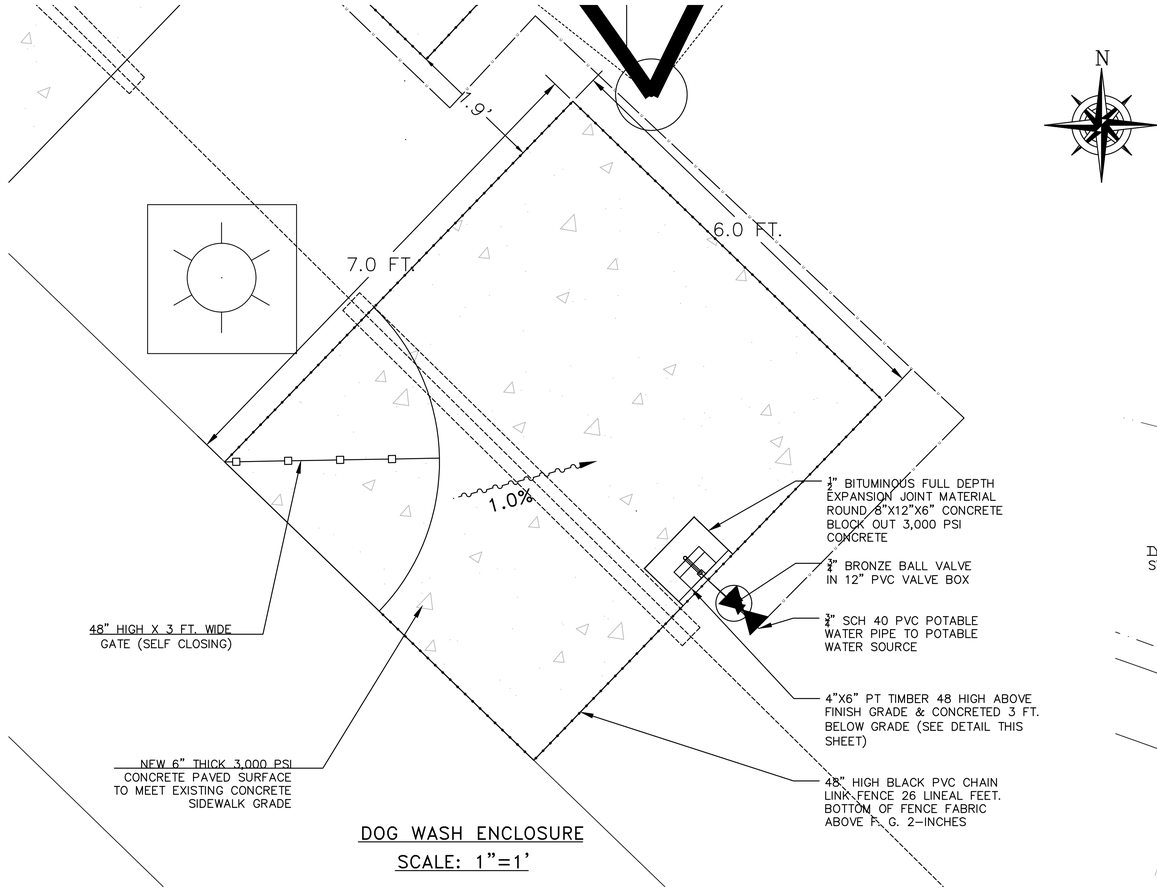
BOARDWALK PILING LAYOUT & DETAILS
MADEIRA BEACH DOG PARK
300 MUNICIPAL DRIVE
CITY OF MADEIRA BEACH FLORIDA

I, ALBERT CARRIER, HEREBY CERTIFY AS A LICENSED PROFESSIONAL ENGINEER, REGISTERED IN ACCORDANCE WITH FLORIDA STATUTE 471 (481) THAT THE ABOVE PROJECT'S SITE AND/OR CONSTRUCTION PLANS, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, WILL MEET APPLICABLE DESIGN CRITERIA SPECIFIED BY CITY MUNICIPAL ORDINANCE, STATE AND FEDERAL ESTABLISHED STANDARDS. I UNDERSTAND THAT IT IS MY RESPONSIBILITY AS THE PROJECT'S PROFESSIONAL ENGINEER TO PERFORM A QUALITY ASSURANCE REVIEW OF THESE SUBMITTED PLANS.

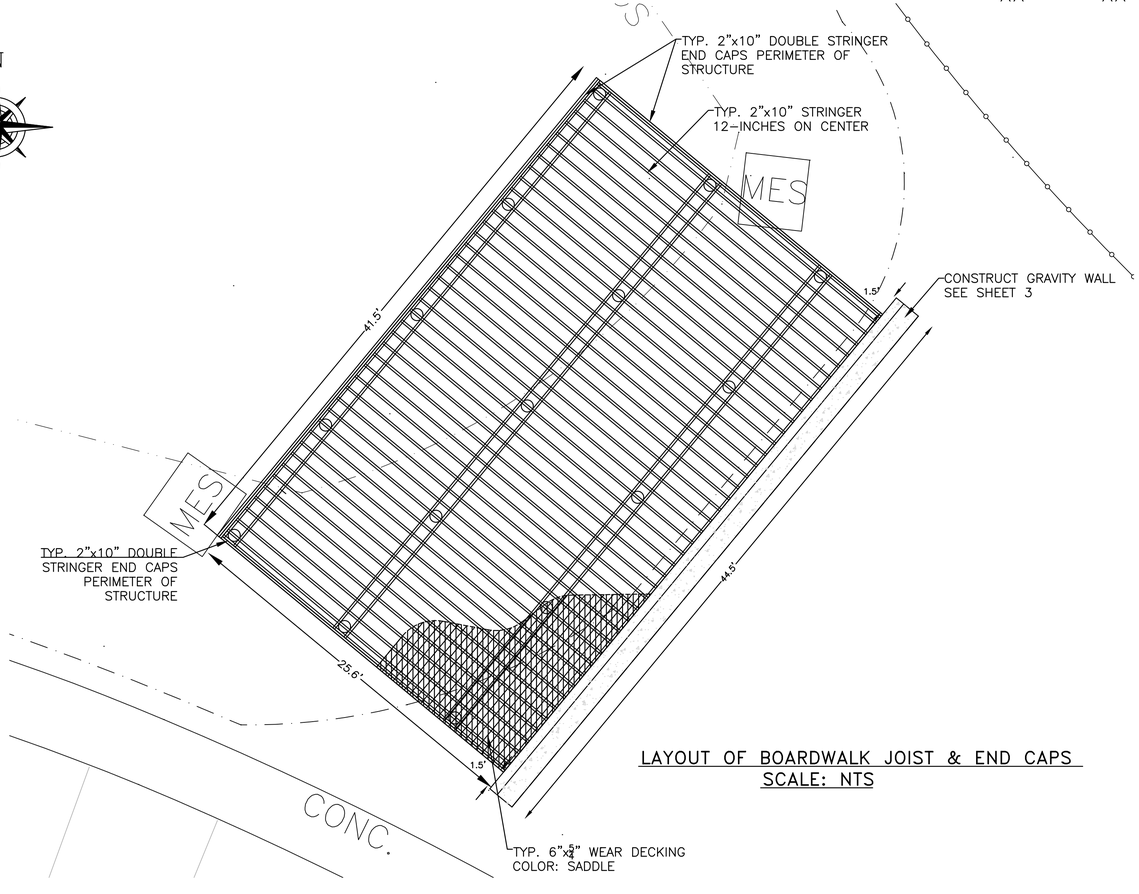
ALBERT P. CARRIER, P.E. 53990

PROJECT NUMBER	SE22.417.00
DATE:	6/12/2023
DRAWN BY: LC	FB: xxx PG: xxx
SCALE:	1" = 10'
SHEET NO. 5 OF 10	

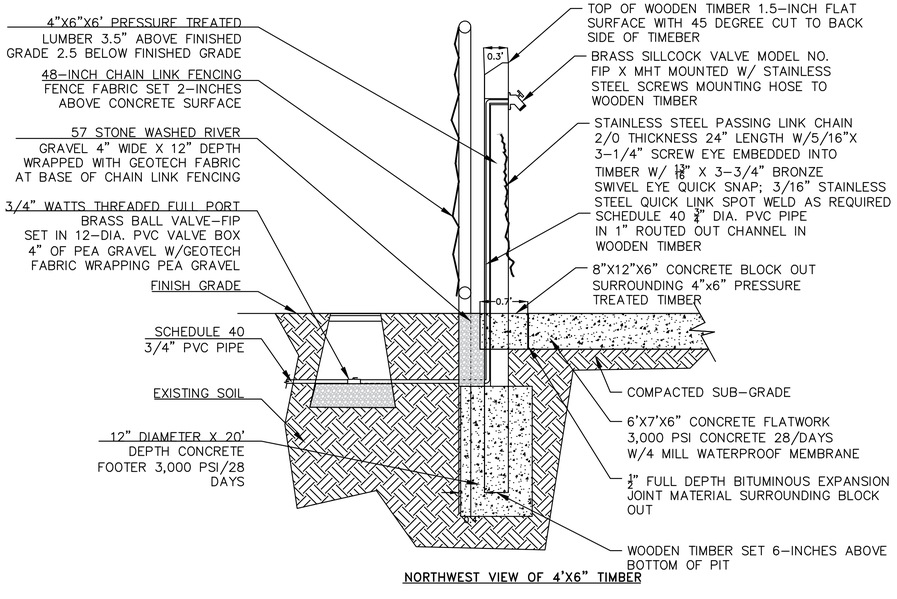
Jun 19, 2023 – 11:09am \\Cad Projects\Projects_SEPI X Drive\2022\SE22.417.00 Madeira Beach Dog Park Renovations\Engineering\Used\SE22-417-7 DOG PARK MASTER DEVELOPMENT PLAN 4-13-2023.dwg



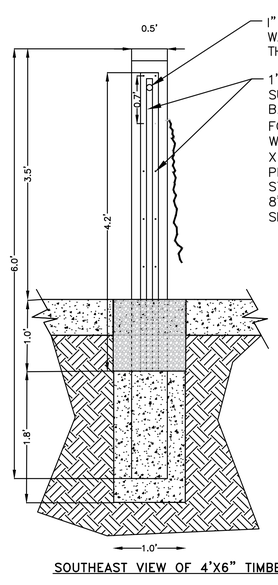
DOG WASH ENCLOSURE
SCALE: 1"=1'



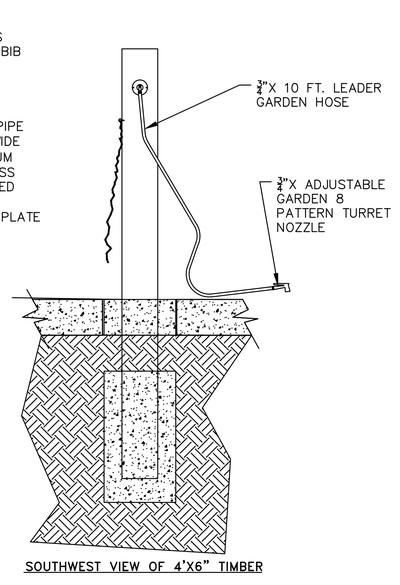
LAYOUT OF BOARDWALK JOIST & END CAPS
SCALE: NTS



NORTHWEST VIEW OF 4'X6" TIMBER



SOUTHEAST VIEW OF 4'X6" TIMBER



SOUTHWEST VIEW OF 4'X6" TIMBER

CROSS SECTION - NTS

10" ROUND VALVE BOX

BRASS SILLCOCK VALVE

8 PATTERN TURRET NOZZLE

SS-SCREW EYE

SWIVEL EYE QUICK CLIP

STAINLESS STEEL PASSING LINK CHAIN

SS-QUICK LINK

WATTS 3/4" PRO
LF BALL VALVE FIP

REV.#	DESCRIPTION	DATE	BY

TRANSYSTEMS
565 SOUTH HERCULES AVENUE
CLEARWATER, FL 33764
PHONE 727.822.4151
WWW.TRANSYSTEMS.COM

STRINGER, DECKING & DETAILS
MADEIRA BEACH DOG PARK
300 MUNICIPAL DRIVE
CITY OF MADEIRA BEACH FLORIDA

I, ALBERT CARRIER, HEREBY CERTIFY AS A LICENSED PROFESSIONAL ENGINEER, REGISTERED IN ACCORDANCE WITH FLORIDA STATUTE 471 (481) THAT THE ABOVE PROJECT'S SITE AND/OR CONSTRUCTION PLANS, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, WILL MEET APPLICABLE DESIGN CRITERIA SPECIFIED BY CITY MUNICIPAL ORDINANCE, STATE AND FEDERAL ESTABLISHED STANDARDS. I UNDERSTAND THAT IT IS MY RESPONSIBILITY AS THE PROJECT'S PROFESSIONAL ENGINEER TO PERFORM A QUALITY ASSURANCE REVIEW OF THESE SUBMITTED PLANS.

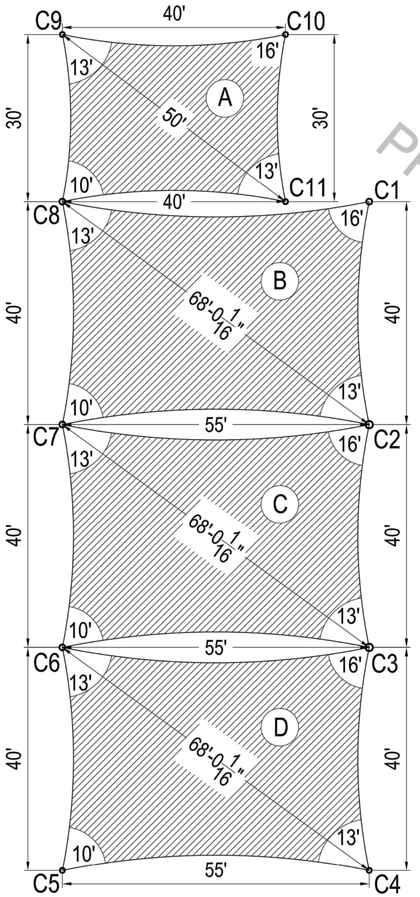
ALBERT P. CARRIER, P.E. 53990

PROJECT NUMBER	SE22.417.00
DATE:	6/12/2023
DRAWN BY: LC	FB: xxx PG: xxx
SCALE:	NTS
SHEET NO.	6 OF 10

Jun 19, 2023 - 1:42pm I:\CAD Projects\Projects_SEPI X Drive\2022\SE22.417.00 Madeira Beach Dog Park Renovations\Engineering\Xrefs\SE22-417-7 DOG PARK MASTER DEVELOPMENT PLAN x-13-2023.dwg

XX XX XX

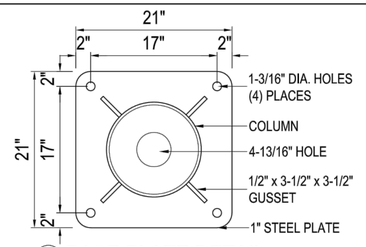
IMPORTANT: The footings sizes provided are estimated only. Depending on local conditions, actual engineered concrete footings may be substantially larger than estimates provided herein.
Shade Systems is not responsible for actual engineered footings sizes differing from the estimates given or for any additional concrete installation costs which may be incurred by you as a result thereof.



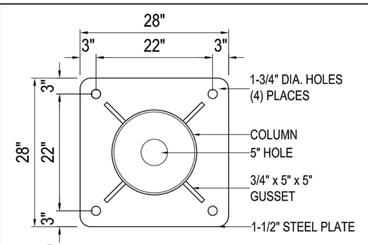
1 PLAN VIEW

5/16" DIA. STAINLESS STEEL CABLE AROUND PERIMETER OF MATERIAL

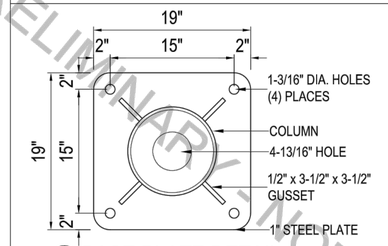
NOTE: NUMBERS IN CORNERS OF FABRIC INDICATE SAIL ATTACHMENT POINT HEIGHTS



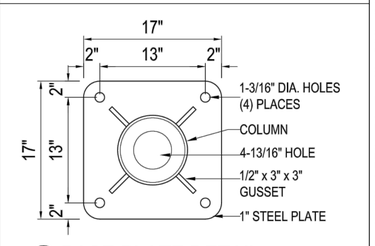
B BASE PLATE DETAIL
C1/C6/C7/C8



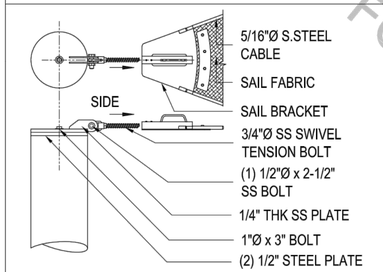
B BASE PLATE DETAIL
C2/C3/



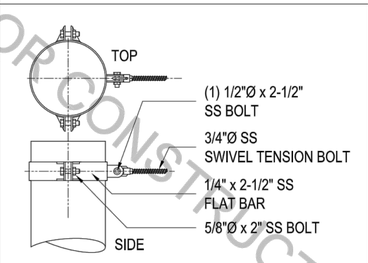
B BASE PLATE DETAIL
C4/C9/C10



B BASE PLATE DETAIL
C5/C11

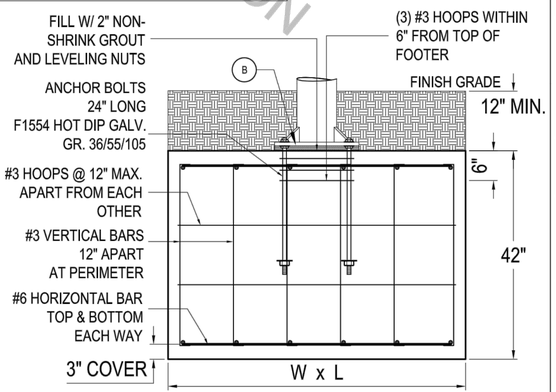


2 SAIL TOP CORNER DETAIL



3 SAIL BRACKET DETAIL

	STEEL COLUMN	FOOTER W x L	ANCHOR BOLT SIZE	NUMBER OF HORIZONTAL REBARS EACH WAY
C1	12-3/4" DIA. X .375" WALL	92" X 92"	1"Ø	9
C2	16" DIA. X .375" WALL	120" X 120"	1-1/2"Ø	11
C3	16" DIA. X .375" WALL	120" X 120"	1-1/2"Ø	11
C4	10-3/4" DIA. X .365" WALL	88" X 88"	1"Ø	8
C5	8-5/8" DIA. X .322" WALL	66" X 66"	1"Ø	6
C6	12-3/4" DIA. X .365" WALL	112" X 112"	1"Ø	10
C7	12-3/4" DIA. X .365" WALL	112" X 112"	1"Ø	10
C8	12-3/4" DIA. X .365" WALL	112" X 112"	1"Ø	10
C9	10-3/4" DIA. X .365" WALL	64" X 64"	1"Ø	6
C10	10-3/4" DIA. X .365" WALL	64" X 64"	1"Ø	6
C11	8-5/8" DIA. X .322" WALL	64" X 64"	1"Ø	6



4 FOOTING DETAIL

NOTE: GROUT, HOOPS, REBARS & ANCHOR BOLTS NOT SUPPLIED BY FACTORY

GENERAL NOTES

1- THE SHADE SYSTEMS, INC.™ STRUCTURE HAS BEEN DESIGNED IN ACCORDANCE WITH THE 2020 FLORIDA BUILDING CODE 7TH EDITION AND ASCE 7-16 TO THE FOLLOWING DESIGN CRITERIA:

	STRUCTURE WITH FABRIC CANOPY REMOVED
RISK CATEGORY	I
EXPOSURE	C
BASIC WIND SPEED	165 MPH

2- THE FOUNDATION ASSUMES A MINIMUM SOIL BEARING CAPACITY OF 1700 PSF.

3- ALL FASTENERS SHALL BE STAINLESS STEEL.

4- ALL BOLTS MUST BE SNUG TIGHT. THE SNUG TIGHTENED CONDITION IS THE TIGHTNESS THAT IS ATTAINED WITH THE FULL EFFORT OF A TYPICAL WORKER USING AN ORDINARY SPUD WRENCH TO BRING THE PLIES INTO FIRM CONTACT. SNUG TIGHT IS THE CONDITION THAT EXISTS WHEN ALL THE PLIES IN A CONNECTION HAVE BEEN PULLED INTO FIRM CONTACT BY THE BOLTS IN THE JOINT AND ALL THE BOLTS IN THE JOINT HAVE BEEN TIGHTENED SUFFICIENTLY TO PREVENT THE REMOVAL OF THE NUTS WITHOUT THE USE OF A WRENCH.

5-THE FABRIC IS READILY REMOVABLE AND NEED TO BE REMOVED IF WIND SPEED MORE THAN 75 MPH IS EXPECTED. THIS COMPLIES WITH "QUICK REMOVAL" PER 2020 FLORIDA BUILDING CODE 7TH EDITION PER SECTION 3105.4.2.1

STEEL:

1- STEEL PIPES SHALL HAVE A MINIMUM YIELD STRENGTH OF 45 KSI. STEEL PLATES SHALL CONFORM TO ASTM A36

2- ALL PARTS SHALL BE FACTORY-WELDED TO AMERICAN WELDING SOCIETY (AWS) SPECIFICATIONS AND SHALL UTILIZE E70-S6 AND HAVE THE HIGHEST STANDARDS OF QUALITY WORKMANSHIP.

3- ALL WELDS SHALL BE FILLET WELDS WITH MAXIMUM PERMISSABLE THROAT THICKNESS OR FULL PENETRATION GROOVE WELDS.

CONCRETE:

1- ALL CONCRETE SHALL BE MIXED AND PLACED IN ACCORDANCE WITH THE LATEST EDITION OF ACI 301 AND 318.

2- CONCRETE SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH (f'c) OF 3000 PSI. A CONCRETE MIX HAVING A LISTED STRENGTH OF AT LEAST 3000 PSI THAT IS MIXED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS IS ACCEPTABLE FOR USE.

3- REINFORCING STEEL SHALL BE ASTM A-615 GRADE 60 WITH A MINIMUM YIELD STRENGTH (fy) OF 60 KSI.

4- UNLESS OTHERWISE SHOWN, CONCRETE COVER SHALL BE 3" (MIN).

FABRIC:

1- COOLNET™ SHADE FABRICS MEET FIRE STANDARDS FOR SHADE FABRICS INCLUDING CSFM 1237.1 AND NFPA 701 ACROSS ALL COLOR VARIANTS.

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NOTE TO OWNER:
OWNER ACCEPTS FULL RESPONSIBILITY FOR REMOVING THE FABRIC SHADE MATERIAL FROM THE STEEL FRAME WHEN SEVERE WEATHER CONDITIONS ARE PREDICTED. SUCH CONDITIONS INCLUDE PREDICTED WIND SPEEDS IN EXCESS OF 75 MPH.

Shade systems
4150 S.W. 19 Street
Ocala, FL 34474
Tel.: 1-800-609-6066

NOTE:
PRELIMINARY AND TENTATIVE DRAWING. NOT FOR CONSTRUCTION.
ALL INFORMATION SHOWN IS SUBJECT TO CHANGE BY MANUFACTURER PRIOR TO DELIVERY. USE ONLY DRAWINGS AND INSTRUCTIONS PROVIDED WITH YOUR ORDER FOR CONSTRUCTION

Madeira Beach Dog Park
Madeira Beach, FL

Approved:

Model Name:
CUSTOM SAIL SHADE SYSTEMS STRUCTURE
Model No.:
SAIL

Revisions

REP:

REP QTE. NO.

Approved:	JRB	Job:	QTE
Checked:	MG		
Drawn:	NB		
Date:	03/08/2023	Sheets:	1 OF 1
NOT TO SCALE			

PRELIMINARY - NOT FOR CONSTRUCTION

DRAWING OF CANOPY STRUCTURE IS PRELIMINARY AND UPON EXECUTED CONTRACT THE MANUFACTURE SHALL PROVIDE 4 SETS OF SIGNED SEALED STRUCTURAL DRAWINGS INCLUDING FOOTINGS BY A FLORIDA STRUCTURAL ENGINEER FOR OWNER/CONTRACTOR TO SUBMIT STRUCTURAL DRAWINGS FOR BUILDING PERMIT

REV.#	DESCRIPTION	DATE	BY

TRANSYSTEMS
565 SOUTH HERCULES AVENUE
CLEARWATER, FL 33764
PHONE 727.822.4151
WWW.TRANSYSTEMS.COM

HYPAR SHADE STRUCTURES
MADEIRA BEACH DOG PARK
300 MUNICIPAL DRIVE
FLORIDA

I, LEROY CHIN, HEREBY CERTIFY AS A LICENSED PROFESSIONAL LANDSCAPE ARCHITECT , REGISTERED IN ACCORDANCE WITH FLORIDA STATUTE 471 (481) THAT THE ABOVE PROJECT'S SITE AND/OR CONSTRUCTION PLANS, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, WILL MEET APPLICABLE DESIGN CRITERIA SPECIFIED BY CITY MUNICIPAL ORDINANCE, STATE AND FEDERAL ESTABLISHED STANDARDS. I UNDERSTAND THAT IT IS MY RESPONSIBILITY AS THE PROJECT'S PROFESSIONAL LANDSCAPE ARCHITECT TO PERFORM A QUALITY ASSURANCE REVIEW OF THESE SUBMITTED PLANS.

LEROY CHIN, FL RLA 1206

PROJECT NUMBER	SE22.417.00
DATE:	6/12/2023
DRAWN BY: LC	FB: xxx PG: xxx
SCALE:	NTS
SHEET NO. 7 OF 10	

Jun 19, 2023 - 1:03pm I:\JOB Projects\Projects_SSI\1 X Drive\2022\SE22.417.00 Madeira Beach Dog Park Renovations\Engineering\Excel\SE22-417-7 DOG PARK MASTER DEVELOPMENT PLAN 4-13-2023.dwg

SEC. XX, TWP. XX S., RNG. XX E.

PINELLAS COUNTY, FLORIDA

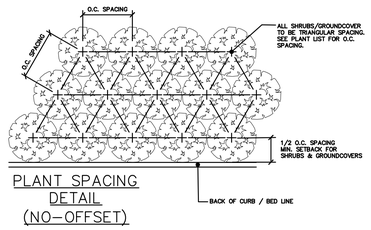
GENERAL NOTES:

1. CALL 811 FOR LOCATING ALL UNDERGROUND UTILITIES PRIOR TO ANY EXCAVATION OF THE SITE, ALL PLANT MATERIAL SHALL BE FL GRADE #1, OWNER SHALL INSPECT TREES PRIOR TO OFF LOADING FROM TRUCK ALL REJECTED TREES SHALL BE REMOVED FROM SITE & NEW PLANTS SHALL BE PROVIDED BY LANDSCAPE CONTRACTOR.
2. TREES PALMS SHALL HAVE A MINIMUM 3' DIAMETER TREE RING AT BASE AND MULCHED UNLESS PLANTED WITH GROUNDCOVER PLANTINGS.
3. ALL MULCHED BEDS SHALL BE A MINIMUM/MAXIMUM OF 3" THICK AFTER COMPACTION ALL MULCHING SHALL BE WITH PINE BARK.
4. ALL PLANTINGS SHALL HAVE 100% COVERAGE WITH AUTOMATIC IRRIGATION SYSTEM WITH RAIN SENSOR – DURING PLANTING PROCESS OF ALL PLANTS – TREES SHALL RECEIVE 30 GALLONS OF WATER PER DAY; SHRUBS SHALL RECEIVE 15 GALLONS OF WATER & GROUND COVERS 5 GALLON OF WATER DURING PLANTING INSTALLATION PERIOD & UNTIL IRRIGATION SYSTEM IS OPERATIONAL. COORDINATE WITH IRRIGATION CONTRACTOR WITH WATER SCHEDULE DURING PLANTING AND 6 MONTH SCHEDULE AFTER ACCEPTANCE OF LANDSCAPING BY THE OWNER.
5. ALL STAKING OF TREES SHALL BE COMPLETED WITHIN 24 HOURS AFTER PLANTING – NO EXCEPTIONS.
6. SITE SHALL BE POLICED AND TIDED UP AT END OF WORK DAY NO PLANT POTS OR WRAPPINGS OR ANY OTHER PLANTING DERBIES SHALL BE LEFT ON SITE AT END OF DAY OR IN A TRASH COLLECTION CONTAINER ON SITE.
7. PINE BARK MULCH AREA ARE MINIMUM 3 FT. DIAMETER AT BASE OF ALL CANOPY TREES, UNDERSTORY TREES ARE MULCHED TO 10 FT DIAMETER FROM TRUNK OF TREE AND INTENT IS CONNECTING CANOPIES TOGETHER IN PROVIDING A CONTINUOUS MULCH BEDS. MULCH ALL AREA THAT ARE NOT MULCHED SHALL BE SODDED WITH ST. AUGUSTINE GRASS. GROUND COVER BEDS ARE ALSO MULCHED AND BASE OF ALL SHRUB BEDS – ESTIMATED CUBIC YARD OF MULCH HAS BEEN PROVIDED AND CONTRACTOR SHALL CONFIRM QUAINTLY OF MULCH IS ADEQUATE TO MULCH ALL PLANTING AREAS.
8. CYPRESS MULCH IS PROHIBITED.

N

0' 10' 20'

SCALE: 1" = 10'

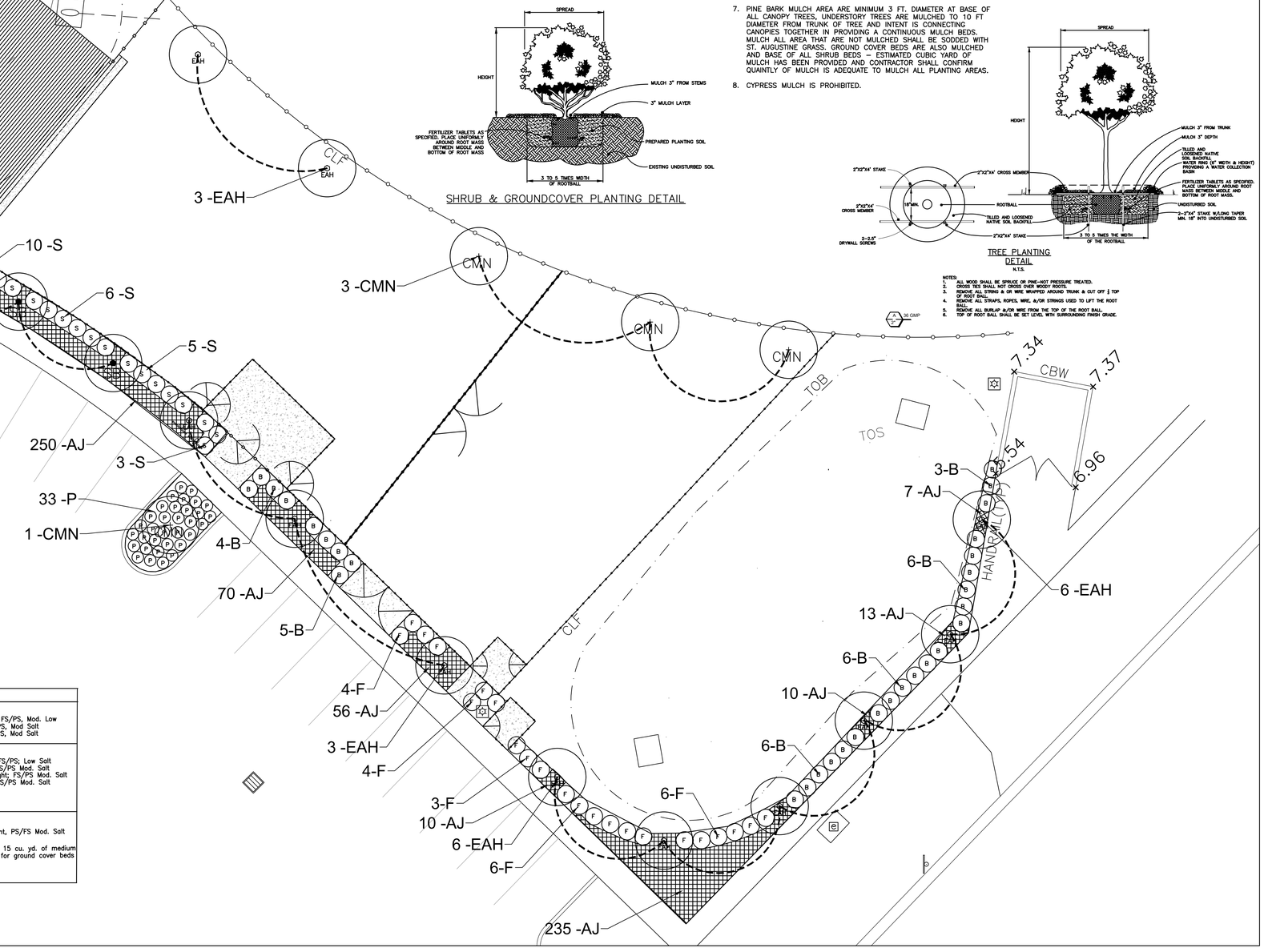


PLANT SPACING DETAIL (NO-OFFSET)

SHRUB & GROUNDCOVER PLANTING DETAIL

TREE PLANTING DETAIL
N.T.S.

NOTES:
1. ALL WOOD SHALL BE SPRUCE OR PINE-NOT PRESSURE TREATED.
2. CROSS TIES SHALL NOT CROSS OVER WOODY ROOTS.
3. REMOVE ALL STRING & OR WIRE WRAPPED AROUND TRUNK & CUT OFF ⅓ TOP OF BURLAP.
4. REMOVE ALL STRAPS, ROPES, WIRE, &/OR STRINGS USED TO LIFT THE ROOT BALL.
5. REMOVE ALL BURLAP &/OR WIRE FROM THE TOP OF THE ROOT BALL.
6. TOP OF ROOT BALL SHALL BE SET LEVEL WITH SURROUNDING FINISH GRADE.



PLANT LIST

QTY	SYMBOL	COMMON NAME	BOTANICAL NAME	PLANT SIZE	REMARKS
		UNDERSTORY TREES			
5	CMN	Crape Myrtle 'Natchez' Std.	Lagertromia indica 'Natchez'	Min. 12–14' Ht., 3" Cal. 45 GAL.FL#1 Std.	Non Native, Mod. Drought, Light FS/PS, Mod. Low
11	EAH	Eagleston Holly Std.	Ilex x atenuata 'Eagleston' Std.	Min. 12–14' Ht., 3" Cal. 45 GAl FL#1 Std.	Native, Mod. Drought, Light FS/PS, Mod Salt
3	SB	Silver Buttonwood Std.	Conocarpus erectus var.sericeus Std.	Min. 12–14' Ht., 3" Cal. 45 GAL.CONT. FL#1	Native, High Drought, Light FS/PS, Mod Salt
		SHRUBS			
30	B	Siver Buttonwood – shrub form	Conocarpus erectus var sericeus	Spr. 18" Ht. 24" 3 gal. cont.	36" O.C., Native, High Drought, FS/PS; Low Salt
43	F	Dwarf Firebush	Harmelia patens 'compacta'	Spr. 18" Ht. 24" 3 gal. cont.	36" O.C.; Native High Drought; FS/PS Mod. Salt
65	P	Dwarf Podocarpus 'Pringles'	Podcarpus macrophyllus 'Pringles'	Spr. 18" Ht. 24" 3 gal. cont.	24" O.C.; Non-Native Mod. Drought; FS/PS Mod. Salt
24	S	Simson's Stopper	Myrianthes fragrans	Spr. 18" Ht. 24" 3 gal. cont.	24" O.C.; Native Mod. Drought; FS/PS Mod. Salt
		GROUNDCOVERS			
631	AJ	Asiatic Jasmine Minima	Trachelospermum asiaticum	Spr. 8" Ht. 6" 1 gallon cont.	12" O.C. Non-Native, Mod. Drought, PS/FS Mod. Salt
21	Cu. Yds.	Pine Bark Mulch Medium Nuggets contractor to verify quantity in the field			Pine Bark Nuggets 3–inch Depth, 15 cu. yd. of medium nuggets 6 cu. yds. mini nuggets for ground cover beds all shrubs 9 sq. ft., trees

NOT A BOUNDARY SURVEY

REV.#	DESCRIPTION	DATE	BY
1			

TRANSYSTEMS

565 SOUTH HERCULES AVENUE
CLEARWATER, FL 33764
PHONE 727.822.4151
WWW.TRANSYSTEMS.COM

LANDSCAPE PLAN
MADEIRA BEACH DOG PARK
300 MUNICIPAL DRIVE
FLORIDA

I, LEROY CHIN, HEREBY CERTIFY AS A LICENSED PROFESSIONAL LANDSCAPE ARCHITECT , REGISTERED IN ACCORDANCE WITH FLORIDA STATUTE 471 (481) THAT THE ABOVE PROJECT'S SITE AND/OR CONSTRUCTION PLANS, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, WILL MEET APPLICABLE DESIGN CRITERIA SPECIFIED BY CITY MUNICIPAL ORDINANCE, STATE AND FEDERAL ESTABLISHED STANDARDS. I UNDERSTAND THAT IT IS MY RESPONSIBILITY AS THE PROJECT'S PROFESSIONAL LANDSCAPE ARCHITECT TO PERFORM A QUALITY ASSURANCE REVIEW OF THESE SUBMITTED PLANS.

LEROY CHIN, FL RLA 1206

PROJECT NUMBER	SE22.417.00
DATE:	6/12/2023
DRAWN BY: LC	FB: xxx PG: xxx
SCALE:	1" = 10'
SHEET NO.	8 OF 10

Jun 19, 2023 - 1:24pm I:\JOB Projects\Projects_SEPI X Drive\2022\SE22.417.00 Madeira Beach Dog Park Renovations\Engineering\Xrefs\SE22-417-7 000 PARK MASTER DEVELOPMENT PLAN 4-13-2023.dwg

SEC. XX, TWP. XX S., RNG. XX E.

PINELLAS COUNTY, FLORIDA

TYPICAL TREE TRUNK

TYPICAL MINIMUM DIAMETER OPENING OF RUBBER SURFACING AT BASE OF TREE 10" FOR 3" CALIPER TREE

TYPICAL 6 INCH ROUND IRRIGATION CAP WITH 2 INCH THICK EPOXY RUBBER SURFACING MATERIAL

TYPICAL NDS 6–in W x 8.38–INCH H ROUND IRRIGATION VALVE BOX Model #107BC WITH 2–INCH THICK EPOXY RUBBER SURFACING MOUNTED TO CAP.

TYPICAL HUNTER PRESSURE COMPENSATING BUBBLERS PCB MODEL NO. 20 – 2.00 GPM UMBRELLA PATTERN

TYPICAL 3/4" PREMIUM AGRICULTURAL GRADE BLACK POLYETHYLENE TUBING 6 FT. LENGTH IN 1.5" SLEEVE MINIMUM 10–INCH DEPTH

TYPICAL 10 FOOT DIAMETER 2 INCH THICK EPOXY RUBBER SURFACING MATERIAL AT BASE OF TREE

TYPICAL K–9 ARTIFICIAL TURF

TYPICAL CROSS SECTION OF TREES ALONG BASEBALL FENCING

TYPICAL NDS 6–in W x 8.38–INCH H ROUND IRRIGATION VALVE BOX Model #107BC WITH 2–INCH THICK EPOXY RUBBER SURFACING MOUNTED TO CAP. SEE DETAIL THIS SHEET

TYP. PVC LATERAL LINE OFFSET 1.5 FEET FROM BALL FIELD FENCE AT 12" BELOW FINISH GRADE OF WARNING TRACK

TYPICAL HUNTER PRESSURE COMPENSATING BUBBLERS PCB MODEL NO. 20 – 2.00 GPM UMBRELLA PATTERN

TYPICAL 3/4" PVC LATERAL LINE WITH 1.5" SLEEVE TWICE THE SIZE LATERAL LINE PASSING THROUGH; SET SLEEVE AT 8–INCHES BELOW FINISH GRADE OF RUBBER SURFACING

COORDINATE WITH OWNER IN LOCATING EXISTING VALVE BOXES IN THIS GENERAL LOCATION FOR INSTALLATION OF NEW ZONE FOR TREE BUBBLERS. TIE INTO EXISTING IRRIGATION SYSTEM OF IRRIGATION CONTROLLER.

TYPICAL HUNTER # 1–EZ DECODER; 1 STATION EZ DECODER

TYPICAL EXISTING IRRIGATION SYSTEM SHALL BE LOCATED PRIOR TO ANY PROPOSED SITE DEMOLITION AND INTEGRITY OF EXISTING IRRIGATION SHALL NOT BE DISRUPTED DURING NEW WORK PROPOSED FOR THE DOG PARK RENOVATIONS. IRRIGATION SYSTEM SHALL BE REPAIRED TO HAVE A COMPLETE OPERABLE IRRIGATION SYSTEM AT TURN OVER OF THE PROJECT TO THE OWNER.

TYPICAL IRRIGATION SLEEVE TWICE THE SIZE OF PIPE PASSING THROUGH BENEATH ALL PAVED SURFACES

TOB

TOS

CLF

CBW

HANDRAIL (TYP)

0.75"

1.0"

1.25"

1.5"

TYPICAL NDS 6–INCH W x 8.38–in H ROUND IRRIGATION VALVE BOX Model #107BC WITH 2–INCH THICK EPOXY RUBBER SURFACING MOUNTED TO CAP. SEE DETAIL THIS SHEET

N

0' 10' 20'

SCALE: 1" = 10'

REV.#	DESCRIPTION	DATE	BY

TRANSYSTEMS

565 SOUTH HERCULES AVENUE
CLEARWATER, FL 33764
PHONE 727.822.4151
WWW.TRANSYSTEMS.COM

IRRIGATION PLAN
MADEIRA BEACH DOG PARK
300 MUNICIPAL DRIVE
FLORIDA

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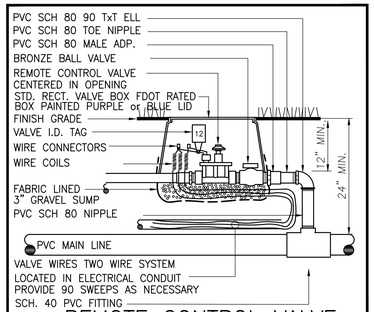
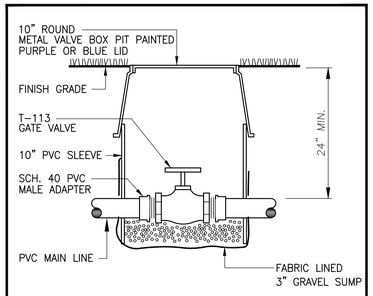
PROJECT NUMBER	SE22.417.00
DATE:	6/12/2023
DRAWN BY: LC	FB: xxx PG: xxx
SCALE:	1" = 10'
SHEET NO.	9 OF 10

Jun 19, 2023 - 1:27pm I:\Job Projects\Projects_SEFL K Drive\2022\SE22.417.00 Madeira Beach Dog Park Renovations\Engineering\Xsec\SE22-417-T DOG PARK MASTER DEVELOPMENT PLAN 4-13-2023.dwg



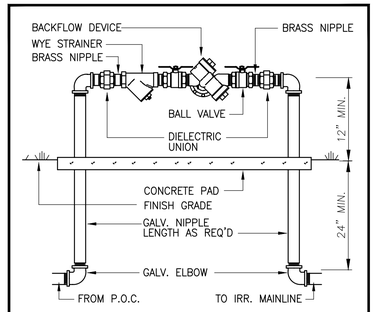
REMOTE CONTROL VALVE

CONC. FDOT RATED VALVE BOX INSTALLATION SHALL ALLOW THE VALVE TO BE SERVICED WITHOUT THE NEED FOR EXCAVATION

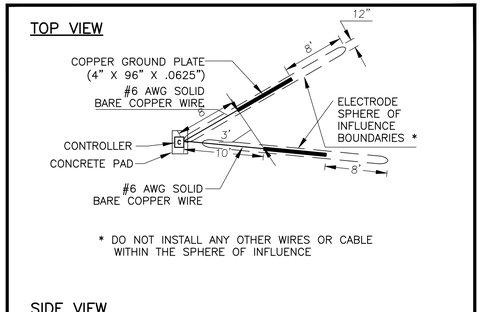


ISOLATION GATE VALVE

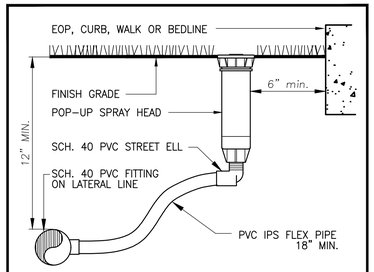
VALVE TO BE CENTERED IN THE VALVE BOX



BACKFLOW PREVENTOR

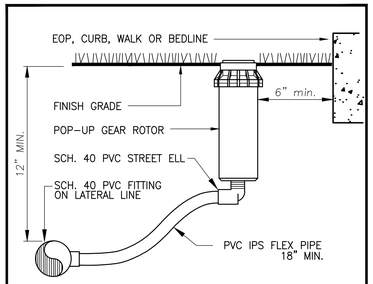


CONTROLLER GROUNDING



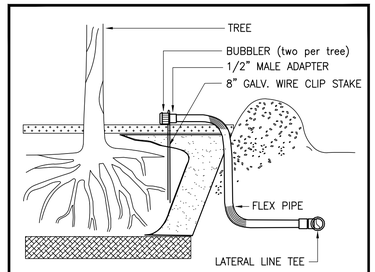
TURF SPRAY HEAD

PROVIDE 12" MIN. SPACE BETWEEN ALL SPRINKLER HEADS AND ANY WALL OR STRUCTURE



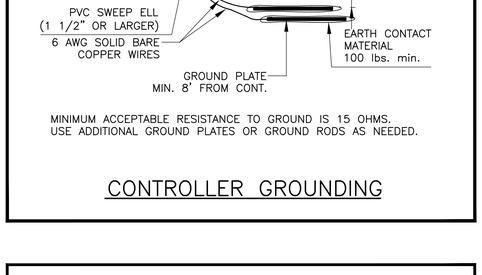
TURF ROTOR HEAD

PROVIDE 12" MIN. SPACE BETWEEN ALL SPRINKLER HEADS AND ANY WALL OR STRUCTURE

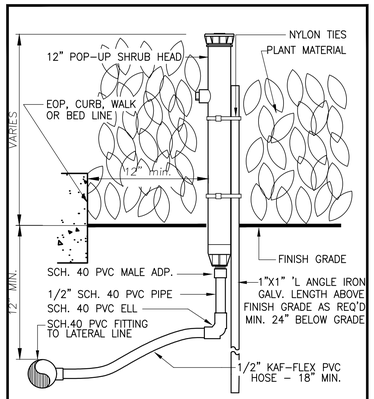


TREE BUBBLER

INSTALL FLEX PIPE (LOCATION AND DEPTH) TO BE PROTECTED FROM MAINTENANCE OPERATIONS (EDGING, MOWING)

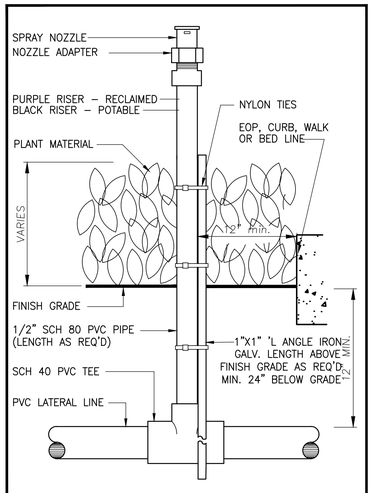


"AS BUILT" TYPICAL



SHRUB SPRAY HEAD

PROVIDE 12" MIN. SPACE BETWEEN ALL SPRINKLER HEADS AND ANY WALL OR STRUCTURE



SHRUB SPRAY HEAD

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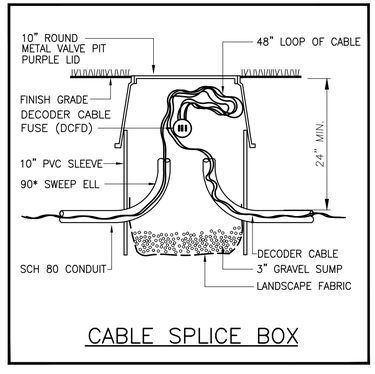


CABLE SPLICE BOX

FIELD CHANGES:

This Irrigation Design was based on the most recent site and landscape plan available to the Irrigation Designer at the time of the design. The following irrigation principals were incorporated into this design:

- Dedicated bubbler zones for all new trees.
- Dedicated spay zones for all new annual beds.
- Landscape beds and sod are on separate zones.
- Spray heads and rotator / rotors are on separate zones.
- All sprinkler heads within a zone are "matched precipitation rate".
- "Single row" sprinklers (along edge of pavement, fence line, pond bank) are on separate zones from areas covered by "square" or "triangular" spaced sprinklers.

Site and / or Landscape changes that were made after the time of this design will require Field Changes. Field Changes made by the Irrigation Contractor that do not incorporate these irrigation principals will not be accepted and will be corrected at the Irrigation Contractors expense.

IRRIGATION NOTES:

XX XX XX

1. Irrigation system design requirements: GPM and PSI shall be confirmed on site at the point of connection. The Irrigation Contractor shall verify the available GPM and PSI prior to installation of the system. See IRRIGATION Plan for location of point of connection & location of irrigation controller. Coordinate with Owner for exact location of tie into existing Irrigation system shall be warrantee the irrigation system (all parts & labor) for one year from final acceptance by the Owner. Thirty day from final warrantee date a meeting shall be held between the Owner and irrigation contractor at the site for any deficiencies of the irrigation system. A list of deficiencies shall be provided by the Owner within 3 days of the meeting to the irrigation contractor. The contractor has 7 days to complete the deficiencies and meeting shall be held with the Owner that the deficiencies are completed.
2. Do not willfully install the irrigation system as shown on the drawings when it is obvious in the field that conditions exist that might not have been considered in the design process. For example : obstructions, grade differences, water levels, dimensional differences, etc. Refer to the Landscape Plan to avoid conflicts with proposed trees or shrubs.
3. Piping may sometimes be indicated as being located in unlikely areas: i.e., under buildings or pavement, outside of property lines, in lakes or ditches, etc. This is done for graphic clarity only. Whenever possible, piping is to be installed in open, green" areas.
4. If required, the Irrigation Contractor shall provide the necessary "Right of Way" use permits.
5. Pipe sizes shall conform to those on the drawings or existing conditons. Substituting with smaller pipe sizes will not be permitted.
6. Mainline is to be installed with a minimum of 24" depth of cover. Lateral lines are to be installed with a minimum of 12" depth of cover.
7. Unless otherwise indicated, all sleeves are to be PVC Sch 40 and two (2) nominal sizes larger than the pipe to be sleeved. For example: The sleeve for a 2" pipe shall be 3". No irrigation sleeve shall be smaller than 2". Sleeves under paved surfaces shall be installed by the SITE CONTRACTOR UNDER ALL PAVED SURFACES. Sleeves shall extend beyond paved surfaces a minimum of 8-inches and end of pipes shall be ducted taped. A 3'x2"x"2 inch stake shall be staked at each end of stake irrigation sleeve; Blue for potable irrigation sleeve; Purple for reclaim sleeves, stake shall be driving a minimum of 1 foot into the ground and 2 feet of above the finish grade. Irrigation contractor shall coordinate location of irrigation sleeves with the site contractor. The Irrigation Contractor shall coordinate with the Site Contractor for installation of irrigation sleeves of existing irrigation main line & lateral lines beneath the proposed new pavement if necessary to cut existing irrigation lines this shall be performed to insure all existing irrigation piping beneath proposed pavement shall be sleeved no exception to this operation. Sleeves shall be performed by the Site Contractor in coordination with the Irrigation Contractor.
8. Wherever practical, install valves in mulched beds and/or out of high traffic areas. All valves and wire splices shall be installed in fiber concrete valve boxes with diamond plated steel lids (available from Ferguson Waterworks):

Remote Control Valves	(16"w x 25"l x 12"h) std. rect. box
Isolation Gate Valves	(16"w x 25"l x 12"h) std. rect. box
Wire Splices	(16"w x 25"l x 12"h) std. rect. box

9. The bottom and sides of the valve boxes shall be lined with landscape fabric. Install a 3" deep bed of gravel on the landscape fabric to create a drainage sump.
10. All valve box are fiber concrete 13" 24"x12" BOX W.CI RDR LID Model No. SP-A0132412M with metal flap LIDS to be painted "PURPLE" for reclaim and painted "BLUE" for irrigation potable water BY IRRIGATION CONTRACTOR provide sample paint colors to Owner for approval prior to painting lids. Unpainted FDOT traffic rated boxes are available from Ferguson Waterworks, FEL-Tampa FL Waterworks #044, 8008 E. Sligh Ave. Tampa, FL. 33610-0000, phone 813-627-1240, fax 813-627-1299. No substitution will be accepted for this line item unless approved by Owner.
11. Refer to Valve Designation Symbols for controller, station number and designed flow rate for each remote control valve.
12. The two-wire path between the controller and the decoders shall be two (2) UL Listed, single strand, type UF 600 Volt control cables (12-1 AWG). Use one (1) RED and one (1) BLUE colored wire to match color coded connections on the Decoders. Maximum distance from the controller to the furthest decoder shall be 1,500'. Install Decoder Cable in a 1" PVC conduit. Provide electrical eels sweeps in solenoid valve boxes and splice boxes.
13. All Decoders shall be installed in the valve box along with the solenoid that they are connected to.
14. All splices to the control wiring shall be made with 3M #DB_6 600 volt, UL Listed direct bury splice kits Use "yellow" or "red" kits as needed. All control wires shall be installed in electrical conduits no small than 1 inch diameter with 90 degree sweeps.
15. All pop-up sprinkler heads shall be installed level and flush to grade. Mount all sprinklers on flexible connections as follows:

1/2" inlet spray heads	18" of ½" Heavy Wall PVC IPS Hose
3/4" inlet rotor heads	18" of ¾" Heavy Wall PVC IPS Hose

16. The tops of all shrub sprinklers shall be installed 12" above the height of the surrounding plant material. For plant heights of 12" or more, support the riser with a 1"x1' galvanized 'L' stake and nylon cable ties. All risers shall be placed a minimum of 12" from any sidewalk, edge of pavement or structure and a minimum of 24" below finish grade ant 2 inches below top of irrigation head..
17. Location of all sprinkler heads shall be site adjusted to minimize water overthrow onto building surfaces and walkways. Throttle valves on spray zones as required to prevent fogging.
18. Exact controller location(s) shall be coordinated with an Owner's Representative prior to installation. Unless otherwise stated, the General Contractor shall provide 110 volt power to the controller location(s). The Irrigation Contractor is responsible for the connection from the power source to the controller(s). For outdoor mounted controllers, the 110 volt service to the irrigation controller shall be in conduit. All 110 volt electrical work shall meet Local Code.
19. At each irrigation controller, install a "secondary surge arrester" to the incoming (120 volt) power supply (Intermatic #AG2401 or equal).
20. At each irrigation controller, install an "supplementary earth ground grid" with a minimum of two (2) 4" x 96" grounding plates. Test the resistance to earth per NFPA Standard #780. A acceptable earth ground should have 10 ohms or less resistance. Use more plates or grounding rods as needed to achieve the desired resistance reading.
21. The wireless rain shutoff device shall be installed to meet local codes and/or minimum manufacturer's recommendations. Obstructions, vandalism and ease of service shall be considered in locating the device.
22. The IRRIGATION CONTRACTOR shall prepare an AS-BUILT drawing on reproducible paper detailing the actual installation of the irrigation system. The AS-BUILT drawings shall locate all main line piping, control wires, wire splices, sleeves and valves by showing exact measurements from permanent features (buildings, edge of pavement, power poles, fire hydrants, etc.). Include depth of cover on mainline and sleeves.
23. No product substitutions will be permitted without the written permission of the Owner's Representative. Irrigation Contractor to provide submittals to the Owner's Representative for approval prior to installation.
24. Any other equipment required that is not other wise detailed or specified shall be installed as per manufacturer's recommendations and local code.

Hunter Two Wire – Grounding and Shielding

At the very minimum, the grounding circuit for a decoder will include a copper ground plate and may also include 50 Pounds/22 kg of earth contact material, as defined below and Per the following detail. The copper grounding plate assemblies must meet the minimum requirements of section 250 of the NEC. They are to be made of a copper alloy intended for grounding applications and will have minimum dimensions of 4" x 36" x 0.0625" (100 mm x 1.2 m x 1.58 mm). A 10-foot/3 m continuous length (no splices allowed unless using exothermic welding process) of 10 'AWG/5 mm2 solid bare copper wire is to be attached to the plate using an approved welding process. This wire is to be connected to the decoder's ground wire and 10 AWG/5 mm2 bare copper "shielding wire" as shown in wiring details. A 50-pound/22 kg bag of earth contact material must be spread so that it surrounds the copper plate evenly along its length within a 6"/15 cm wide trench per detail below. Salts, fertilizers and other chemicals are not to be used in an attempt to improve soil conductivity because these materials are corrosive and will cause the copper conductors and electrodes to erode and become less effective with time. Ø Install all grounding circuit components in straight lines. When it is necessary to make bends, do not make sharp turns. To prevent the electrode-discharged energy from re-entering the underground cables, all electrodes shall be installed 6 to 8 feet/2 to 2.5 m away from said cables, and at right angles to the two-wire path. If more than one electrode is used to achieve lower resistance, the spacing between any two electrodes shall be 15 to 20 feet/4.5 to 6 m, so that they don't compete for the same soil. Ø The earth-to-ground resistance of this circuit is to be no more than 10 ohms. If the resistance is more than 10 ohms, then additional ground plates and earth contact material are to be installed in the direction of an irrigated area. It is required that the soil surrounding copper electrodes be kept at a minimum moisture level of 15% at all times by dedicating an irrigation station at each controller location.

REV.#	DESCRIPTION	DATE	BY

TRANSYSTEMS
565 SOUTH HERCULES AVENUE
CLEARWATER, FL 33764
PHONE 727.822.4151
WWW.TRANSYSTEMS.COM

IRRIGATION PLAN
MADEIRA BEACH DOG PARK
300 MUNICIPAL DRIVE
CITY OF MADEIRA BEACH FLORIDA

I, LEROY CHIN, HEREBY CERTIFY AS A LICENSED PROFESSIONAL LANDSCAPE ARCHITECT , REGISTERED IN ACCORDANCE WITH FLORIDA STATUTE 471 (481) THAT THE ABOVE PROJECT'S SITE AND/OR CONSTRUCTION PLANS, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, WILL MEET APPLICABLE DESIGN CRITERIA SPECIFIED BY CITY MUNICIPAL ORDINANCE, STATE AND FEDERAL ESTABLISHED STANDARDS. I UNDERSTAND THAT IT IS MY RESPONSIBILITY AS THE PROJECT'S PROFESSIONAL LANDSCAPE ARCHITECT TO PERFORM A QUALITY ASSURANCE REVIEW OF THESE SUBMITTED PLANS.

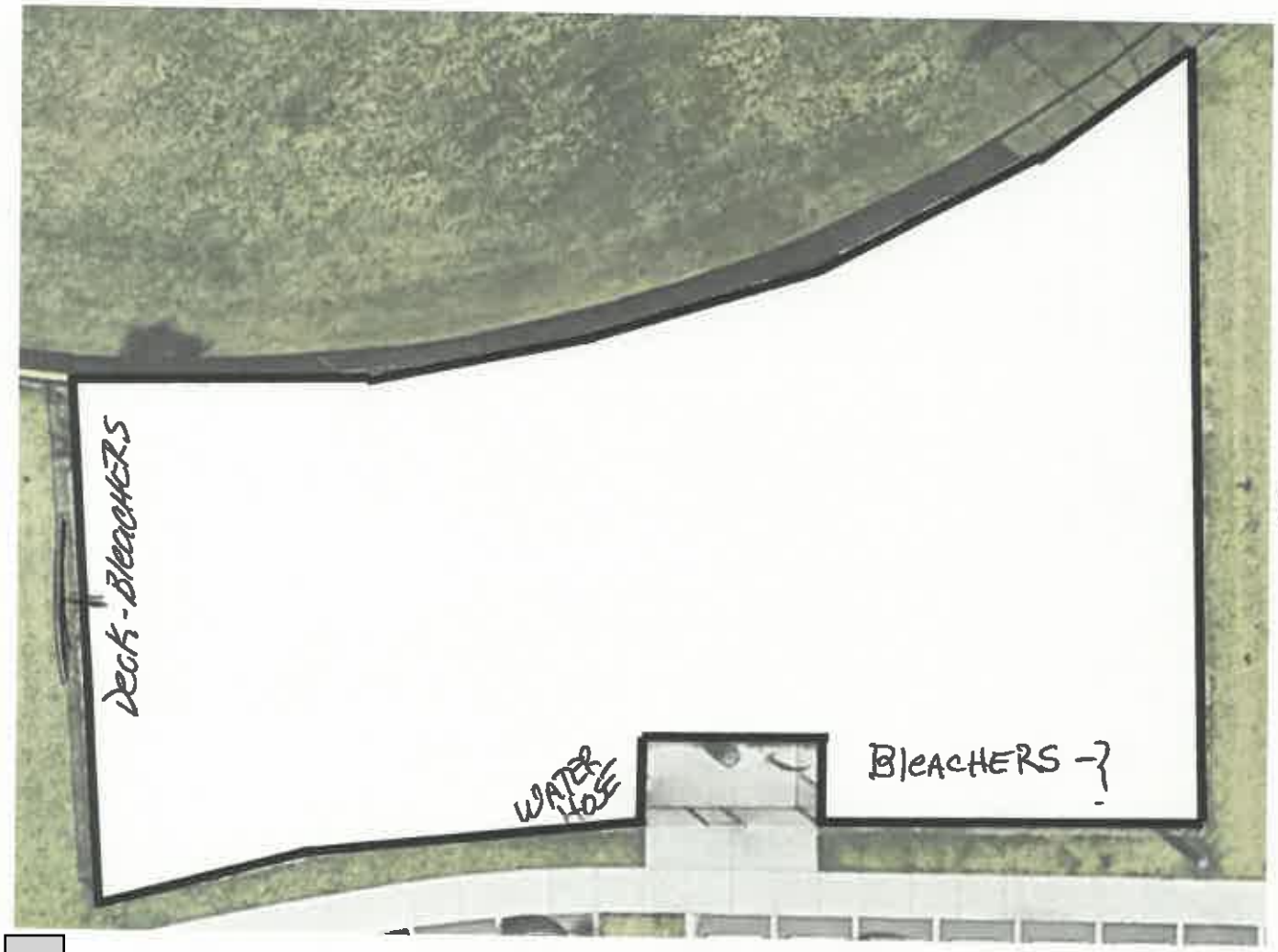
LEROY CHIN, FL RLA 1206

PROJECT NUMBER	SE22.417.00
FIELD DATE: 6/12/2023	
DRAWN BY: LC	FB: xxx PG: xxx
SCALE:	1" = 10'
SHEET NO.	10 OF 10

Jun 19, 2023 - 1:28pm J:\CAD Projects\Projects_SEPI X Drive\2022\SE22.417.00 Madeira Beach Dog Park Renovations\Engineering\Acad\SE22-417-T DOG PARK MASTER DEVELOPMENT PLAN 4-13-2023.dwg

Madeira Beach Dog Park Discussion
April 19, 2022

Please illustrate what you envision the Madeira Beach Dog Park to look like. Please label any features that are included in your design.



Optional Information:

Name: Danette Rowsell

Email: Danette6@Yahoo.Com

Would you like to be included in future messaging about the Madeira Beach Dog Park and related fundraising opportunities? (YES) NO

How often do you visit the Madeira Beach Dog Park?

1) 1-2 days a week
2) 3-5 days a week
3) Daily

What are 5 features you'd like to see in this dog park?

TURF → K9
WATER HOSE
SEATING
SHADING

Madeira Beach Dog Park Discussion
April 19, 2022

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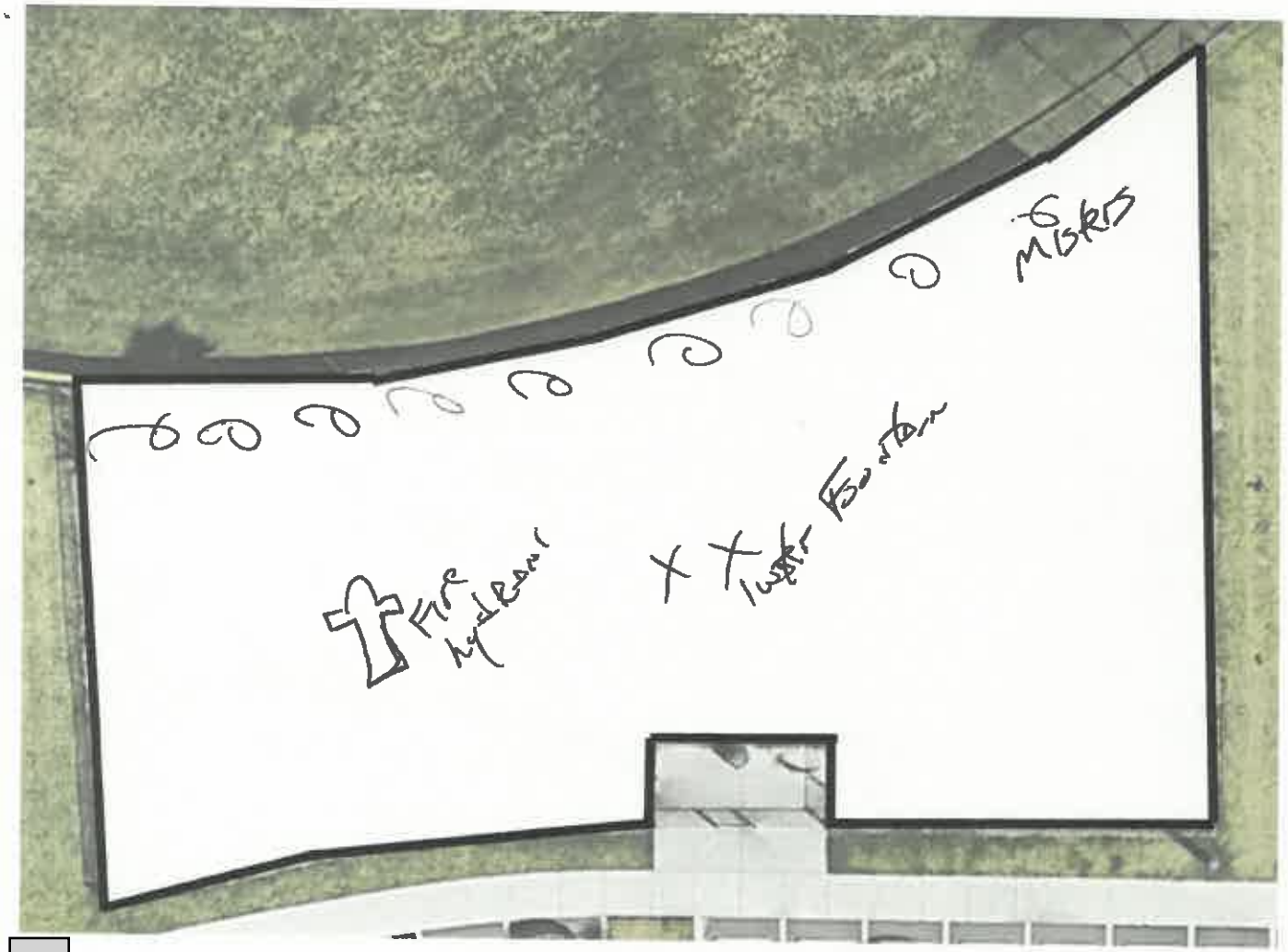

Optional Information:

Name: Pam K

Email: lilpamk@hotmail

Would you like to be included in future messaging about the Madeira Beach Dog Park and related fundraising opportunities? (YES) **NO**

How often do you visit the Madeira Beach Dog Park?

1) 1-2 days a week

2) 3-5 days a week

3) Daily

What are 5 features you'd like to see in this dog park?

- IRRIGATION
- ~~6~~ misters
- fire hydrant to pee on
- water fountain

Madeira Beach Dog Park Discussion
April 19, 2022

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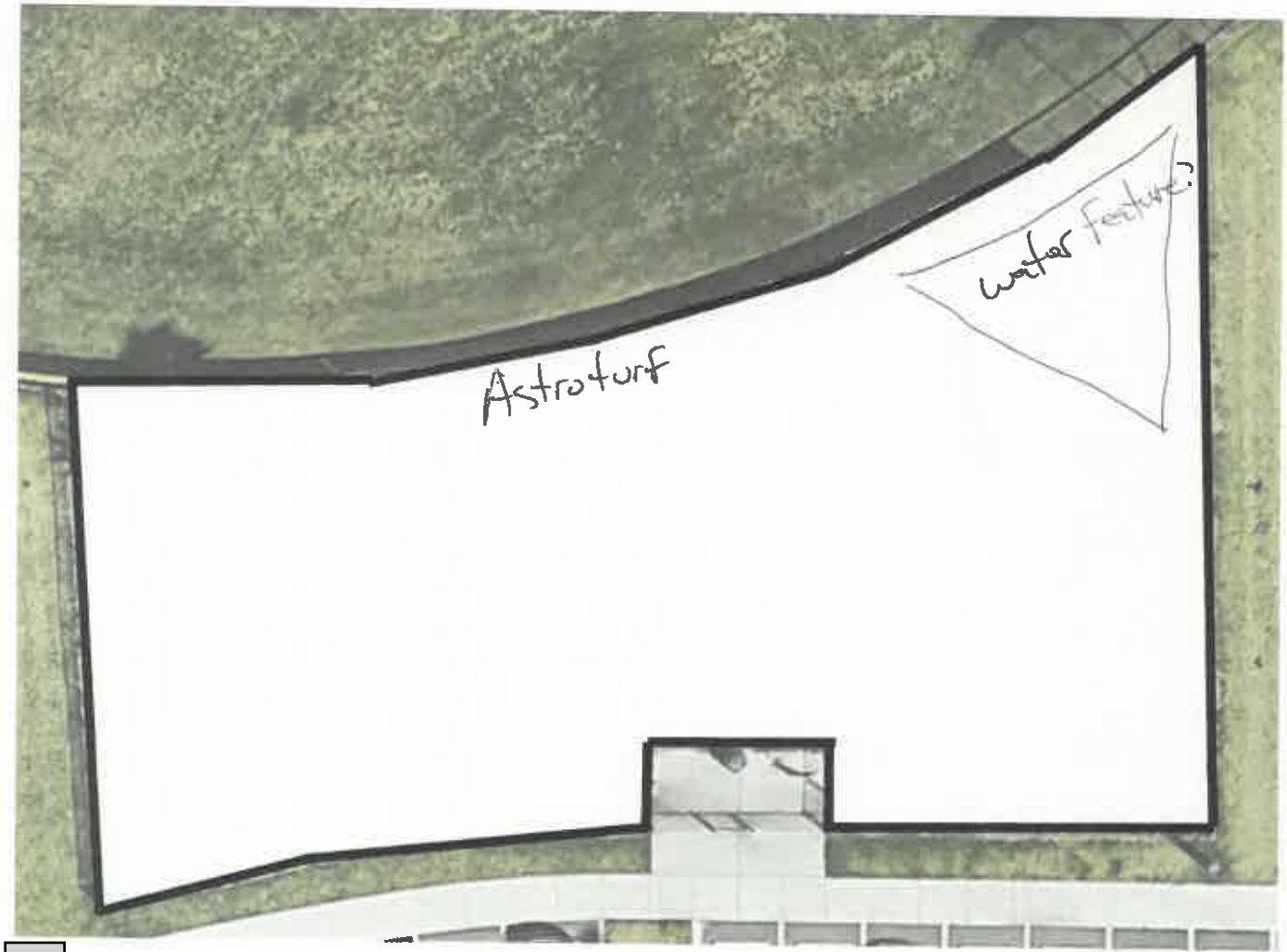

Optional Information:

Name: Donna Ford

Email: donnarford@yahoo.com

Would you like to be included in future messaging about the Madeira Beach Dog Park and related fundraising opportunities? **YES** **NO**

How often do you visit the Madeira Beach Dog Park?

1) 1-2 days a week
2) 3-5 days a week
3) Daily

What are 5 features you'd like to see in this dog park?

- Seating for humans :)
- Shade
- Possible expanding over drainage areas with a deck water feature
- Fun obstacles?

Madeira Beach Dog Park Discussion
April 19, 2022

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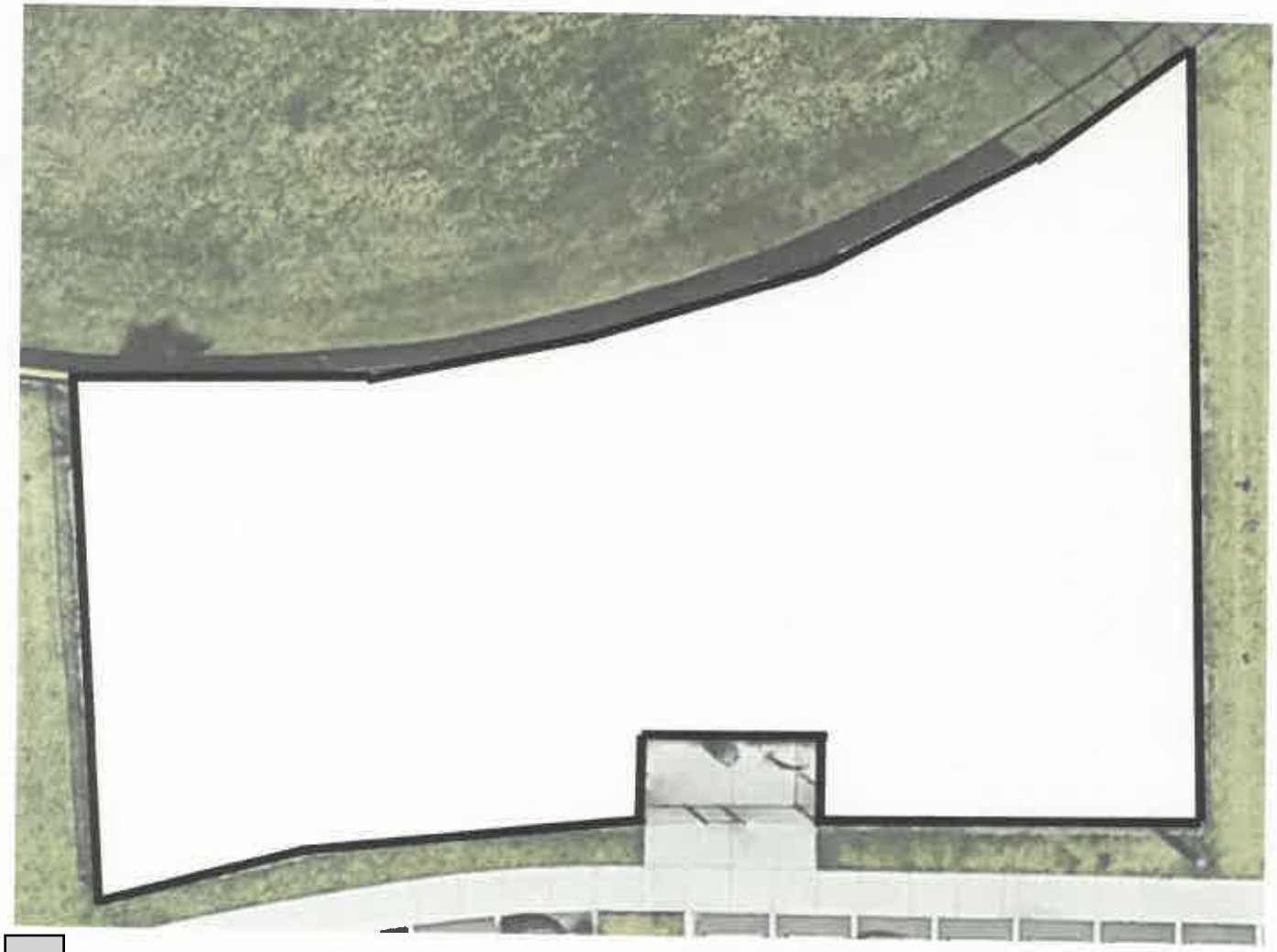

Optional Information:

Name: Shana Wright

Email: WrightYShana@yahoo.com

Would you like to be included in future messaging about the Madeira Beach Dog Park and related fundraising opportunities? (YES) NO

How often do you visit the Madeira Beach Dog Park?

1) 1-2 days a week
2) 3-5 days a week
3) Daily

What are 5 features you'd like to see in this dog park?

less dirt/eliminate puddle
Bigger
Shady area
more seating for humans

Madeira Beach Dog Park Discussion
April 19, 2022

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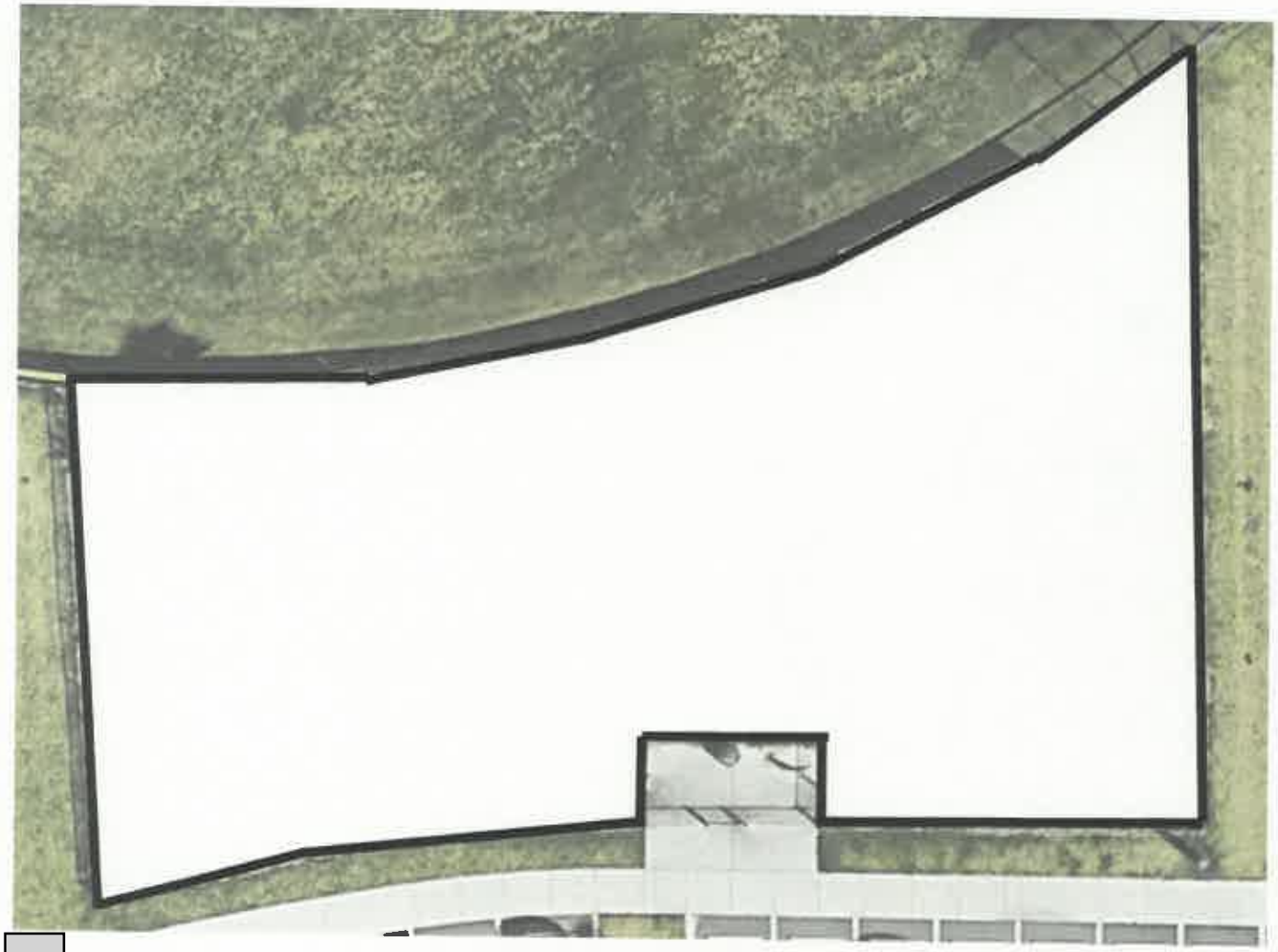

Optional Information:

Name: Jim Ellis

Email: Jimellis1310@gmail

Would you like to be included in future messaging about the Madeira Beach Dog Park and related fundraising opportunities? (YES) NO

How often do you visit the Madeira Beach Dog Park?

1) 1-2 days a week
2) ~~3-5~~ days a week
3) Daily

What are 5 features you'd like to see in this dog park?

Less Dirt

Madeira Beach Dog Park Discussion
April 19, 2022

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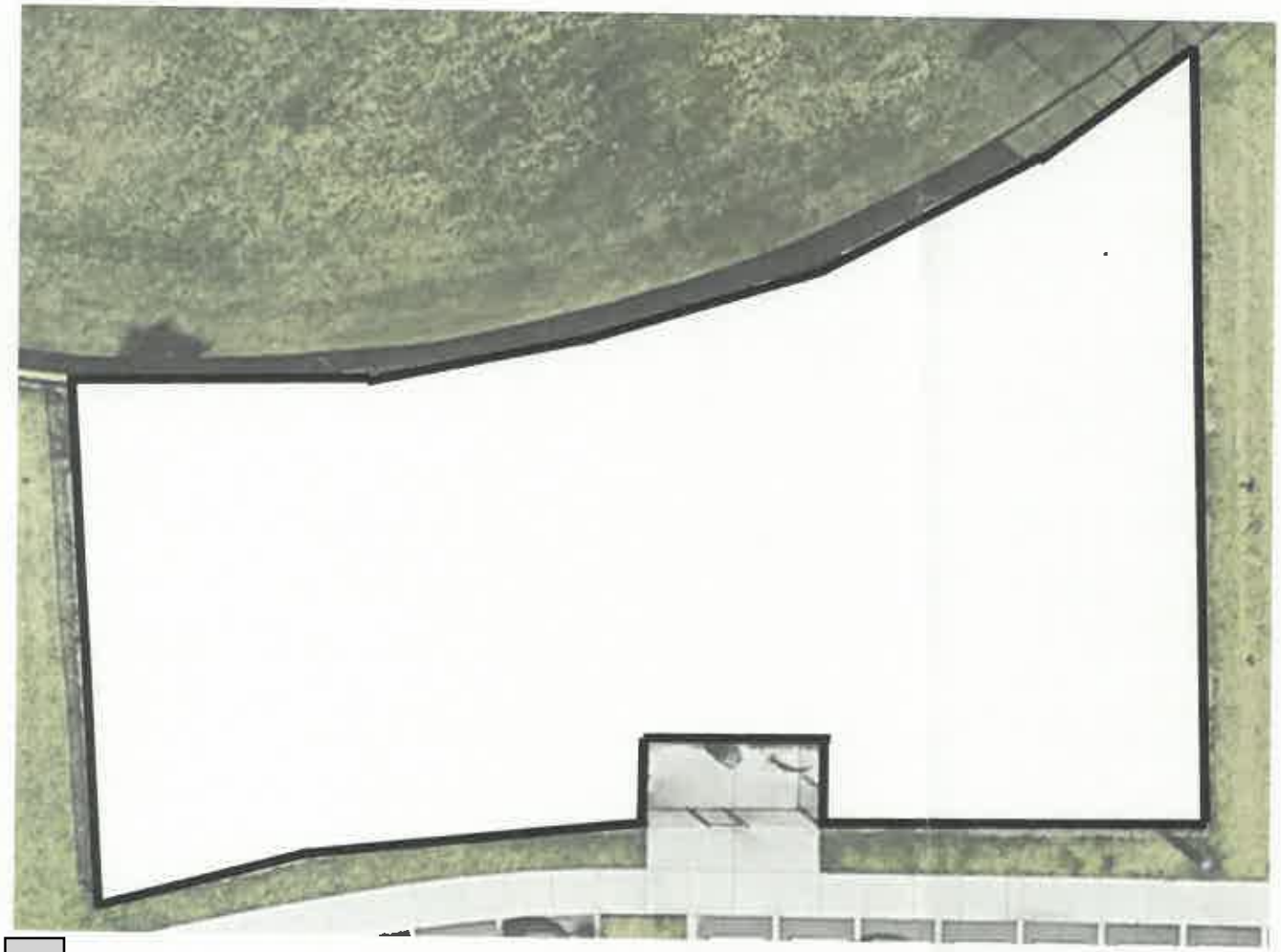

Optional Information:

Name: Mike Smith

Email: MJSmith04@tc400.com

Would you like to be included in future messaging about the Madeira Beach Dog Park and related fundraising opportunities? (YES) NO

How often do you visit the Madeira Beach Dog Park?

1) 1-2 days a week
2) 3-5 days a week
(3) Daily

What are 5 features you'd like to see in this dog park?

Turf
move water fountain to side with wash down hose.
Shade on end.

Madeira Beach Dog Park Discussion
April 19, 2022

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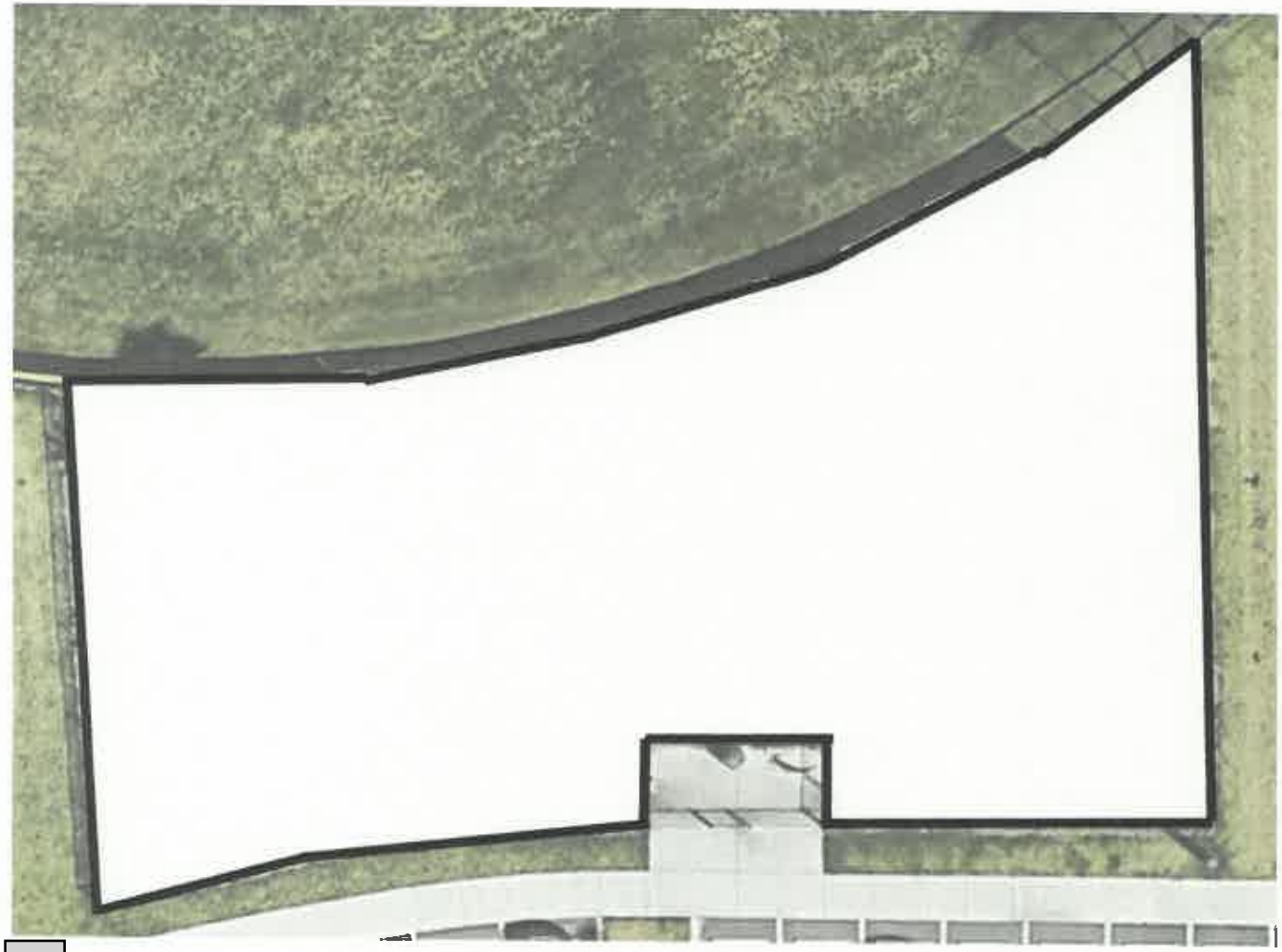

Optional Information:

Name: David Pentz

Email: DPentz1@gmail.com

Would you like to be included in future messaging about the Madeira Beach Dog Park and related fundraising opportunities? (YES) NO

How often do you visit the Madeira Beach Dog Park?

1) 1-2 days a week
2) 3-5 days a week
3) Daily

What are 5 features you'd like to see in this dog park?

Turf
Water Fountain/ Removable Bowls
Mulch For Dogs
Shade Blue Turf 16'F Park

Madeira Beach Dog Park Discussion
April 19, 2022

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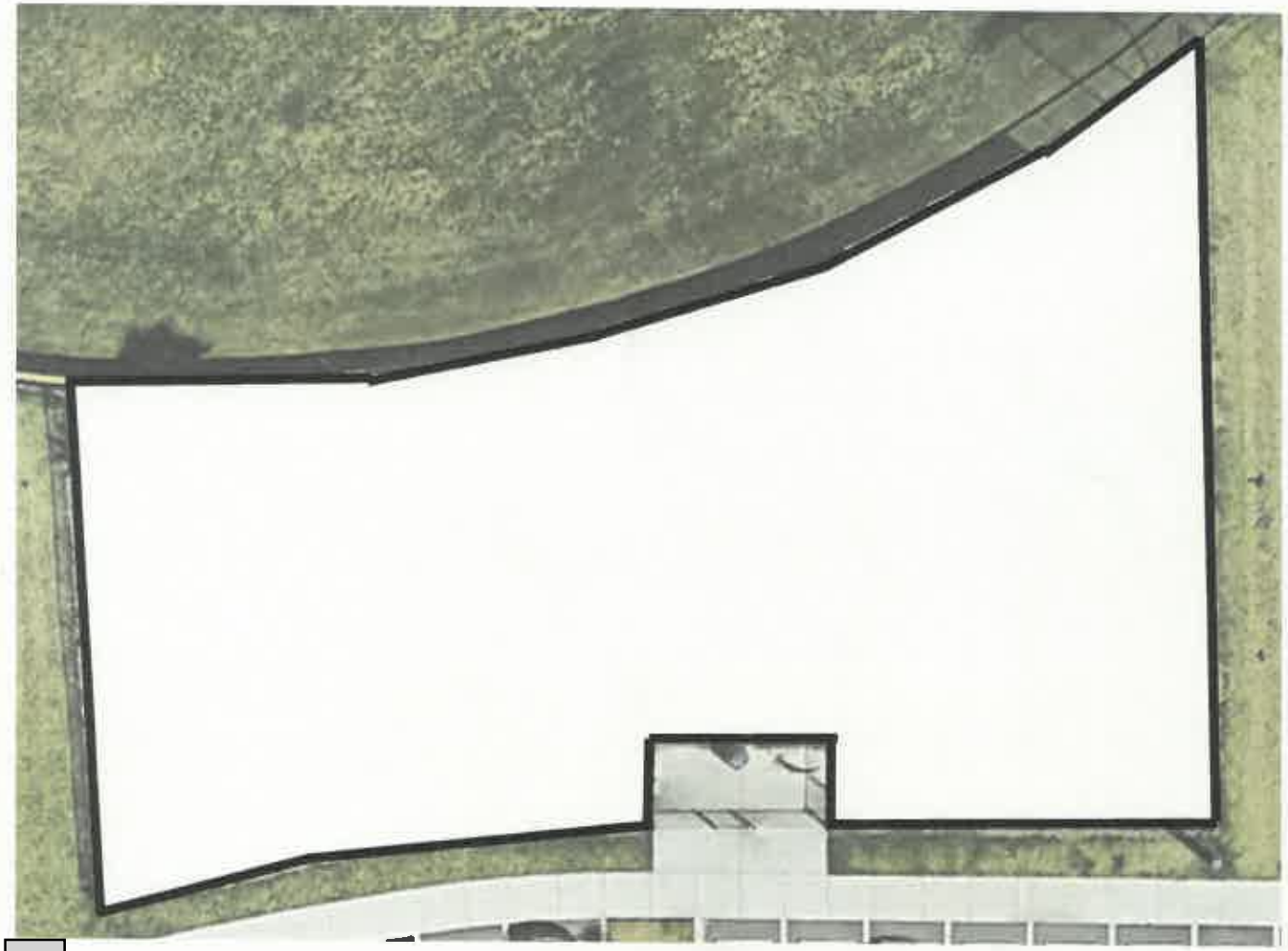

Optional Information:

Name: JAN STRAKELE

Email: jstrakele@verizon.net

Would you like to be included in future messaging about the Madeira Beach Dog Park and related fundraising opportunities? (YES) NO

How often do you visit the Madeira Beach Dog Park?

1) 1-2 days a week
2) 3-5 days a week
3) Daily

What are 5 features you'd like to see in this dog park?

1. MORE SHADE
2. MORE BENCHES
3. ASTROTURF
4. WASH STATION
5. DOG WASTE BAG STATION

Madeira Beach Dog Park Discussion
April 19, 2022

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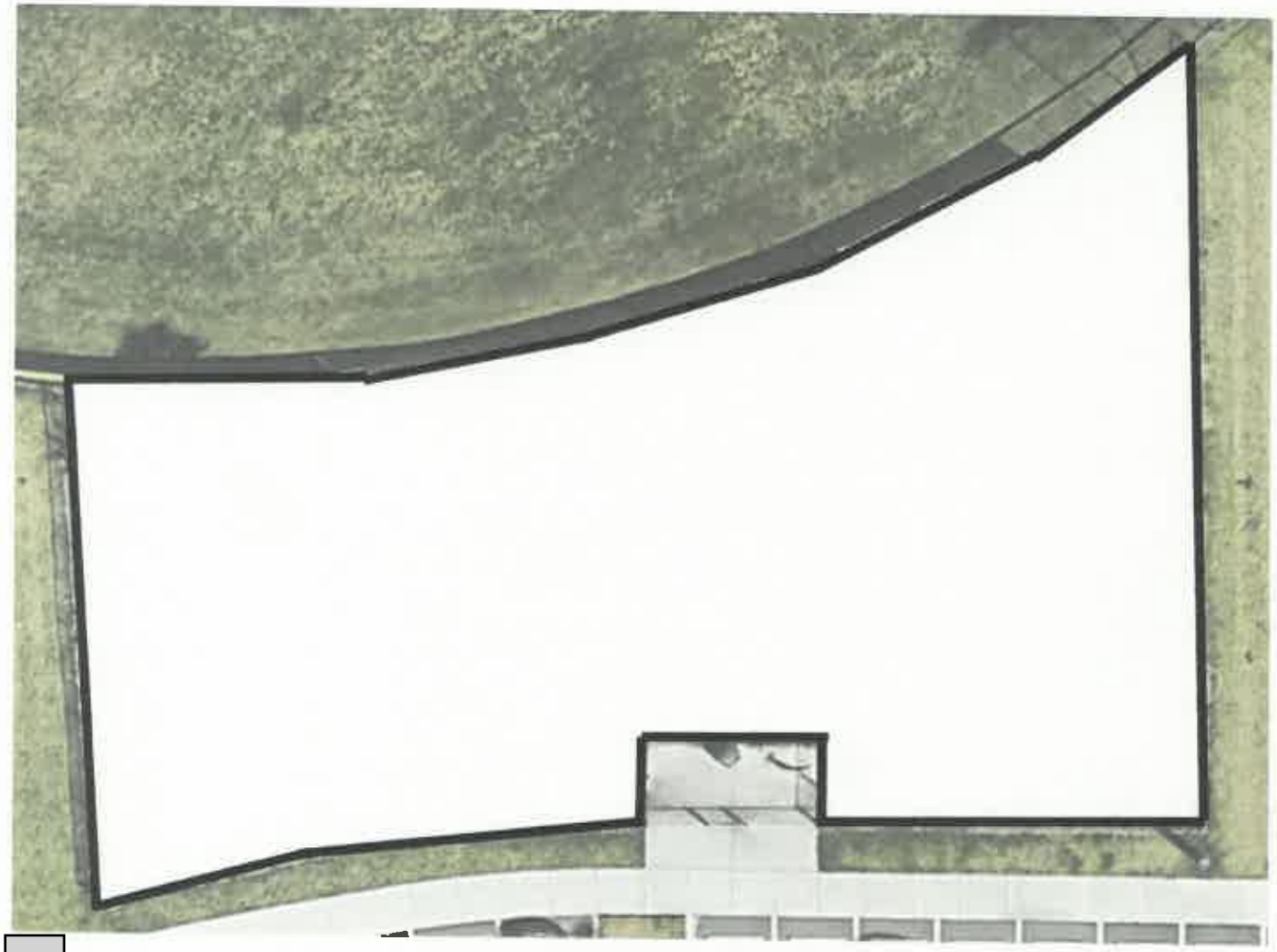

Optional Information:

Name: Tanya Settles

Email: tanya.settles5@gmail.com

Would you like to be included in future messaging about the Madeira Beach Dog Park and related fundraising opportunities? (YES) NO

How often do you visit the Madeira Beach Dog Park?

1) 1-2 days a week
2) 3-5 days a week
3) Daily

What are 5 features you'd like to see in this dog park?

astro turf
rocky area
Water area
area for large & small dogs

Madeira Beach Dog Park Discussion
April 19, 2022

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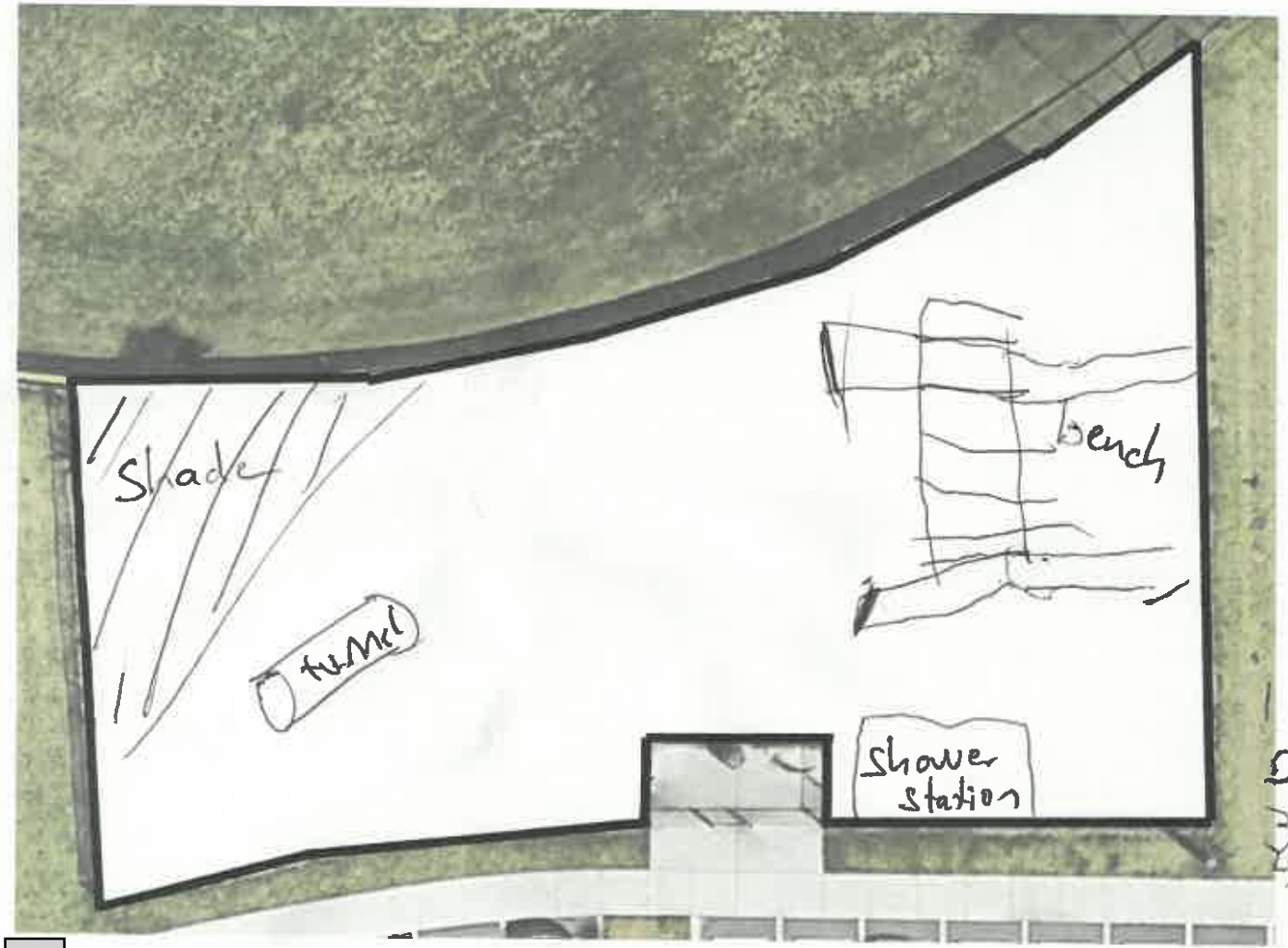


Optional Information:

Name: Kai Biggins

Email: wichkebiggins@gmail.com

Would you like to be included in future messaging about the Madeira Beach Dog Park and related fundraising opportunities? (YES) NO

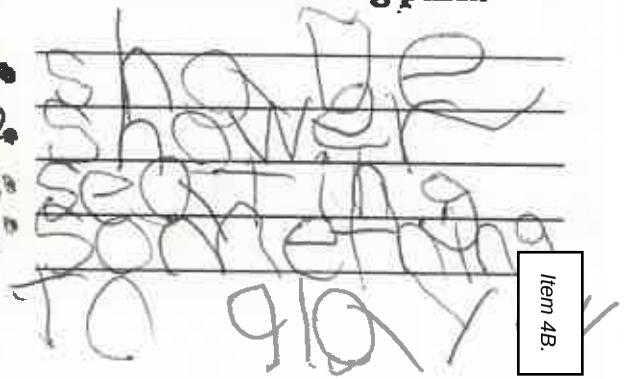
How often do you visit the Madeira Beach Dog Park?

~~1) 1-2~~ days a week

~~2) 3-5~~ days a week

~~3) Daily~~

What are 5 features you'd like to see in this dog park?



Madeira Beach Dog Park Discussion
April 19, 2022

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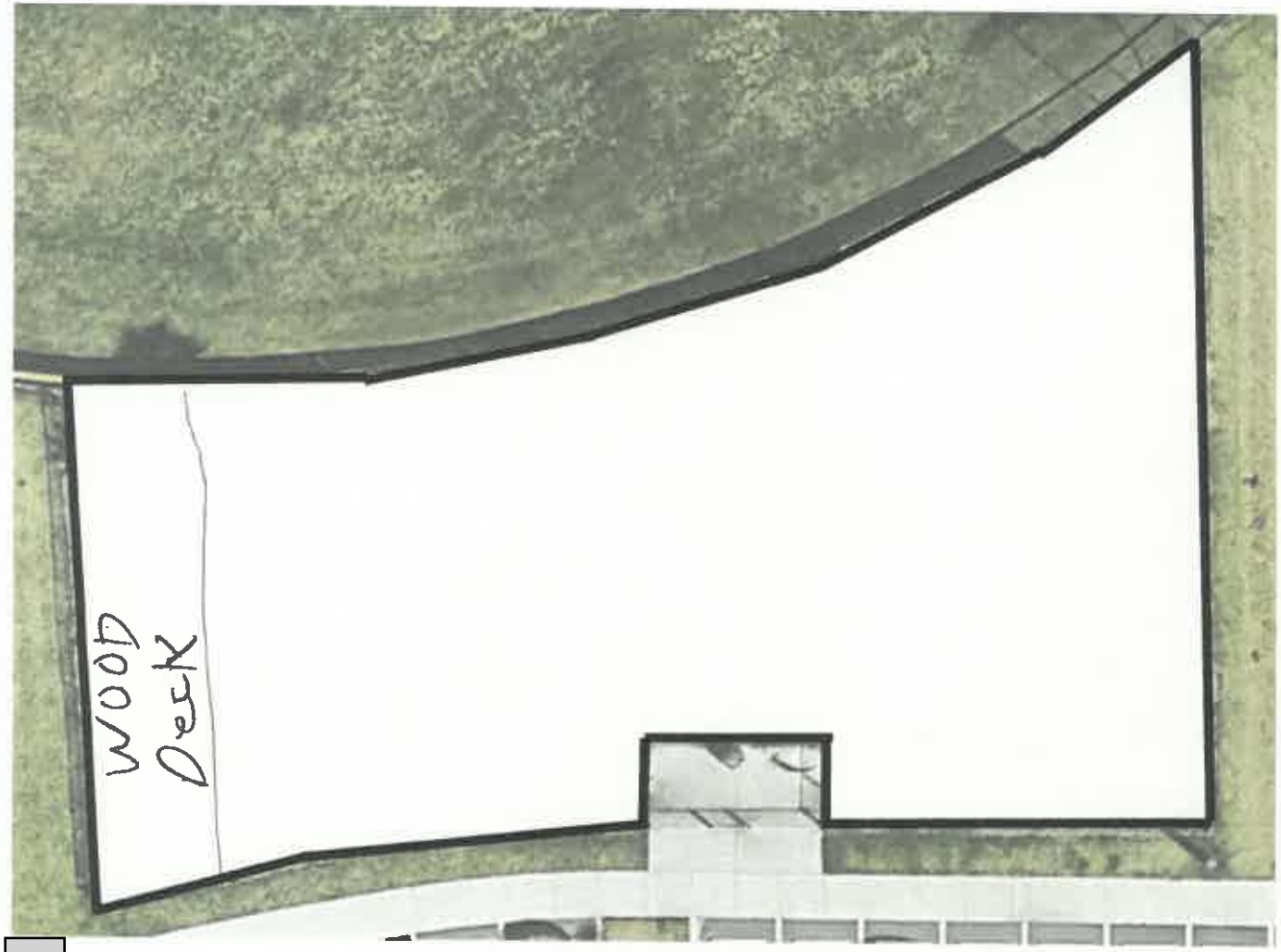

Optional Information:

Name: Glenn Palit

Email: gman716@gmail.com

Would you like to be included in future messaging about the Madeira Beach Dog Park and related fundraising opportunities? (YES) NO

How often do you visit the Madeira Beach Dog Park?

1) 1-2 days a week
2) 3-5 days a week
3) Daily

What are 5 features you'd like to see in this dog park?

fresh grass/Turf K-9
shade section
wood deck
spray hose

Madeira Beach Dog Park Discussion
April 19, 2022

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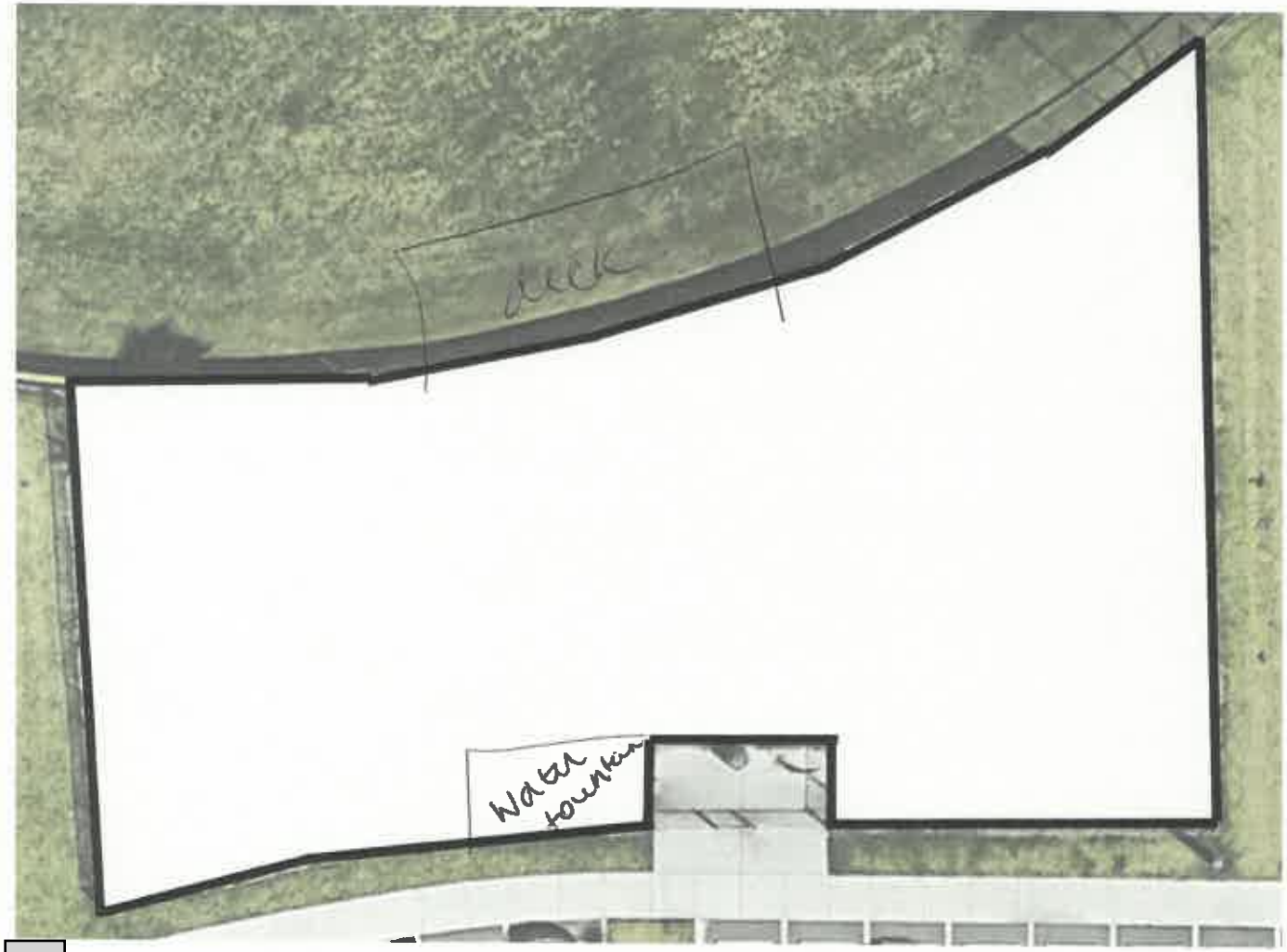

Optional Information:

Name: Mai Ong

Email: maiong@hotmail.com

Would you like to be included in future messaging about the Madeira Beach Dog Park and related fundraising opportunities? (YES) NO

How often do you visit the Madeira Beach Dog Park?

1) 1-2 days a week
2) 3-5 days a week
(3) Daily

What are 5 features you'd like to see in this dog park?

- Turf
- move water fountain
- shade
- deck

Madeira Beach Dog Park Discussion
April 19, 2022

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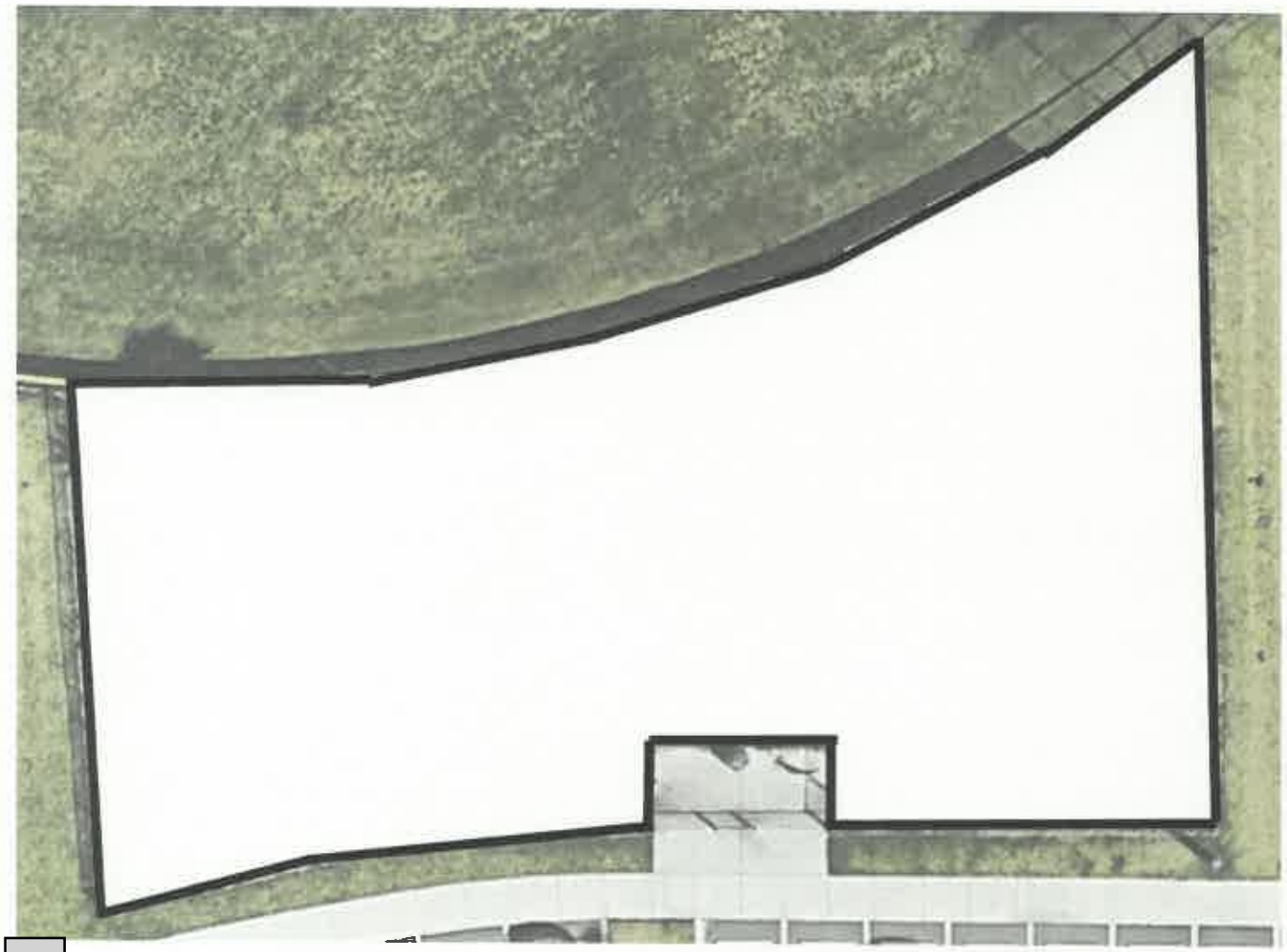


Optional Information:

Name: Stephanie

Email: Shipbeachbrath @ gmail.com

Would you like to be included in future messaging about the Madeira Beach Dog Park and related fundraising opportunities? (YES) NO

How often do you visit the Madeira Beach Dog Park?

1) 1-2 days a week

2) 3-5 days a week

3) Daily

What are 5 features you'd like to see in this dog park?

Splash pad
Artificial turf
playground equipment.

[e] Dog Park Feedback

Bob B <bbello121@gmail.com>

Thu 6/1/2023 7:45 PM

To:Hatch, Jay <jhatch@madeirabeachfl.gov>

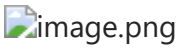
Hi Mr. Hatch,

I hope you are having a good day.

This is just a thought and some feedback on the dog park. The biggest thing I see deficient with the proposal is that there is no area carved out for smaller dogs. If you go to the Treasure Island, St Pete Beach, Walsingham or Walter Fuller dog parks, they all have an area specific for small dogs. Why is that? Safety. A larger dog that weighs 80 lbs running into a smaller dog weighing 15 pounds can cause permanent injuries to the smaller dog.

For that reason, I frequent those other dog parks more than the Madeira Beach park at this point. Owners can't control when larger dogs start interacting with smaller dogs in our park. I actually leave when certain larger dogs show up as they are too rough for my smaller dogs and have hurt one of my dogs before which is why I frequent the other parks more now. Do I have that problem when I go to the other parks? No, as they have a section for smaller dogs. It is very similar to when you have kids playing football or wrestling. They have weight classes to protect the smaller kids. You don't allow the 90 pound kids to play football or wrestle with the 50 pound kids due to safety. This is no different and the dogs are our "kids" to many of us.

Small dogs don't need a lot of space. If you fenced in about 15 feet in width off the end of the current dog park for small dogs, I surmise that would be plenty (but please check with the professional dog park architects to get their input). So roughly 15'x50". Since the park is roughly 115'x50', the smaller dogs would get roughly 15'x50' and the larger dogs 100'x50'. So the larger dogs would have about 87% of the area if the park size stayed the same. I put a red line on the picture below where roughly the 15' mark is just in front of the palm tree. If you look at the picture, the light pole in the back corner is where the end of the fence roughly is. So from the palm tree to the light pole would be all larger dog area.



When I brought up the request/concern to have an area set aside for the smaller dogs at one of the presentations by the city, the response was that the large dog owners were asking for more space so they did not know how they could fit in a small dog area. I would ask you to visit the park for a few hours here and there. Watch how the dogs use the park. I don't think I have ever seen a large dog doing circles the full length of the dog park. Judge for yourself if taking 15 feet off of the current length would have a pronounced impact to the larger dogs. I think you will come to the conclusion it will not.

Whatever your position on this is, I would like to thank-you for your service to our community. I know that it is hard to please everyone and many times it is a thankless job. But I do appreciate your commitment to making our community a better place. If you would like to engage me on this subject any further, please feel free to reach out to me at the number below or reply to my email.

Have a great night!

Best regards,
Bob Bello
609-743-0650

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.

Medicine River Animal Hospital
Shawna L. Green, DVM
13495 Gulf Blvd.
Madeira Beach, FL 33708
Phone: 727-299-9029
medriverah@gmail.com

June 12, 2023

Dear Vice-Mayor Kerr:

It was brought to my attention that the plans for the new Madeira Beach Dog Park does not include a small dog section. I feel that this would be a big mistake and a huge safety concern for our small dogs. I would think that the small dog population in this community would outnumber the large dog population. Many of our residents live in condominiums that have size restrictions on pets.

I personally caution my pet owners about dog parks because they come with a lot of risks. There are many contagious diseases and parasites that can be easily transferred at dog parks. Not all dog owners are responsible pet owners that keep up with vaccinations, parasite preventions, etc. However, my biggest concern are dog fights. I have worked as a Veterinarian in Pinellas County for the past 24 years. I worked at the Emergency clinic many years ago. I have treated multiple dogs that have been severely injured by dog fights at our local dog parks over the years. I have even lost patients as a results of dog fights from a dog park. So, I always warn my clients to use caution when visiting dog parks.

I wish dog parks were safer because there is no doubt that the exercise that dog parks offer our pets is very beneficial to their health. Let's use the greyhound for example, these dogs love to run. I have many greyhound patients and they are not an aggressive breed. However, if you give them a small dog to chase and they catch it, it will likely not end well for the little dog. Also, no one truly wants to be involved in a dog fight for many reasons. Large dog owners do not want their dogs to hurt another dog. Vet care is very expense, especially emergency vet care. It is usually the owner of the larger dog or dog that attacks that is held accountable for any medical bills as a result of a dog fight.

Dog fights are going to happen even with large and small dogs separated and often do. Unfortunately, hormones and behavioral problems due to lack of socialization and training are huge contributing factors. I fear that the number of dog fights will greatly increase without a separate small dog section. Veterinary care may be limited to the local emergency veterinary hospitals. Unfortunately, there is a nationwide veterinary staffing shortage. Covid has taken a toll on the entire veterinary community. I am the only veterinarian on Maderia Beach. I do not take walk-in emergencies. I have a very limited number of sick same day appointments and often have to refer sick appointments to other available veterinarians or the emergency clinic. As a vet, I never like to be put in a situation where I cannot help a pet in need. The other local veterinarians are also overwhelmed with limited appointment

availabilities. The closest emergency clinic is a 20-30 minute drive. Emergency wait times can be long. Anything that I can do to decrease the demand on us veterinarians is important. Most of all I do not want to hear or see any small dogs get injured because of the current plans.

I truly hope you will reconsider adding a small section for small dogs only so that they may enjoy the freedom to play without the risk of being injured by the larger dogs.

Sincerely,

Shawna L Green DVM

Shawna L Green, DVM

From: William Howell <wehowell@gmail.com>
Sent: Monday, June 5, 2023 9:25 AM
To: Ray Kerr <rkerr@madeirabeachfl.gov>
Cc: David Tagliarini <dtagliarini@madeirabeachfl.gov>; Eddie McGeehen <emcgeehen@madeirabeachfl.gov>; Jim Rostek <jrostek@madeirabeachfl.gov>; Anne-Marie Brooks <abrooks@madeirabeachfl.gov>
Subject: [e] $800K for a Dog Park that adds a continuous expense to the City

Mr. Kerr,

An investment?

Have you asked your Finance Director for what the ongoing costs for this will be? That is a standard finance practice that he isn't doing. You are on record as saying he does such a good job - if not providing this basic financial information is a good job to you we have bigger problems.

This is not an investment. This is something that will immediately begin to depreciate and need continuous maintenance and funding to keep it up to date.

Those expensive sails will deteriorate, fade, and rip so that huge cost is a recurring cost. That is not an investment. That is an ongoing expense that you are committing the City to.

Have you done the math? This project is $400 per taxpayer in the City. Are you serious? I'm a dog lover but I don't want the City spending $400 of my money on a dog park. I want to see lower taxes before we do this.

Since when do we allow non-residents with personal financial interest in how the City spends our tax money to speak at BOC meetings? Shameful.

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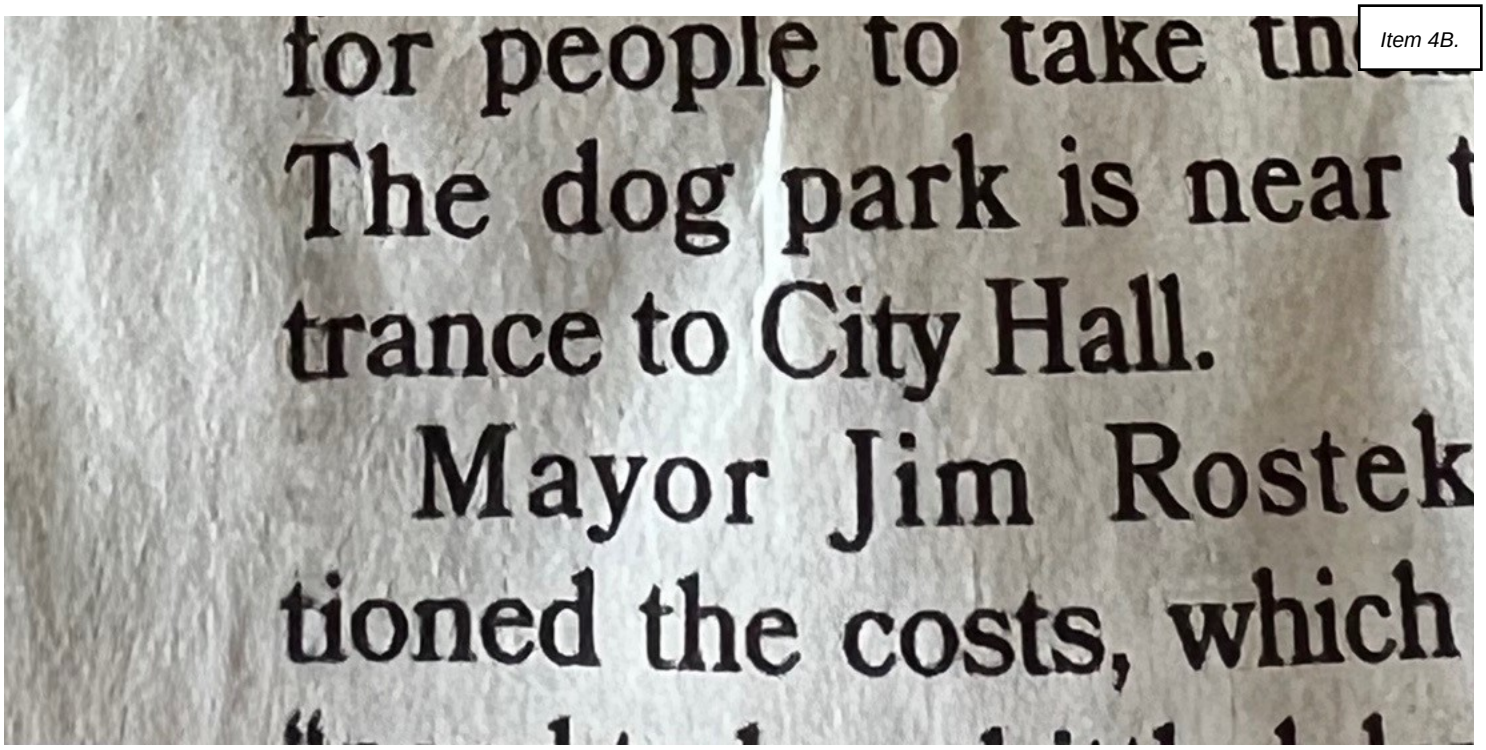
ernment pricing contracts

"This is a great idea,
Vice Mayor Ray Kerr. "I l
this as an investment. W
hold special events and lo
sponsors to help with the

"I love it, and I don't
have a dog," said Comm
er Anne-Marie Brooks
said there is a big sign
entry to Madeira Beac
says "No dogs allowed
beach," and the dog par
vides a nice alternative


for people to take th
The dog park is near t
trance to City Hall.
Mayor Jim Rostek
tioned the costs, which

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NRPA's monthly magazine

November

Dog Parks

November 2, 2018, Department, by Anne-Marie Spencer

Member to Member

Promoting vibrant, active people, dogs and community

According to numerous reports, spaces where dogs can play off-leash are the fastest-growing feature in parks today. Dog parks are sought after by pet owners for multiple reasons. They provide socialization for both pets and their owners. They bring people of all walks of life together in a space where they can form bonds and friendships based on their shared love of dogs. For dogs, especially ones whose owners work long hours, regular dog park visits can provide an outlet to expend stored energy.

While demand stems from a growing number of individuals owning a pet, the value and benefits of these spaces extend beyond pets and their owners — making a statement about a community's commitment to offering amenities that attract a richly diverse and active population. To better advocate for off-leash dog parks, it is important to understand the demand for these spaces and the benefits for dog owners and the broader community.

As populations grow, and leash laws become more restrictive, many municipalities see dog parks as a way to allow pets to play without impacting traffic, infringing on private property or potentially creating unwanted litter on public streets. While dog parks are certainly welcomed by dog owners, the value and benefits of these spaces extend far beyond the dog community.

Multiple Benefits

Dogs encourage people to walk more, and research studies show that at the individual level, being outdoors in a dog park offers diverse therapeutic, physiological, psychosocial and psychological benefits. It has been found that owning a pet is directly linked to fewer visits to the doctor and improved overall health.

Dog walking has been examined as a mechanism for promoting moderate physical activity, providing physical health benefits that link to a decrease in risks of cardiovascular diseases, such as hypertension and high cholesterol. In addition, it has been found that individuals who own a pet are more likely to participate in outdoor activities and are generally more active, healthier and more sociable, even with individuals they don't know well.

Dog parks provide important community benefits as well, and are important outlets for humans, as they provide recreational opportunities and bring together dog lovers of all ages and socioeconomic status. Dog parks promote walkable neighborhoods, an enhanced sense of community and safety, because the pet owners are not walking on busy streets. They also provide a place for owners to converse and get information about dog-related services and about the community in general. They serve as a conversation starter, and nearly half of the people who responded to a survey indicated they had become acquainted with other people in the neighborhood through their pets. From a pet ownership perspective, public dog parks allow dogs to get ample off-leash exercise and social activity with other dogs, promoting a decrease in the level of troublesome behavior.

Rejuvenate Underutilized Parks and Spaces

Dog parks can be created to suit any size space. Even in airports, where space is at a premium, dog parks are cropping up as a much-needed amenity for travelers and their pets. They can also be used to

rejuvenate underutilized parks and spaces. The city of Gahanna, Ohio, used Pizzuro Park, an underused space in a floodplain, to create a dog park with four areas: two for large dogs, one for small dogs and another for agility-based activities. The dog park has made Pizzuro one of the most visited parks in Gahanna. Stockbridge, Georgia, also used a repurposed floodplain in its Clark Park to create an oasis for dogs and their owners, designating about an acre of the park's nearly 12 acres for the new dog park. The city used the space creatively, installing plantings and paths to absorb rainfall at the lower elevations of the park and placing the agility equipment at a higher elevation. Where needed, an underdrain system was installed to help divert stormwater to a pond, creating more effective drainage after heavy rainfall.

No matter the size, all dog parks start with community support. Be sure to hold meetings within the community where you are planning the dog park, and allow community members to share their thoughts. Be prepared to deal with concerns, as well as encourage advocates, by having a master plan in place to share proposed hours, rules and maintenance. Much of the concern about dog parks comes from people not understanding how the space will operate, so being able to address these concerns early will help build advocacy. If there is a dog expert who can be present, invite them to address concerns that non-dog owners may have. Dog parks encourage social behavior in dogs and park rules help address most potential issues, so being able to articulate this is an important step in neighborhood support.

In addition to providing owners with a place where their dogs can get the daily movement and activity they need, community dog parks also can be a place to train and familiarize them with the skills required to master playful obstacles or compete in the sport of agility. Dogs love the opportunity to run and play, while owners also enjoy the opportunity to socialize with each other, so including a mix of amenities that promotes enjoyment for both is an important step in creating a well-loved dog park. Amenities help dogs build confidence, strengthen muscles and build challenge by incorporating elevation changes, jumping and moving through unfamiliar spaces. They also help the owner get exercise. Dog owners will also appreciate shady places to sit, access to water fountains and restrooms, and waste/litter receptacles to help ensure the space stays clean. Be sure the dog park rules are posted prominently at each entrance.

Don't forget the importance of marketing the space to ensure usage of the dog park, as well as promote knowledge of rules, hours and other useful information. Add the information to your park website, and if you have staffing to manage it, create a Facebook or other social media page to help promote the site, events at the dog park, contests and serve as a place for photo submissions of people and their pets having fun! The Charleston County Park & Recreation Commission operates three dog parks and hosts several events, designed to bring pet owners together and generate revenue to support maintenance of the dog parks. Their popular Yappy Hour event includes live music, food and beverages and is one of many events that helps to ensure the dog parks remain clean and welcoming.

Dog parks are one of the fastest-growing amenities in public spaces, and the benefits of these off-leash spaces are clear. As people continue to move to urban centers and the trend of bringing the family pet along gains strength, the demand for spaces to exercise and socialize with their pets continues to expand. By including dog parks in our overall master plans, we can help extend health benefits to people and improve the quality of life and community capital across the country.

Material Considerations for Comfortable, Active Dog Parks

- Accessible route of travel from parking lot to and through the space

- Separate areas for large and small dogs
- Dog park rules posted prominently at entrance
- Separate entrance to park transition area, as well as to small and large dog areas
- All areas fenced with a solid base to discourage digging
- A good mix of agility equipment to accommodate large and small dogs
- Strategically placed lighting for extended hours
- Dog waste bags and receptacles
- Shaded benches to encourage socialization
- A mix of surfacing to emulate nature and offer walking paths
- High-low water fountain to accommodate both dogs and their owners
- Trash receptacles to promote park cleanliness
- Bike parking to encourage alternate modes of travel
- Trees and shrubs to provide aesthetics and shade

For more information on planning a dog park, request the free resource, *Unleashed: Off Leash Dog Park Design Trends and Tips*.

Anne-Marie Spencer is the *Corporate Vice President of Marketing for PlayCore*.

Detailed references:

- Anderson K. Barking up the right tree: Tips & trend from today's dog parks. Recreation Management. Vol 2010; January 2010.
- Center for Outreach, Research, and Education. Unleashed: Off leash Dog Park Design Trends and Tips. PlayCore. 2018
- Coleman KJ, Rosenberg DE, Conway TL, et al. Physical activity, weight status, and neighborhood characteristics of dog walkers. Preventive Medicine. 2008;47(3):309-312.
- Cutt H, Giles-Corti B, Knuiman M, Burke V. Dog ownership, health and physical activity: A critical review of the literature.
- Health & Place. 2007;13(1):261-272.
- Hart LA. The role of pets in enhancing human well-being: Effects for older people. In: Robinson I, ed. Waltham book of human-animal interaction: Benefits and responsibilities of pet ownership. Tarrytown, NY: Pergamon; 1995.
- Taryn Graham, Troy Glover. On the Fence: Dog Parks in the Unleashing of Community and Social Capital Leisure Sciences, 36:3, 217-234
- Wood LJ, Giles-Corti B, Bulsara MK, Bosch DA. More than a furry companion: The ripple effect of companion animals on neighborhood interactions and sense of community. Society and Animals.

MEMORANDUM

Date: June 28, 2023
To: Board of Commissioners
From: Robin I. Gomez, City Manager
Subject: DISCUSS PARCEL ON 95 TH ST N

Background

BOC to review and discuss possible parcel purchase – 4711 95th St N

Discussion:

City obtained two appraisals for referenced parcel to potentially acquire to house part of our Fleet for Public Works and Sanitation, our Fleet Mechanic operations, and Sanitation equipment.

Appraisal I	$910,000
Appraisal II	$950,000

Property owner received both appraisals.

City awaiting for property owner's appraisal.

Currently, City leases a small office space and part of a 2 story structure on 94th Ave N for $3,000.00/month to house the listed operations and equipment.

Data on 4711 95th St N from Pinellas County Property Appraiser:

02-31-15-54216-001-0090

Compact Property Record Card

Tax Estimator | **Updated June 20, 2023** | Email Print | Radius Search

Ownership/Mailing Address Change Mailing Address	Site Address (First Building)
PATE, RANDY PATE, MARIO V REV LIV TRUST PATE, MARIO V TRE 10020 59TH AVE N ST PETERSBURG FL 33708-3506	4711 95TH ST N (Unincorporated) Jump to building: (1) 4711 95TH ST N

Property Use: 4120 (Light Manufacturing) | Current Tax District: SEMINOLE FIRE (STF) | Total Heated SF: 4,880 | Total Gross SF: 5,518

[click here to hide] **Legal Description**

MADEIRA INDUSTRIAL SEC 1 BLK A, LOT 9

File for Homestead Exemption

Exemption	2023	2024
Homestead:	No	No
Government:	No	No
Institutional:	No	No
Historic:	No	No

2023 Parcel Use

Homestead Use Percentage: 0.00%
Non-Homestead Use Percentage: 100.00%
Classified Agricultural: No

Parcel Information Latest Notice of Proposed Property Taxes (TRIM Notice)

Most Recent Recording	Sales Comparison	Census Tract	Evacuation Zone (NOT the same as a FEMA Flood Zone)	Flood Zone (NOT the same as your evacuation zone)
20372/1078	Sales Query	121030251062	C	Current FEMA Maps

2022 Final Value Information

Year		Just/Market Value	Assessed Value / Non-HX Cap	County Taxable Value	School Taxable Value	Municip
2022		**$305,000**	**$302,500**	**$302,500**	**$305,000**	

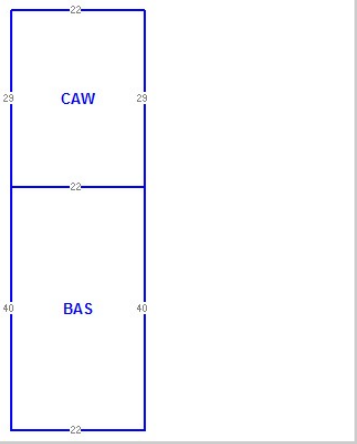
[click here to hide] Value History as Certified (yellow indicates correction on file)

Year	Homestead Exemption	Just/Market Value	Assessed Value	County Taxable Value	School Taxable Value	Municip
2021	No	$275,000	$275,000	$275,000	$275,000	
2020	No	$265,000	$250,800	$250,800	$265,000	
2019	No	$228,000	$228,000	$228,000	$228,000	
2018	No	$220,000	$220,000	$220,000	$220,000	
2017	No	$205,000	$203,500	$203,500	$205,000	
2016	No	$185,000	$185,000	$185,000	$185,000	
2015	No	$171,000	$171,000	$171,000	$171,000	
2014	No	$168,100	$167,200	$167,200	$168,100	
2013	No	$152,000	$152,000	$152,000	$152,000	
2012	No	$147,000	$147,000	$147,000	$147,000	

[click here to hide] 2023 Building 1 Structural Elements Bac

Site Address: 4711 95TH ST N

Building Type: **Warehouses**
Quality: **Minimal**
Foundation: **Continuous Footing**
Floor System: **Slab On Grade**
Exterior Wall: **Concrete Block**
Roof Frame: **Bar Joint/Rigid Frame**
Roof Cover: **Blt Up Metal/Gypsum**
Stories: **1**
Living units: **0**
Floor Finish: **Concrete Finish**
Interior Finish: **None**
Fixtures: **2**
Year Built: **1955**
Effective Age: **40**
Cooling: **None**



Open plot in New Window

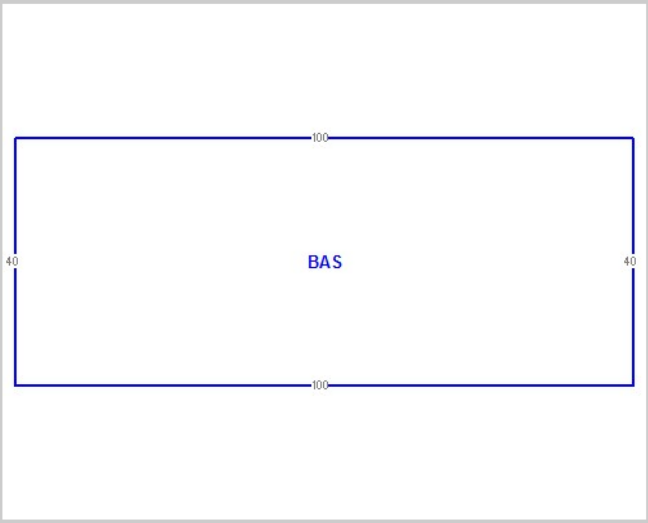
Building 1 Sub Area Information

Description	Building Heated SF
Canopy(only or loading platform) (CAW)	0
Base (BAS)	880
	Total Building Heated SF: **880**

MEMORANDUM

[click here to hide] 2023 Building 2 Structural Elements Back to Top

Site Address: 4711 95TH ST N

Building Type: **Warehouses**	
Quality: **Average**	
Foundation: **Spread/Mono Footing**	
Floor System: **Slab On Grade**	
Exterior Wall: **Concrete Blk/Stucco**	
Roof Frame: **Gable Or Hip**	
Roof Cover: **Composition Shingle**	
Stories: **1**	
Living units: **0**	
Floor Finish: **Concrete Finish**	
Interior Finish: **None**	
Fixtures: **0**	
Year Built: **2007**	
Effective Age: **16**	
Cooling: **None**	Open plot in New Window

Building 2 Sub Area Information

Description	Building Heated SF
Base (BAS)	4,000
	Total Building Heated SF: **4,000**

MEMORANDUM

TO: Honorable Mayor and Board of Commissioners

VIA: Robin Gomez, City Manager

FROM: Clara VanBlargan, City Clerk

DATE: June 16, 2023

RE: City of Madeira Beach - Existing Boundaries of Election Districts

Background

The City of Madeira Beach electors approved a charter amendement at the March 2019 Municipal Election requiring the Board of Commissioners to every five years, by Ordinance, either change the existing boundaries of its districts as it may deem equitable or to reaffirm the old district boundaries so that each district contains as nearly as possible the same number of electors. This was last done through the passage of Ordinance 2018-08 on September 4, 2018. No change in the boundaries of districts shall be made within six (6) months preceding an election in the City. The next Municipal Election is scheduled for March 19, 2024. Therefore there can be no change in the boundaries of the districts after September 18, 2023. This agenda item was prepared for that purpose.

City Charter, Section 3.2, Election District, (B) provides:

> "Every five years the Board of Commissioners shall, by Ordinance either change the existing boundaries of said districts as it may deem equitable or to reaffirm the old district boundaries so that each district contain as nearly as possible the same number of electors; and similar Ordinances either changing or affirming the said district boundary lines for this purpose shall be passed every five years thereafter. If, prior to the passage of any Ordinance or Ordinances and applicable to district boundary lines and made mandatory by this section, if determined by the Board of Commissioners that there is an imbalance of electors exceeding fifteen (15) percent of the said district, or such imbalance that in their judgment and opinion, a new Ordinance changing the boundaries of said districts should be passed in order to equalize as nearly as possible the number of electors in each district, by Ordinance, change the boundaries of said district for such purposes. No change in districts shall be made within six (6) months preceding an election in the City."

The Chart below shows the number of electors for each district in 2007, 2008, 2014, 2018 and 2023. The City Clerk's office obtained the number of current electors for 2023 as of the last election from the Pinellas County Supervisors of Elections. The updated district maps were recently prepared by the Community Development Department.

According to the attached chart the number of electors in District 4 exceeds the number of electors in District 1 (by 15.2%) and District 3 (by 15.05%). Therefore, the charter requires that the boundaries of the districts to be changed to equalize as nearly as possible the number of electors in each district. Once the boundaries have been established by the Board of Commissioners an ordinance will be prepared for 1st reading at the July 12, 2023, BOC Regular Meeting for that purpose.

CITY OF MADEIRA BEACH VOTERS PER DISTRICT					
DISTRICT	**3,246 VOTERS** **Ord. 1114 (8/14/2007)**	**3,294 VOTERS** **Ord. 1128 (6/10/2008)**	**3,602 VOTERS** **Ord. 2014-11 (10/14/2014)**	**3,275 VOTERS** **Ord. 2018-08 (09/04/2018)**	**3,153 VOTERS** **Proposed Ord. 2023-18**
1	**841**	**841**	**903**	**807**	**757**
2	**638**	**798**	**850**	**761**	**766**
3	**926**	**814**	**861**	**792**	**758**
4	**841**	**841**	**988**	**915**	**872**

District 4 – District with highest number of voters (115 more voters than District 1, lowest number of voters)

- 15.2% higher than District 1 - (115 more voters)
- 13.9% higher than District 2 - (106 more voters)
- 15.05% higher than District 3 - (114 more voters)

Attachments

- 2023 Number of City of Madeira Beach Electors per District
- City Charter, Section 3.2 – Election District
- Election Districts 1, 2, 3 & 4

City Charter, Section 3.2 Election district.

Each district shall be approximately equal in number of electors:

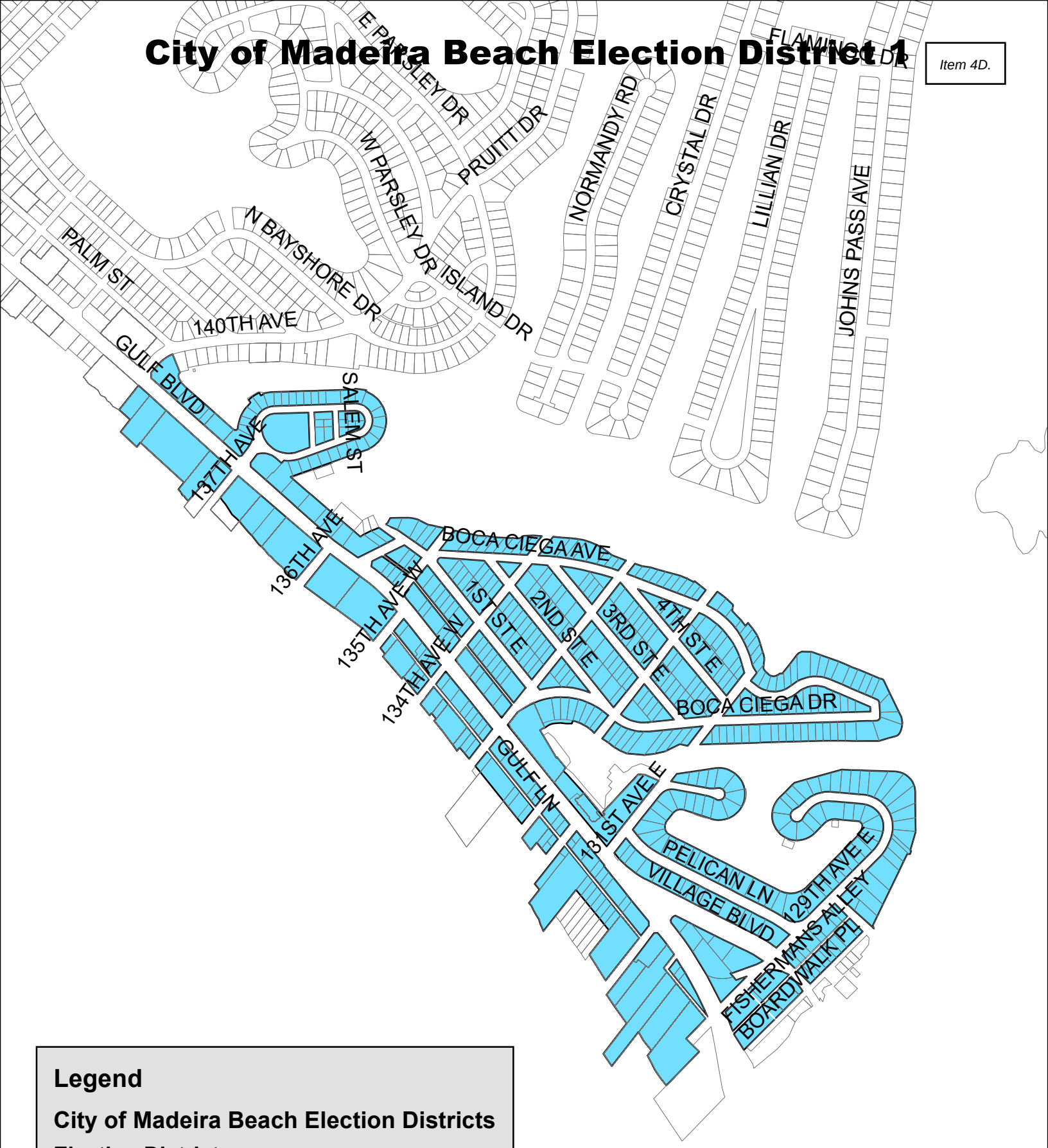
A. The Board of Commissioners shall divide the territory lying within the municipal boundaries of the City of Madeira Beach, Florida, into four (4) areas to be known as districts. These four (4) districts shall be created by the Board of Commissioners by dividing the territory lying within the municipal boundaries of the City of Madeira Beach, Florida, so that each district shall contain, as nearly as possible, the same number of electors. The district shall be numbered from one (1) through four (4), in order, from South to North, with District No. 1, being that district lying most southerly with the municipal boundaries. Upon completion of the division of the municipal territory into four (4) districts, the Board of Commissioners shall forthwith prepare a map setting forth the four (4) districts, showing their numbers and boundaries, and file same with the City Clerk.

B. Every five years the Board of Commissioners shall, by Ordinance either change the existing boundaries of said districts as it may deem equitable or to reaffirm the old district boundaries so that each district shall contain as nearly as possible the same number of electors; and similar Ordinances either changing or affirming the said district boundary lines for this purpose shall be passed every five years thereafter. If, prior to the passage of any Ordinance or Ordinances and applicable to district boundary lines and made mandatory by this section, if determined by the Board of Commissioners that there is an imbalance of electors exceeding fifteen (15) percent of the said district, or such imbalance that in their judgment and opinion, a new Ordinance changing the boundaries of said districts should be passed in order to equalize as nearly as possible the number of electors in each district, by Ordinance, change the boundaries of said district for such purposes. No change in districts shall be made within six (6) months preceding an election in the City.

(Ord. No. 282, 2-3-1966; Ord. No. 441, 12-10-1974; Ord. No. 592, 9-16-80; Ord. No. 691, 9-16-1986; Ord. No. 743, 2-20-1990; Ord. No. 816, 5-17-1994; Ord. No. 981, 7-8-2003; Ord. No. 998, 12-14-2004/3-8-2005; Ord. No. 1114, § 2, 8-14-2007; Ord. No. 1128, 6-10-2008; Ord. No. 2014-11, § 4, 10-14-2014; Ord. No. 2018-16 , § 1, 1-8-2019)

Editor's note(s)—Ord. No. 998, adopted December 14, 2004, renumbered § 3.1 as § 3.2. The historical notation has been preserved for reference purposes.

City of Madeira Beach Election District 1



Legend

City of Madeira Beach Election Districts

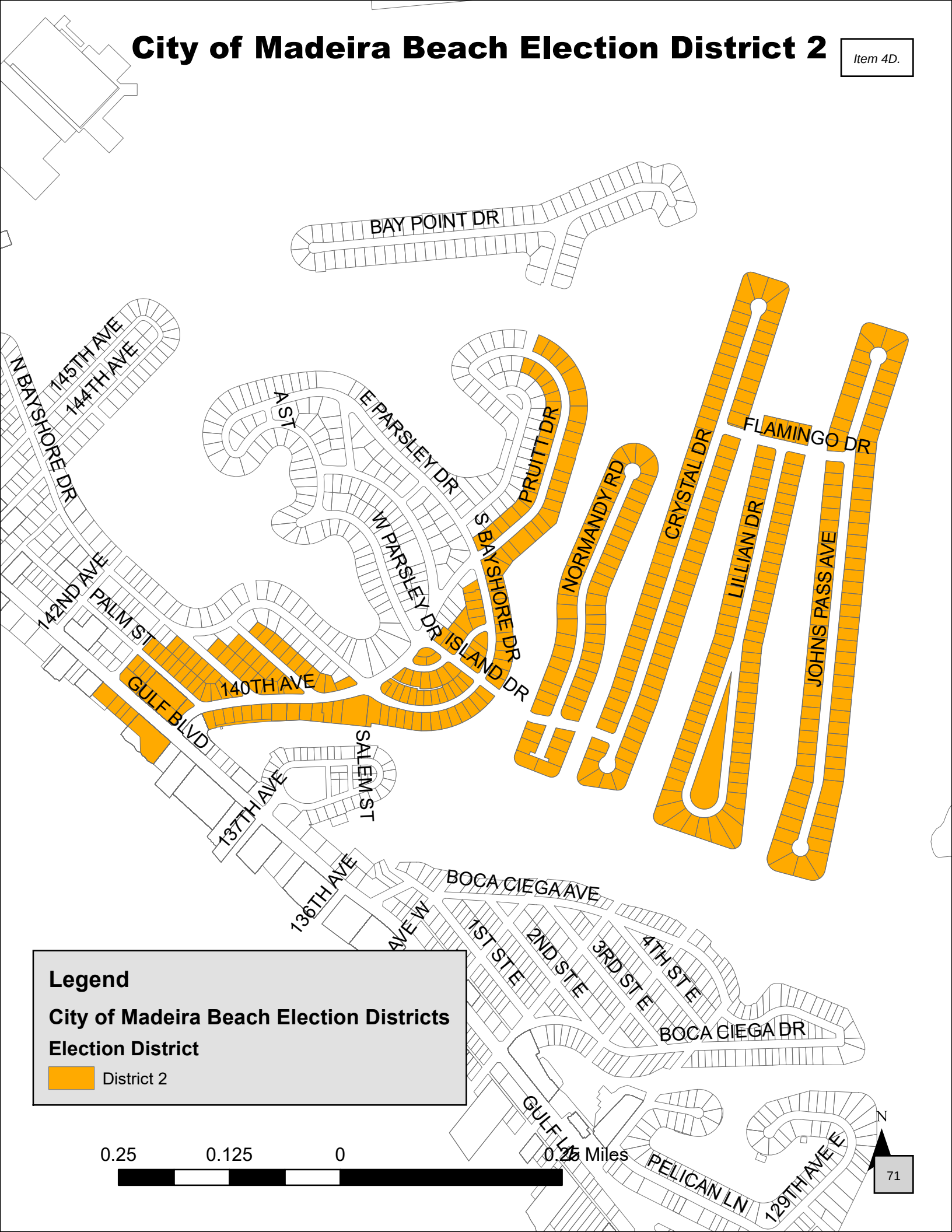
Election District

District 1

0.25 0.125 0 0.25 Miles

N

City of Madeira Beach Election District 2



Legend

City of Madeira Beach Election Districts

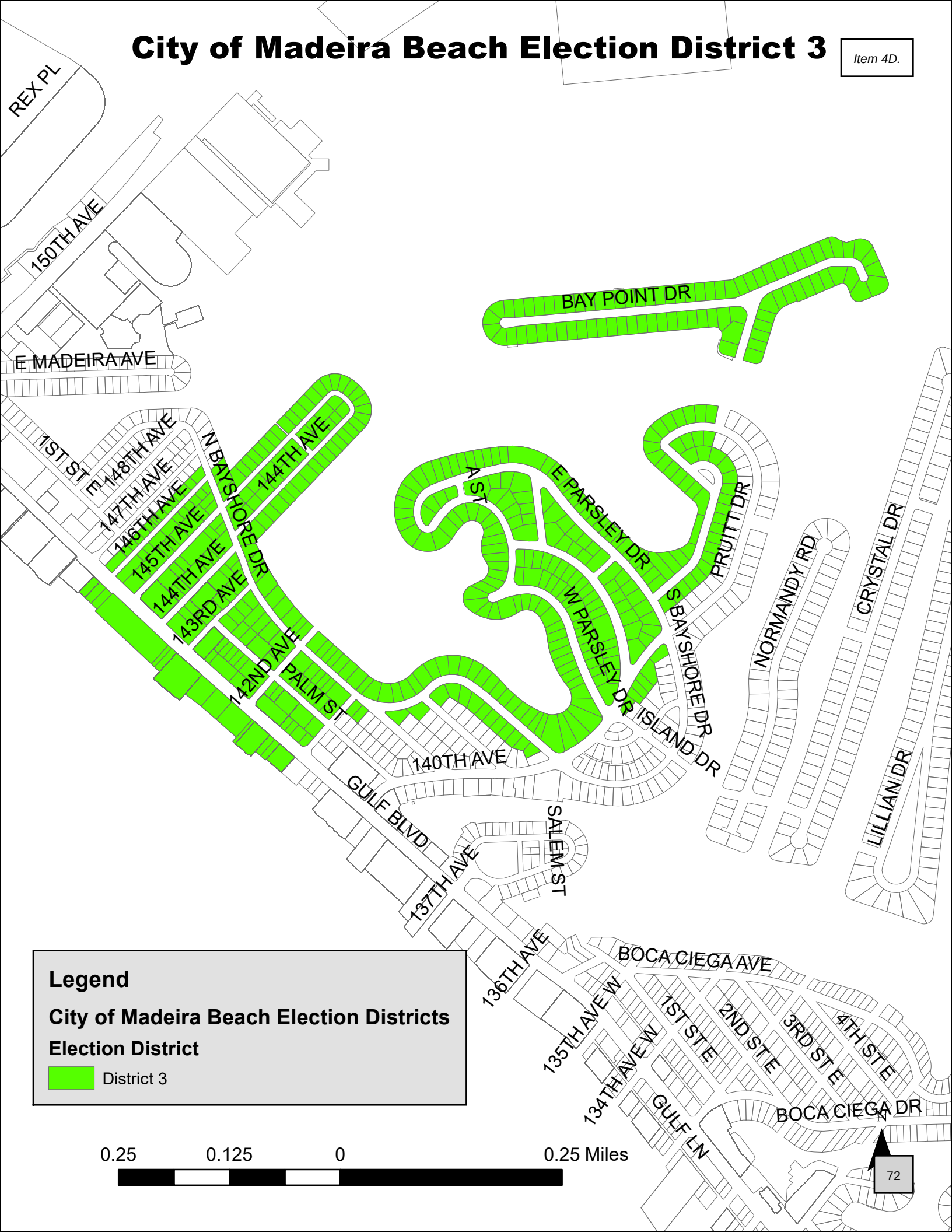
Election District

District 2

0.25 0.125 0 0.25 Miles

N

City of Madeira Beach Election District 3



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City of Madeira Beach Election Districts

Election District

District 3

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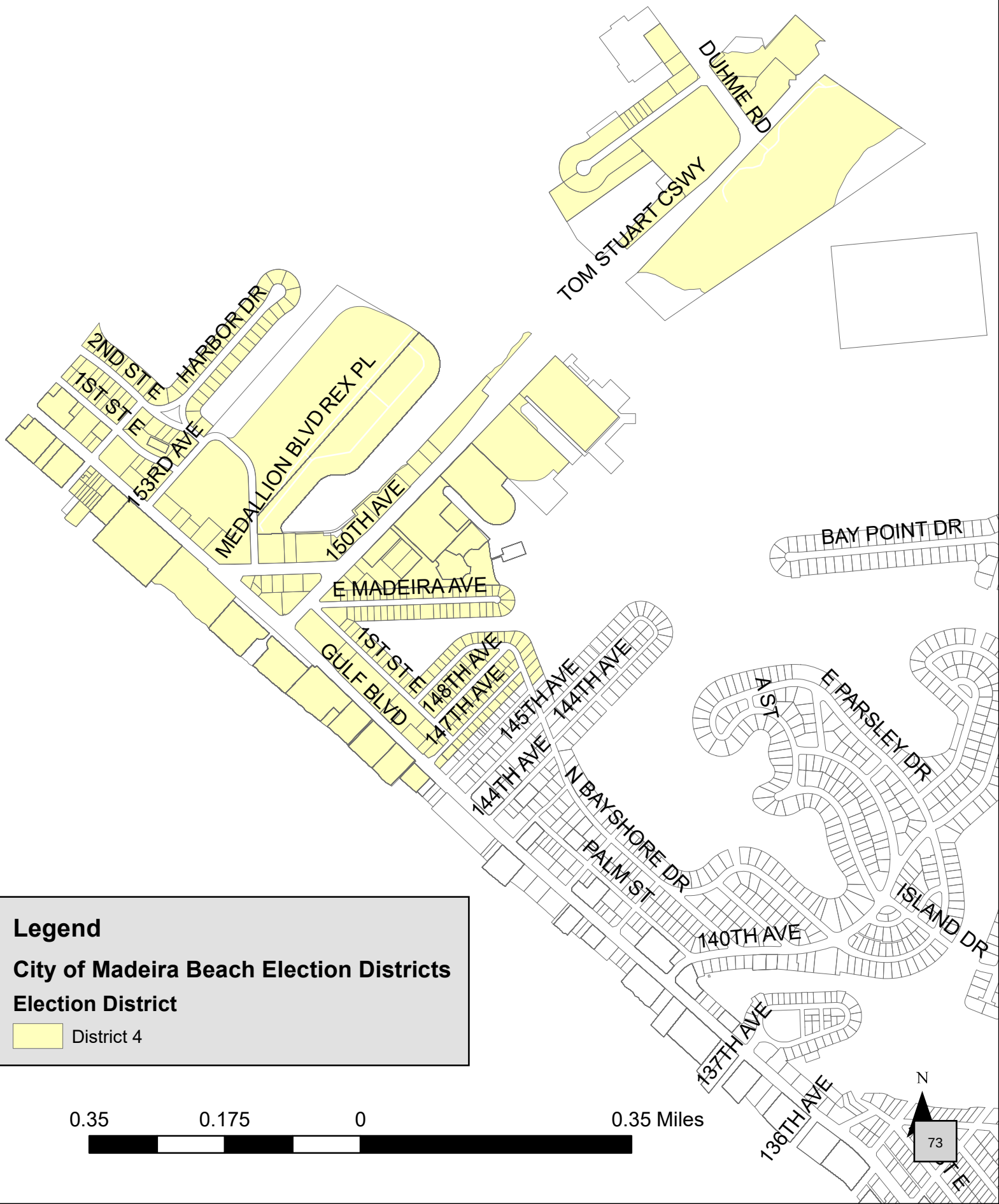
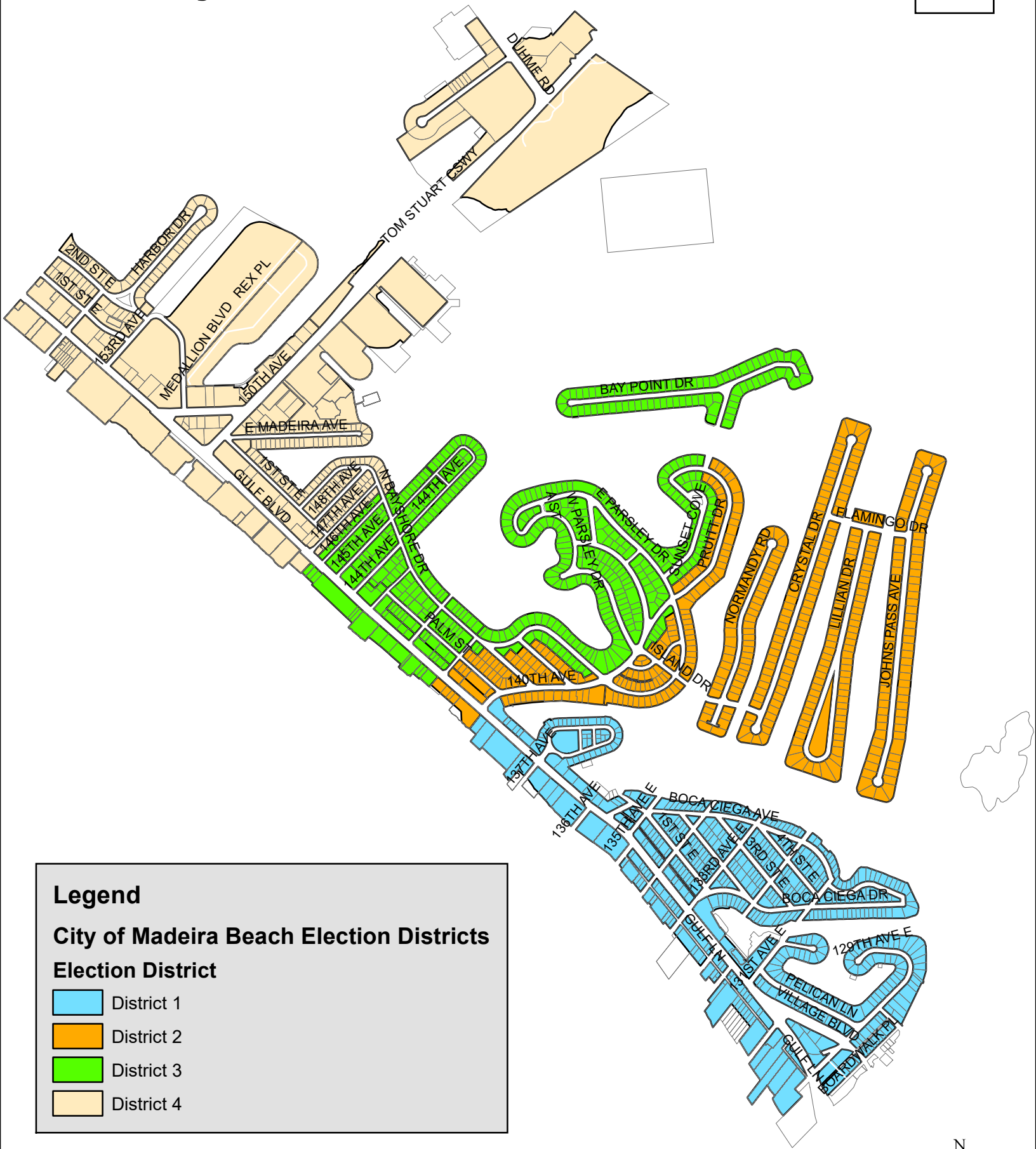
City of Madeira Beach Election District 4



City of Madeira Beach Election Districts



Legend

City of Madeira Beach Election Districts

Election District

- District 1
- District 2
- District 3
- District 4

0.45 0.225 0 0.45 Miles

N

Memorandum

Meeting Details: June 28, 2023, BOC Workshop

Prepared For: Hon. Mayor Rostek and Board of Commissioners

From: Community Development Department

Subject: Beach Debris and Dune Protection

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:

- Madeira Beach Code of Ordinances: Chapter 42, Offences and Miscellaneous provisions, Article III Beach Debris.
- St Pete Beach Land Development Code Sec. 25-5 Prohibitions
- FWC Marine Turtle Obstructed Nesting Attempt Report

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 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 property means all types of personal 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 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 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 property, and unattended unfilled holes in the public beach are in violation of this article and shall be deemed a public nuisance.

(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 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.

(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 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. 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.

CMA Report ID: FC8-05132023-MB-ONA

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)

☐ Beach furniture	☐ Dune Crossover	☐ Nest Marking Materials	☐ Sand Fencing
☐ Boat	☐ Groins	☐ Nourishment Equipment	☐ Seawall
☒ Cabana	☐ Geotube/Sandbags	☐ Revetment	☐ Special Events Equipment
☐ Escarpment*	☐ Marine Debris	☐ Rock Outcropping	☐ Tent
***Open beach escarpments over 18" tall only**			☐ Umbrella

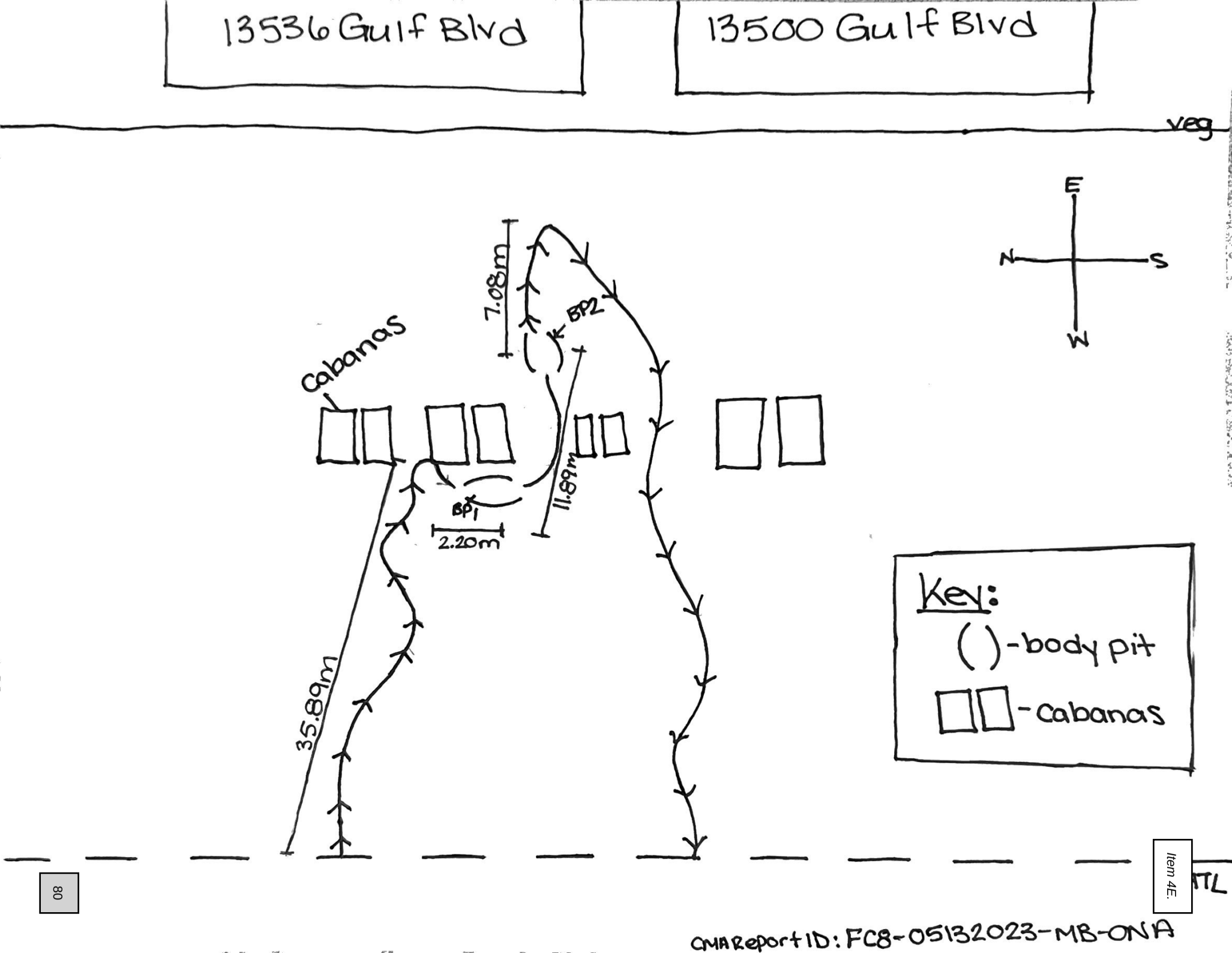
Other Obstruction (please describe): _____
Describe Event: Adult Cc emerged from the water and meandered southeast for 35.89m where she encountered a cabana. She then crawled southwest for 2.20m and created a body pit. The turtle then crawled southeast for 11.89m and created another body pit. She then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

FWC Form ONA-1, FWC Marine Turtle Obstructed Nesting Attempt Form, 6/16, FAC Rule 68E-1



CMA Report ID: FC8-05132023-MB-ONA

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)

Memorandum

Meeting Details: June 28, 2023, BOC Workshop

Prepared For: Hon. Mayor Rostek, and Board of Commissioners

From: Community Development Department

Subject: Density and Intensity Consistency with Forward Pinellas

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Background: The Madeira Beach Comprehensive Plan and Land Development Regulations (LDRs) in the Madeira Beach Code of Ordinances are inconsistent with the Forward Pinellas Countywide Plan. The city must remedy this inconsistency.

Discussion: The City of Madeira Beach previously adopted the alternative temporary lodging use standards available from Forward Pinellas (2007 and 2008). The standards were not clearly defined within the City's Comprehensive Plan and LDRs. The city is required to be consistent with the Forward Pinellas Countywide Plan. To be consistent with the Countywide Plan, the city must make amendments to the Comprehensive Plan and LDRs. The upcoming amendments will include clarification of the alternative temporary lodging use standards, clarification of intensity and density standards without using the alternative temporary lodging use standards, update allowed uses terminology to conform with the Countywide Plan definitions, and clarify the measurement of intensity and density to be consistent with the Forward Pinellas Countywide Plan.

Recommendation(s): Staff recommends amending the Madeira Beach Comprehensive Plan and Code of Ordinances (LDRs) to conform to the Forward Pinellas Countywide Plan.

Attachments:

- Forward Pinellas Consistency Letter
- Forward Pinellas Countywide Plan Map
- Forward Pinellas Countywide Plan Rules
- Madeira Beach Future Land Use Map
- Madeira Beach Future Land Use Comprehensive Plan Proposed Changes
- Madeira Beach Land Development Regulations Zoning Map
- Madeira Beach Land Development Regulations Proposed Changes

- Land Use Consistency Placemat from Presentation

FORWARD PINELLAS
P: (727) 464.8250
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forwardpinellas.org
310 Court Street
Clearwater, FL 33756

February 10, 2023

Andrew Morris
Planner/GIS Technician
City of Madeira Beach
300 Municipal Drive
Madeira Beach, FL 33708

RE: Review of proposed amendments to Comprehensive Plan (Ord. No. 2023-11)

Dear Andrew:

Thank you for forwarding the proposed amendments to the City's Comprehensive Plan. Staff have reviewed the proposed amendments and find that the City is required to address several inconsistencies outlined in the attached review form. Staff have also outlined recommended amendments which would provide clarity in consistency with the Countywide Rules.

Staff recommends the City of Madeira Beach thoroughly review the attached narrative for required amendments which will address inconsistencies with the City's Comprehensive Plan and Countywide Rules, particularly with the following sections of the Future Land Use Element regarding the density/intensity standards for various future land use categories: FLU Element, Policy 4.1.1.2 (Residential/Office/Retail, Resort Facilities Medium and Resort Facilities High categories) and FLU Element, Policy 4.1.1.3 (Commercial General category).

Forward Pinellas staff are happy to provide clarifications and continue assisting the City of Madeira Beach in matters of consistency with the Countywide Rules.

If you have any questions, please feel free to email nrahman@forwardpinellas.org.

Sincerely,

Nousheen Rahman

Nousheen Rahman
Planner

Countywide Rules Determination of Consistency for Madeira Beach Comprehensive Plan Amendments (Ord. No. 2023-11) 2/10/2023

3.1 Definitions

- Consider amending definition of *Ancillary non-residential use* to be consistent with Countywide Rules: "Off-street parking and trash receptable areas for adjacent, contiguous, nonresidential uses"
- Amend definition of *Floor Area Ratio (FAR)* from "relationship between the gross floor area on a site and gross land area" to "relationship between the gross floor area on a site and **net** land area"
- Amend definition of *Floor Area Ratio (FAR)* from "dividing by the gross land area" to "dividing by the **net** land area"
- Amend definition of *Impervious Surface Ratio (ISR)* from "relationship between the total impervious surface area on a site and the gross land area" to "relationship between the total impervious surface area on a site and the **net** land area."
- Amend definition of *Impervious Surface Ratio (ISR)* from "the square footage of the gross land area" to "the square footage of the **net** land area."

FLU Element, Policy 4.1.1.1

- Staff recommends clearly adding allowable uses for each residential category, consistent with the Countywide Rules
- The definitions for each Residential category outlines allowable density "excluding residential equivalent uses and institutional uses." Staff recommends clearly outlining what the maximum allowable densities for residential equivalent uses and institutional uses.

FLU Element, Policy 4.1.1.2

Residential/Office/Retail category:

- The temporary lodging density standards for the R/O/R are **inconsistent** with the Countywide Rules. They are outlined as up to 45 UPA and should be **no more than 40 UPA as outlined by the corresponding Countywide Rules category Retail & Services** unless the Alternative Temporary Lodging Standards of Countywide Rules Section 5.2.1.3 are adopted for this category. The City is required to address this inconsistency.
- The FAR for the R/O/R category is **inconsistent** with the Countywide Rules. The FAR is outlined as 1.0 and should be **no more than 0.55 FAR as outlined by the corresponding Countywide Rules category Retail & Services.** Adopting the Alternative Temporary Standards would bring this standard into consistency for **temporary lodging uses only.** The City is required to address this inconsistency.
- Staff recommends clearly outlining what "other" uses are as referenced in the R/O/R category.

Resort Facilities Medium and High categories:

- The temporary lodging standards for the Resort Facilities Medium and Resort Facilities High categories are **partly consistent** with the Alternative Temporary Lodging Standards.
- The density and intensity standards, and the requirement for a development agreement, are consistent, but not all of the required provisions of Countywide Rules Section 5.2.1.3 have been addressed.

FLU Element, Policy 4.1.1.3

- The temporary lodging density standards for the CG category are **inconsistent** with the Countywide Rules. They are outlined as up to 60 UPA and should be **no more than 40 UPA as outlined by the corresponding Countywide Rules category Retail & Services unless the Alternative Temporary Lodging Standards are adopted for this category.** The City is required to address this inconsistency.
- The intensity standards for the CG category are **inconsistent** with the Countywide Rules. They are outlined as 1.2 FAR and should be **no more than 0.55 FAR as outlined by the corresponding Countywide Rules category Retail & Services.** Adopting the Alternative Temporary Standards would bring this standard into consistency for **temporary lodging uses only.** The City is required to address this inconsistency.
- Staff recommends clearly outlining allowable uses for the CG category.
- Staff recommends clearly outlining allowable uses for the R/OS category
- Staff recommends clearly outlining allowable uses for the Preservation category
- Staff recommends clearly outlining allowable uses for the Institutional category
- Staff recommends clearly outlining allowable uses for the T/U category

Objective 4.2.1

- Amend references from “Countywide Future Land Use Plan” to “Countywide Plan for Pinellas County” or “Pinellas County Countywide Plan”

General Comments for the Future Land Use Element

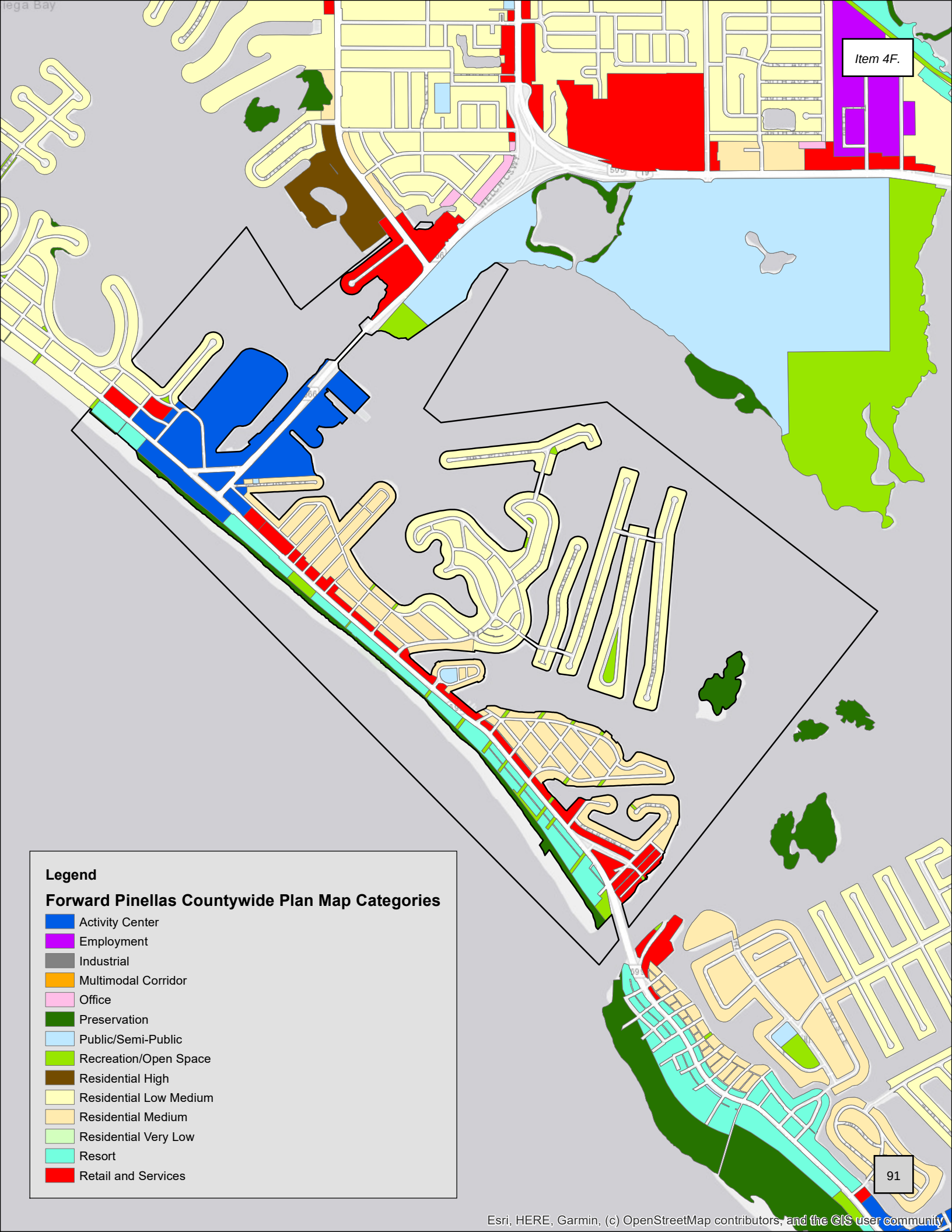
- The Future Land Use Element and some of its land use categories are inconsistent with the standards provided in the Countywide Rules. These inconsistencies are required to be addressed.
- Staff recommends including a table and/or matrix within the Future Land Use Element outlining each land use category, associated allowable uses, developmental standards and the corresponding Countywide Plan Map category for clarity. This would also help the city in identifying and addressing inconsistencies.

Coastal Management and Conservation Element General Comments

- This element should include provisions for amendments in the Coastal High Hazard Area, either verbatim or by reference (though we recommend verbatim), consistent with Section 4.2.7 of the Countywide Rules

Remaining Elements

- The remaining amendments are not subject to review for consistency with the Countywide Rules.



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

The Countywide Rules

Amended through August 30, 2021

FORWARD PINELLAS
Integrating Land Use & Transportation

2.3.3.7 Category/Symbol – Resort (R).

Purpose – This plan category is intended to depict areas developed, or appropriate to be developed, in high-density residential and resort use; and to recognize such areas as well-suited for the combination of residential and temporary lodging use consistent with their location, surrounding uses, transportation facilities, and natural resources of such areas.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- Permitted Uses Not Subject to Acreage Thresholds – Residential; Residential Equivalent; Vacation Rental pursuant to the provisions of Section 509.242(1)(c), Florida Statutes; Temporary Lodging; Recreational Vehicle Parks; Office; Personal Service/Office Support; Retail Commercial; Convention Center; Commercial/Business Service; Commercial Recreation; Recreation/Open Space; Community Garden; Agricultural-Light.

- Permitted Uses Subject to Acreage Thresholds – Any contiguous use or combination of uses subject to the same acreage threshold specified below, alone or when added together, exceeding the acreage maximum shall require a Countywide Plan Map amendment to another land use category that permits the use(s) where the acreage maximum does not apply:

  - Uses Subject to Three Acre Maximum – Ancillary Nonresidential; Transportation/Utility.

  - Uses Subject to Five Acre Maximum – Institutional

- Locational Characteristics – This category is generally appropriate to locations characterized by, and appropriate for, a highly intensive mix of residential and temporary lodging uses; in locations where unique recreational assets warrant the combination of permanent and temporary accommodations in proximity to and served by the arterial and highway network, as well as Multimodal Corridors and Future Transit Corridors depicted on the Land Use Strategy Map.

- Scenic/Noncommercial Corridor (SNCC) – Amendments to Resort in SNCCs are governed by Section 6.5.4.1.4, which restricts the category to the enhancement connector SNCC classification.

- Traffic Generation Characteristics – The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 279 trips per day per acre.

Density/Intensity Standards – Shall include the following:

- Residential and Vacation Rental Use – Shall not exceed 30 units per acre (UPA).

- Residential Equivalent Use – Shall not exceed an equivalent of 3.0 beds per permitted dwelling unit at 30 UPA.

- Recreational Vehicle Use – Shall not exceed 30 UPA.

- Temporary Lodging Use – Shall not exceed: 1) 50 UPA; or 2) in the alternative, upon adoption of provisions for compliance with Section 5.2.1.3, the density and intensity standards set forth in Table 6 therein; or 3) in the alternative, the nonresidential intensity standards may be used.

- Nonresidential Use – Shall not exceed a floor area ratio (FAR) of 1.2, nor an impervious surface ratio (ISR) of .95.

- Mixed-Use – Shall not exceed, in combination, the respective number of UPA and FAR permitted, when allocated in their respective proportion to the net land area of the property. In the alternative, the mixed-use bonus provisions of Section 4.2.3.6 may be used.

2.3.3.8 Category/Symbol – Retail & Services (R&S).

Purpose – This plan category is intended to depict areas developed with, or appropriate to be developed with, a mix of businesses that provide for the shopping and personal service needs of the community or region, provide for employment opportunities and accommodate target employment uses, and may include residential uses as part of the mix of uses.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- Permitted Uses Not Subject to Acreage Thresholds – Office; Personal Service/Office Support; Retail Commercial; Commercial/Business Service; Commercial Recreation, Residential; Residential Equivalent; Vacation Rental pursuant to the provisions of Section 509.242(1)(c), Florida Statutes; Recreational Vehicle Park; Temporary Lodging; Research/Development- Light; Storage/Warehouse/Distribution-Light; Manufacturing-Light; Recreation/Open Space; Community Garden; Agricultural-Light.

- Permitted Uses Subject to Acreage Thresholds – Any contiguous use or combination of uses subject to the same acreage threshold specified below, alone or when added together, exceeding the acreage maximum shall require a Countywide Plan Map amendment to another land use category that permits the use(s) where the acreage maximum does not apply:

  - Uses Subject to Three Acre Maximum – Manufacturing-Medium.

  - Uses Subject to Five Acre Maximum – Institutional; Transportation/Utility; Agricultural; Ancillary Nonresidential.

- Locational Characteristics – This category is generally appropriate to locations in and adjacent to activity centers where surrounding land uses support and are compatible with intensive commercial use; in areas in proximity to and with access to major transportation facilities, including transit; and on Multimodal Corridors and Future Transit Corridors depicted on the Land Use Strategy Map, where its proximity to transit service supports the type and density/intensity of the proposed use characteristics.

- Scenic/Noncommercial Corridor (SNCC) – Amendments to Retail & Services in SNCCs are governed by Section 6.5.4.1.4, which restricts the category and its permitted uses to certain SNCC classifications.

- Traffic Generation Characteristics – The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 433 trips per day per acre; which impacts may take into account the proximity and availability of transit service.

Density/Intensity Standards – Shall include the following:

- Residential and Vacation Rental Use – Shall not exceed 24 units per acre (UPA).

- Residential Equivalent Use – Shall not exceed an equivalent of 3.0 beds per permitted dwelling unit at 24 UPA.

- Recreational Vehicle Use – Shall not exceed 24 UPA.

- Temporary Lodging Use – Shall not exceed: 1) 40 UPA; or 2) in the alternative, upon adoption of provisions for compliance with Section 5.2.1.3, the density and intensity standards set forth in Table 6 therein; or 3) in the alternative, the nonresidential intensity standards may be used.

- Nonresidential Use – Shall not exceed a floor area ratio (FAR) of .55, nor an impervious surface ratio (ISR) of .90.

- Mixed-Use – Shall not exceed, in combination, the respective number of UPA and FAR permitted, when allocated in their respective proportion to the net land area of the property. In the alternative, the mixed-use bonus provisions of Section 4.2.3.6 may be used.

- When located in a Target Employment Center – Shall not exceed an FAR of 1.1 for Manufacturing, Office, and Research/Development uses.

Table 5
Summary Category Matrix

CATEGORY/SYMBOL	UPA MAX.	FAR MAX.	ISR MAX.	TRAFFIC GENERATION RATE (ADT/ACRE)
Residential Rural (RR)	0.5	.30	.60	5
Residential Very Low (RVL)	1.0	.30	.60	8
Residential Low Medium (RLM)	10	.50	.75	67
Residential Medium (RM)	15.0	.50	.75	96
Residential High (RH)	30.0	.60	.85	162
Office (O)	15.0	.50 1.0 (specified uses in TEC)	.75	89 101 (in TEC)
Resort (R)	30.0	1.2	.95	279
Retail & Services (R&S)	24.0	.55 1.1 (specified uses in TEC)	.90	433
Employment (E)	N/A	.65 1.3 (specified uses in TEC)	.85	206 236 (in TEC)
Industrial (I)	N/A	.75 1.5 (specified uses in TEC)	.95	216 246 (in TEC)
Public/Semi-Public (P/SP)	12.5	.65 (institutional) .70 (trans./utility) 1.0 (hospital)	.85 (institutional) .90 (trans./utility)	192 (institutional) 114 (educational) 173 (medical) 104 (religious/civic) 835 (municipal/public) 67 (other institutional) 15 (transportation) 16 (municipal/public utility) 79 (other transportation/utility)
Recreation/Open Space (R/OS)	N/A	.25	.60	3
Preservation (P)	N/A	.10 (preservation) .25 (water supply)	.20 (preservation) .50 (water supply)	0.3
Target Employment Center (TEC)	See Otherwise Applicable Category and Multiplier Factor			
Activity Center (AC)				
Urban Center	200	8.0	N/A	724
Major Center	150	5.0	N/A	542
Community Center	90	3.0	N/A	325
Neighborhood Center	60	2.0	N/A	216
Multimodal Corridor (MMC)				
Premium Transit Corridor	60	4.0	N/A	600
Primary Corridor	55	3.5	N/A	533
Secondary Corridor	50	3.0	N/A	467
Supporting Corridor	45	2.5	N/A	400
Planned Redevelopment District (PRD)	45	2.0	N/A	364
Scenic/Noncommercial Corridor (SNCC)	See Otherwise Applicable Category			

Key to abbreviations:

UPA: dwelling units per acre
FAR: floor area ratio
ISR: impervious surface ratio
ADT: average daily trips
TEC: Target Employment Center

ARTICLE 3

LOCAL GOVERNMENT CONSISTENCY PROVISIONS

DIV. 3.1 AUTHORITY.

The specific authority for consistency is contained in Sections 6(7)(b), 10(1)(e), 10(2)(a), and 10(2)(b) of Chapter 2012-245, Laws of Florida, as amended, as it relates to the Countywide Plan, including the Countywide Plan Map and the Countywide Rules. The consistency requirements as set forth in these Countywide Rules pertain to the Countywide Plan Map and were derived from Chapter 2012-245, Laws of Florida, as amended.

Chapter 2012-245, Laws of Florida, as amended, clearly distinguishes the Countywide Plan Map and the Countywide Rules from the Countywide Plan in its application of the consistency requirement. Sections 10(2)(b) and 6(7)(b), Chapter 2012-245, Laws of Florida, as amended, define consistency specifically with regard to how the local government future land use elements and plans and local land development regulations, and amendments thereto, relate to the Countywide Plan Map and the Countywide Rules. Section 6(7)(b), Chapter 2012-245, Laws of Florida, as amended, provides clear direction as to the minimum criteria to be used by the PPC and CPA to evaluate the consistency of local future land use plans and local development regulations, and amendments thereto, with the Countywide Plan Map and these Countywide Rules.

DIV. 3.2 CONSISTENCY REQUIREMENT.

Amendments to local future land use plans and land development regulations shall be consistent with the Countywide Plan Map and the criteria and standards set forth in these Countywide Rules.

Consistency, as used in the determination of whether or not a local government future land use plan or land development regulation is consistent with the Countywide Plan Map and these Countywide Rules, shall be construed to mean that the compared item is in accordance with, and is within the parameters specified, for the item by the criterion to which it is compared. If any one or combination of item(s), required to be compared, deviate or depart in any way from the parameters specified, other than as specifically provided in Chapter 2012-245, Laws of Florida, as amended, the compared item shall be deemed to be inconsistent with the norm and shall render the local government plan or land development regulation so compared, inconsistent.

DIV. 3.3 LOCAL FUTURE LAND USE PLAN AND LAND DEVELOPMENT REGULATION AMENDMENTS.

SEC. 3.3.1 REQUIRED PROCEDURES.

Local future land use plan and land development regulation amendments, other than future land use plan map amendments, which deal with any matter addressed by the criteria and standards set forth in Article 4 and Article 5 of these Countywide Rules, and which are proposed to be adopted by the local government, shall utilize the process set

forth herein in order to assure that consistency, once established, is maintained. Local future land use plan map amendments that require a corresponding Countywide Plan Map amendment shall be processed as set forth in Article 6 of these Countywide Rules.

3.3.1.1 **Local Government Referral**. Amendments to local future land use plans and local land development regulations which relate to, and are governed by, the criteria and standards in Article 4 and Article 5 of these Countywide Rules shall be submitted by the local government to the PPC not less than twenty-one days prior to the initial public hearing by the governing body.

3.3.1.2 **PPC Staff Review**. The PPC staff shall, within fifteen days of the receipt of such proposed amendment, notify the local government if such amendment is not consistent with the criteria contained in these Countywide Rules. Absent such notification, the local government may proceed to adopt such amendment.

If notified by the PPC staff that such amendment is not consistent with the criteria contained in these Countywide Rules, the local government shall be given an opportunity to correct the inconsistency or request a determination by the PPC and CPA prior to adoption of the local ordinance. However, such amendment shall not be adopted by the local government until the issue as to the consistency of the proposed amendment has been reconciled pursuant to this Division.

3.3.1.3 **Recording with the PPC**. Upon adoption by the local government, a final copy of the ordinance, and any such subsequent codification thereof, for all such amendments shall be filed with and maintained by the PPC.

SEC. 3.3.2 APPEAL OF STAFF DETERMINATION.

3.3.2.1 **Appeal to the Pinellas Planning Council.** If the local government disputes the PPC staff interpretation, they may request the PPC to review the subject amendment. The PPC will review the staff and local government positions at a public meeting and make a recommended determination concerning the consistency of the proposed amendment. If found consistent by the PPC, the local government may then adopt the proposed local amendment.

If the PPC concurs with staff and finds the item inconsistent, such amendment shall not be adopted by the local government.

3.3.2.2 **Appeal to the Countywide Planning Authority**. If the local government disputes the determination of the PPC, they may appeal such determination to the CPA. If the CPA determines the amendment to be consistent by a majority plus one vote of the entire CPA, the local government may then adopt the proposed amendment. If the CPA agrees with the PPC and determines the amendment not to be consistent, such amendment shall not be adopted by the local government.

3.3.2.3 **<u>Administrative Hearing</u>.** If the local government disagrees with the determination of the CPA, the local government may petition for administrative hearing under and pursuant to the Chapter 120, F.S., administrative hearing process as authorized in Chapter 2012-245, Laws of Florida, as amended. A final decision shall be rendered by the CPA following any administrative hearing based upon the findings of fact of the hearing officer.

ARTICLE 5

OPTIONAL PROVISIONS

5.2.1.2.5 Density/intensity averaging as otherwise governed by these Countywide Rules shall be allowed to include any development rights available to, but previously unused by, existing developed property that is being added to or redeveloped using the density/intensity averaging provisions of these Rules.

5.2.1.3 Alternative Temporary Lodging Use Standards.

5.2.1.3.1 Alternative Density/Intensity. Local governments may utilize the provisions of this section in lieu of the standard temporary lodging densities or intensities specified within each Countywide Plan Map category that provides for such use, subject to the following:

A. A local government may utilize all, or any part of, the higher temporary lodging densities and associated intensities included in the accompanying Table 6, provided that both a density and intensity standard are applied to the temporary lodging use.

B. Amendment of the local government comprehensive plan and land development regulations to provide for all, or any portion of, the alternative densities and intensities in Table 6, based on a Development Agreement prepared and approved pursuant to Chapter 163, Sections.3220-.3243, F.S., as amended.

C. A Development Agreement proposing to utilize the higher densities and intensities identified in Table 6 and authorized by this Section shall address, at a minimum, the following:

1. The ability of the local government, or the applicable service provider, to meet the concurrency management standards for sanitary sewer, solid waste, drainage, and potable water, as required pursuant to Section 163.3180, F.S., and the applicable local government or service provider plan and regulations.

2. Provision for all temporary lodging uses to comply with all county and local hurricane evacuation plans and procedures to ensure orderly evacuation of guests and visitors pursuant to the Pinellas County Code, Chapter 34, Article III. In particular, all temporary lodging uses which are located in Hurricane Evacuation Level A, as identified by the Pinellas County Comprehensive Emergency Management Plan, shall prepare a legally enforceable mandatory evacuation/closure covenant, stating that the temporary lodging use will be closed as soon as practicable after a hurricane watch is posted for Pinellas County by the National Hurricane Center. Further, a plan implementing the closure and evacuation procedures shall be prepared and submitted to the county or municipal emergency management coordinator, whichever is applicable, within 90 days of the issuance of a certificate of occupancy. This plan will be updated and sent for review when there is a change of ownership or substantive change to the plan or as required by the county or municipal emergency management coordinator, whichever is applicable.

3. Design considerations in Section 5.2.1.3.2, the mobility management provisions in Section 5.2.1.3.3 and the restrictions on temporary lodging use in Section 5.2.1.3.4 set forth following.

D. A Development Agreement prepared pursuant to this Section shall be approved by the local government governing body, recorded with the Clerk of the Circuit Court pursuant to Section 163.3239, F.S., a copy filed with the Property Appraiser's Office, and a copy submitted to the PPC and CPA for receipt and filing within fourteen days after recording. The development limitations set forth in the Development Agreement shall be memorialized in a deed restriction, which shall be recorded in the Official Records of Pinellas County prior to the issuance of a building permit for the temporary lodging use.

E. The alternative densities and intensities set forth in Table 6 are maximums, except as provided for in F. below. A local government may choose to utilize a density and intensity standard equal to or less than the alternative density and intensity standard, when adopted in their comprehensive plan and land development regulations, based on the maximums set forth in Table 6.

F. Intensity standards governing floor area ratio (FAR) and impervious surface ratio (ISR) may be varied by the local government with jurisdiction pursuant to the provisions of Division 7.4 of these Rules. The FARs in Table 6 apply to the temporary lodging use, residential dwelling uses integrated in the same structure with the temporary lodging use, associated parking structures, and uses accessory to temporary lodging uses (e.g., meeting space, restaurants, spas, clubs, etc.).

G. For development that includes a combination of temporary lodging and residential dwelling use, each use shall be allowed in proportion to the size of the property and the permitted density and intensity of the respective use.

Table 6
Alternative Temporary Lodging Density and Intensity Standards

		Maximum Density/Intensity Standards		
Plan Category	**Temporary Lodging On Property That Is:**	**Units/Acre**	**FAR**	**ISR**
R, AC, MMC, PRD	Less Than One Acre	75	2.2	0.95
	Between One Acre And Three Acres	100	3.0	0.95
	Greater Than Three Acres	125	4.0	0.95
R&S	No Property Size Limitations	60	1.2	0.90
E	Subject To 5-Acre Property Size Limitation Per Section 2.3.3.9	75	1.5	0.85

5.2.1.3.2 **Design Considerations.** The purpose of the design considerations is to enable the local government to authorize the increased density and intensity provided for in Table 6, subject to a determination that the project is compatible with the size, location, configuration and character of the site, its relationship to the Countywide Plan Map category in which it is located, and to adjoining uses; and that the overall principles of quality urban design as set forth in *Pinellas By Design: An Economic Development and Redevelopment Plan for the Pinellas Community* are furthered.

In particular, design considerations applicable to the proposed use shall address the following in the Development Agreement so as to ensure compatibility in terms of context-sensitive design, and the scale and placement of the proposed use so as to achieve a harmonious relationship and fit relative to its location and surroundings:

A. Building scale, including height, width, location, alignment, and spacing.

B. Building design, including elevations, façade treatment, entrance and porch or balcony projections, window patterns and roof forms.

C. Site improvements, including building and site coverage, accessory structures, service and amenity features, walkway and parking areas, open space, and view corridors.

D. Adjoining property use, including density/intensity, and building location, setbacks, and height.

5.2.1.3.3 **Mobility Management.** The applicant shall ensure that a project authorized to use the increased density and intensity provided for in Table 6 adequately addresses its impacts on the surrounding road network through the implementation of mobility improvements or strategies consistent with the Pinellas County Mobility Plan, as implemented by the countywide Multimodal Impact Fee Ordinance.

5.2.1.3.4 **Operating Characteristics and Restrictions.** The purpose of this provision is to ensure that a project authorized to use any portion of the increased density and intensity provided for in Table 6 is built, functions, operates, and is occupied exclusively as temporary lodging.

In particular, temporary lodging uses at the densities/intensities in Table 6, or any density higher than the standard density provided for such use in each applicable Countywide Plan Map category, or the local future land use plan designation where it may be more restrictive, shall comply with the following restrictions:

A. No temporary lodging unit shall be occupied as a residential dwelling unit, and a locally-determined maximum length of stay for any consecutive period of time shall be established by the local government to ensure that any temporary lodging use does not function as a residential use.

B. Temporary lodging units shall not qualify or be used for homestead or home occupation purposes.

C. All temporary lodging units must be included in the inventory of units that are available within a temporary lodging use.

D. No conversion of temporary lodging units to residential dwelling units shall be permitted unless the conversion is in compliance with the Countywide Rules with respect to the permitted residential density and, where applicable, the intensity for associated nonresidential uses.

E. A temporary lodging use may include accessory uses, such as recreational facilities, restaurants, bars, personal service uses, retail uses, meeting space, fitness centers, spa facilities, parking structures and other uses commonly associated with temporary lodging uses. All such uses shall be included in the calculation of allowable floor area ratio.

F. Any license required of a temporary lodging use by the local government, county, or state agency shall be obtained and kept current.

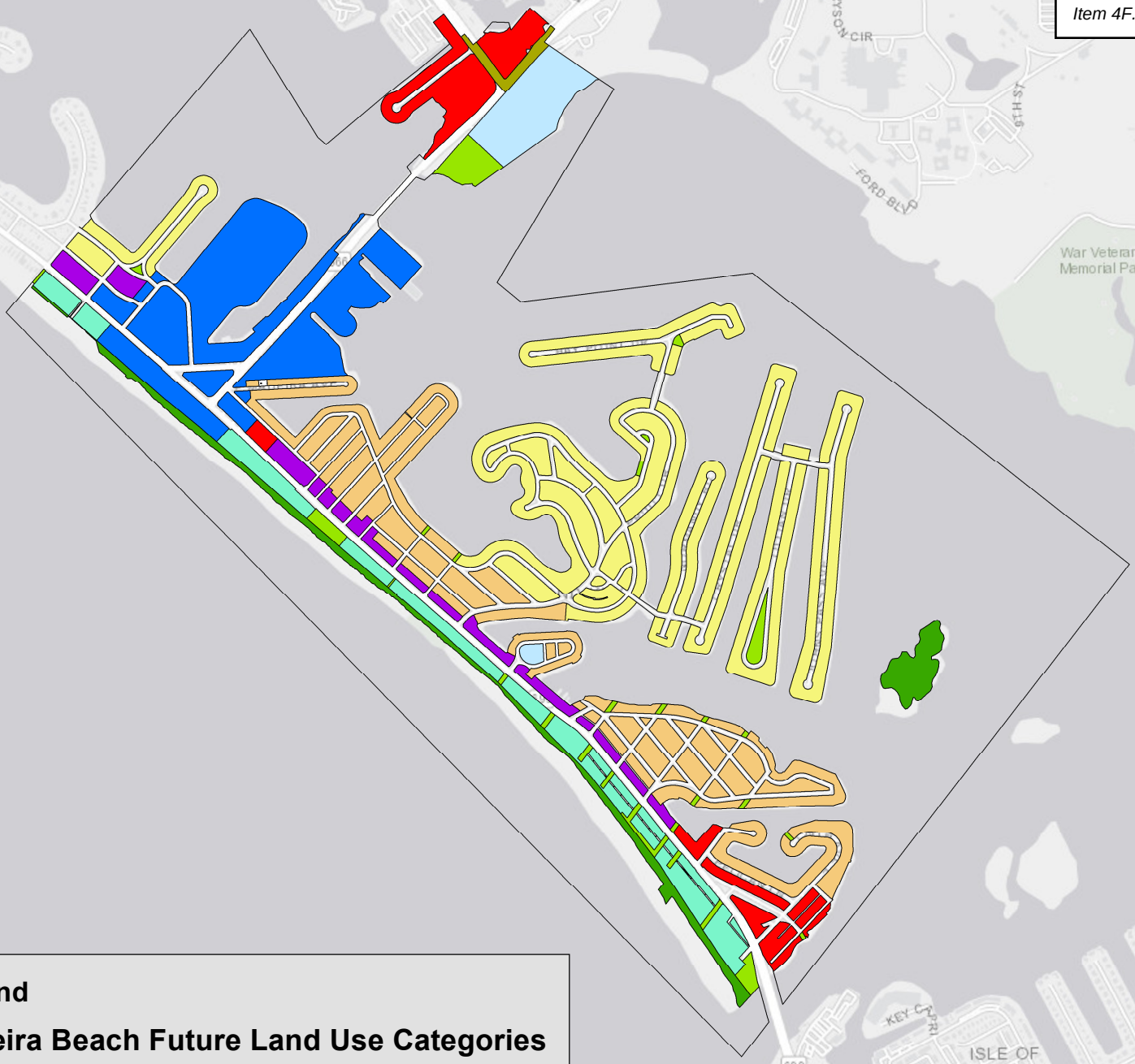
G. Temporary lodging uses shall be subject to all applicable tourist development tax collections.

H. A reservation system shall be required as an integral part of the temporary lodging use, and there shall be a lobby/front desk area that must be operated as a typical lobby/front desk area for temporary lodging would be operated.

I. Temporary lodging uses must have sufficient signage that complies with local codes and is viewable by the public designating the use as a temporary lodging use.

J. The books and records pertaining to use of each temporary lodging unit shall be open for inspection by authorized representatives of the applicable local government, upon reasonable notice, in order to confirm compliance with these regulations as allowed by general law.

K. The applicable local government may require affidavits of compliance with this Section from each temporary lodging use and/or unit owner.



Legend

Madeira Beach Future Land Use Categories

- Commercial General
- Institutional
- Planned Redevelopment-Mixed Use
- Preservation
- Recreation/Open Space
- Residential Medium
- Residential Urban
- Residential/Office/Retail
- Resort Facilities Medium
- Right of Way
- Scenic Corridors
- Transportation/Utility
- Water

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1.0 FUTURE LAND USE ELEMENT

GOAL 4.1: ENSURE THAT THE RESIDENTIAL/FAMILY AND BEACH COMMUNITY CHARACTER OF THE CITY OF MADEIRA BEACH IS MAINTAINED AND PROTECTED WHILE:

MAXIMIZING THE POTENTIAL FOR ECONOMIC BENEFIT RESULTING FROM THE TOURIST TRADE AND THE ENJOYMENT OF NATURAL AND MAN-MADE RESOURCES BY CITIZENS AND VISITORS;

MINIMIZING THE THREAT TO HEALTH, SAFETY, AND WELFARE POSED BY HAZARDS, NUISANCES, INCOMPATIBLE LAND USES, AND ENVIRONMENTAL DEGRADATION;

MAXIMIZING LAND DEVELOPMENT THAT RESPECTS NECESSARY ECOLOGICAL FUNCTIONS AND SUITABILITY FOR URBAN DEVELOPMENT;

PRESERVING OR IMPROVING THE COMMUNITY'S NATURAL RESOURCES AND VALUABLE AMENITIES;

ENCOURAGING AN ORDERLY AND AESTHETIC MIX OF LAND USES BY ALLOWING NEW DEVELOPMENT AND REDEVELOPMENT THAT WILL ENHANCE AND PROTECT THE CITY'S EXISTING CHARACTER; AND

PROVIDING A COMPREHENSIVE PLAN THAT IS FLEXIBLE AND INCORPORATES CHANGING COMMUNITY VALUES AND ATTITUDES.

Objective 4.1.1:
Ensure that redevelopment and new development occurs in planned areas at the appropriate densities and intensities as indicated on, and consistent with 6.1a Madeira Beach Future Land Use Map. ~~Map LU-4.~~

Policy 4.1.1.1:
The future land use plan categories identified and defined in this policy govern ~~residential~~ development within the City. These future land use plan categories are consistent with primary and secondary uses and maximum intensity standards listed in the Forward Pinellas ~~County~~ Countywide ~~Plan~~ Rules, except as specifically modified herein.

Madeira Beach Future Land Use Category	Permitted Uses	Density/Intensity Standards	Countywide Plan Map Categories
Residential Urban (RU)	▪ Residential ▪ Public Education Facilities ▪ Recreation/ Open Space	▪ Residential 7.5 UPA ▪ Nonresidential FAR 0.5 ▪ ISR 0.65	Residential Low Medium (RLM)
Residential Medium (RM)	▪ Residential ▪ Public Education Facilities ▪ Institutional**** ▪ Vacation Rental ▪ Recreation/ Open Space	▪ Residential 15 UPA ▪ Nonresidential FAR 0.5 ▪ ISR 0.70	Residential Medium (RM)
Resort Facilities Medium (RFM)	▪ Residential ▪ Temporary Lodging ▪ Vacation Rental ▪ Personal Service/ Office Support ▪ Retail Commercial ▪ Commercial Recreation ▪ Recreation/Open Space	▪ Residential and Vacation Rental 18 UPA ▪ Temporary Lodging 50 UPA ▪ Other Uses FAR 0.55 ▪ ISR 0.85 *Alternative Temporary Lodging Use Standard** ▪ Temporary Lodging 60 UPA ▪ Total FAR 2.0 ▪ ISR 0.85	Resort (R)
Residential/Office/ Retail (R/O/R)	▪ Office ▪ Personal Service/ Office Support ▪ Retail Commercial ▪ Commercial/ Business Service ▪ Commercial Recreation ▪ Residential ▪ Vacation Rental ▪ Temporary Lodging ▪ Recreation/ Open Space	▪ Residential and Vacation Rental 18 UPA ▪ Temporary Lodging 40 UPA ▪ Other Uses FAR 0.55 ▪ ISR 0.85 *Alternative Temporary Lodging Use Standard** ▪ Temporary Lodging 50 UPA ▪ Total FAR Mixed Use 1.2 ▪ ISR 0.85	Retail & Services (R&S)
Commercial General (CG)	▪ Office ▪ Personal Service/ Office Support ▪ Retail Commercial	▪ Residential and Vacation Rental 15 UPA ▪ Temporary Lodging 40 UPA ▪ Other Uses FAR 0.55	

	▪ Commercial/ Business Service ▪ Commercial Recreation ▪ Residential ▪ Vacation Rental ▪ Temporary Lodging ▪ Recreation/ Open Space ▪ Storage/ Warehouse/ Distribution - Light ▪ Institutional*** ▪ Transportation/ Utility *** ▪ Ancillary Nonresidential ***	▪ ISR 0.85 *Alternative Temporary Lodging Use Standard** ▪ Temporary Lodging 60 UPA ▪ Total Mixed Use FAR 1.2 ▪ ISR 0.85	
Institutional (I)	▪ Institutional ▪ Residential	▪ Residential 10 UPA ▪ FAR 0.65 ▪ ISR 0.70	Public/Semi-Public (P/SP)
Transportation/ Utility (T/U)	▪ Transportation/ Utility	▪ FAR 0.70 ▪ ISR 0.70	
Recreation/Open Space (R/OS)	▪ Recreation/Open Space	▪ FAR 0.25 ▪ ISR 0.60	Recreation/ Open Space (R/OS)
Preservation (P)	▪ Preservation	▪ Preservation FAR 0.1 ▪ Water Supply FAR 0.25 ▪ Preservation ISR 0.20 ▪ Water Supply ISR 0.50	Preservation (P)
Planned Redevelopment-Mixed Use (PR-MU)	▪ Residential ▪ Temporary Lodging ▪ Vacation Rental ▪ Retail Commercial ▪ Commercial Recreation ▪ Business Office and Financial Services ▪ Restaurants ▪ Office Use ▪ Personal Service/Office Support Use	See Madeira Beach Town Center Special Area Plan	Activity Center (AC)
Resort Facilities High (RFH)**	▪ Temporary Lodging ▪ Restaurant ▪ Retail Commercial ▪ Commercial Recreation	*Less than 1-acre Temporary Lodging* ▪ Temporary Lodging 75 UPA ▪ Total Mixed Use FAR 2.0 ▪ ISR 0.95	

	▪ Personal Service/ Office Support Use	*Between 1-acre and 3-acres Temporary Lodging* ▪ Temporary Lodging 100 UPA ▪ Total Mixed Use FAR 3.0 ▪ ISR 0.95	
		Greater than three acres Temporary Lodging ▪ Temporary Lodging 125 UPA ▪ Total Mixed Use FAR 4.0 ▪ ISR 0.95	
Activity Center	▪ Residential ▪ Vacation Rental ▪ Temporary Lodging ▪ Retail Commercial ▪ Commercial Recreation ▪ Business Office and financial services ▪ Office Use ▪ Personal Service/ Office Support Use	Requires an approved Special Area Plan that details UPA, FAR, and ISR	

*A Development Agreement is required by the City's land development regulations and Forward Pinellas' Countywide Rules to use the Alternative Temporary Lodging Use Standard. The Development Agreement must follow all required standards in the Countywide Rules to use the Alternative Temporary Lodging Use Standards. When using Alternative Temporary Lodging Use Standards, the Floor Area Ratio accounts for the entire project as detailed in the Countywide Rules.

**RFH must only be used as an Alternative Temporary Lodging Use Standard in the PR-MU as detailed in the Madeira Beach Town Center Special Area Plan. A rezone to PD and accompanying Development Agreement are required to use the RFH Category.

*** Permitted Uses Subject to Acreage Thresholds Uses Subject to Five Acre Maximum – Institutional; Transportation/Utility; Ancillary Nonresidential

**** Uses Subject to Five Acre Maximum – Institutional (except Public Educational Facilities which are not subject to this threshold, pursuant to the provisions of Section 6.5.4.2 in the Countywide Rules).

~~RESIDENTIAL:~~

~~Residential Urban (RU), density of 0 to 7.5 residential units per acre, excluding residential equivalent uses and institutional uses.~~

~~Residential Medium (RM), density of 0 to 15.0 residential units per acre, excluding residential equivalent uses and institutional uses.~~

~~**Policy 4.1.1.2:**~~

~~The future land use plan categories identified and defined in this policy govern mixed-use development within the City. These future land use plan categories are consistent with primary and secondary uses and maximum density and intensity standards listed in the Pinellas County Countywide Plan Rules, except as specifically modified herein.~~

~~MIXED USE:~~

~~Resort Facilities Medium (RFM), a residential density of 0 to 18 units per acre, and temporary lodging with maximum density and intensity standards in Table 4.0 below. With an approximate distribution of 70 to 100 percent residential uses, 0 to 20 percent nonresidential uses, and 0 to 10 percent "other" uses.~~
~~RFM does not allow residential equivalent uses.~~

~~Temporary Lodging Density and Intensity Standards for the RFM future land use plan category are as follows, subject to specific standards provided in a Development Agreement required by the City's land development regulations.~~

~~**Table 4.0**~~

~~Land Area~~	~~Units per Acre~~	~~FAR~~	~~ISR~~
~~Less than 1 acre~~	~~45~~	~~1.0~~	~~0.85~~
~~Between one acre and three acres~~	~~60~~	~~1.5~~	~~0.85~~
~~Greater than three acres~~	~~75~~	~~2.0~~	~~0.85~~

~~Resort Facilities High (RFH),with a residential density 0 to 15 dwelling units per acre and temporary lodging with maximum density and intensity standards as shown in Table 4.1, below, with an approximate percentage distribution of 70 to 100 percent temporary lodging uses, 0 to 20 percent tourist-related commercial uses, and 0 to 10 percent residential uses. RFH does not include residential equivalent uses.~~

~~All applications for the RFH future land use plan category require corresponding rezoning of the subject property to the PD, Planned Development zoning district pursuant to the procedures and requirements of the PD district provided in the City's land development regulations.~~

~~Temporary Lodging density and intensity standards for the RFH future land use plan category are as follows, subject to the specific standards provided in a Development Agreement required by the City's land development regulations.~~

~~Table 4.1~~

~~Land Area~~	~~Units per Acre~~	~~FAR~~	~~ISR~~
~~Less than 1 acre~~	~~75~~	~~2.0~~	~~0.95~~
~~Between one acre and three acres~~	~~100~~	~~3.0~~	~~0.95~~
~~Greater than three acres~~	~~125~~	~~4.0~~	~~0.95~~

~~Residential/Office/Retail (R/O/R), with a residential density of 0 to 18 units per acre and a temporary lodging density of up to 45 units per acre with a maximum FAR of 1.0 and an ISR of 0.85 and a percentage distribution of 30 to 50 percent residential uses, 30 to 60 percent nonresidential uses, and 0 to 20 percent "other" uses. R/O/R will not include residential equivalent, research/development, and light manufacturing/assembly uses.~~

~~Planned Redevelopment – Mixed Use (PR-MU), –~~
~~The purpose of this category is to depict those areas that are developed with a collection of temporary lodging, residential, office, and commercial uses, along corridors, adjacent to neighborhoods, or within distinct areas that are interrelated and complimentary. This category is intended to facilitate infill development and redevelopment of these areas to create a desirable mix of non- residential and residential uses by promoting aesthetically pleasing, safe environments, and buildings that are compatible with the area's character, uses, and transportation facilities.~~

~~The uses, development standards, density/intensity standards, and locational characteristics associated with this category must be set forth in a Special Area Plan approved by the Board of Commissioners. The Special Area Plan (and any substantive changes to an approved Special Area Plan) are subject to review by and approval of the Countywide Planning Authority upon recommendation of the Pinellas Planning Council pursuant to the applicable Countywide Plan Rules. Each Special Area Plan establishes the density, intensity, and mix of permitted uses, and must include, at a minimum, information addressing the requirements for Special Area Plans or their equivalent as required by the Countywide Plan Rules.~~

~~Policy 4.1.1.3:~~
~~The future land use plan categories identified and defined in this policy govern commercial and other uses within the City.~~

~~These future land use plan categories are consistent with primary and secondary uses and maximum intensity standards listed in the Pinellas Planning Council Countywide Plan Rules, except as specifically modified herein.~~

~~COMMERCIAL~~

~~Commercial General (CG), with a density of 0 to 15 residential units per acre for~~

multifamily dwellings and a temporary lodging density of up to 60 units per acre with a maximum floor area ratio (FAR) of 1.2 and impervious surface ratio (ISR) of 0.9 CG does not allow residential equivalent uses.

PUBLIC / SEMI-PUBLIC

Recreation/Open Space, (R/OS),
with a maximum FAR of 0.25. R/OS does not allow golf course/clubhouse uses and does not allow the transfer of development entitlements or rights.

Preservation (P),

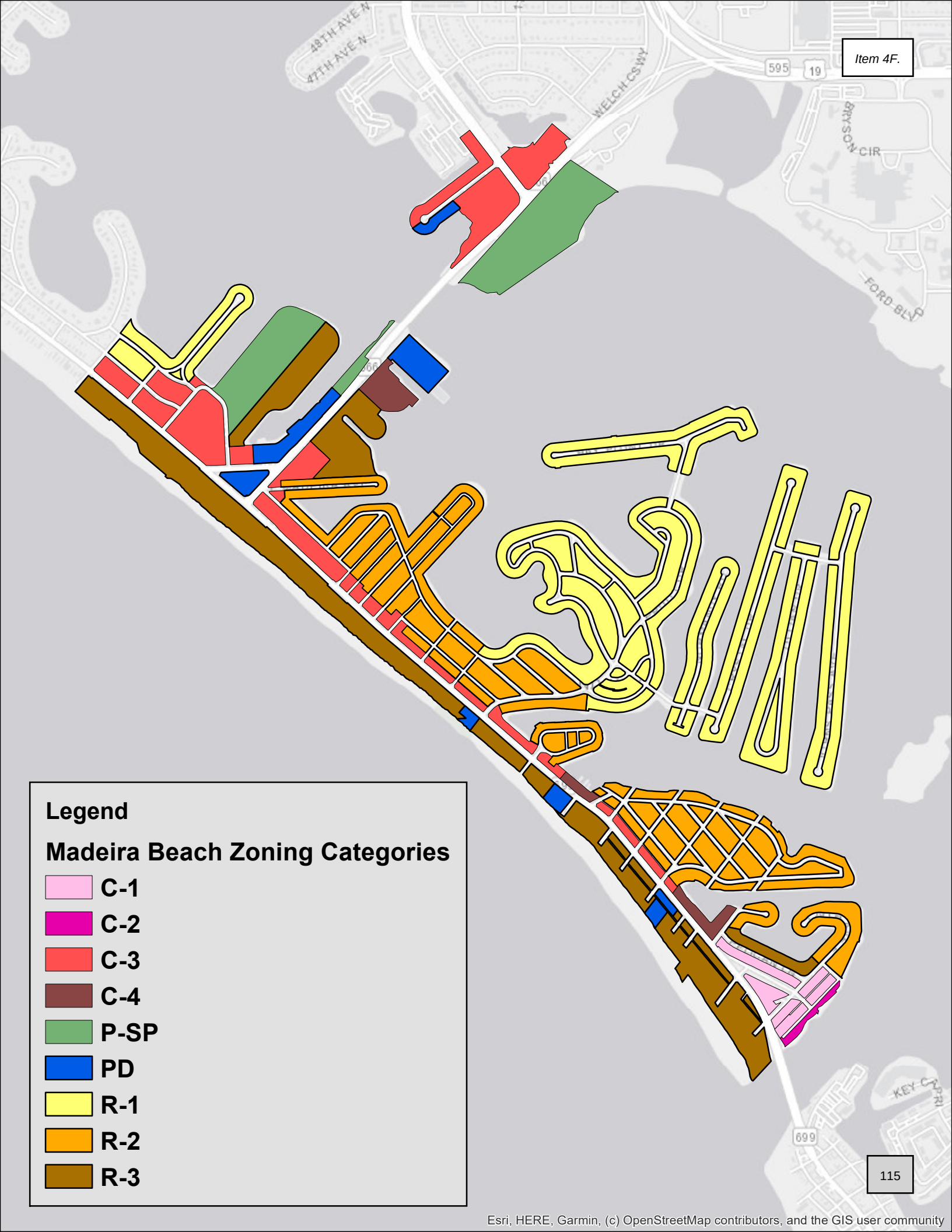
with a maximum FAR of 0.1. The preservation future land use plan category does not allow the transfer of development entitlements or rights.

Institutional (I),

with a density of 0 to 10 residential units per acre), with a maximum FAR of 0.65 and ISR of 0.7. Institutional uses do not include residential equivalent uses.

Transportation/Utility (T/U),

with a maximum FAR of 0.7 and ISR of 0.7.



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Chapter 82 GENERAL PROVISIONS

Sec. 82-1. Purpose and intent.

The primary purpose of the land development regulations is to implement the city comprehensive plan as adopted pursuant to Florida Statutes ch. 16, pt. II, and in accordance with F.A.C. ch. 9J-5. The objectives of the land development regulations are to:

(1) Protect, promote and improve the public health, safety, comfort, order, appearance, convenience, morals and general welfare of the city.

(2) Protect the character and maintain the stability of residential, business, recreation and public areas.

(3) Promote the orderly development of residential, business, recreation and public areas.

(4) Conserve the value of land, buildings, resources and protect land owners from adverse impacts of adjoining developments.

(5) Provide for a more uniformly just land use pattern and tax assessment base to aid in the development and redevelopment of the city, to increase traffic safety and ease transportation problems, and to provide more adequately for vehicular parking, parks, parkways, recreation, schools, public buildings and facilities.

(Code 1983, § 20-102)

Sec. 82-2. Definitions.

The following words, terms and phrases when used in the land development regulations shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Absorption area means any area designed, or natural, capable of allowing stormwater percolation.

Abutting means to physically touch or border upon, to share a common property line, or is directly across a street, access easement, alley or other right-of-way (except those properties separated by an arterial street) from the subject property.

Accessory building or use means a building structure or use which is:

(1) Subordinate to and serves a principal building or use.

(2) Subordinate in area, extent and purpose to principal building or use.

(3) Contributes to the comfort, convenience or necessities of the principal building or use.

(4) Is located on the same lot as the principal building or use.

Addition (to an existing building) means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common loadbearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter loadbearing walls is new construction.

Adjoining means the same as "Abutting."

Adult arcade means a place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images, including motion pictures, films, video cassettes, slides or other photographic reproductions to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of specified sexual activities or specified anatomical areas.

Adult bookstore means:

(1) An establishment having as a substantial or significant portion of its stock in trade books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities, or specified anatomical areas, or an establishment with a segment or section devoted to the sale, rental or display of such material.

(2) It is an affirmative defense to an alleged violation of operating an adult bookstore without a permit if the adult material is accessible only by employees and either the gross income from the sale and/or rental of adult material compromises less than ten percent of the gross income from the sale; and/or rental of goods and/or services at the establishment, or the individual items of adult material offered for sale and/or rental compromises less than ten percent of the individual items publicly displayed at the establishment as stock in trade in any of the following categories: books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides or other visual representations, or recordings or other audio matter. Any adult use activity other than the sale or rental of adult material shall preclude the establishment's qualifying solely as an adult bookstore and shall mandate its classification as other than an adult bookstore.

Adult booth means a separate enclosure inside an adult entertainment establishment, accessible to any person, regardless of whether a fee is charged for access. The term "adult booth" includes, but is not limited to, a "peep show" booth, adult arcade booth or other booth used to view adult material. The term "adult booth" does not include a foyer through which any person can enter or exit the establishment, nor a restroom.

Adult dancing means a commercial establishment that permits, suffers or allows dancers to display or expose specified anatomical areas. Additionally, any establishment on whose premises an employee, who need not be the same employee, displays or exposes specified anatomical areas on more than one day in any 30-day period shall be deemed an adult dancing establishment and shall be required to obtain a license under this Code.

Adult entertainment establishment means adult arcade, adult bookstore, adult booth, adult dancing establishment, adult massage establishment, adult motel, adult motion picture theater, special adult cabarets, physical cultural establishments or adult photographic studios including any business establishment whose primary business stock in trade is dependent upon the activities relating to specified sexual activities or specified anatomical areas, or an adult dancing establishment, or any other establishment exhibiting or relating to specified sexual activities or specified anatomical areas. Any commercial establishment that displays a sign or engages in any other form of advertising capable of leading a reasonable person to believe that such establishment offers, presents, permits or engages in any form of adult entertainment shall be deemed an adult entertainment establishment under the appropriate classification. For the purposes of the land development regulations, the term "adult use" is synonymous with the term "adult entertainment establishment."

Adult massage establishment means a site or premises, or portion thereof, upon which any person, who is an employee, manipulates or massages the superficial tissues of the body of another person, but does not include the following:

(1) Licensed health care facilities;

(2) Licensed physicians or nurses engaged in the practice of their professions;

(3) Educational or athletic facilities if the massage is a normal and usual practice in such facilities; or

(4) Establishments exempted under Florida Statutes § 480.034.

Adult material means any one or more of the following regardless of whether it is new or used:

(1) Books, magazines, periodicals or other printed matter, paintings, drawings or other publications or graphic media or photographs, films, motion pictures, video cassettes or disks, slides or other visual representations, or recordings or other audio matter, which have as their primary or dominant theme matter depicting, illustrating, describing or relating to specified sexual activities or specified anatomical areas; or

(2) Instruments, novelties, devices or paraphernalia which are designed for use in connection with specified sexual activities.

Adult motel means any motel or hotel, boardinghouse, rooming house or other lodging used predominantly for transient customers which includes the words "adult" in any name it uses or otherwise advertises, and actually permits the presentation of film material, video or other visual representations, which has as its preliminary or dominant theme matters depicting, illustrating or relating to specified sexual activities or specified anatomical areas for observations of patrons thereof.

Adult photographic or modeling studio means any business establishment which offers or advertises as it primary business stock and trade, the use of its premises for the purpose of photographing or exhibiting specified sexual activities or specified anatomical areas or the modeling of apparel that exhibits specified anatomical areas.

Adult theater means an enclosed building or an enclosed space within a building, or an open-air area used for presenting either filmed or live plays, dances, or other performances, either by individuals or groups, distinguished or characterized by an emphasis on material depicting, describing, or relating to specified sexual activities or specified anatomical areas for observation by patrons therein. An establishment which has adult booths or an adult arcade is considered to be an adult theater.

Adult use means and includes the terms as described under the definition of "adult entertainment establishment."

Adversely impact means to destroy or damage or contribute to the destruction or damage of something.

Alley means a public right-of-way 15 feet or less in width and which affords only a secondary means of access to abutting property.

Alteration means to change, rearrange, enlarge, extend or reduce any structure or part thereof on the same site.

Ancillary use means a use which is either: Subordinate to and serves a principal building or use; subordinate in area, extent, and purpose to the principal building or use served; contributes to the comfort, convenience, or necessities of the users or occupants of the principal building or use; and is located on the same lot as the principal building or use. Unless otherwise specified, no ancillary use shall exceed 25 percent of the gross floor area of the principal building or use.

Antenna means any exterior apparatus designed for telephonic, radio, or television communications, through the sending or receiving of electromagnetic waves.

Appeal means a request for a review of the building and zoning official's interpretation of any provision of the land development regulations or a request for a variance.

Aquatic preserves means publicly owned submerged lands which are covered by brackish or salt water and which are recognized by law or regulations of having exceptionally high biological, aesthetic, educational or scientific value.

Area of special flood hazard means the land in the floodplain within a community subject to one percent or greater chance of flooding in any given year.

Art work means drawings, pictures, symbols, paintings or sculpture which in no way identify a product or business and which are not displayed in conjunction with a commercial, for profit or nonprofit enterprise.

Arterial means a street officially defined as such by the state department of transportation's functional classification.

Artificial light means any source of light emanating from a manmade device, including, but not limited to, incandescent, mercury vapor, metal halide, neon, sodium, spotlights, street lights, construction or security lights.

Automatic controller means a mechanical or electronic timer, capable of operating valve stations to set the days and length of time of a water application.

Base flood means the flood having a one percent chance of being equaled or exceeded in any given year.

Base flood elevation (BFE) means the elevation, measured in feet above mean sea level, as shown on the flood insurance rate map (FIRM).

Basement means that portion of a building having its floor subgrade (below ground level) on all sides.

Beach access point means any path which may be through or over the dune used by the general public or private property owners for the purpose of gaining access to the beach.

Board of adjustment means the board of adjustment of the city.

Board of commissioners means the board of commissioners as legally constituted for the city.

Boat, charter means a boat for hire which carries not more than ten paying passengers.

Boat, party means a boat for hire which carries more than ten paying passengers.

Breakaway walls means any type of walls, whether solid or lattice, and whether constructed of concrete, masonry, wood, metal, plastic, or any other suitable building material which is not part of the structural support of the building and which are so designated as to break away, under abnormally high tides or wave action, without damage to the structural integrity of the building on which they are used or any buildings to which they might be carried by floodwaters.

Buildable area means the area of a site in which development is permitted without variance.

Building means an enclosed structure with walls and a roof.

Building permit means a permit which authorizes the construction of a new building structure or related building system or the expansion of floor area or the increase in the number of dwelling units contained in an existing building or change of use.

Building value = market value of structure only. Land and exterior improvements are excluded, e.g., swimming pool, pool enclosure, landscaping, paving, etc. Market value = assessed value or properly-depreciated appraised building value. The assessed value may be adjusted upward to reflect the market more accurately. Replacement cost can only be used if properly depreciated. Certified appraisals must be based on the comparable sales method. The land value must be deducted and it must be equal to or greater than that established by the county assessor.

Business entity means any and all persons, natural or artificial, including any individual, firm, corporation or association operating or proposing to operate for commercial or pecuniary gain. "Operated for commercial or pecuniary gain" shall not depend upon actual profit or loss. Also, "operated for commercial or pecuniary gain" shall be presumed where the establishment has an occupational license. Business entity includes any enterprise or venture in which a person sells, buys, exchanges, barters, deals or represents the dealing in any thing or article of value or renders services for compensation.

Camouflage techniques means a tower and/or antenna designed to unobtrusively blend into existing surroundings, be disguised so as to not have the appearance of a communication facility, or be designed or located

in such a manner that the tower or antenna is not easily discernible from the ground. Examples include the form and shape of a tree, bell tower, steeple, clock tower, light standard, and other techniques which serve to diminish the visible impact of the tower or antenna.

Cannabis means any plant or part of a plant of the genus *cannabis* whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin.

Cannabis farm means any property used in whole or in part for the growing or cultivation of cannabis plants, whether or not such growing or cultivation is lawful under federal or state law.

Carport, private means an accessory building with two or more sides open, designed or used for the storage of motor vehicles owned and used by the occupants of the primary building.

Certificate of concurrency means the official document issued by the city upon finding that the application for final development permit will not result in the reduction of level of service standards set forth in the city comprehensive plan for public facilities and services.

Certification of compliance/noncompliance means a notice issued by the building and zoning official indicating to an applicant for an occupational license that the location proposed for an adult use complies or does not comply with the locational requirements of the land development regulations.

Child care facility means any children's center, day nursery or family day care home as defined in Laws of Fla. ch. 61-2681.

Church means a premise or site which is used primarily or exclusively for religious worship and related activities. The term "church" shall also include the term synagogue, temple, mosque, cathedral, church building and any other facility or premises where individuals of a particular religion gather to worship and for any other related religious purpose.

Clearing means the removal of vegetation, rocks, structures, debris and other obstructions resting on or protruding through the existing ground surface.

Clinic means a facility wherein professional services concerning personal health of humans are administered by medical doctors, chiropractors, optometrists, dentists, or any such professional which may lawfully practice in the state, provided that the persons treated are not lodged therein overnight.

Club means an establishment which is owned or operated by a corporation, association, person or persons for social, literary, political, educational, fraternal or charitable purposes, but which is not operated for profit or to render a service which is customarily conducted as a business. *Coastal barrier islands* means the geological features which are completely surround by marine waters that front upon the open waters of the Gulf of Mexico, and are composed of quartz sands, clays, limestone, oolites, rock, coral, coquina, sediment, or other material, including spoil disposal, which features lie above the line of mean high water. Mainland areas which were separated from the mainland by artificial channelization for the purpose of assisting marine commerce shall not be considered coastal barrier islands.

Coastal building zone means the land area from the seasonal high water line landward to a line 1,500 feet landward from the coastal construction control line as established pursuant to Florida Statutes § 161.053, and, for those areas fronting on the Gulf of Mexico and not included under Florida Statutes § 161.053, the land area seaward of the most landward velocity zone (V-zone) as established by the Federal Emergency Management Agency as shown on flood insurance rate maps. The coastal building zone on coastal barrier islands shall be the land area from the seasonal high water line to a line 5,000 feet landward from the coastal construction control line established pursuant to Florida Statutes § 161.053, or the entire island, whichever is less.

Coastal construction control line means the line as established by the state pursuant to Florida Statutes § 161.053.

Coastal high hazard area (CHHA) means the area subject to high velocity waters, including but not limited to hurricane wave wash or tsunamis. The area is designated by the Federal Emergency Management Agency (FEMA) as Zone V1-V30. The coastal high hazard area incorporates all areas seaward of the coastal construction control line established by state law and the velocity flood hazard area as established by the Federal Emergency Management Agency (FEMA). This includes areas where public facilities have been damaged or undermined by coastal storms, and inlets which are not structurally controlled.

Commercial/Business Service Use means an occupation or service involving the sale, storage, repair, service or rental of motor vehicles, water craft, residential machinery or equipment, examples of which include automobile, boat, and household or yard equipment sales, service or repair, and like uses; the production, assembly or dismantling of which shall be clearly secondary and incidental to the primary use characteristics of the Commercial/Business Service Use.

Commercial Recreation Use means a private or quasi-public recreation facility designed for participant or spectator activities for a charge, including but not limited to marina, miniature golf, sports stadium, performance venues, and indoor recreation/entertainment uses such as billiard halls, bowling alleys, movie theatres, and video game arcades.

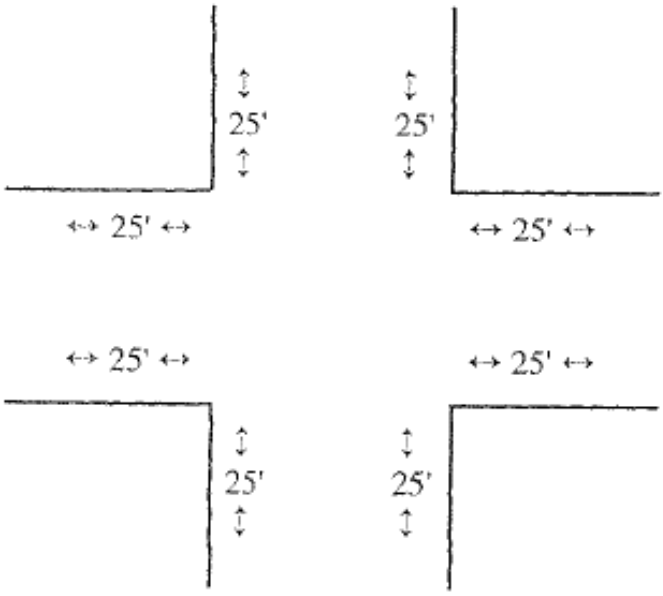
Commercial equipment means vehicles, trailers, step and box vans, and all machinery, materials or furnishings owned or used for commercial purposes will be considered commercial equipment. Personal vehicles, up to and including one ton pick-up truck or passenger or utility van, used by an individual for transportation to and from home or job sites will not be considered commercial equipment regardless of any commercial names, insignias or markings on the vehicle. Machinery, materials or furnishings owned or used for commercial purposes clearly visible on these vehicles will be considered commercial equipment for the purposes of this Code.

Comprehensive plan means the city comprehensive plans as adopted by Ordinance No. 738 on December 5, 1989 by city commission pursuant to Florida Statutes ch. 163, part 2, as such plan may be amended from time to time.

Congregate care facility means a residential facility which may be comprised of individual dwelling units with or without kitchen facilities. These facilities may offer central dining, personal and therapeutic care and other facilities necessary to meet special living needs of the residents. These include adult congregate living facilities and similar retirement or life-care facilities. These facilities, where required, shall be licensed by the state department of children and family services, or be operated pursuant to state law. As a continuing care facility it shall not be located within the coastal high hazard area, hurricane evacuation zone level "A" or floodway.

Contiguous means parcels touching along a boundary or directly across roadway with a local or collector functional classification or other right-of-way from each other. For the purpose of calculating density averaging, "contiguous" means parcels touching along a boundary or directly across any roadway or other right-of-way from each other.

Cross visibility area means the area of property located at the corner formed by the intersection of two or more public streets with two sides of a triangular area being 25 feet in length along the abutting public street, measured from their point of intersection, and the third side being a line connecting the ends of the other two sides. In areas where this scenario cannot be achieved, the distance will be determined by the city manager or his designee.



Day care center means and includes any day nursery, nursery school, kindergarten or other facility as defined by state law, which, with or without compensation, cares for five or more children 17 years of age or under, not related to the operator by blood, marriage or adoption, away from the child's home.

Density means a ratio of dwelling units per acre of land. No portion of dedicated public right-of-way may be used to calculate density. No portion of submerged land may be used to calculate density.

Density/intensity averaging means the aggregation of the otherwise permitted density and/or intensity of a parcel or parcels of land in a non-uniform or consolidated manner on a portion of such contiguous parcel(s) in accordance with article V of chapter 86, Administration, of this Code.

Detention means the temporary collection and storage of surface water for subsequent controlled dissipation at a rate which is less than the rate of flow.

Development means any material manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations. The following activities or uses shall be taken to involve "development," as defined in this section:

(1) A reconstruction, alteration of the size, or change in the external appearance of a structure on land.

(2) A change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on land or an increase in the number of businesses, manufacturing establishments, offices or dwelling units in a structure or on land.

(3) Alteration of a shore or bank of a seacoast, river, stream, lake, pond, or canal, including any "coastal construction" as defined in Florida Statutes § 161.021.

(4) Commencement of drilling, except to obtain soil samples, mining, or excavation on a parcel of land.

(5) Demolition of a structure.

(6) Clearing of land as an adjunct of construction.

(7) Deposit of refuse, solid or liquid waste, or fill on a parcel of land.

Development agreement means an agreement, as authorized by the Florida Local Government Development Agreement Act (set forth in Florida Statutes §§ 163.3220—163.3243) and subject to the requirements of article IV of chapter 86, Administration, of this Code.

Development permit means any approved final site plan, building permit, zoning clearance, rezoning, special exception, variance, conditional use or any other official action of the city having the effect of permitting the development of land, except that for the purposes of the land development regulations, tree permits and grubbing permits are not to be considered development permits.

Diameter at breast height (DBH) means the standard measurement of a single-stemmed tree at 4½ feet above grade.

District means a section or sections of the city for which zoning regulations governing the use of buildings and premises, the height of the buildings, the size of yards and the intensity of use are uniform.

Dock, commercial means a revenue producing structure on piling over water or structure that is defined as a commercial dock under state law, which is designed or used to provide a berth for and access to one or more private, charter, commercial or party boats.

Dock, residential means an accessory structure to a residential use which is built on pilings over water and is designed or used to provide moorage for one or more boats.

Drainage system means the system through which water flows from the land. It includes all watercourses, waterbodies and wetlands.

Dripline means an artificial line along the ground which conforms to the perimeter of the crown of a tree as projected vertically to the ground.

Drive-in restaurant means any food or beverage dispensing operation at retail to the general public where such public may be served while remaining in automobiles or other motor vehicles parked on the premises, or where prepared meals may be obtained at a drive-in window.

Drive-in window means a window or other opening in the wall of a principal or accessory building through which goods or services are provided directly to customers who are in their motor vehicles and by means eliminates the need for such customers to exit their motor vehicles.

Dune means the amount or ridge of loose sediments lying landward of the beach and deposited by any natural or artificial mechanism.

Dwelling unit means a single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Duplex means two dwelling units contained in one structure on a single lot or parcel and attached by common vertical walls.

Multifamily means three or more dwelling units contained in one structure on a single lot or parcel and attached by common vertical or horizontal walls.

Single-family detached means a dwelling unit in a single structure not attached to any other dwelling by any means, designed for or occupied exclusively by one family.

Tourist:

A. *Condo-hotel* means a hotel, motel, tourist or seasonal accommodation room or group of rooms forming a separate, habitable unit used or which could be used for living and sleeping by one family with independent kitchen facilities. Each unit shall be owned by an individual, corporation, or any other legal entity having membership into an association comprised of all owners within the same development. No unit in a condo-hotel shall be used as a timeshare or fractional ownership unit or be converted to a permanent, non-tourist dwelling unit.

Each condo-hotel shall:

1. Contain a front desk, lobby, internally oriented and easily accessible to members of the public;
2. Have the appropriate license for a hotel and all such licenses must be kept up-to-date annually;
3. Have sufficient signage viewable by the general public advertising such structure as a condo-hotel, with units available for daily, weekly or monthly rentals;
4. Provide a reservation system or agency for rental of units; and
5. Upon request of the city, provide access to all rental records, tax receipts or any other documents necessary to verify conformance with the provisions established herein.

Each unit shall:

1. Have the appropriate license for hotel unit and all such licenses must be kept up-to-date annually;
2. Be required to obtain a business tax receipt for each unit from the city;
3. Be subject to all applicable tourist tax collection requirements;
4. Utilize the reservation system or agency;
5. Not be used for homesteading purposes;
6. Not be issued a home occupational license;
7. Not be utilized as an address for the purposes of establishing residency or registering to vote; and
8. Be available to the owner for use no more than 90 days within a calendar year. The unit shall be available for lease to parties other than the owner in intervals of 30 days or less for the remainder of the calendar year

Only one unit in a condo-hotel structure may be used for the year-round occupancy by a person or family serving as the on-site manager(s). This unit must be owned by the condo association or management company and shall not be used for homestead purposes. This manager unit shall be exempt from the requirement of leasing 30 days or less in the calendar year.

B. *Motel* or *hotel* means a room or a group of rooms forming a separate, habitable unit used or which could be used for living and sleeping purposes by one family, with or without independent kitchen facilities, occupied or intended to be occupied by transients on a rental or leased basis.

Each motel or hotel shall:

1. Contain a front desk and/or lobby with a reservation system, and easily accessible to members of the public;
2. Have the appropriate license for a motel or hotel and all such licenses must be kept up-to-date annually; and
3. Have sufficient signage viewable by the general public advertising such structure as a motel or hotel, with units available for daily, weekly or monthly rentals.

Each unit shall:

1. Be subject to all applicable tourist tax collection requirements;
2. Not be used for homesteading purposes;
3. Not be issued a home occupational license; and

4. Not be utilized as an address for the purposes of establishing residency or registering to vote.

Only one unit in the motel or hotel structure may be used for the year-round occupancy by a person or family serving as the on-site manager(s). The manager unit may be used to establish residency. If the unit is owner-occupied, this unit may be used for homestead purposes. This manager unit shall be exempt from the requirement being available for daily, weekly or monthly rental.

Townhouse means a building designed for or occupied exclusively by one family and attached to two or more other buildings of similar design and separated by one or more party walls. The attached townhouses as defined constitute a building group.

Triplex means a multifamily dwelling with three units contained in one structure on a single lot or parcel and attached by common vertical walls.

Elevated building means a nonbasement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (post and piers), shear walls, or breakaway walls.

Emitter means the drip irrigation fittings that deliver water slowly from the system to the soil.

Employee means a person who works in the service of another person (the employer) under an express or implied contract of hire, under which the employer has the right to control the details of work performance.

Erosion means the damage caused by unrestricted surface waters which shall include the movement of silt, soils or foreign material.

Essential services means public utility facilities either underground or overhead and related to the transmission or distribution system of water, sanitary or storm sewage, telephone, gas, electricity, and public safety, including poles, wires, mains, hydrants, drains, pipes, conduits, law enforcement or fire call boxes, traffic signals and other similar equipment necessary for the furnishing of service, but not including the buildings.

Establishment or commencement of business means and includes any of the following:

(1) The opening or commencement of any adult entertainment establishment as a new business;

(2) The conversion of any existing business, whether or not an adult entertainment establishment; or

(3) The relocation of any adult entertainment establishment.

For the purposes of determining the date of commencement of business, evidence in the form of a certificate of occupancy and an occupational license will be required. Any decision regarding a given date of commencement may be appealed pursuant to the provisions of section 90-10.

Existing construction means any structure for which the start of construction commenced before (the effective date of the first floodplain management code, ordinance, or standard based upon specific technical base flood elevation data which establishes the area of special flood hazard) or (specific date).

Existing manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community (before the effective date of the first floodplain management code, ordinance, or standard based upon specific technical base flood elevation data which establishes the area of special flood hazard) or (specific date).

Expansion to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Eutrophication means the enrichment of bodies of water with nutrients resulting in luxurious organic growth and depletion of dissolved oxygen.

Family means an individual, or two or more persons, related by blood or marriage, or a group of not more than three persons who need not be related by blood or marriage, living together as a housekeeping unit in a dwelling.

FAA means the Federal Aviation Administration.

FCC means the Federal Communications Commission.

Final development order means the last approval necessary to carry out the development requested which will result in an immediate and increased impact upon public facilities.

Flood hazard boundary map (FHBM) means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as zone A.

Flood insurance study means the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the flood boundary floodway map and the water surface elevation of the base flood.

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from:

(1) The overflow of inland or tidal waters;

(2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood elevation determination means a determination by the administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.

Flood insurance rate map (FIRM) means an official map of a community, on which the administrator has delineated both the special hazard areas and the risk premium zone applicable to the community.

Flood light means a reflector type light fixture which is attached directly to a building or post and which is unshielded.

Flood prone area means any land area susceptible to being inundated by water from any source.

Floodplain means the lateral extent of inundation by an event of given statistical frequency, such as a 100-year floodplain, as designated in the county stormwater management plan (SWMP).

Floodplain management regulations means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of law enforcement powers. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodproofing means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway means the channel of a river or other watercourse and the adjacent land ares that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one-tenth of a foot.

Floor area, gross means the sum of all enclosed areas of floors of a building, measured from the outside faces of the exterior walls, or from the centerline of a wall separating two buildings, including halls, lobbies, arcades, stairways, elevator shafts and balconies, but not including interior parking spaces, open terraces, patios, atriums, entryways, loading space for motor vehicles, and any space where floor to ceiling height is less than six feet.

Floor area ratio (FAR) means a ratio of square footage of gross floor area divided by the square footage of land area. The square footage of land area for purposes of determining the FAR shall not include public road rights-of-way and shall not include submerged land.

Frontage, street means all the property on one side of a street between two streets which intersect such street (crossing or termination), measured along the line of the street, or if the street is dead-ended, then all of the property abutting on one side between a street which intersects such street and the dead end of the street.

Functionally dependent facility means a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

Garage, private means an accessory building or an enclosed area in the main building designed or used for the storage of motor-driven vehicles owned and used by the occupants of the building.

Garage, public means a building or portion thereof, other than a private garage, designed or used for equipping, servicing, repairing, hiring or selling or storing of motor-driven vehicles, but not including the storage of wrecked or junked vehicles.

Grade means a reference plane representing the average of finished ground level adjoining the building at all exterior walls. When the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or between the building and a point six feet (1,829 mm) from the building, whichever is closer to the building.

Grading or land balancing means the moving of earth or materials for the purpose of development or redevelopment or the temporary or permanent alteration of existing topography of the land.

Ground cover means plants, other than turf grass, normally reaching an average maximum height of not more than 24 inches in maturity.

Ground-level barrier means any natural or artificial structure rising above the ground which prevents beachfront lighting from shining directly onto the beach-dune system.

Habitable space means a space in a structure for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas are not considered habitable space.

Hedges means any installation or placement of plants, structural elements, feature art, ornaments or objects that together form a row, boundary or screen that extends more than three feet before a break (open space) of at least three feet horizontally and six feet vertically. Hedges can be installed in conjunction with or in lieu of fences, except those fences required by the Florida Building Code, and must meet the same height restrictions as fences and walls except in the rear yard where the natural plant material of the hedge may be allowed to grow to natural height.

Height, building means the vertical distance from grade to the highest finished roof surface in the case of flat roofs or to a point at the average height of the highest roof having a pitch. When a building is located within a special flood hazard area having a designated base flood elevation on the flood insurance rate map (FIRM), the height may be measured from the base flood elevation plus required freeboard to the highest point of the building.

Height, wireless communication antennas/towers means the distance measured from existing grade to the highest point on the tower structure, even if the highest point of the tower or structure is an antenna.

Historic structure means any structure that is:

(1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary of the Interior to qualify as a registered historic district;

(3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

(4) Individually listed on a local inventory of historic places in communities with historic preservation programs which have been certified either:

a. By an approved state program as determined by the Secretary of the Interior; or

b. Directly by the Secretary of the Interior in states without approved programs.

Home occupation means an occupation conducted as an accessory use in a dwelling unit in a manner which is clearly incidental and accessory to the residential use and requiring no changes to the outside of the structure or its outward appearance.

Hotel means a building containing five or more sleeping accommodations available to the public for compensation and in which meals may or may not be provided. All ancillary or accessory uses such as dining rooms, restaurants or cafes shall be operated within the same building or buildings and principal access to all facilities is through an inside lobby or office supervised by a person in charge at all hours. Hotel facilities are classified as a form of a tourist dwelling facility.

Household animals means animals which are customarily kept for personal use or enjoyment which are not exhibited to the public nor raised for commercial purposes. Household animals shall include domestic dogs, domestic cats, white mice and domestic rabbits, frogs, small birds, small reptiles and fish.

Hurricane evacuation zone means the hurricane evacuation zone established by the county emergency services agency. Evacuation Levels A, B, C, D, and E, as identified in the most recent hurricane evacuation study, require the evacuation of successively more zones inland from the coast during a storm event.

Impervious surface means a surface that has been compacted or covered with a layer of material so that it is highly resistant to or prevents infiltration by stormwater. It includes surfaces such as limerock, or clay, as well as most conventionally surfaced streets, structures, roofs, sidewalks, parking lots, and other similar surfaces.

Impervious surface ratio (ISR) means the relationship between the total impervious surface area on a site and the gross land area. The impervious surface ratio is calculated by dividing the square footage of the area of all impervious surfaces on the site by the square footage of the gross land area. The square footage of the gross land area for purposes of determining the ISR shall not include public road right-of-way and shall not include submerged land.

Improved land means the land that has been altered or improved from its natural state including but not limited to grading, paving, drainage, installation of structures, etc., that ultimately increased the value of, or altered the original integrity of such land.

Infiltration rate means the rate of water entry into the soil expressed as a depth of water per unit of time (inches per hour).

Institutional Uses means those facilities and services of a public, private, or quasi-public nature, including educational, medical, governmental, civic, and religious uses, such as schools, hospitals, courthouses, community centers, and churches.

Irrigation system means a permanent artificial watering system designed to transport and distribute water to plants.

Landscaping means and shall consist of any of the following combinations of grass or ground cover and shrubs, vines, hedges, trees or palms. Other materials such as rocks, pebbles, sand and decorative fence, but excluding concrete, asphalt paving or pebbles placed on an impervious surface, may be used to satisfy the landscaping requirements west of Gulf Boulevard.

Law enforcement officer means any person who is elected, appointed, or employed full-time by the state or any political subdivision thereof; who is vested with authority to bear arms and make arrests; and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, criminal, traffic, or highway laws of the state.

Lawn grass means all species normally grown as permanent lawns native to this area of the state. Grass may be sodded, plugged, sprigged or seeded.

Level of service means an indicator of the extent or degree of service provided by, or proposed to be provided by, a facility based on and related to the operational characteristics of a facility.

Licensee means any person whose application for any business enterprise has been granted and who owns, possesses, operates and controls the establishment.

Loading space means space located outside of any street right-of-way or easement and designed to accommodate the temporary parking of vehicles used for bulk pickups and deliveries.

Lot means land bounded by lines legally established for the purposes of property division. A lot shall have frontage on an improved public street or on an officially approved private street. For zoning purposes, a lot may consist of:

(1) A combination of complete lots of record.

(2) A combination of complete lots of record and portions of lots of record.

(3) Portions of lots of record, provided that such lots or combinations of lots are of sufficient size to meet the requirements of this chapter for the district in which the lots are located.

(4) Single lots of record.

(5) Parcels of land defined by metes and bounds description where such parcels are in conformity with the land development regulations.

Lot, corner means a lot located at the intersection of two or more streets.

Lot coverage means the percentage of the lot area covered or occupied by the base of the buildings, including attached or unattached accessory buildings.

Lot depth means the distance measured in the mean direction of the side lines of the lot from the midpoint of the front lot line to the midpoint of the opposite mean rear line of the lot.

Lot, interior means a lot other than a corner lot, and abutting one street. Alleys shall not be considered as streets.

Lot, through means a lot other than a corner lot and with frontage on more than one street.

Lot line means a line that marks the boundary of a lot.

(1) *Interior:* Any lot line that is not a street lot line; a lot line separating a lot from another lot.

(2) *Street:* Any lot line separating a lot from a street right-of-way or general access easement. Where a lot line is located within such street right-of-way or easement, the right-of-way or easement boundary adjacent to the lot line shall be construed to be considered the street lot line.

Lot of record means a lot which is part of a subdivision, or a parcel of land described by metes and bounds, the plat or description of which has been recorded by deed with the office of the county clerk of the circuit court. In addition, such plat or description shall provide for a lot which meets the minimum size dimensions for lots in the

district for which it is located at the time of recording, or was recorded prior to the effective date of the land development regulations.

Lot width means the width of the lot at the minimum front building setback line.

Low profile luminaire means a light fixture set on a base which raises the source of the light no higher than 48 inches off the ground, and designed in such a way that light is directed downward from the hooded light source.

Lowest floor means the lowest habitable floor of a building which must be located at or above the 100-year flood elevation (base flood level).

Mangrove means any or all of the following species of aquatic woody plants:

Red Mangrove — Rhizophora mangle.

Black Mangrove — Avicennia nitida or avicennia geminans.

White Mangrove — Laguncularia racemosa.

Buttonwood or button-mangrove — Conocarpus erecta.

Mangrove stand means an association of mangrove trees which are noted for development within the intertidal zone of marine shorelines and which contain one or more of the following species:

Red Mangrove - Rhizophora mangle.

Black Mangrove - Avicennia nitida.

White Mangrove - Laguncularia racemosa.

Buttonwood - Conocarpus erecta.

Manufactured home means a building, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

Marina means a facility for storing, berthing, securing and launching of private pleasure craft which may also include the sale of fuel and incidental supplies and minor repairs.

Mean high water means the high water mark established by the U.S. Coast and Geodetic Survey in its latest coastal survey of the city.

Mean sea level (MSL) means the average height of the sea for all stages of the tide. This is used as a reference for establishing various elevations within the floodplain. For purposes of the land development regulations, the term is synonymous with the National Geodetic Vertical Datum (NGVD).

Medical marijuana dispensary means a facility that is operated by an organization or business holding all necessary licenses and permits from which marijuana, cannabis, cannabis-based products, or cannabis plants are delivered, purchased, possessed, or dispensed for medical purposes and operated in accordance with all local, federal and state laws. Physicians authorized by state law to order low-THC cannabis, as defined in Florida Statutes, for patients' medical use are not included in the definition of medical marijuana dispensary.

Medical use means the prescriptive use of any form of cannabis to treat a qualifying medical condition and the symptoms associated with that condition or to alleviate the side effects of a qualifying medical treatment.

Mixed Use means a combination of uses on a single property.

Mobile home means a structure, transportable in one or more sections, which structure is eight feet or more in width and over 32 feet in length, and which structure is built on an integral chassis and designed to be used as a

dwelling unit when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein. This term shall include manufactured housing as defined by state law.

Mobile home park means a lot or parcel of land which contains mobile home sites and accessory open areas, recreation or community facilities for the residents.

Mobile home site means a space or plot of ground within a mobile home park, designated for the accommodation of not more than one mobile home.

Motel means a building in which lodging is available for rent to the public, which is open to transient guests, in which a majority of the rental units have direct entrances from the outside, and in which parking spaces are oriented to the rental units in such a manner as to facilitate direct access from units to the automobiles of the renters. Motels are classified as a form of a tourist dwelling facility.

National Geodetic Vertical Datum (NGVD) means a vertical control as corrected in 1929, used as a reference for establishing varying elevations within the floodplain.

Mulch means nonliving organic and synthetic materials customarily used in landscape design to retard erosion and retain moisture.

Native means trees and other vegetation that is indigenous to Central or North Florida.

New construction means any structure for which the "start of construction" commenced after January 1, 1975. The term also includes any subsequent improvements to such structure.

New manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by a community.

Nonconforming structure, lot, or use means lawful land use, lots, or structures existing at the time of the passage of the land development regulations which does not conform to the provisions, requirements and regulations of the land development regulations.

Non-medical marijuana sales mean the purchase, sale, transfer or delivery of marijuana, cannabis, cannabis-based products or cannabis plants when such sale, transfer or delivery is not associated with any medical purpose or use, whether or not such purchase, sale, transfer or delivery is lawful under federal or state law.

Nonresidential Use – Those uses as provided for under the respective categories, other than residential or residential equivalent use.

Occupiable room means a room or enclosed space designed for human occupancy in which individuals congregate for amusement, educational or similar purposes, or in which occupants are engaged at labor; and which is equipped with means of egress, light, and ventilation facilities meeting the requirements of this Code.

Office Use means an occupation or service providing primarily an administrative, professional or clerical service and not involving the sale of merchandise; examples of which include medical, legal, real estate, design, and financial services, and like uses. No “Office Use” shall include any Personal Service/Office Support Use, Retail Commercial Use, or Commercial/Business Service Use.

Off-street vehicular use area means any area located outside of road right-of-way or easement and designed for parking, service, loading, circulation, storage or display of any type of vehicle, excluding parking garages.

Open space means the land and/or water areas between and around buildings and structures, including required recreation areas, stormwater detention areas, preservation areas, landscape islands and areas with permeable blocks. Retention areas are considered open space if they serve as a water feature and are used as a design element within the overall site. This shall not include parking areas.

Open storage means the storage outside of a building of material supplies, merchandise equipment, commercial vehicles and like items, but excluding junk.

Outdoor lighting/outdoor lighting fixtures means any light emitting device which causes any illumination beyond the exterior walls of any structure or building.

Personal Service/Office Support Use means an occupation or service attending primarily to one's personal care or apparel; examples of which include hair and beauty care, clothing repair or alteration, dry cleaning/laundry service (collection and distribution only), and like personal service uses; animal grooming; and office equipment or supplies, and like office support uses. Any assembly, sale of merchandise or conveyance of a product in support of a personal service or office support use shall be clearly secondary and incidental to the primary use characteristics of the Personal Service/Office Support Use.

Pervious open space means the area on a lot or parcel not covered by a building or impervious surface.

Pervious paving materials means a porous asphaltic or concrete surface and a high-void aggregate base which allows for rapid infiltration and temporary storage of rain on, or runoff delivered to, paved surfaces.

Physical culture establishment means any business establishment which offers or advertises, massage, body rubs or physical contact with specified anatomical areas, whether or not licensed. Business establishments which routinely provide medical services by state licensed practitioners, and electrolysis treatment by licensed operators of electrolysis equipment shall be excluded from the definition of adult physical culture establishments.

Planning commission means the city planning commission, the legally constituted membership of the planning commission of the city as defined in chapter 2, article II, division 2 of this Code.

Pole lighting means a lighting fixture set on a base or pole which raises the source of the light higher than 48 inches off the ground.

Portable storage units (PSU) are containers, which are intended to be used for the offsite storage of personal property, and are on the property solely for loading and unloading. Portable containers designated for depositing personal goods to be donated to a nonprofit charitable organization are not included in the definition of a PSU.

Private performance means the display or exposure of any specified anatomical area by an employee of an adult entertainment establishment to a person other than another employee while the person is in an area not accessible during such display to all other persons in the establishment, or while the person is in an area in which the person is totally or partially screened or partitioned during such display from the view of all persons outside the area.

Private pleasure craft means a vessel privately owned or leased primarily for aquatic recreational purposes which includes a transport trailer. Private pleasure craft shall not include commercial, official or scientific vessels.

Protective barrier means a physical structure not less than three feet in height, including access to a protected area, composed of wood or other suitable materials.

Public Educational Facility means elementary schools, special education facilities, alternative education facilities, middle schools, high schools, and area vocational-technical schools of the Pinellas County School District.

Rain sensor equipment means a low voltage electrical component placed in the circuitry of an automatic lawn irrigation system which is designed to turn off a sprinkler controller when it rains enough to meet the needs of the landscape.

Recreation/Open Space Uses means uses providing recreation facilities, sporting facilities, and open space, such as a park, public recreation facility, public beach/water access, and public or private golf course/clubhouse.

Recreational vehicles means a vehicular-type portable structure without a permanent foundation, which can be towed, hauled or driven, and which is primarily designed as temporary living accommodations for recreation,

camping and travel use, including but not limited to, travel trailers, motor homes, camping trailers, boat trailers, truck campers, recreational vans and self-propelled motor homes.

Remove or *removal* mean the actual removal or causing the effective removal through damaging, poisoning or other direct or indirect actions resulting in death to the tree.

Residential designed manufactured homes means manufactured homes as defined by state law which meet residential design standards contained in this Code.

Residential Equivalent Use means a residential-like accommodation other than a dwelling unit, including bed and breakfast, group home, congregate care, nursing home and comparable assisted living facilities. No such use shall be required or eligible to employ the residential equivalent standards for density/intensity for any household that qualifies as a dwelling unit. This use shall not include any type of use authorized by Chapter 419, Florida Statutes, Community Residential Homes, which is entitled to be treated as a dwelling unit.

Residential Use means a dwelling unit including, single-family, multifamily, and mobile home dwelling unit. This use shall include any type of use authorized by Chapter 419, Florida Statutes, Community Residential Homes, which is entitled to be treated as a residential dwelling unit.

Restaurant means a building or lot where meals are prepared and sold on the premises from within a completely enclosed building and where at least 20 seats are provided for customers inside the building or a building or lot where meals are prepared and sold on the premises from within a completely enclosed building and which has an unenclosed area or patio provided for the consumption of food on the premises which unenclosed area or patio seating is supplemental to the interior seating provided in this definition.

Retail Commercial Use means an occupation or service providing primarily for the sale of consumer goods, products, merchandise or services from within an enclosed building; examples of which include grocery, pharmacy, apparel, jewelry, electronics, sporting goods, specialty shops, building supplies, convenience goods, restaurant, indoor recreation/entertainment uses (such as billiard halls, bowling alleys, movie theaters, and video game parlors) and like uses. Any exterior storage or facilities in connection with such use shall be clearly secondary and incidental to the primary use characteristics of the Retail Commercial Use.

Sand dunes means accumulations of sand in ridges or mounds landward of the beach.

Satellite dish antenna means a device used to receive satellite broadcast signals, usually a parabolic dish-shaped antenna, one meter or less in diameter. This definition is meant to include but not limited to, what are commonly referred to as a satellite earth station, TAROs (television reception only), and satellite microwave antennas.

School means a premise or site upon which there is a nursery school, kindergarten, elementary school, junior high school, middle school, senior high school, or exceptional learning center. However, the term "school" does not include a premise or site upon which there is an institution devoted solely to vocational or professional education or training or an institution of higher education, including, but not limited to, a community college, junior college, four-year college or university.

Seawall means any artificial shoreline protection device approved by applicable regulatory agencies.

Sediment means mineral or organic matter deposited by water, air, or ice.

Sedimentation facility means any structure or area which is designed to hold runoff water until suspended sediments have settled.

Service station means an establishment where gasoline or diesel fuel is supplied and dispensed at retail and where, in addition, the following services only may be rendered and sales made:

(1) Minor motor vehicle repair.

(2) Sales of beverages, packaged food, tobacco products and similar convenience goods for customers, as accessory and incidental to principal uses.

(3) Provision of road maps and other travel information.

(4) Provision of restroom facilities.

(5) Warranty maintenance and safety inspections.

(6) Car washing facility, as accessory and incidental to the permitted use.

Uses permissible at a service station do not include major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles not in operating condition, or other work involving noise, glare, fumes, smoke or other characteristics to an extent greater than normally found in service stations.

Setback means the minimum required distance from the property lines to the outermost vertical component of a building wall (including stairs, balconies, elevators, shafts, etc., but not including eaves). On waterfront lots the outside edge of the seawall cap is considered to be the rear property line. However, when there is no seawall cap, the coastal construction setback line as determined by the Florida Department of Environmental Regulation and the Corps of Engineers shall be considered the rear property line.

Shrubs means a low, woody plant with several stems; a bush.

Sign means any device, fixture, placard or structure that uses any color, form, graphics, illumination, architectural style or design or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

SIGN TYPES

Abandoned sign. Any sign or sign structure which bears no sign or copy or displays information which incorrectly identifies the principal activity conducted on the site for a period of three consecutive months.

Advertiser. Any person who is the lessee or owner of the sign, an agent of such person or anyone who has beneficial use of the sign.

Advertising. Any form of public announcement intended to aid, directly or indirectly, in the sale, use, or promotion of a product, commodity, service, activity, or entertainment.

A-Frame (sandwich board). Any unsecured sign, double or single faced, which is portable and may be readily moved from place to place.

Alter. This term shall include but not be limited to the addition of a sign surface area, the changing or relocation of site source, or the relocation of an outdoor advertising display from one position to another. Alter includes any and all structural changes in the sign, excluding changeable copy.

Animated sign. Any sign which includes action, motion, the optical illusion of action or motion or color changes of all or any part of the sign facing, requiring electrical energy or set in motion by movement of the atmosphere or a sign made up of a series of sections that turn and stop to show two or more pictures or messages in the copy area. A sign having externally moving parts or messages or operating so as to give the viewer the illusion of moving parts or messages. This does not include signs whose informational content can be changed or altered on a fixed display. Animated signs shall not include electronic reader boards.

Art work. Drawings, pictures, symbols, paintings or sculpture which in no way identify a product or business and which are not displayed in conjunction with a commercial, for profit or a nonprofit enterprise.

Banner. Any fabric, plastic, foil or similar material that is mounted to a pole or building at one or more edges.

Beach/bay signs. Signs that are intended for viewing from the Gulf Beach, Gulf water or Boca Ciega Bay.

Beacon. A stationary or revolving light which flashes or projects, single color or multi-colored illumination.

Signs on a bench sign/bus shelter. A bench or bus shelter upon which a sign is drawn, painted, printed, or otherwise affixed.

Billboards. Any off-site sign composed of a continuous, and uninterrupted surface (including cut-outs) which measures 72 square feet or more in aggregate area.

Building marker. Any sign, tablet or plaque of commemorative or historical nature indicating the name of building and date or incidental information about its construction, where such sign is cut into a masonry surface or made of bronze or other permanent material.

Building sign. Any sign attached to any part of a building as contrasted to a freestanding sign.

Bulletin board. Sign of permanent character, but with removable letters, words, numerals or symbols.

Business establishment. Any individual person, nonprofit organization, partnership, corporation, other organization or legal entity holding a valid local business tax receipt and occupying distinct and separate physical space.

Canopy sign. Any sign that is part of an awning, canopy or other fabric, plastic or structural protective cover over a door entrance, window or outdoor service area. A marquee is not a canopy.

Changeable copy sign. A sign or portion thereof with characters, letters or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign in which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered not a changeable copy sign for purposes of the land development regulations.

Construction sign. Any sign erected and located upon a site where building construction or remodeling is in progress.

Directional sign. Any sign which exclusively contains information providing direction or location of any object, place, or area including but not limited to, those signs indicating avenues of ingress/egress.

Double-faced sign. A sign which has two display surfaces backed against the same background, one face of which is designed to be seen from one direction and the other from the opposite direction, every point on each face or in contact with the same background.

Electronic reader board. A type of sign whose alphabetic, pictographic, or symbolic informational content can be changed or altered on a fixed display screen composed of electrically illuminated segments.

Erect. To build, construct, attach, hang, place, suspend or affix, and shall also include the painting of signs.

Flag. Any fabric, banner or bunting containing distinct colors, patterns or designs.

Freestanding sign. Any sign supported by structures or supports that are placed on or anchored in the ground and that are not attached to any building or area.

Government or public purpose sign. A sign serving a public or civic purpose which is installed by, or under direction of, a governmental entity. The term does not include signs containing advertising except to the extent allowed by the land development regulations.

Ground level. The finish grade of a parcel of land exclusive of any filling, berming, mounding or excavating solely for the purpose of locating a sign. Ground level on marina docks or floating structures shall be the finish grade of the landward portion of the adjoining parcel.

Ground sign. An outdoor sign supported by uprights or braces in or upon the ground. The bottom coping shall be not more than three feet above ground or street level which space may be filled with platform decorative trim or light construction.

Identification signs. Any sign which indicates no more than the name, address, company logo and occupation or function of an establishment or premise.

Illuminated sign. Any sign which has characters, letters, figures, designs or outlines illuminated by electric lights or luminous tubes, internally or externally, as part of the sign proper or may be illuminated from an exterior source designed or utilized primarily for such illumination.

Integral roof sign. Any sign erected or constructed as a part of a normal roof structure of any design, such that no part of the sign extends above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches.

Maintenance. The replacing, repairing or repainting of a portion of a sign structure, periodically changing changeable copy or renewing copy which has been made unusable by ordinary wear or weather or accident.

Mansard. A roof with two slopes on each of four sides. The mansard sign shall be attached as outlined in wall signs.

Marquee sign. Any sign attached to, or made a part of a marquee.

Nonconforming sign. Any sign that does not conform to the requirements of the land development regulations.

Off-site sign. Any sign that advertises goods, services, person, activity or condition not obtainable on the premises where the signs are located.

On-premises sign. Any sign which identifies a use, person, business or advertises a product for sale or service to be rendered on the zone lot where the sign is located.

Pennant. Any plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire or string usually in a series.

Pole sign. An outdoor sign supported by poles or uprights. The bottom coping shall be not less than eight feet above ground or street level.

Porch. An exterior appendage to a building forming a covered approach to a doorway.

Portable sign means any sign not permanently attached to the ground or other permanent structure, designed to be transported including, but not limited to, signs designed to be transported by means of wheels, balloons used as signs, umbrellas used for advertising, and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless such vehicle is used in the normal day-to-day operations of the business.

Projecting signs. Any sign affixed to a building or wall in such a manner that its leading edge stands more than six inches beyond the surface of the building or wall.

Revolving sign. Signs with visible moving, revolving, or rotating parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic, or mechanical means, except for traditional barber poles.

Sign face. The part of the sign that is or can be used to identify, display, advertise, communicate information, or for visual representation which attracts or intends to attract the attention of the public for any purpose.

Sign height. The vertical distance measured from ground level at the base of the sign to the highest point of the sign.

Sign structure. Any structure which is designed specifically for the purpose of supporting the sign, has supported or is capable of supporting a sign. This definition shall include decorative covers, braces, wires, supports or components attached to or placed around the sign structure.

Snipe sign. Any sign which is attached in any way to a utility pole, tree, fence post or other similar object, located on public or private property. Any sign designed to provide warning to the public shall not be construed to be a snipe sign.

Twirling sign. Signs, commonly referred to as wind signs, consisting of one or more banners, flags, pennants, ribbons, spinners, streamers or captive balloons, or other objects or material fastened in such a manner as to move upon being subjected to pressure by wind.

Vehicle sign. A sign attached to or placed on a vehicle, including automobiles, trucks, boats, campers, and trailers that are parked on or otherwise utilizing a public right-of-way, public property or on private property so as to be intended to be viewed from a vehicular right-of-way for the basic purposes of providing advertisement of products or services or directing people to a business or activity. This definition is not to be construed to include those signs that identify a firm or its principal products on a vehicle or such advertising devices as may be attached to and within the normal unaltered lines of the vehicle of a licensed transit carrier, when and during that period of time such vehicle is regularly and customarily used to traverse the public highways during the normal course of business.

Wall sign. A sign which is painted on, fastened to, or erected against the wall of a building with its face in a parallel plane to the plane of the building facade or wall.

Warning sign. Signs located on a property posting such property for warning or prohibitions on parking, trespassing, hunting, fishing, swimming, or other activity, provided such signs do not carry any commercial message or identification.

Window sign. A sign located on a window or within a building or other enclosed structure, which is visible from the exterior through a window or other opening.

Site specific plant means a selection of plant material that is particularly well suited to withstand the physical growing conditions that are normal for that location.

Soil texture means the classification of soil based on the percentage of sand, silt, and clay in the soil.

Special Area Plan means a plan adopted by a local government under the provisions of Section 4.2.7.6 of the Rules Concerning the Administration of the Countywide Future Land Use Plan, as amended through July 21, 2014, which establishes and governs the density, intensity, use, and other standards for a defined area within the local government's jurisdiction.

Special adult cabarets means any bar, dance hall, restaurant or other place of business which features dancers, go-go dancers, exotic dancers, strippers, male or female impersonators, or similar entertainers, or waiters or waitresses that engage in "specified sexual activities" or display "specified anatomical area", or any such business establishment, the advertising for, or a sign or signs identifying which, use the words, "adult," "topless," "nude," "bottomless," or other words of similar import.

Special exception use means a use which may be allowed within a zoning district subject to the provisions of the land development regulations and in accordance with the procedures as set forth in the land development regulations.

Special flood hazard area means all land located within the floodplain of a community subject to a one percent or greater chance of flooding in any given year.

Specified anatomical areas means:

(1) Less than completely and opaquely covered:

a. Human genitals or pubic region;

b. Cleavage nates of the human buttocks;

c. That portion of the human female breast below the point immediately above the top of the areola; this definition shall include the entire lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breast exhibited by a dress, blouse, shirt, leotard, bathing suit or other wearing apparel, provided the areola is not so exposed.

(2) Human male genitals in a discernible turgid state, even if completely and opaquely covered.

Specified criminal act means:

(1) An offense under Florida Statutes ch. 794, (sexual battery);

(2) An offense under Florida Statutes ch. 796, (prostitution);

(3) An offense under Florida Statutes ch. 800, (lewdness; indecent exposure);

(4) An offense under Florida Statutes ch.826, (bigamy; incest); or

(5) An offense under Florida Statutes ch. 847, (obscene literature; profanity); or

(6) An offense under an analogous statute of a state other than this state, or under an analogous ordinance of another county or municipality.

Specified sexual activities means:

(1) Human genitals in a state of sexual stimulation or arousal or tumescence;

(2) Acts of anilingus, bestiality, buggery, cunnilingus, coprophagy, coprophilia, fellation, flagellation, masochism, masturbation, necrophilia, pederasty, pedophilia, sadism, sadomasochism, sapphism, sexual intercourse, sodomy, urolagnia or zooerasty; and any other acts of human masturbation, sexual intercourse or sodomy, whether actual or simulated;

(3) Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast; or

(4) Excretory functions as part of or in connection with any of the activities set forth in subsections (1) through (3) of this definition.

Start of construction, for new construction or substantial improvement it means the date the building permit was issued, provided the actual commencement of construction, repair, reconstruction or improvement is within 180 days of the permit date. An extension, upon an approved written application, may be granted for 90 days.

Stormwater retention means that portion of surface water drainage system used for the storage or treatment of stormwater runoff and design reviewed and constructed in accordance with the land development regulations.

Story means the portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. A complete horizontal section of building having one continuous or practically continuous floor. This term does not include the floor of a garage used solely for the parking of vehicles and entry to habitable living space.

Straddle dance (also known as lap dance, or face dance) means the use by an employee, whether clothed or not, of any part of his/her body to massage, rub, stroke, knead, caress or fondle the genital or pubic area of a patron, while on the premises, or the placing of the genital or pubic area of an employee in contact with the face of a patron, while on the premises.

Street means all property accepted or intended by the city for public street purposes or officially approved for private street purposes.

Storage/Warehouse/Distribution - Light means a use devoted primarily to the storage or distribution of goods, materials or equipment. Such use shall be located within an enclosed building and any exterior storage or

distribution area shall be incidental to and not exceed twenty (20) percent of the area of the building to which it is accessory.

Structural alterations means any change, except the repair or replacement in supporting members of a building, such as bearing walls, columns, beams or girders, or the rearrangement of any interior partitions.

Structure means anything constructed or erected, the use of which requires permanent location on the land or attachment to something having permanent location on the land. Structures include buildings, walls, screened enclosures, fences, advertising signs, billboards, swimming pools and exterior mechanical equipment such as air-conditioning compressors.

(1) *Major structure:* Houses, mobile homes, apartment buildings, condominiums, motels, hotels, restaurants, towers, other types of residential, commercial, or public buildings, and other construction.

(2) *Minor structure:* Pile-supported, elevated dune and beach walkover structures; beach access ramps and walkways; stairways; pile-supported, elevated viewing platforms, gazebos, and boardwalks; lifeguard support stands; public and private bathhouses; sidewalks, driveways, parking areas, shuffleboard courts, tennis courts, handball courts, racquetball courts, and other uncovered paved areas; earth retaining walls; and sand fences, privacy fences, ornamental walls, ornamental garden structures, aviaries, and other ornamental construction. It shall be a characteristic of minor structures that they are considered to be expendable under design wind, wave, and storm forces.

(3) *Nonhabitable major structure:* Swimming pools; parking garages; pipelines; piers; canals, lakes, ditches, drainage structures, and other water retention structures; water and sewage treatment plants; electrical power plants, and all related structures or facilities, transmission lines, distribution lines, transformer pads, vaults, and substations; roads, bridges, streets and highways; and underground storage tanks.

(4) *Coastal or shore protection structure:* Shore-hardening structures, such as seawalls, bulkheads, revetments, rubble mound structures, groins, breakwaters, and aggregates of materials other that beach sand used for shoreline protection; beach and dune restoration; and other structures which are intended to prevent erosion or protect other structures from wave and hydrodynamic forces.

Submerged land means the land area situated below the mean high water line of a standing body of water, including ocean, gulf, bay, estuary, lake, pond, river or stream. For the purpose of this definition drainage retention/detention areas to be created as a function of development and wetlands shall not be considered submerged land.

Substantial damage means the damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement means any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the fair market value of the structure, before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either any project for improvement of the structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official, and which are the minimum necessary to assure living conditions, or any alterations of an historic structure, provided that the alteration will not preclude the structure's continued designation as an historic structure.

Substantially improved existing manufactured home parks or subdivisions means where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

Subsurface drainage means any approved method used as a vehicle to convey groundwater.

Swale means a low place in a tract of land.

Temporary lodging unit means an individual room, rooms or suite within a temporary lodging use designed to be occupied as a single unit for temporary occupancy.

Temporary lodging use means a facility containing one or more temporary lodging units, the occupancy of which occurs, or is offered or advertised as being available, for a term of less than one month, more than three times in any consecutive 12-month period. In determining whether a property is used as a temporary lodging use, such determination shall be made without regard to the form of ownership of the property or unit, or whether the occupant has a direct or indirect ownership interest in the property or unit; and without regard to whether the right of occupancy arises from a rental agreement, other agreement, or the payment of consideration. This term includes tourist condo-hotel and motel/hotel as elsewhere defined in this Code.

Transportation/Utility Uses means uses including transportation facilities and utilities infrastructure, such as an airport, seaport, marina, electric power generation plant, electric power substation, and telephone switching station.

Trees means self-supporting, woody plants, which normally grow to a minimum height of 15 feet, have trunks which can be maintained with over five feet of clear wood and have an average mature crown spread of at least 15 feet.

Turf means continuous plant coverage consisting of grass species suited to growth in the county.

Turtle nesting season means the period from May 1 through October 31 of each year.

Unimproved land means the land that has not been altered or improved from its natural state.

Unity of title refers to a document recorded in the office of the clerk of the circuit court of Pinellas County stipulating that a lot, lots, or parcel of land shall be held under single ownership, shall not be eligible for further subdivision and shall not be transferred, conveyed, sold or divided in any unit other than in its entirety.

Use means the specific activity or function for which land, a building or a structure is designated, arranged, occupied or maintained.

(1) Accessory use on the same lot or in the same structure with, and of a nature and extent customarily incidental and subordinate to the principal use of the lot of structure.

(2) The primary use and chief purpose of a lot or structure.

User means any independent entity which is marketing a service to retail customers in the city. For the purposes of determining the number of users co-locating, no two users shall have any common ownership ties.

Vacation Rental Use means a residential dwelling unit used as a temporary lodging use, as defined by Section 509.242(1)(c), Florida Statutes, subject to regulation by the local government with Jurisdiction.

Variance means a modification of some particular requirement of the zoning ordinance which may be granted by the special magistrate in order to alleviate a unique and unnecessary hardship which may result from literal enforcement of the provisions of the land development regulations with respect to the parcel involved.

Vegetation, native means any plant species with a geographic distribution indigenous to all or part, of the state.

Water or community waters means any and all water on or beneath the surface of the ground or in the atmosphere. It includes the water in any watercourse, waterbody or drainage system. It also includes diffused surface water and water percolating, standing or flowing beneath the surface of the ground, as well as coastal waters.

Water surface elevation means the projected heights in relation to mean sea level reached by floods of various magnitudes and frequencies in the floodplains of coastal or riverline areas. These may be expressed by curvilinear lines on FHBMs or FIRMs and reflected as a border delineating the special flood hazard areas.

Waterbody means any natural or artificial pond, lake, reservoir or other area which ordinarily or intermittently contains water and which has a discernible shoreline.

Watercourse means any natural or artificial stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, street, roadway, swale or wash in which water flows in a definite channel, bed or banks.

Watershed area means an area allowing or generating storm or irrigation water runoff.

Wetland means land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Wireless communication antenna means any exterior apparatus designed for telephonic, radio or television communications through the sending or receiving of electromagnetic waves.

Wireless communication antenna array means a configuration of antennas necessary for broadcast and reception of radio frequency from a particular site.

Wireless communication tower means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes, but is not limited to radio and television transmission towers, microwave towers, common carrier towers, and cellular telephone towers.

Working Waterfront means a property that provides access for water-dependent commercial activities, or provides public access to the water. Working waterfronts require direct access to or a location on, over, or adjacent to a body of water. The term includes water-dependent facilities that are open to the public and offer public access by vessels to a body of water or that are support facilities for recreational, commercial, research, or governmental vessels. These facilities include docks, wharfs, lifts, wet and dry marinas, boat ramps, boat hauling and repair facilities, commercial fishing facilities, boat construction facilities, and other support structures over water.

Xeriscape means a landscaping method that maximizes the conservation of water by the use of site-appropriate plants and an efficient watering system. The principles of xeriscape include planning and design, appropriate choice of plants, soil analysis which may include the use of solid waste compost, practical use of turf, efficient irrigation, appropriate use of mulches, and proper maintenance.

Yard means an open space on the same lot with a building, unoccupied and unobstructed from the ground upward, except by trees or shrubbery or as otherwise provided in the land development regulations.

Yard, front means an open unoccupied space across the full width of the lot, extending from the front building line, including open porches, to the front line of the lot.

Yard, side means an open unoccupied space on the same lot with a building, between the building line and the side line of the lot extending through from the front building line to the rear yard, or to the rear line of the lot where no rear yard is required.

Yard, rear means an open unoccupied space extending across the full width of the lot and measured between the rear line of the lot and the rear building line of the main building.

Yard, waterfront means an open unoccupied space on waterfront property with depth measured perpendicular to the property line or waterside lot line for nonseawalled lots. Waterfront property is hereby defined as property abutting open water, bays, bayous and manmade canals.

ARTICLE V. DISTRICTS

DIVISION 4. R-3, MEDIUM DENSITY MULTIFAMILY RESIDENTIAL

Sec. 110-226. Definition; purpose and intent.

The R-3, medium density multifamily residential district provides for medium density development for ~~both permanent and tourist~~ residential, vacation rental, and temporary lodging facilities at locations where public facilities are adequate to support such intensity. The R-3, medium density multifamily residential district correlates with the resort facilities medium (RFM) future land use category of the City of Madeira Beach Comprehensive Plan, and Resort (R) plan category in the Countywide Plan.

(Code 1983, § 20-404; Ord. No. 1138, § 4, 12-9-08; Ord. No. 2022-14 , § 1, 5-11-22)

Cross reference(s)—Definitions generally, § 1-2.

Sec. 110-227. Permitted uses.

The permitted uses in the R-3, medium density multifamily residential district are as follows:

(1) Single-family.

(2) Duplex.

(3) Triplex.

(4) Multifamily.

(5) Vacation Rental.

~~(5)~~(6) ~~Tourist dwelling units.~~ Temporary Lodging.

~~(6)~~ (7)Restaurants, excluding drive-in restaurants (provided that the provisions of subsections Section 110-236(f) are met).

~~(7)~~ (8)Publicly owned or operated parks and recreation areas.

(Code 1983, § 20-404)

Sec. 110-228. Accessory uses.

The accessory uses in the R-3, medium density multifamily residential district are as follows:

(1) Home occupation.

(2) Private garages and carports.

(3) Swimming pools or cabanas used as bath houses.

(4) Residential docks.

(5) Essential services.

(6) Wireless communication antennas as regulated by article VI, division 12, subdivisions I, II and IV of this chapter.

(7) Retail commercial and personal service uses only ancillary to a permitted use.

(Code 1983, § 20-404)

Sec. 110-229. Special exception uses.

Upon application for a special exception to the special magistrate and favorable action thereon, the following uses may be permitted in the R-3, medium density multifamily residential district:

(1) Retail commercial and personal service uses as a stand-alone use (provided that the provisions of subsections Section 110-236(f) are met) ~~only ancillary to a permitted use~~.

(2) Public service facilities.

(3) Commercial recreation ~~and entertainment facilities~~.

(Code 1983, § 20-404; Ord. No. 2017-03 , § 4, 3-7-17)

Sec. 110-230. Minimum building site area requirements.

The minimum building site area requirements in the R-3, medium density multifamily residential district are as follows:

(1) Lot size:

a. Single-family: 4,000 square feet.

b. Duplex, triplex: 3,000 square feet per dwelling unit.

c. Multifamily: 2,420 square feet per dwelling unit.

d. Restaurants and retail commercial: 5,000 square feet.

e. Public service facilities: Shall not exceed a maximum area of three acres. Like uses or contiguous like uses in excess of this threshold shall require the parcel to be amended to the P-SP zoning district and the appropriate land use category.

(2) Lot width:

a. Single-family, duplex, triplex: 40 feet.

b. Multifamily and ~~hotel~~ temporary lodging: 60 feet.

c. Restaurants: 60 feet.

(3) Lot depth: All permitted uses 80 feet.

(4) The density is a maximum of 18 residential or vacation rental dwelling units or 50 temporary lodging units per acre. Alternative Temporary Lodging Use Standards are allowed as detailed in subsection 110-236(e).

(Code 1983, § 20-404; Ord. No. 1043, § 1, 6-14-05; Ord. No. 1138, § 4, 12-9-08; Ord. No. 2022-14 , § 2, 5-11-22)

Sec. 110-231. Setback requirements.

The following minimum setbacks shall apply in the R-3, medium density multifamily residential district:

(1) Front yard:

a. Single-family, duplex and triplex: 20 feet, measured from right-of-way to structure.

b. Multifamily, ~~hotel~~ temporary lodging, and retail commercial ~~restaurants~~: 25 feet.

(2) Rear yard: 25 feet, unless otherwise provided in the land development regulations, and then the more restrictive requirement shall apply.

(3) Waterfront yard: For lots with a waterfront yard on the Gulf of Mexico, the setback shall be landward of to the county coastal construction control line.

(4) Side yard setbacks:

a. Single-family, duplex and triplex dwellings:

1. For lots less than 50 feet in width, the minimum side yard setback shall be five feet.

2. For lots 50 feet or greater in width, the minimum total side yard setback shall be 15 feet with a minimum of seven feet on either side.

b. Multifamily, ~~hotels~~ temporary lodging, and retail commercial ~~restaurants~~: The minimum side yard setback shall be ten feet provided that the provisions of section 110-236 are met.

(Code 1983, § 20-404; Ord. No. 2022-14 , § 3, 5-11-22)

Sec. 110-232. Maximum building height.

No building in the R-3, medium density multifamily residential district shall exceed 44 feet in height.

(Code 1983, § 20-404; Ord. No. 2021-23 , § 1, 11-10-21; Ord. No. 2022-14 , § 4, 5-11-22)

Sec. 110-233. Maximum lot coverage.

The maximum lot coverage in the R-3, medium density multifamily residential district is as follows:

~~(1) Residential use: Floor area ratio (FAR) 1.0. The maximum area of a lot or parcel to be covered by structures shall be 40 percent.~~

~~(2) Multifamily, hotel, and related uses: The density shall be a maximum of 18 residential dwelling units or temporary lodging units as shown in the table below. A combination of both residential and tourist dwelling units may be permissible provided that the provisions of subsection 110-236(b) are met.~~

~~Land Area of the Development Site~~	~~Units/Acre~~	~~FAR~~	~~ISR~~
~~Less than one acre~~	~~45~~	~~1.0~~	~~0.85~~
~~One to three acres~~	~~60~~	~~1.5~~	~~0.85~~
~~Greater than three acres~~	~~75~~	~~2.0~~	~~0.85~~

~~(3)~~ (1)Other c ~~C~~ommercial uses~~/nonresidential~~: Floor area ratio (FAR) 0.55.

~~(4)~~(2) Public service facilities: Floor area ratio (FAR) 0.65.

~~(5)~~(3) Public owned parks and recreation facilities: Floor area ratio (FAR) 0.25.

(Code 1983, § 20-404; Ord. No. 1138, § 4, 12-9-08; Ord. No. 2022-14 , § 5, 5-11-22)

Sec. 110-234. Impervious surface ratio (ISR).

The impervious surface ratio (ISR) in the R-3, medium density multifamily residential district for all uses is 0.85.

(Code 1983, § 20-404; Ord. No. 2022-14 , § 6, 5-11-22)

Sec. 110-235. Buffering requirements.

Buffering requirements in the R-3, medium density multifamily residential district are as follows:

(1) Parking lots/garages for ~~tourist dwellings~~ temporary lodging and nonresidential uses shall be designed to minimize their impacts to any adjacent residential uses as established in the land development regulations.

(2) During the development process, existing curb cuts shall be reoriented, if necessary, to minimize the negative impact on adjacent properties.

(3) All development within this category will meet or exceed the buffering/landscape requirements as outlined in chapter 106, article II.

(Code 1983, § 20-404)

Sec. 110-236. Special requirements.

(a) No structure in the R-3, medium density multifamily residential district shall be constructed that is greater than 250 feet in width. If two structures are proposed on the same lot or parcel, the buildings shall be separated by a minimum of ten feet.

(b) Mixed uses in a single development shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the gross land area of the property.

(c) Institutional, other than public educational facilities shall not exceed a maximum area of five acres. Transportation and/or utility uses shall not exceed a maximum area of three acres.

(d) When a proposed multifamily, temporary lodging or ~~non-residential~~ nonresidential use in the R-3, medium density multifamily residential district abuts a single-family, duplex, or triplex, an additional five-foot setback is required along the length of the entire shared lot line. This additional setback will be utilized to provide additional landscaped screening.

(e) In the RFM future land use category, Alternative Temporary Lodging Use Standards allows 60 temporary lodging units per acre and a FAR of 2.0. A Development Agreement is required by the City's land development regulations and Forward Pinellas' Countywide Rules to use the Alternative Temporary Lodging Use Standard. The Development Agreement must follow all required standards in Forward Pinellas Countywide Rules to use the Alternative Temporary Lodging Use Standards.

(f) Stand-alone restaurant or retail commercial use must have frontage on Gulf Boulevard.

(Code 1983, § 20-404; Ord. No. 1138, § 4, 12-9-08; Ord. No. 2022-14 , § 7, 5-11-22)

Secs. 110-237—110-255. Reserved.

DIVISION 5. C-1, TOURIST COMMERCIAL

Sec. 110-256. Definition; purpose and intent.

The C-1, tourist commercial district provides for various tourist and commercial facilities of medium intensity which conveniently supply the needs of the neighborhood as well as the city. The C-1, tourist commercial district correlates with the commercial general (CG) future land use category of the City of Madeira Beach Comprehensive Plan and Retail and Services (R&S) plan category in the Countywide Plan. Services are rendered and commodities are sold which are needed daily and purchased at frequent intervals. The purpose of this district is to recognize the unique commercial, marine, tourist and historic value of this area. It is the intent of the comprehensive land use plan to retain the nautical theme and important character of the waterfront area and of John's Pass Village.

(Code 1983, § 20-404; Ord. No. 1138, § 5, 12-9-08; Ord. No. 2022-08 , § 1, 7-13-22)

Cross reference(s)—Definitions generally, § 1-2.

Sec. 110-257. Permitted uses.

The permitted uses in the C-1, tourist commercial district are as follows:

(1) ~~Dwelling units~~ Residential and vacation rental located ~~on the second floor~~ above first floor ~~commercial or office units~~ nonresidential use ~~within this district~~.

(2) ~~Business offices and financial uses~~ Personal service, office, and office support, ~~not including~~ excluding drive-through windows.

(3) ~~Retail and personal services.~~ Retail commercial, business service, and commercial, excluding drive-through windows,

(4) Restaurants, excluding drive-through windows.

(5) ~~Tourist dwelling units.~~ Temporary lodging.

(Code 1983, § 20-404; Ord. No. 2022-08 , § 2, 7-13-22)

Sec. 110-258. Accessory uses.

The accessory uses in the C-1, tourist commercial district are as follows:

(1) Swimming pools or cabanas used as bath houses.

(2) Essential services.

(3) Nonresidential signs.

(4) Off-street parking and loading.

(Code 1983, § 20-404)

Sec. 110-259. Special exception uses.

Upon application for a special exception to the special magistrate and favorable action thereon, the following uses may be permitted in the C-1, tourist commercial district:

(1) Institutional as a religious use such as c~~C~~hurches, synagogues or other houses of worship.

(2) Private social, recreational or fraternal clubs and organizations.

(3) Publicly owned or operated parks or recreation areas.

(4) ~~Commercial, recreation or entertainment facilities.~~ Commercial recreation.

(5) Auditoriums.

(6) Stand-alone parking lots and parking garages as a principal use.

(Code 1983, § 20-404; Ord. No. 2017-03 , § 5, 3-7-17; Ord. No. 2019-18 , § 1, 9-10-19)

Sec. 110-260. Minimum building site area requirements.

The minimum building site area requirements in the C-1, tourist commercial district are as follows:

(1) Lot size:

a. Retail commercial and other commercial uses: 4,000 square feet.

b. Residential d~~D~~welling units above first floor commercial: 3,000 square feet per dwelling unit.

(2) Lot width: All permitted uses 40 feet.

(3) Lot depth: All permitted uses 80 feet.

(4) Maximum: The density ~~shall be~~ is a maximum of 15 residential or vacation rental dwelling units per acre or a maximum of ~~60~~ 40 temporary lodging units per acre~~. A combination of both residential dwelling units and temporary lodging units may be permissible provided that the provisions of subsections 110-265(e) and (f) are met.~~ Alternative Temporary Lodging Use Standards are allowed as detailed in subsection 110-326(f).

(Code 1983, § 20-404; Ord. No. 1138, § 5, 12-9-08)

Sec. 110-261. Setback requirements.

The following minimum setbacks shall apply in the C-1, tourist commercial district:

(1) Front yard: None. (See the special requirement in subsection 110-265(b).)

(2) Rear yard: 25 feet.

(3) Side yard: All permitted uses ten feet—one side only. (See the special requirements in ~~sub~~section 110-265~~(c)~~.)

(Code 1983, § 20-404)

Sec. 110-262. Maximum building height.

For all uses in the C-1, tourist commercial district the maximum building height shall be 34 feet.

(Code 1983, § 20-404; Ord. No. 2021-23 , § 1, 11-10-21; Ord. No. 2022-08 , § 3, 7-13-22)

Sec. 110-263. Maximum lot coverage.

The maximum lot coverage in the C-1, tourist commercial district is as follows:

(1) ~~Nonresidential/c~~ Commercial uses: Floor area ratio (FAR) 0.55.

(2) Public owned parks and recreation facilities: Floor area ratio (FAR) 0.25.

~~(3) Temporary lodging uses: Floor area ratio (FAR) 1.2, provided that the provision of subsections 110-265(d) are met.~~

(Code 1983, § 20-404; Ord. No. 1138, § 5, 12-9-08; Ord. No. 2022-08 , § 4, 7-13-22)

Sec. 110-264. Impervious surface ratio (ISR).

The impervious surface ratio (ISR) in the C-1, tourist commercial district for all uses is 0.85.

(Code 1983, § 20-404; Ord. No. 2022-08 , § 5, 7-13-22)

Sec. 110-265. Special requirements.

(a) The C-1, tourist commercial district does not permit the storage of commercial vehicles.

(b) All properties located within the C-1, tourist commercial district abutting Gulf Boulevard will be required to provide a setback on Gulf Boulevard of 25 feet.

(c) No single commercial structure in the C-1, tourist commercial district may be wider than 120 feet, paralleling to the right-of-way without providing a visual appearance of multiple buildings in increments of 40 feet.

(d) Mixed uses in a single development shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the gross land area of the property.

(e) Mechanical units shall be on the roof and not visible or shielded from public right-of-way.

(f) Walls constructed or renovated on the property lines must comply with the current Florida Building Codes including occupancy ratings and current fire codes.

(g) In the CG future land use category, Alternative Temporary Lodging Use Standards allows 60 temporary lodging units per acre and a FAR of 1.2. A Development Agreement is required by the City's land development regulations and Forward Pinellas' Countywide Rules to use the Alternative Temporary Lodging Use Standard. The Development Agreement must follow all required standards in Forward Pinellas Countywide Rules to use the Alternative Temporary Lodging Use Standards.

(Code 1983, § 20-404; Ord. No. 1138, § 5, 12-9-08; Ord. No. 2022-08 , § 6, 7-13-22)

Secs. 110-266—110-285. Reserved.

DIVISION 6. C-2, JOHN'S PASS MARINE COMMERCIAL

Sec. 110-286. Definition; purpose and intent.

The purpose of the C-2, John's Pass marine commercial district is to recognize the unique commercial, marine, tourist and historic value of this area. The C-2, John's Pass marine commercial district correlates with the commercial general (CG) future land use category of the City of Madeira Beach Comprehensive Plan and the Retail and Services (R&S) plan category of the Countywide Plan. It is the intent of the comprehensive land use plan to retain the nautical theme and important character of the waterfront area and of John's Pass Village.

(Code 1983, § 20-404; Ord. No. 1138, § 6, 12-9-08; Ord. No. 2022-09 , § 1, 5-11-22)

Cross reference(s)—Definitions generally, § 1-2.

Sec. 110-287. Principal permitted uses.

The permitted uses in the C-2, John's Pass marine commercial district are as follows:

(1) ~~Retail~~ Commercial, commercial recreation, office and personal service ~~uses~~.

(2) Commercial fishing activities.

(3) Charter and party boat operations.

(4) Restaurants and retail commercial, excluding drive-in windows.

(5) Commercial docks.

(Code 1983, § 20-404)

Sec. 110-288. Accessory uses.

The accessory uses in the C-2, John's Pass marine commercial district are as follows:

(1) Off-street parking.

(2) Nonresidential signs.

(3) Essential services.

(4) Other customary accessory uses ancillary to the principal uses.

(Code 1983, § 20-404)

Sec. 110-289. Special exception uses.

There are no special exception uses permitted in the C-2, John's Pass marine commercial district.

(Code 1983, § 20-404)

Sec. 110-290. Minimum building site area requirements.

The minimum building site area requirements in the C-2, John's Pass marine commercial district are as follows:

(1) Lot size: All uses within this district is 2,000 square feet.

(2) Lot width: 40 feet.

(3) Lot depth: 50 feet.

(Code 1983, § 20-404)

Sec. 110-291. Setback requirements.

The following minimum setbacks shall apply in the C-2, John's Pass marine commercial district:

(1) Front yard: 20 feet, measured from right-of-way to the structure.

(2) Rear yard or waterfront yard: None, however access to the "tie-backs" supporting seawalls shall be provided for maintenance.

(3) Side yard: five feet on one side.

(Code 1983, § 20-404; Ord. No. 2022-09 , § 2, 5-11-22)

Sec. 110-292. Maximum building height.

For all uses in the C-2, John's Pass marine commercial district the maximum building height shall be 34 feet.

(Code 1983, § 20-404; Ord. No. 2021-23 , § 1, 11-10-21; Ord. No. 2022-09 , § 3, 5-11-22)

Sec. 110-293. Maximum lot coverage.

The maximum lot coverage in the C-2, John's Pass marine commercial district is as follows:

Nonresidential/commercial uses: Floor area ratio (FAR) 0.55.

(Code 1983, § 20-404; Ord. No. 1138, § 6, 12-9-08)

Sec. 110-294. Impervious surface ratio (ISR).

The impervious surface ratio (ISR) in the C-2, John's Pass marine commercial district for all uses is 0.85.

(Code 1983, § 20-404; Ord. No. 2022-09 , § 4, 5-11-22)

Sec. 110-295. Special requirements.

~~(a) No structure in the C-2, John's Pass marine commercial district may be wider than 60 feet in width parallel to the front yard right-of-way without a minimum of a ten-foot separation between structures. Overall structure width shall also take into consideration adjacent properties in the 60-foot measurement.~~

(~~b~~a) Due to the unique character of the C-2, John's Pass marine commercial district, a nautical theme should be emphasized within all renovations or new construction.

(~~c~~b) Mechanical units must be located on the roof and not visible or shielded from public right-of-way.

(~~d~~c) Walls constructed or renovated on the property lines must comply with the current Florida Building Codes including occupancy ratings and current fire codes.

(Code 1983, § 20-404; Ord. No. 2022-09 , § 5, 5-11-22)

Secs. 110-296—110-315. Reserved.

DIVISION 7. C-3, RETAIL COMMERCIAL

Sec. 110-316. Definition; purpose and intent.

The C-3, retail commercial district provides service to both permanent and transient residents where a full range of urban services and a high degree of accessibility is required. The C-3, retail commercial district correlates with the commercial general (CG) future land use category and the residential office retail (R/O/R) future land use category of the City of Madeira Beach Comprehensive Plan and Retail and Services (R&S) plan category in the Countywide Plan.

(Code 1983, § 20-404; Ord. No. 1138, § 7, 12-9-08; Ord. No. 2022-10 , § 1, 5-11-22)

Cross reference(s)—Definitions generally, § 1-2.

Sec. 110-317. Permitted uses.

The permitted uses in the C-3, retail commercial district are as follows:

(1) Retail commercial, commercial, and personal service ~~uses~~.

(2) ~~Business o~~ Office, office support, and business service. ~~and financial service uses.~~

(3) Multifamily residential and vacation rental. ~~dwellings.~~

(4) ~~Tourist dwelling units~~. Temporary lodging.

(5) Restaurants.

(6) Adult entertainment establishments (article VI, division 13 of this chapter).

(Code 1983, § 20-404)

Sec. 110-318. Accessory uses.

The accessory uses in the C-3, retail commercial district are as follows:

(1) Off-street parking and loading/unloading.

(2) Nonresidential signs.

(3) Essential services.

(4) Other accessory uses customarily permitted.

(5) Boat slips associated with a permitted business use, not for rental or commercial marine activities.

(Code 1983, § 20-404)

Sec. 110-319. Special exception uses.

Upon application for a special exception to the special magistrate and favorable action thereon, the following uses may be permitted in the C-3, retail commercial district:

(1) Service stations.

(2) Commercial recreation ~~and entertainment facilities~~ provided that such facilities shall not be permissible when the underlying future land use category is R/O/R.

(3) Institutional as religious use such as c~~C~~hurches, synagogues or other houses of worship.

(4) Public service facilities.

(5) Drive-in or drive-through retail commercial, personal service, ~~business~~ and ~~financial~~ business services.

(6) Private fraternal, social and recreational clubs.

(7) Outdoor storage areas, provided that the outdoor storage use is an accessory, is limited to areas in the CG land use category, and does not exceed 20 percent of the area of the building which is the principal use on the site.

(8) Single-family or duplex.

(9) Private schools.

(10) Exhibition of reptiles by permit.

~~(11) Medical marijuana dispensaries.~~

(Code 1983, § 20-404; Ord. No. 1138, § 7, 12-9-08; Ord. No. 2015-03, § 1, 2-24-15)

Sec. 110-320. Minimum building site area requirements.

The minimum building site area requirements in the C-3, retail commercial district are as follows:

(1) Lot size:

a. For all uses except multifamily~~/~~ and temporary lodging ~~tourist dwelling~~ units: 4,000 square feet.

b. Duplex and triplex units: 3,000 square feet per dwelling unit.

c. ~~Multi-family~~ Multifamily dwelling units and above: 2,420 square feet per dwelling unit.

d. Public service facilities: Shall not exceed a maximum area of five acres. Like uses or contiguous like uses in excess of this threshold shall require the parcel to be amended to the P-SP zoning district and the appropriate land use category.

(2) Lot width:

a. All permitted uses except multifamily and temporary lodging ~~/tourist dwelling~~ units: 40 feet.

b. Multifamily and temporary lodging ~~/tourist dwelling~~ units: 60 feet.

(3) Lot depth: All permitted uses: 80 feet.

(4) Within the CG future land use category in the Comprehensive plan, the density ~~shall be~~ is a maximum of 15 residential or vacation rental dwelling units or ~~60~~ 40 temporary lodging units per acre. ~~A combination of both residential dwelling units and temporary lodging units may be permissible provided that the provisions of subsections 110-326 are met.~~ Alternative Temporary Lodging Use Standards are allowed as detailed in subsection 110-326(f).

(5) Within the R/O/R future land use category, the density ~~shall be~~ is a maximum of 18 residential or vacation rental dwelling units or ~~45~~ 40 temporary lodging units per acre. ~~A combination of both residential dwelling units and temporary lodging units may be permissible provided that the provisions of subsections 110-326(d) are met.~~ Alternative Temporary Lodging Use Standards are allowed as detailed in subsection 110-326(g).

(Code 1983, § 20-404; Ord. No. 1043, § 2, 6-14-05; Ord. No. 1138, § 7, 12-9-08; Ord. No. 2022-10 , § 2, 5-11-22)

Sec. 110-323. Maximum lot coverage.

The maximum lot coverage in the C-3, retail commercial district is as follows:

~~(1) Residential use: Floor area ratio (FAR) 0.80. The maximum area of a lot or parcel to be covered by structures shall be is 40 percent.~~

~~(2) Temporary lodging units: Floor area ratio (FAR) as set forth in the following table, provided that the requirements of subsection 110-326(d) are met:~~

~~Land use category~~	~~FAR~~
~~Commercial general~~	~~1.2~~
~~Residential/office/retail~~	~~1.0~~

~~(3)~~(1) ~~Commercial general and public service facilities: Floor area ratio (FAR) 0.55; Residential/office/retail: Floor area ratio (FAR) 0.55~~. Nonresidential/commercial use: Floor area ratio (FAR) 0.55.

(Code 1983, § 20-404; Ord. No. 1138, § 7, 12-9-08; Ord. No. 2022-10 , § 4, 5-11-22)

Sec. 110-324. Impervious surface ratio (ISR).

(a) The impervious surface ratio (ISR) in the C-3, retail commercial district for all uses, other than temporary lodging units, is 0.70.

(b) The impervious surface ratio (ISR) for temporary lodging units is 0.85.

(Code 1983, § 20-404; Ord. No. 1138, § 7, 12-9-08)

Sec. 110-325. Buffering requirements.

(a) Parking lots/garages for ~~tourist dwellings~~ temporary lodging and nonresidential uses in the C-3, retail commercial district shall be designed to minimize their impacts to any adjacent residential uses as established in the land development regulations.

(b) During the development process, existing curb cuts in the C-3, retail commercial district shall be reoriented, if necessary, to minimize the negative impact on adjacent properties.

(c) All development within the C-3, retail commercial district in this category will meet or exceed the buffering/landscape requirements as outlined in chapter 106, article II.

(Code 1983, § 20-404)

Sec. 110-326. Special requirements.

(a) In the C-3, retail commercial district residential dwelling units, vacation rentals, and temporary lodging units are permitted ~~on the second floor~~ above first-floor commercial or office units ~~within this district~~.

(b) No structure in the C-3, retail commercial district may be wider than 150 feet parallel to the front yard right-of-way. If two structures are proposed on the same lot or parcel, the buildings shall be separated~~. There shall be~~ by a minimum of a ten ~~foot~~ feet. ~~Separation between structures.~~

(c) When a proposed ~~non-residential~~ nonresidential use in the C-3, retail commercial district abuts a residential use an additional five-foot setback is required along the length of the entire shared lot line. This additional setback will be utilized to provide additional landscaped screening.

(d) Mixed uses in a single development shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the gross land area of the property.

(e) Institutional, other than public educational facilities shall not exceed a maximum area of five acres. Transportation and/or utility uses shall not exceed a maximum area of three acres.

(f) In the CG future land use category, Alternative Temporary Lodging Use Standards allows 60 temporary lodging units per acre and a FAR of 1.2. A Development Agreement is required by the City's land development regulations and Forward Pinellas' Countywide Rules to use the Alternative Temporary Lodging Use Standard. The Development Agreement must follow all required standards in Forward Pinellas Countywide Rules to use the Alternative Temporary Lodging Use Standards.

(g) In the R/O/R future land use category, Alternative Temporary Lodging Use Standards allows 60 temporary lodging units per acre and a FAR of 1.2. A Development Agreement is required by the City's land development regulations and Forward Pinellas' Countywide Rules to use the Alternative Temporary Lodging Use Standard. The Development Agreement must follow all required standards in Forward Pinellas Countywide Rules to use the Alternative Temporary Lodging Use Standards.

(Code 1983, § 20-404; Ord. No. 1138, § 7, 12-9-08; Ord. No. 2022-10 , § 5, 5-11-22)

Secs. 110-327—110-345. Reserved.

DIVISION 8. C-4, MARINE COMMERCIAL

Sec. 110-346. Definition; purpose and intent.

The purpose of the C-4, marine commercial district is to provide for those commercial uses which are directly related to commercial and marine uses and associated services. The C-4, marine commercial district correlates with the commercial general (CG) future land use category and the residential office retail (R/O/R) future land use of the City of Madeira Beach Comprehensive Plan and Retail and Services (R&S) plan category in the Countywide Plan.

(Code 1983, § 20-404; Ord. No. 1138, § 8, 12-9-08; Ord. No. 2022-11 , § 1, 5-11-22)

Cross reference(s)—Definitions generally, § 1-2.

Sec. 110-347. Permitted uses.

The permitted uses in the C-4, marine commercial district are as follows:

(1) Marina and commercial docks.

(2) Boat repair and sales.

(3) ~~Restaurants.~~ Retail Commercial.

(4) ~~Tourist dwelling units.~~ Temporary lodging units.

(5) ~~Retail~~ Commercial/Business Service Use, offices and personal service ~~uses~~.

(6) Commercial fishing activities.

(7) Charter and party boat operations.

(8) Adult entertainment establishments (article VI, division 13 of this chapter).

(9) Residential and vacation rental d~~D~~welling units located ~~on the second floor~~ above first floor commercial or office units within this district.

(Code 1983, § 20-404; Ord. No. 1138, § 8, 12-9-08)

Sec. 110-348. Accessory uses.

The accessory uses in the C-4, marine commercial district are as follows:

(1) Off-street parking.

(2) Marine and boat storage.

(3) Essential services.

(4) Other accessory uses, customarily incidental to the permitted use.

(5) Wireless communication antennas as regulated by article VI, division 12, subdivisions I, II and IV of this chapter.

(6) Wireless communication towers shall be allowed, through special permit granted by the board of commissioners, as an alternative to prohibiting towers and only in the event substantial proof is submitted by an applicant which demonstrates that no existing tower, structure, or building can accommodate the applicant's proposed antenna. Wireless communication towers must further comply with the provisions of article VI, division 12, subdivisions I, II and IV of this chapter.

(Code 1983, § 20-404)

Sec. 110-349. Special exception uses.

Upon application for a special exception to the special magistrate and favorable action thereon, the following uses may be permitted in the C-4, marine commercial district:

(1) Service stations.

(2) Commercial~~,~~ recreation ~~and entertainment facilities~~.

(3) Public administration and service facilities.

(4) Drive-in or drive-through retail commercial, personal service, and business service. ~~and financial services~~.

(5) Institutional as religious use such as c~~C~~hurches, synagogues and other houses of worship.

(6) Outdoor storage areas provided that the outdoor storage use is an accessory, is limited to areas in the CG land use category, and does not exceed 20 percent of the area of the building which is the principal use on the site.

(Code 1983, § 20-404; Ord. No. 1138, § 8, 12-9-08)

Sec. 110-350. Minimum building site area requirements.

The minimum building site area requirements in the C-4, marine commercial district are as follows:

(1) Lot size:

a. All permitted uses except ~~tourist dwelling~~ temporary lodging units: 4,000 square feet.

b. Residential dwellings above first floor commercial: 3,000 square feet per unit.

c. Public service facilities: Shall not exceed a maximum area of five acres. Like uses or contiguous like uses in excess of this threshold shall require the parcel to be amended to the P-SP zoning district and the appropriate land use category.

(2) Lot width:

a. All permitted uses except ~~tourist dwellings~~ temporary lodging: 40 feet.

b. ~~Tourist dwellings~~ Temporary lodging: 60 feet.

(3) Lot depth: All permitted uses 80 feet.

(4) Within the CG future land use category, the density ~~shall be~~ is a maximum of 15 residential or vacation rental dwelling units or ~~60~~ 40 temporary lodging units~~. A combination of both residential and tourist dwelling units may be permissible provided that the provisions of subsections 110-355(c) and (e) are met~~. Alternative Temporary Lodging Use Standards are allowed as detailed in subsection 110-326(g).

(Code 1983, § 20-404; Ord. No. 1043, § 3, 6-14-05; Ord. No. 1138, § 8, 12-9-08)

Sec. 110-351. Building setback requirements.

The following minimum setbacks shall apply in the C-4, marine commercial district:

(1) Front yard: 25 feet.

(2) Rear yard: 18 feet.

(3) Side yard:

a. Minimum of ten feet except as provided in the land development regulations.

b. ~~Tourist dwelling~~ Temporary lodging units:

1. For lots between 60 and 80 feet in width, the minimum side yard setback shall be ten feet.

2. For lot widths greater than 80 feet, the minimum side yard setback shall be as follows: A total of 33 percent of the lot width shall be reserved for side yard setbacks. In no event shall one side be less than the following:

    i. Lots less than 120 feet: ten feet.

    ii. Lots less than 240 feet: 15 feet.

    iii. Lots 240 feet or greater: 20 feet.

(Code 1983, § 20-404)

Sec. 110-352. Maximum building height.

For all uses in the C-4, marine commercial district the maximum building height shall be 34 feet.

(Code 1983, § 20-404; Ord. No. 2021-23 , § 1, 11-10-21; Ord. No. 2022-11 , § 2, 5-11-22)

Sec. 110-353. Maximum lot coverage.

The maximum lot coverage in the C-4, marine commercial district is as follows:

(1) Commercial ~~general~~ uses: Floor area ratio (FAR) 0.55. ~~; temporary lodging uses in the CG land use category FAR is 1.2, provided that the requirements of subsection 110-356(c) are met.~~

(2) Public service facilities:

a. Institutional: Floor area ratio (FAR) 0.55.

b. Transportation/utility: Floor area ratio (FAR) 0.55.

(Code 1983, § 20-404; Ord. No. 1138, § 8, 12-9-08; Ord. No. 2022-11 , § 3, 5-11-22)

Sec. 110-354. Impervious surface ratio (ISR).

The impervious surface ratio (ISR) in the C-4, marine commercial district for all uses is 0.85.

(Ord. No. 2022-11 , § 4, 5-11-22)

Editor's note(s)—Ord. No 2022-11 , § 4, adopted May 11, 2022, renumbered the former § 110-354 as § 110-355 and enacted a new § 110-354 as set out herein. The historical notation has been retained with the amended provisions for reference purposes.

Sec. 110-355. Buffering requirements.

(a) Parking lots/garages for ~~tourist dwellings~~ temporary lodging and nonresidential uses in the C-4, marine commercial district shall be designed to minimize their impacts to any adjacent residential uses as established in the land development regulations.

(b) During the development process, existing curb cuts in the C-4, marine commercial district shall be reoriented, if necessary, to minimize the negative impact on adjacent properties.

(c) All development within the C-4, marine commercial district in this category will meet or exceed the buffering/landscape requirements as outlined in chapter 106, article II.

(Code 1983, § 20-404; Ord. No. 2022-11 , § 5, 5-11-22)

Editor's note(s)—Ord. No 2022-11 , § 5, adopted May 11, 2022, renumbered the former § 110-354 as § 110-355 as set out herein. See also the editor's note at § 110-354.

Sec. 110-356. Special requirements.

(a) In the C-4, marine commercial district residential and vacation rental dwelling units, and temporary lodging units are permitted above ground floor commercial or office units within this district.

(b) No structure in the C-4, marine commercial district may be wider than 150 feet parallel to the front yard right-of-way. If two structures are proposed on the same lot or parcel, the buildings shall be separated by a minimum of ten feet ~~or equal to 50 percent of the height of the tallest building on the same parcel, whichever is more restrictive~~.

(c) Mixed uses in a single development shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the gross land area of the property.

(d) Institutional, other than public educational facilities shall not exceed a maximum area of five acres. Transportation and/or utility uses shall not exceed a maximum area of three acres.

(e) In the CG future land use category, Alternative Temporary Lodging Use Standards allows 60 temporary lodging units per acre and a FAR of 1.2. A Development Agreement is required by the City's land development regulations and Forward Pinellas' Countywide Rules to use the Alternative Temporary Lodging Use Standard. The Development Agreement must follow all required standards in Forward Pinellas Countywide Rules to use the Alternative Temporary Lodging Use Standards.

(f) In the R/O/R future land use category, Alternative Temporary Lodging Use Standards allows 60 temporary lodging units per acre and a FAR of 1.2. A Development Agreement is required by the City's land development regulations and Forward Pinellas' Countywide Rules to use the Alternative Temporary Lodging Use Standard. The Development Agreement must follow all required standards in Forward Pinellas Countywide Rules to use the Alternative Temporary Lodging Use Standards.

(Code 1983, § 20-404; Ord. No. 1138, § 8, 12-9-08; Ord. No. 1173, § 1, 9-28-10; Ord. No. 2022-11 , § 6, 5-11-22)

Editor's note(s)—Ord. No 2022-11 , § 6, adopted May 11, 2022, renumbered the former § 110-355 as § 110-356 as set out herein. See also the editor's note at § 110-355.

LAND USE CONSISTENCY CLARIFICATION OF INTENSITY/DENSITY TO THE CITY OF MADEIRA BEACH COMPREHENSIVE PLAN & LAND DEVELOPMENT REGULATIONS PER THE COUNTYWIDE COMPREHENSIVE PLAN

Why the need for clarification: The City of Madeira Beach Comprehensive Plan (comp plan) was amended in 2007 (Ordinance 1125) to mirror the "Alternative Temporary Lodging Use Standards" (ATLUS) provision of the Countywide Plan, however the provision was incorrectly applied to our entire Commercial General (CG), Retail/Office/Residential (ROR), and Resort Facilities Medium (RFM) categories. Subsequently, in 2008, our Land Development Regulations (LDRs) were similarly amended (Ordinance 1138) to include the "Alternative Temporary Lodging Use Standards". The City of Madeira Beach is required to be consistent with the Countywide Plan and is currently not because of the way the ATLUS were adopted locally. These proposed amendments clarify how to use these already adopted standards as required with the Countywide Plan and to clean up definitions to be consistent with the county (Forward Pinellas).

Definitions to know as you review this information:

- ***Floor area ratio (FAR)*** means a ratio of square footage of gross floor area divided by the square footage of land area, creating a ratio for building area to property area. As related to FAR, gross floor area can generally be viewed as the square footage (SF) of conditioned space including of a portion of the area dedicated to building access. This is the measurement of intensity.
- ***Units Per Acre (UPA)*** means a ratio of residential or temporary lodging units per acre of land. This is the measurement of density. This number is always rounded down.
- ***Temporary lodging*** use means a facility containing one or more temporary lodging units, the occupancy of which occurs, or is offered or advertised as being available, for a term of less than one month, more than three times in any consecutive 12-month period. This term includes tourist condo-hotel and motel/hotel as elsewhere defined in the City of Madeira Beach Code.
- ***"By Right"*** means that development of the property may proceed under the established local codes with no need for a variance, special exception or development agreement.
- ***LDRs*** refer to our Land Development Regulations found in the Madeira Beach Code of Ordinances. This includes the zoning (intensity, density, setbacks, height, uses), landscape requirements, drainage requirements, accessory structures etc.
- ***Comprehensive Plan (comp plan)*** sets forth a vision for the city's future, providing both foundations and limitation for all land use regulations (includes uses, intensity and density), the city's plan is designed to be consistent with the Countywide Plan and must adhere to Florida Statutes.
- ***Development Agreement (DA)*** is a contract between a local jurisdiction and a property owner outlining the obligations of both parties, specifying the standards by which the property can be developed. While the DA can adjust LDR requirements it must still be compliant with the comprehensive plan.

For ease of review some of the above definitions have been truncated so for more detailed Definition information please use the below link to the City of Madeira Beach Code of ordinances https://library.municode.com/fl/madeira_beach/codes/code_of_ordinances?nodeId=PTIICOOR_CH82GEPR_S82-2DE , this link can also be found on the City of Madeira Beach website.

What is being addressed: When the above referenced ordinances were incorporated into the Comp Plan & LDRs, our comp plan did not provide clear differentiation between what would be allowed "by right" versus what would require a development agreement (DA).

The Impact: With these clarifications, the city comprehensive plan will become consistent with the Countywide Plan as intended when this process began in 2007. Please see the tables provided, noting the "by right" allowances in our code will be reduced and a DA will be required if a developer decides to use the "Alternative Temporary Lodging Use Standards". The clarifications will provide better, more relevant definitions and provide clarity on how the FAR and UPA are calculated and imposed on developments.

What are the "Alternative Temporary Lodging Use Standards" and why have them: The "Alternative Temporary Lodging Use Standards" provide guidelines and limitations by which a qualifying property, based on map category, can be developed, details in the attached tables.

NOTES:

*****SEE REVERSE SIDE FOR TABLES*****

TABLES - LAND USE CONSISTENCY CLARIFICATION FOR INTENSITY/DENSITY

PINELLAS COUNTY COMPREHENSIVE PLAN COMPARED TO THE CITY OF MADEIRA BEACH FOR EQUIVALANT CATERGORIES - CURRENT STANDARDS

PINELLAS COUNTYWIDE COMPREHENSIVE PLAN						
	"BY RIGHT" ALLOWANCES			"ALTERNATIVE TEMPORARY LODGING STDS." W/ DA ONLY		
MAP CATEGORY	FAR	RESIDENTIAL UPA	TEMP LODGING UPA	FAR	RESIDENTIAL UPA	TEMP LODGING
Retail & Services	0.55	24	40	1.2	NA	60
Resort	1.2	30	50	2.2 - 4.0*	NA	75 - 125*

CITY OF MADEIRA BEACH COMPREHENSIVE PLAN			
	"BY RIGHT" ALLOWANCES		
MAP CATEGORY	FAR	RESIDENTIAL UPA	TEMP LODGING UPA
Commercial General (CG)	1.2	15	60
Residential/Office/Retail (ROR)	1	18	45
Resort Facilities Medium (RFM)	1.0 - 2.0*	18	45 - 75*

CITY OF MADEIRA BEACH COMPREHENSIVE PLAN - SIDE BY SIDE COMPARISON

CURRENT COMPREHENSIVE PLAN ALLOWANCES			
	"BY RIGHT" ALLOWANCES		
MAP CATEGORY	FAR	RESIDENTIAL UPA	TEMP LODGING UPA
Commercial General (CG)	1.2	15	60
Residential/Office/Retail (ROR)	1.0	18	45
Resort Facilities Medium (RFM)	1.0 - 2.0*	18	45 - 75*

COMPREHENSIVE PLAN ALLOWANCES AFTER UPDATE					
AFTER UPDATE "BY RIGHT" ALLOWANCES			"ALT. TEMP. LODGING STDS." W/ DA ONLY		
FAR (COMMERCIAL)	RESIDENTIAL UPA	TEMP LODGING	FAR	RESIDENTIAL UPA	TEMP LODGING
0.55	15	40	1.2	NA	60
0.55	18	40	1.2	NA	60
0.55	18	50	2.0	NA	60

THE CITY OF MADEIRA BEACH LAND DEVELOPMENT REGULATIONS - SIDE BY SIDE COMPARISON

		FAR		RESIDENTIAL UPA		TEMP LODGING UPA		ALT TEMP LODGING AFTER UPDATE - W/ DA ONLY***	
ZONING MAP CATEGORY	COMP PLAN MAP CATEGORY	CURRENTLY ALLOWED	ALLOWED AFTER UPDATE (COMMERCIAL)	CURRENTLY ALLOWED	ALLOWED AFTER UPDATE	CURRENTLY ALLOWED	ALLOWED AFTER UPDATE	FAR	UPA
C-1 (Tourist Commercial)	CG	1.2	0.55	15	15	60	40	1.2	60
C-2 (John's Pass Marine Commercial)	CG	0.55	0.55	Not Permitted	Not Permitted	Not Permitted	Not Permitted	NA	NA
C-3 (Retail Commercial)	CG & ROR	1.0	0.55	15/18**	15/18**	45/60**	40	1.2	60
C-4 (Marine commercial)	CG	0.55/1.2**	0.55	15	15	60	40	1.2	60
R-3 (Med. Density Multifamily Res.)	RFM	1.0 - 2.0*	0.55	18	18	45 - 75*	50	2.0	60

***The above FAR & UPA is subject to change based on the Planning Commission and the Board of Commissioners

*** Depends on size of the lot**

**** Depends on future land use category in the comprehensive plan & the proposed use**

Memorandum

Meeting Details: June 28, 2023, BOC Regular Workshop Meeting

Prepared For: Hon. Mayor Rostek and Board of Commissioners

From: Community Development Department

Subject: 2 ½ foot setback to allow vegetation control

Background: The Madeira Beach Land Development Regulations (LDRs), Sec. 82-2 – Definitions, lists *Minor structure* as items such as sidewalks, driveways, parking areas, et al. Given this definition, sidewalks, driveways, and parking areas become subject to another code reference, *Accessory Structures. Accessory Structures*, with definitions in Sec. 14-62 and Sec. 94-93, results in the subsequent setback requirements in Ch. 110, Article VI, Division 4 – Accessory Structures, which requires a minimum 2 ½ foot setback.

Discussion: During the permit review process, city staff continually enforces and explains the 2 ½ foot setback requirement, however many properties throughout the city have encroachment of walkways, driveways, and other hard surfaces into the 2 ½ foot setback causing confusion over enforcement and consistency with the LDRs. The original intent of the setback is for vegetation control and a pervious buffer between properties for proper drainage.

Residential Zones, R-1, R-2 and R-3: Many residential properties contain a primary structure built to their minimum side yard setback (ranging from 5 to 7 feet) or have legally nonconforming primary structures with minimal side yard setbacks. The 2 ½ foot setback required for hardscapes often creates narrow walkway widths along the side yards. This makes reasonable use of a pathway difficult, and ultimately, throughout the years, has appeared to encourage the unpermitted placement of walkways and other hardscape material leading to confusion over allowable placement.

Commercial Zone, C-1: C-1 Zoning District is the only zone outside R-1, R-2 and R-3 which has the same 2 ½ foot setback constraint. C-1 Zoning District encompasses Johns Pass Village. Most properties in this district do not conform to the 2 ½ foot setback requirement and were built prior to the creation of the LDRs, and therefore are legally nonconforming.

Alternative Non-vegetative Pervious Materials: These materials include, but are not limited to, pervious pavers and artificial turf with permeability qualities. These two example options would require no vegetative control and are advertised as pervious but are not specified within the LDRs and as such pose challenges.

- **Criteria for Permitting:** Would the city require engineered specification sheets of the proposed material or other?
- **Location:** Would the city limit to private property only, thus not allowing within the ROW or easements, noting that "average" driveway pavers are currently permitted within the ROW for driveway construction? Would these materials be permitted all the way up to the property line?
- **Impact on the Impervious Surface Ratio (ISR):** Would these materials be calculated as 100% pervious giving full credit or partial credit? Some municipalities calculate these materials at a percentage towards the ISR. If the LDRs calculates the material at a percentage, would there be a limit to the percentage of allowable pervious area that can be covered by these non-vegetative alternatives?

Fiscal Impact or Other: There will be no foreseeable fiscal impact to the city. A potential impact will be to the Community Rating System (CRS) and points the city receives based on our commitment to "open space", as we have, in the past, referenced the LDRs requirement that residential structures maintain this 2 ½ foot setback.

Recommendation(s): City staff fully recognizes the challenges of the 2 ½ foot setback but also understands the intent of its requirement. Staff recommends better defining of hardscape items used for decking, walkways, driveways, etc. as well as better definitions for "non-vegetative" pervious options. Staff recommends drafting more defined requirements for installation and use of non-vegetative pervious options and setting criteria by which the 2 ½ foot setback may not be required but still hold permittee's/homeowners responsible for proper vegetation control as well as not directing stormwater runoff to adjacent properties. City staff proposes to do the research necessary to develop more relevant definitions for previously mentioned terms as well as research to support the "what, where, and how" as related to the use of non-vegetative, pervious material.

Attachments:

- Madeira Beach Land Development Regulations
- Madeira Beach Zoning Map

Sec. 82-2. - Definitions.

The following words, terms and phrases when used in the land development regulations shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Absorption area means any area designed, or natural, capable of allowing stormwater percolation.

Abutting means to physically touch or border upon, to share a common property line, or is directly across a street, access easement, alley or other right-of-way (except those properties separated by an arterial street) from the subject property.

Accessory building or use means a building structure or use which is:

(1) Subordinate to and serves a principal building or use.

(2) Subordinate in area, extent and purpose to principal building or use.

(3) Contributes to the comfort, convenience or necessities of the principal building or use.

(4) Is located on the same lot as the principal building or use.

Addition (to an existing building) means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common loadbearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter loadbearing walls is new construction.

Adjoining means the same as "Abutting."

Adult arcade means a place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images, including motion pictures, films, video cassettes, slides or other photographic reproductions to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of specified sexual activities or specified anatomical areas.

Adult bookstore means:

(1) An establishment having as a substantial or significant portion of its stock in trade books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities, or specified anatomical areas, or an establishment with a segment or section devoted to the sale, rental or display of such material.

(2) It is an affirmative defense to an alleged violation of operating an adult bookstore without a permit if the adult material is accessible only by employees and either the gross income from the sale and/or rental of adult material compromises less than ten percent of the gross income from the sale; and/or rental of goods and/or services at the establishment, or the

individual items of adult material offered for sale and/or rental compromises less than ten percent o individual items publicly displayed at the establishment as stock in trade in any of the following categories: books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides or other visual representations, or recordings or other audio matter. Any adult use activity other than the sale or rental of adult material shall preclude the establishment's qualifying solely as an adult bookstore and shall mandate its classification as other than an adult bookstore.

Adult booth means a separate enclosure inside an adult entertainment establishment, accessible to any person, regardless of whether a fee is charged for access. The term "adult booth" includes, but is not limited to, a "peep show" booth, adult arcade booth or other booth used to view adult material. The term "adult booth" does not include a foyer through which any person can enter or exit the establishment, nor a restroom.

Adult dancing means a commercial establishment that permits, suffers or allows dancers to display or expose specified anatomical areas. Additionally, any establishment on whose premises an employee, who need not be the same employee, displays or exposes specified anatomical areas on more than one day in any 30-day period shall be deemed an adult dancing establishment and shall be required to obtain a license under this Code.

Adult entertainment establishment means adult arcade, adult bookstore, adult booth, adult dancing establishment, adult massage establishment, adult motel, adult motion picture theater, special adult cabarets, physical cultural establishments or adult photographic studios including any business establishment whose primary business stock in trade is dependent upon the activities relating to specified sexual activities or specified anatomical areas, or an adult dancing establishment, or any other establishment exhibiting or relating to specified sexual activities or specified anatomical areas. Any commercial establishment that displays a sign or engages in any other form of advertising capable of leading a reasonable person to believe that such establishment offers, presents, permits or engages in any form of adult entertainment shall be deemed an adult entertainment establishment under the appropriate classification. For the purposes of the land development regulations, the term "adult use" is synonymous with the term "adult entertainment establishment."

Adult massage establishment means a site or premises, or portion thereof, upon which any person, who is an employee, manipulates or massages the superficial tissues of the body of another person, but does not include the following:

(1) Licensed health care facilities;

(2) Licensed physicians or nurses engaged in the practice of their professions;

(3) Educational or athletic facilities if the massage is a normal and usual practice in such facilities; or

(4)

Establishments exempted under Florida Statutes § 480.034.

Adult material means any one or more of the following regardless of whether it is new or used:

(1) Books, magazines, periodicals or other printed matter, paintings, drawings or other publications or graphic media or photographs, films, motion pictures, video cassettes or disks, slides or other visual representations, or recordings or other audio matter, which have as their primary or dominant theme matter depicting, illustrating, describing or relating to specified sexual activities or specified anatomical areas; or

(2) Instruments, novelties, devices or paraphernalia which are designed for use in connection with specified sexual activities.

Adult motel means any motel or hotel, boardinghouse, rooming house or other lodging used predominantly for transient customers which includes the words "adult" in any name it uses or otherwise advertises, and actually permits the presentation of film material, video or other visual representations, which has as its preliminary or dominant theme matters depicting, illustrating or relating to specified sexual activities or specified anatomical areas for observations of patrons thereof.

Adult photographic or modeling studio means any business establishment which offers or advertises as it primary business stock and trade, the use of its premises for the purpose of photographing or exhibiting specified sexual activities or specified anatomical areas or the modeling of apparel that exhibits specified anatomical areas.

Adult theater means an enclosed building or an enclosed space within a building, or an open-air area used for presenting either filmed or live plays, dances, or other performances, either by individuals or groups, distinguished or characterized by an emphasis on material depicting, describing, or relating to specified sexual activities or specified anatomical areas for observation by patrons therein. An establishment which has adult booths or an adult arcade is considered to be an adult theater.

Adult use means and includes the terms as described under the definition of "adult entertainment establishment."

Adversely impact means to destroy or damage or contribute to the destruction or damage of something.

Alley means a public right-of-way 15 feet or less in width and which affords only a secondary means of access to abutting property.

Alteration means to change, rearrange, enlarge, extend or reduce any structure or part thereof on the same site.

Ancillary use means a use which is either: Subordinate to and serves a principal building or use; subordinate in area, extent, and purpose to the principal building or use served; contributes to the comfort, convenience, or necessities of the users or occupants of the principal building or use; and is located on the

same lot as the principal building or use. Unless otherwise specified, no ancillary use shall exceed 25 percent of the gross floor area of the principal building or use.

Antenna means any exterior apparatus designed for telephonic, radio, or television communications, through the sending or receiving of electromagnetic waves.

Appeal means a request for a review of the building and zoning official's interpretation of any provision of the land development regulations or a request for a variance.

Aquatic preserves means publicly owned submerged lands which are covered by brackish or salt water and which are recognized by law or regulations of having exceptionally high biological, aesthetic, educational or scientific value.

Area of special flood hazard means the land in the floodplain within a community subject to one percent or greater chance of flooding in any given year.

Art work means drawings, pictures, symbols, paintings or sculpture which in no way identify a product or business and which are not displayed in conjunction with a commercial, for profit or nonprofit enterprise.

Arterial means a street officially defined as such by the state department of transportation's functional classification.

Artificial light means any source of light emanating from a manmade device, including, but not limited to, incandescent, mercury vapor, metal halide, neon, sodium, spotlights, street lights, construction or security lights.

Automatic controller means a mechanical or electronic timer, capable of operating valve stations to set the days and length of time of a water application.

Base flood means the flood having a one percent chance of being equaled or exceeded in any given year.

Base flood elevation (BFE) means the elevation, measured in feet above mean sea level, as shown on the flood insurance rate map (FIRM).

Basement means that portion of a building having its floor subgrade (below ground level) on all sides.

Beach access point means any path which may be through or over the dune used by the general public or private property owners for the purpose of gaining access to the beach.

Board of adjustment means the board of adjustment of the city.

Board of commissioners means the board of commissioners as legally constituted for the city.

Boat, charter means a boat for hire which carries not more than ten paying passengers.

Boat, party means a boat for hire which carries more than ten paying passengers.

Breakaway walls means any type of walls, whether solid or lattice, and whether constructed of con masonry, wood, metal, plastic, or any other suitable building material which is not part of the structural support of the building and which are so designated as to break away, under abnormally high tides or wave action, without damage to the structural integrity of the building on which they are used or any buildings to which they might be carried by floodwaters.

Buildable area means the area of a site in which development is permitted without variance.

Building means an enclosed structure with walls and a roof.

Building permit means a permit which authorizes the construction of a new building structure or related building system or the expansion of floor area or the increase in the number of dwelling units contained in an existing building or change of use.

Building value = market value of structure only. Land and exterior improvements are excluded, e.g., swimming pool, pool enclosure, landscaping, paving, etc. Market value = assessed value or properly-depreciated appraised building value. The assessed value may be adjusted upward to reflect the market more accurately. Replacement cost can only be used if properly depreciated. Certified appraisals must be based on the comparable sales method. The land value must be deducted and it must be equal to or greater than that established by the county assessor.

Business entity means any and all persons, natural or artificial, including any individual, firm, corporation or association operating or proposing to operate for commercial or pecuniary gain. "Operated for commercial or pecuniary gain" shall not depend upon actual profit or loss. Also, "operated for commercial or pecuniary gain" shall be presumed where the establishment has an occupational license. Business entity includes any enterprise or venture in which a person sells, buys, exchanges, barters, deals or represents the dealing in any thing or article of value or renders services for compensation.

Camouflage techniques means a tower and/or antenna designed to unobtrusively blend into existing surroundings, be disguised so as to not have the appearance of a communication facility, or be designed or located in such a manner that the tower or antenna is not easily discernible from the ground. Examples include the form and shape of a tree, bell tower, steeple, clock tower, light standard, and other techniques which serve to diminish the visible impact of the tower or antenna.

Cannabis means any plant or part of a plant of the genus *cannabis* whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin.

Cannabis farm means any property used in whole or in part for the growing or cultivation of cannabis plants, whether or not such growing or cultivation is lawful under federal or state law.

Carport, private means an accessory building with two or more sides open, designed or used for the storage of motor vehicles owned and used by the occupants of the primary building.

Certificate of concurrency means the official document issued by the city upon finding that the application for final development permit will not result in the reduction of level of service standards set forth in the city comprehensive plan for public facilities and services.

Certification of compliance/noncompliance means a notice issued by the building and zoning official indicating to an applicant for an occupational license that the location proposed for an adult use complies or does not comply with the locational requirements of the land development regulations.

Child care facility means any children's center, day nursery or family day care home as defined in Laws of Fla. ch. 61-2681.

Church means a premise or site which is used primarily or exclusively for religious worship and related activities. The term "church" shall also include the term synagogue, temple, mosque, cathedral, church building and any other facility or premises where individuals of a particular religion gather to worship and for any other related religious purpose.

Clearing means the removal of vegetation, rocks, structures, debris and other obstructions resting on or protruding through the existing ground surface.

Clinic means a facility wherein professional services concerning personal health of humans are administered by medical doctors, chiropractors, optometrists, dentists, or any such professional which may lawfully practice in the state, provided that the persons treated are not lodged therein overnight.

Club means an establishment which is owned or operated by a corporation, association, person or persons for social, literary, political, educational, fraternal or charitable purposes, but which is not operated for profit or to render a service which is customarily conducted as a business.

Coastal barrier islands means the geological features which are completely surround by marine waters that front upon the open waters of the Gulf of Mexico, and are composed of quartz sands, clays, limestone, oolites, rock, coral, coquina, sediment, or other material, including spoil disposal, which features lie above the line of mean high water. Mainland areas which were separated from the mainland by artificial channelization for the purpose of assisting marine commerce shall not be considered coastal barrier islands.

Coastal building zone means the land area from the seasonal high water line landward to a line 1,500 feet landward from the coastal construction control line as established pursuant to Florida Statutes § 161.053, and, for those areas fronting on the Gulf of Mexico and not included under Florida Statutes § 161.053, the land area seaward of the most landward velocity zone (V-zone) as established by the Federal Emergency Management Agency as shown on flood insurance rate maps. The coastal building zone on coastal barrier islands shall be the land area from the seasonal high water line to a line 5,000 feet landward from the coastal construction control line established pursuant to Florida Statutes § 161.053, or the entire island, whichever is less.

Coastal construction control line means the line as established by the state pursuant to Florida Sta 161.053.

Coastal high hazard area (CHHA) means the area subject to high velocity waters, including but not limited to hurricane wave wash or tsunamis. The area is designated by the Federal Emergency Management Agency (FEMA) as Zone V1-V30. The coastal high hazard area incorporates all areas seaward of the coastal construction control line established by state law and the velocity flood hazard area as established by the Federal Emergency Management Agency (FEMA). This includes areas where public facilities have been damaged or undermined by coastal storms, and inlets which are not structurally controlled.

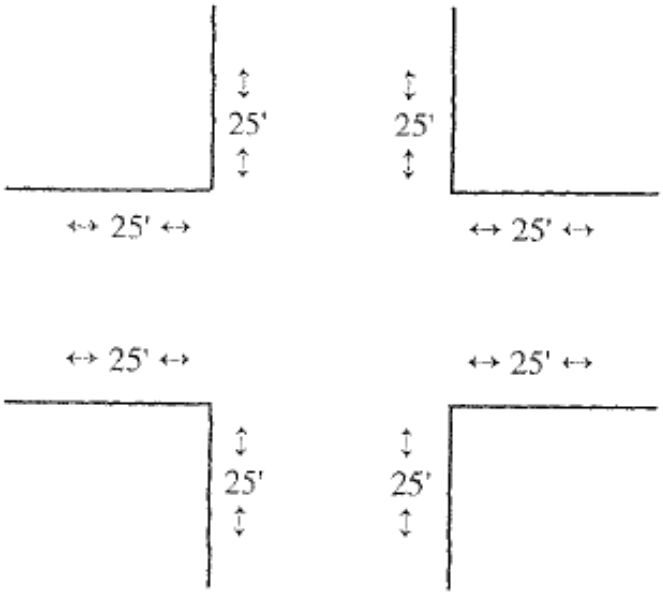
Commercial equipment means vehicles, trailers, step and box vans, and all machinery, materials or furnishings owned or used for commercial purposes will be considered commercial equipment. Personal vehicles, up to and including one ton pick-up truck or passenger or utility van, used by an individual for transportation to and from home or job sites will not be considered commercial equipment regardless of any commercial names, insignias or markings on the vehicle. Machinery, materials or furnishings owned or used for commercial purposes clearly visible on these vehicles will be considered commercial equipment for the purposes of this Code.

Comprehensive plan means the city comprehensive plans as adopted by Ordinance No. 738 on December 5, 1989 by city commission pursuant to Florida Statutes ch. 163, part 2, as such plan may be amended from time to time.

Congregate care facility means a residential facility which may be comprised of individual dwelling units with or without kitchen facilities. These facilities may offer central dining, personal and therapeutic care and other facilities necessary to meet special living needs of the residents. These include adult congregate living facilities and similar retirement or life-care facilities. These facilities, where required, shall be licensed by the state department of children and family services, or be operated pursuant to state law. As a continuing care facility it shall not be located within the coastal high hazard area, hurricane evacuation zone level "A" or floodway.

Contiguous means parcels touching along a boundary or directly across roadway with a local or collector functional classification or other right-of-way from each other. For the purpose of calculating density averaging, "contiguous" means parcels touching along a boundary or directly across any roadway or other right-of-way from each other.

Cross visibility area means the area of property located at the corner formed by the intersection of two or more public streets with two sides of a triangular area being 25 feet in length along the abutting public street, measured from their point of intersection, and the third side being a line connecting the ends of the other two sides. In areas where this scenario cannot be achieved, the distance will be determined by the city manager or his designee.



Day care center means and includes any day nursery, nursery school, kindergarten or other facility as defined by state law, which, with or without compensation, cares for five or more children 17 years of age or under, not related to the operator by blood, marriage or adoption, away from the child's home.

Density means a ratio of dwelling units per acre of land. No portion of dedicated public right-of-way may be used to calculate density. No portion of submerged land may be used to calculate density.

Density/intensity averaging means the aggregation of the otherwise permitted density and/or intensity of a parcel or parcels of land in a non-uniform or consolidated manner on a portion of such contiguous parcel(s) in accordance with article V of chapter 86, Administration, of this Code.

Detention means the temporary collection and storage of surface water for subsequent controlled dissipation at a rate which is less than the rate of flow.

Development means any material manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations. The following activities or uses shall be taken to involve "development," as defined in this section:

(1) A reconstruction, alteration of the size, or change in the external appearance of a structure on land.

(2) A change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on land or an increase in the number of businesses, manufacturing establishments, offices or dwelling units in a structure or on land.

(3) Alteration of a shore or bank of a seacoast, river, stream, lake, pond, or canal, including any "coastal construction" as defined in Florida Statutes § 161.021.

(4)

Commencement of drilling, except to obtain soil samples, mining, or excavation on a parcel of land.

(5) Demolition of a structure.

(6) Clearing of land as an adjunct of construction.

(7) Deposit of refuse, solid or liquid waste, or fill on a parcel of land.

Development agreement means an agreement, as authorized by the Florida Local Government Development Agreement Act (set forth in Florida Statutes §§ 163.3220—163.3243) and subject to the requirements of article IV of chapter 86, Administration, of this Code.

Development permit means any approved final site plan, building permit, zoning clearance, rezoning, special exception, variance, conditional use or any other official action of the city having the effect of permitting the development of land, except that for the purposes of the land development regulations, tree permits and grubbing permits are not to be considered development permits.

Diameter at breast height (DBH) means the standard measurement of a single-stemmed tree at 4½ feet above grade.

District means a section or sections of the city for which zoning regulations governing the use of buildings and premises, the height of the buildings, the size of yards and the intensity of use are uniform.

Dock, commercial means a revenue producing structure on piling over water or structure that is defined as a commercial dock under state law, which is designed or used to provide a berth for and access to one or more private, charter, commercial or party boats.

Dock, residential means an accessory structure to a residential use which is built on pilings over water and is designed or used to provide moorage for one or more boats.

Drainage system means the system through which water flows from the land. It includes all watercourses, waterbodies and wetlands.

Dripline means an artificial line along the ground which conforms to the perimeter of the crown of a tree as projected vertically to the ground.

Drive-in restaurant means any food or beverage dispensing operation at retail to the general public where such public may be served while remaining in automobiles or other motor vehicles parked on the premises, or where prepared meals may be obtained at a drive-in window.

Drive-in window means a window or other opening in the wall of a principal or accessory building through which goods or services are provided directly to customers who are in their motor vehicles and by means eliminates the need for such customers to exit their motor vehicles.

Dune means the amount or ridge of loose sediments lying landward of the beach and deposited by any natural or artificial mechanism.

Dwelling unit means a single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Duplex means two dwelling units contained in one structure on a single lot or parcel and attached by common vertical walls.

Multifamily means three or more dwelling units contained in one structure on a single lot or parcel and attached by common vertical walls.

Single-family detached means a dwelling unit in a single structure not attached to any other dwelling by any means, designed for or occupied exclusively by one family.

Tourist:

A. *Condo-hotel* means a hotel, motel, tourist or seasonal accommodation room or group of rooms forming a separate, habitable unit used or which could be used for living and sleeping by one family with independent kitchen facilities. Each unit shall be owned by an individual, corporation, or any other legal entity having membership into an association comprised of all owners within the same development. No unit in a condo-hotel shall be used as a timeshare or fractional ownership unit or be converted to a permanent, non-tourist dwelling unit.

Each condo-hotel shall:

1. Contain a front desk, lobby, internally oriented and easily accessible to members of the public;
2. Have the appropriate license for a hotel and all such licenses must be kept up-to-date annually;
3. Have sufficient signage viewable by the general public advertising such structure as a condo-hotel, with units available for daily, weekly or monthly rentals;
4. Provide a reservation system or agency for rental of units; and
5. Upon request of the city, provide access to all rental records, tax receipts or any other documents necessary to verify conformance with the provisions established herein.

Each unit shall:

1. Have the appropriate license for hotel unit and all such licenses must be kept up-to-date annually;
2. Be required to obtain a business tax receipt for each unit from the city;
3. Be subject to all applicable tourist tax collection requirements;
4. Utilize the reservation system or agency;
5. Not be used for homesteading purposes;
6. Not be issued a home occupational license;

7. Not be utilized as an address for the purposes of establishing residency or registeri vote; and
8. Be available to the owner for use no more than 90 days within a calendar year. The unit shall be available for lease to parties other than the owner in intervals of 30 days or less for the remainder of the calendar year

Only one unit in a condo-hotel structure may be used for the year-round occupancy by a person or family serving as the on-site manager(s). This unit must be owned by the condo association or management company and shall not be used for homestead purposes. This manager unit shall be exempt from the requirement of leasing 30 days or less in the calendar year.

B. *Motel* or *hotel* means a room or a group of rooms forming a separate, habitable unit used or which could be used for living and sleeping purposes by one family, with or without independent kitchen facilities, occupied or intended to be occupied by transients on a rental or leased basis.

Each motel or hotel shall:

1. Contain a front desk and/or lobby with a reservation system, and easily accessible to members of the public;
2. Have the appropriate license for a motel or hotel and all such licenses must be kept up-to-date annually; and
3. Have sufficient signage viewable by the general public advertising such structure as a motel or hotel, with units available for daily, weekly or monthly rentals.

Each unit shall:

1. Be subject to all applicable tourist tax collection requirements;
2. Not be used for homesteading purposes;
3. Not be issued a home occupational license; and
4. Not be utilized as an address for the purposes of establishing residency or registering to vote.

Only one unit in the motel or hotel structure may be used for the year-round occupancy by a person or family serving as the on-site manager(s). The manager unit may be used to establish residency. If the unit is owner-occupied, this unit may be used for homestead purposes. This manager unit shall be exempt from the requirement being available for daily, weekly or monthly rental.

Townhouse means a building designed for or occupied exclusively by one family and attached to two or more other buildings of similar design and separated by one or more party walls. The attached townhouses as defined constitute a building group.

Triplex means a multifamily dwelling with three units contained in one structure on a single lot or parcel and attached by common vertical walls.

Elevated building means a nonbasement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (post and piers), shear walls, or breakaway walls.

Emitter means the drip irrigation fittings that deliver water slowly from the system to the soil.

Employee means a person who works in the service of another person (the employer) under an express or implied contract of hire, under which the employer has the right to control the details of work performance.

Erosion means the damage caused by unrestricted surface waters which shall include the movement of silt, soils or foreign material.

Essential services means public utility facilities either underground or overhead and related to the transmission or distribution system of water, sanitary or storm sewage, telephone, gas, electricity, and public safety, including poles, wires, mains, hydrants, drains, pipes, conduits, law enforcement or fire call boxes, traffic signals and other similar equipment necessary for the furnishing of service, but not including the buildings.

Establishment or commencement of business means and includes any of the following:

(1) The opening or commencement of any adult entertainment establishment as a new business;

(2) The conversion of any existing business, whether or not an adult entertainment establishment; or

(3) The relocation of any adult entertainment establishment.

For the purposes of determining the date of commencement of business, evidence in the form of a certificate of occupancy and an occupational license will be required. Any decision regarding a given date of commencement may be appealed pursuant to the provisions of section 90-10.

Existing construction means any structure for which the start of construction commenced before (the effective date of the first floodplain management code, ordinance, or standard based upon specific technical base flood elevation data which establishes the area of special flood hazard) or (specific date).

Existing manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management

regulations adopted by a community (before the effective date of the first floodplain management co ordinance, or standard based upon specific technical base flood elevation data which establishes the area of special flood hazard) or (specific date).

Expansion to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Eutrophication means the enrichment of bodies of water with nutrients resulting in luxurious organic growth and depletion of dissolved oxygen.

Family means an individual, or two or more persons, related by blood or marriage, or a group of not more than three persons who need not be related by blood or marriage, living together as a housekeeping unit in a dwelling.

FAA means the Federal Aviation Administration.

FCC means the Federal Communications Commission.

Final development order means the last approval necessary to carry out the development requested which will result in an immediate and increased impact upon public facilities.

Flood hazard boundary map (FHBM) means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as zone A.

Flood insurance study means the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the flood boundary floodway map and the water surface elevation of the base flood.

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from:

(1) The overflow of inland or tidal waters;

(2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood elevation determination means a determination by the administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.

Flood insurance rate map (FIRM) means an official map of a community, on which the administrator has delineated both the special hazard areas and the risk premium zone applicable to the community.

Flood light means a reflector type light fixture which is attached directly to a building or post and w unshielded.

Flood prone area means any land area susceptible to being inundated by water from any source.

Floodplain means the lateral extent of inundation by an event of given statistical frequency, such as a 100-year floodplain, as designated in the county stormwater management plan (SWMP).

Floodplain management regulations means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of law enforcement powers. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodproofing means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway means the channel of a river or other watercourse and the adjacent land ares that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one-tenth of a foot.

Floor area, gross means the sum of all enclosed areas of floors of a building, measured from the outside faces of the exterior walls, or from the centerline of a wall separating two buildings, including halls, lobbies, arcades, stairways, elevator shafts and balconies, but not including interior parking spaces, open terraces, patios, atriums, entryways, loading space for motor vehicles, and any space where floor to ceiling height is less than six feet.

Floor area ratio (FAR) means a ratio of square footage of gross floor area divided by the square footage of land area. The square footage of land area for purposes of determining the FAR shall not include public road rights-of-way and shall not include submerged land.

Frontage, street means all the property on one side of a street between two streets which intersect such street (crossing or termination), measured along the line of the street, or if the street is dead-ended, then all of the property abutting on one side between a street which intersects such street and the dead end of the street.

Functionally dependent facility means a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

Garage, private means an accessory building or an enclosed area in the main building designed or used for the storage of motor-driven vehicles owned and used by the occupants of the building.

Garage, public means a building or portion thereof, other than a private garage, designed or used for equipping, servicing, repairing, hiring or selling or storing of motor-driven vehicles, but not including the storage of wrecked or junked vehicles.

Grade means a reference plane representing the average of finished ground level adjoining the building at all exterior walls. When the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or between the building and a point six feet (1,829 mm) from the building, whichever is closer to the building.

Grading or land balancing means the moving of earth or materials for the purpose of development or redevelopment or the temporary or permanent alteration of existing topography of the land.

Ground cover means plants, other than turf grass, normally reaching an average maximum height of not more than 24 inches in maturity.

Ground-level barrier means any natural or artificial structure rising above the ground which prevents beachfront lighting from shining directly onto the beach-dune system.

Habitable space means a space in a structure for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas are not considered habitable space.

Hedges means any installation or placement of plants, structural elements, feature art, ornaments or objects that together form a row, boundary or screen that extends more than three feet before a break (open space) of at least three feet horizontally and six feet vertically. Hedges can be installed in conjunction with or in lieu of fences, except those fences required by the Florida Building Code, and must meet the same height restrictions as fences and walls except in the rear yard where the natural plant material of the hedge may be allowed to grow to natural height.

Height, building means the vertical distance from grade to the highest finished roof surface in the case of flat roofs or to a point at the average height of the highest roof having a pitch. When a building is located within a special flood hazard area having a designated base flood elevation on the flood insurance rate map (FIRM), the height may be measured from the base flood elevation plus required freeboard to the highest point of the building.

Height, wireless communication antennas/towers means the distance measured from existing grade to the highest point on the tower structure, even if the highest point of the tower or structure is an antenna.

Historic structure means any structure that is:

(1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(2)

Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary of the Interior to qualify as a registered historic district;

(3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

(4) Individually listed on a local inventory of historic places in communities with historic preservation programs which have been certified either:

a. By an approved state program as determined by the Secretary of the Interior; or

b. Directly by the Secretary of the Interior in states without approved programs.

Home occupation means an occupation conducted as an accessory use in a dwelling unit in a manner which is clearly incidental and accessory to the residential use and requiring no changes to the outside of the structure or its outward appearance.

Hotel means a building containing five or more sleeping accommodations available to the public for compensation and in which meals may or may not be provided. All ancillary or accessory uses such as dining rooms, restaurants or cafes shall be operated within the same building or buildings and principal access to all facilities is through an inside lobby or office supervised by a person in charge at all hours. Hotel facilities are classified as a form of a tourist dwelling facility.

Household animals means animals which are customarily kept for personal use or enjoyment which are not exhibited to the public nor raised for commercial purposes. Household animals shall include domestic dogs, domestic cats, white mice and domestic rabbits, frogs, small birds, small reptiles and fish.

Hurricane evacuation zone means the hurricane evacuation zone established by the county emergency services agency. Evacuation Levels A, B, C, D, and E, as identified in the most recent hurricane evacuation study, require the evacuation of successively more zones inland from the coast during a storm event.

Impervious surface means a surface that has been compacted or covered with a layer of material so that it is highly resistant to or prevents infiltration by stormwater. It includes surfaces such as limerock, or clay, as well as most conventionally surfaced streets, structures, roofs, sidewalks, parking lots, and other similar surfaces.

Impervious surface ratio (ISR) means the relationship between the total impervious surface area on a site and the gross land area. The impervious surface ratio is calculated by dividing the square footage of the area of all impervious surfaces on the site by the square footage of the gross land area. The square footage of the gross land area for purposes of determining the ISR shall not include public road right-of-way and shall not include submerged land.

Improved land means the land that has been altered or improved from its natural state including b limited to grading, paving, drainage, installation of structures, etc., that ultimately increased the value of, or altered the original integrity of such land.

Infiltration rate means the rate of water entry into the soil expressed as a depth of water per unit of time (inches per hour).

Irrigation system means a permanent artificial watering system designed to transport and distribute water to plants.

Landscaping means and shall consist of any of the following combinations of grass or ground cover and shrubs, vines, hedges, trees or palms. Other materials such as rocks, pebbles, sand and decorative fence, but excluding concrete, asphalt paving or pebbles placed on an impervious surface, may be used to satisfy the landscaping requirements west of Gulf Boulevard.

Law enforcement officer means any person who is elected, appointed, or employed full-time by the state or any political subdivision thereof; who is vested with authority to bear arms and make arrests; and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, criminal, traffic, or highway laws of the state.

Lawn grass means all species normally grown as permanent lawns native to this area of the state. Grass may be sodded, plugged, sprigged or seeded.

Level of service means an indicator of the extent or degree of service provided by, or proposed to be provided by, a facility based on and related to the operational characteristics of a facility.

Licensee means any person whose application for any business enterprise has been granted and who owns, possesses, operates and controls the establishment.

Loading space means space located outside of any street right-of-way or easement and designed to accommodate the temporary parking of vehicles used for bulk pickups and deliveries.

Lot means land bounded by lines legally established for the purposes of property division. A lot shall have frontage on an improved public street or on an officially approved private street. For zoning purposes, a lot may consist of:

(1) A combination of complete lots of record.

(2) A combination of complete lots of record and portions of lots of record.

(3) Portions of lots of record, provided that such lots or combinations of lots are of sufficient size to meet the requirements of this chapter for the district in which the lots are located.

(4) Single lots of record.

(5) Parcels of land defined by metes and bounds description where such parcels are in conformity with the land development regulations.

Lot, corner means a lot located at the intersection of two or more streets.

Lot coverage means the percentage of the lot area covered or occupied by the base of the buildings, including attached or unattached accessory buildings.

Lot depth means the distance measured in the mean direction of the side lines of the lot from the midpoint of the front lot line to the midpoint of the opposite mean rear line of the lot.

Lot, interior means a lot other than a corner lot, and abutting one street. Alleys shall not be considered as streets.

Lot, through means a lot other than a corner lot and with frontage on more than one street.

Lot line means a line that marks the boundary of a lot.

(1) *Interior:* Any lot line that is not a street lot line; a lot line separating a lot from another lot.

(2) *Street:* Any lot line separating a lot from a street right-of-way or general access easement. Where a lot line is located within such street right-of-way or easement, the right-of-way or easement boundary adjacent to the lot line shall be construed to be considered the street lot line.

Lot of record means a lot which is part of a subdivision, or a parcel of land described by metes and bounds, the plat or description of which has been recorded by deed with the office of the county clerk of the circuit court. In addition, such plat or description shall provide for a lot which meets the minimum size dimensions for lots in the district for which it is located at the time of recording, or was recorded prior to the effective date of the land development regulations.

Lot width means the width of the lot at the minimum front building setback line.

Low profile luminaire means a light fixture set on a base which raises the source of the light no higher than 48 inches off the ground, and designed in such a way that light is directed downward from the hooded light source.

Lowest floor means the lowest habitable floor of a building which must be located at or above the 100-year flood elevation (base flood level).

Mangrove means any or all of the following species of aquatic woody plants:

Red Mangrove — Rhizophora mangle.

Black Mangrove — Avicennia nitida or avicennia geminans.

White Mangrove — Laguncularia racemosa.

Buttonwood or button-mangrove — Conocarpus erecta.

Mangrove stand means an association of mangrove trees which are noted for development within intertidal zone of marine shorelines and which contain one or more of the following species:

Red Mangrove - Rhizophora mangle.

Black Mangrove - Avicennia nitida.

White Mangrove - Laguncularia racemosa.

Buttonwood - Conocarpus erecta.

Manufactured home means a building, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

Marina means a facility for storing, berthing, securing and launching of private pleasure craft which may also include the sale of fuel and incidental supplies and minor repairs.

Mean high water means the high water mark established by the U.S. Coast and Geodetic Survey in its latest coastal survey of the city.

Mean sea level (MSL) means the average height of the sea for all stages of the tide. This is used as a reference for establishing various elevations within the floodplain. For purposes of the land development regulations, the term is synonymous with the National Geodetic Vertical Datum (NGVD).

Medical marijuana dispensary means a facility that is operated by an organization or business holding all necessary licenses and permits from which marijuana, cannabis, cannabis-based products, or cannabis plants are delivered, purchased, possessed, or dispensed for medical purposes and operated in accordance with all local, federal and state laws. Physicians authorized by state law to order low-THC cannabis, as defined in Florida Statutes, for patients' medical use are not included in the definition of medical marijuana dispensary.

Medical use means the prescriptive use of any form of cannabis to treat a qualifying medical condition and the symptoms associated with that condition or to alleviate the side effects of a qualifying medical treatment.

Mobile home means a structure, transportable in one or more sections, which structure is eight feet or more in width and over 32 feet in length, and which structure is built on an integral chassis and designed to be used as a dwelling unit when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein. This term shall include manufactured housing as defined by state law.

Mobile home park means a lot or parcel of land which contains mobile home sites and accessory o areas, recreation or community facilities for the residents.

Mobile home site means a space or plot of ground within a mobile home park, designated for the accommodation of not more than one mobile home.

Motel means a building in which lodging is available for rent to the public, which is open to transient guests, in which a majority of the rental units have direct entrances from the outside, and in which parking spaces are oriented to the rental units in such a manner as to facilitate direct access from units to the automobiles of the renters. Motels are classified as a form of a tourist dwelling facility.

National Geodetic Vertical Datum (NGVD) means a vertical control as corrected in 1929, used as a reference for establishing varying elevations within the floodplain.

Mulch means nonliving organic and synthetic materials customarily used in landscape design to retard erosion and retain moisture.

Native means trees and other vegetation that is indigenous to Central or North Florida.

New construction means any structure for which the "start of construction" commenced after January 1, 1975. The term also includes any subsequent improvements to such structure.

New manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by a community.

Nonconforming structure, lot, or use means lawful land use, lots, or structures existing at the time of the passage of the land development regulations which does not conform to the provisions, requirements and regulations of the land development regulations.

Non-medical marijuana sales mean the purchase, sale, transfer or delivery of marijuana, cannabis, cannabis-based products or cannabis plants when such sale, transfer or delivery is not associated with any medical purpose or use, whether or not such purchase, sale, transfer or delivery is lawful under federal or state law.

Occupiable room means a room or enclosed space designed for human occupancy in which individuals congregate for amusement, educational or similar purposes, or in which occupants are engaged at labor; and which is equipped with means of egress, light, and ventilation facilities meeting the requirements of this Code.

Office, professional means an establishment offering services or knowledge to the business comm or to individuals. Such activities would include, by the way of illustration, accounting, brokerage, insurance, advertising, employment services, real estate services, physician, lawyer, dentist, architect and psychologist.

Off-street vehicular use area means any area located outside of road right-of-way or easement and designed for parking, service, loading, circulation, storage or display of any type of vehicle, excluding parking garages.

Open space means the land and/or water areas between and around buildings and structures, including required recreation areas, stormwater detention areas, preservation areas, landscape islands and areas with permeable blocks. Retention areas are considered open space if they serve as a water feature and are used as a design element within the overall site. This shall not include parking areas.

Open storage means the storage outside of a building of material supplies, merchandise equipment, commercial vehicles and like items, but excluding junk.

Outdoor lighting/outdoor lighting fixtures means any light emitting device which causes any illumination beyond the exterior walls of any structure or building.

Personal services means an establishment that primarily provides services generally involving the care of a person or his apparel, such as barber shops, beauty salons, seamstress shops, shoe repair shops, dry cleaning and laundry pickup facilities and coin-operated laundry and dry cleaning facilities.

Pervious open space means the area on a lot or parcel not covered by a building or impervious surface.

Pervious paving materials means a porous asphaltic or concrete surface and a high-void aggregate base which allows for rapid infiltration and temporary storage of rain on, or runoff delivered to, paved surfaces.

Physical culture establishment means any business establishment which offers or advertises, massage, body rubs or physical contact with specified anatomical areas, whether or not licensed. Business establishments which routinely provide medical services by state licensed practitioners, and electrolysis treatment by licensed operators of electrolysis equipment shall be excluded from the definition of adult physical culture establishments.

Planning commission means the city planning commission, the legally constituted membership of the planning commission of the city as defined in chapter 2, article II, division 2 of this Code.

Pole lighting means a lighting fixture set on a base or pole which raises the source of the light higher than 48 inches off the ground.

Portable storage units (PSU) are containers, which are intended to be used for the offsite storage of personal property, and are on the property solely for loading and unloading. Portable containers designated for depositing personal goods to be donated to a nonprofit charitable organization are not included in the definition of a PSU.

Private performance means the display or exposure of any specified anatomical area by an employee of an adult entertainment establishment to a person other than another employee while the person is in an area not accessible during such display to all other persons in the establishment, or while the person is in an area in which the person is totally or partially screened or partitioned during such display from the view of all persons outside the area.

Private pleasure craft means a vessel privately owned or leased primarily for aquatic recreational purposes which includes a transport trailer. Private pleasure craft shall not include commercial, official or scientific vessels.

Protective barrier means a physical structure not less than three feet in height, including access to a protected area, composed of wood or other suitable materials.

Rain sensor equipment means a low voltage electrical component placed in the circuitry of an automatic lawn irrigation system which is designed to turn off a sprinkler controller when it rains enough to meet the needs of the landscape.

Recreational vehicles means a vehicular-type portable structure without a permanent foundation, which can be towed, hauled or driven, and which is primarily designed as temporary living accommodations for recreation, camping and travel use, including but not limited to, travel trailers, motor homes, camping trailers, boat trailers, truck campers, recreational vans and self-propelled motor homes.

Remove or *removal* mean the actual removal or causing the effective removal through damaging, poisoning or other direct or indirect actions resulting in death to the tree.

Residential designed manufactured homes means manufactured homes as defined by state law which meet residential design standards contained in this Code.

Residential property means property which is zoned R-1, R-2 or R-3 and which is used for a residential use or which is vacant.

Restaurant means a building or lot where meals are prepared and sold on the premises from within a completely enclosed building and where at least 20 seats are provided for customers inside the building or a building or lot where meals are prepared and sold on the premises from within a completely enclosed building and which has an unenclosed area or patio provided for the consumption of food on the premises which unenclosed area or patio seating is supplemental to the interior seating provided in this definition.

Retail means commercial establishments that generally serve day-to-day commercial needs of a residential neighborhood, including but not limited to, drugstores, tobacco shops, news stands, clothing, specialty shops, bakeries, confectioneries, delicatessens, meat and produce markets, food stores eating and drinking establishments, specifically excluded from this class of uses is retail sales of spirits and liquors.

Sand dunes means accumulations of sand in ridges or mounds landward of the beach.

Satellite dish antenna means a device used to receive satellite broadcast signals, usually a paraboli shaped antenna, one meter or less in diameter. This definition is meant to include but not limited to, what are commonly referred to as a satellite earth station, TAROs (television reception only), and satellite microwave antennas.

School means a premise or site upon which there is a nursery school, kindergarten, elementary school, junior high school, middle school, senior high school, or exceptional learning center. However, the term "school" does not include a premise or site upon which there is an institution devoted solely to vocational or professional education or training or an institution of higher education, including, but not limited to, a community college, junior college, four-year college or university.

Seawall means any artificial shoreline protection device approved by applicable regulatory agencies.

Sediment means mineral or organic matter deposited by water, air, or ice.

Sedimentation facility means any structure or area which is designed to hold runoff water until suspended sediments have settled.

Service station means an establishment where gasoline or diesel fuel is supplied and dispensed at retail and where, in addition, the following services only may be rendered and sales made:

(1) Minor motor vehicle repair.

(2) Sales of beverages, packaged food, tobacco products and similar convenience goods for customers, as accessory and incidental to principal uses.

(3) Provision of road maps and other travel information.

(4) Provision of restroom facilities.

(5) Warranty maintenance and safety inspections.

(6) Car washing facility, as accessory and incidental to the permitted use.

Uses permissible at a service station do not include major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles not in operating condition, or other work involving noise, glare, fumes, smoke or other characteristics to an extent greater than normally found in service stations.

Setback means the minimum required distance from the property lines to the outermost vertical component of a building wall (including stairs, balconies, elevators, shafts, etc., but not including eaves). On waterfront lots the outside edge of the seawall cap is considered to be the rear property line. However, when there is no seawall cap, the coastal construction setback line as determined by the Florida Department of Environmental Regulation and the Corps of Engineers shall be considered the rear property line.

Shrubs means a low, woody plant with several stems; a bush.

Sign means any device, fixture, placard or structure that uses any color, form, graphics, illuminatio architectural style or design or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

SIGN TYPES

Abandoned sign. Any sign or sign structure which bears no sign or copy or displays information which incorrectly identifies the principal activity conducted on the site for a period of three consecutive months.

Advertiser. Any person who is the lessee or owner of the sign, an agent of such person or anyone who has beneficial use of the sign.

Advertising. Any form of public announcement intended to aid, directly or indirectly, in the sale, use, or promotion of a product, commodity, service, activity, or entertainment.

A-Frame (sandwich board). Any unsecured sign, double or single faced, which is portable and may be readily moved from place to place.

Alter. This term shall include but not be limited to the addition of a sign surface area, the changing or relocation of site source, or the relocation of an outdoor advertising display from one position to another. Alter includes any and all structural changes in the sign, excluding changeable copy.

Animated sign. Any sign which includes action, motion, the optical illusion of action or motion or color changes of all or any part of the sign facing, requiring electrical energy or set in motion by movement of the atmosphere or a sign made up of a series of sections that turn and stop to show two or more pictures or messages in the copy area. A sign having externally moving parts or messages or operating so as to give the viewer the illusion of moving parts or messages. This does not include signs whose informational content can be changed or altered on a fixed display. Animated signs shall not include electronic reader boards.

Art work. Drawings, pictures, symbols, paintings or sculpture which in no way identify a product or business and which are not displayed in conjunction with a commercial, for profit or a nonprofit enterprise.

Banner. Any fabric, plastic, foil or similar material that is mounted to a pole or building at one or more edges.

Beach/bay signs. Signs that are intended for viewing from the Gulf Beach, Gulf water or Boca Ciega Bay.

Beacon. A stationary or revolving light which flashes or projects, single color or multi-colored illumination.

Signs on a bench sign/bus shelter. A bench or bus shelter upon which a sign is drawn, painted, printed, or otherwise affixed.

Billboards. Any off-site sign composed of a continuous, and uninterrupted surface (including cut-outs) which measures 72 square feet or more in aggregate area.

Building marker. Any sign, tablet or plaque of commemorative or historical nature indicating the name of building and date or incidental information about its construction, where such sign is cut into a masonry surface or made of bronze or other permanent material.

Building sign. Any sign attached to any part of a building as contrasted to a freestanding sign.

Bulletin board. Sign of permanent character, but with removable letters, words, numerals or symbols.

Business establishment. Any individual person, nonprofit organization, partnership, corporation, other organization or legal entity holding a valid local business tax receipt and occupying distinct and separate physical space.

Canopy sign. Any sign that is part of an awning, canopy or other fabric, plastic or structural protective cover over a door entrance, window or outdoor service area. A marquee is not a canopy.

Changeable copy sign. A sign or portion thereof with characters, letters or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign in which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered not a changeable copy sign for purposes of the land development regulations.

Construction sign. Any sign erected and located upon a site where building construction or remodeling is in progress.

Directional sign. Any sign which exclusively contains information providing direction or location of any object, place, or area including but not limited to, those signs indicating avenues of ingress/egress.

Double-faced sign. A sign which has two display surfaces backed against the same background, one face of which is designed to be seen from one direction and the other from the opposite direction, every point on each face or in contact with the same background.

Electronic reader board. A type of sign whose alphabetic, pictographic, or symbolic informa content can be changed or altered on a fixed display screen composed of electrically illuminated segments.

Erect. To build, construct, attach, hang, place, suspend or affix, and shall also include the painting of signs.

Flag. Any fabric, banner or bunting containing distinct colors, patterns or designs.

Freestanding sign. Any sign supported by structures or supports that are placed on or anchored in the ground and that are not attached to any building or area.

Government or public purpose sign. A sign serving a public or civic purpose which is installed by, or under direction of, a governmental entity. The term does not include signs containing advertising except to the extent allowed by the land development regulations.

Ground level. The finish grade of a parcel of land exclusive of any filling, berming, mounding or excavating solely for the purpose of locating a sign. Ground level on marina docks or floating structures shall be the finish grade of the landward portion of the adjoining parcel.

Ground sign. An outdoor sign supported by uprights or braces in or upon the ground. The bottom coping shall be not more than three feet above ground or street level which space may be filled with platform decorative trim or light construction.

Identification signs. Any sign which indicates no more than the name, address, company logo and occupation or function of an establishment or premise.

Illuminated sign. Any sign which has characters, letters, figures, designs or outlines illuminated by electric lights or luminous tubes, internally or externally, as part of the sign proper or may be illuminated from an exterior source designed or utilized primarily for such illumination.

Integral roof sign. Any sign erected or constructed as a part of a normal roof structure of any design, such that no part of the sign extends above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches.

Maintenance. The replacing, repairing or repainting of a portion of a sign structure, periodically changing changeable copy or renewing copy which has been made unusable by ordinary wear or weather or accident.

Mansard. A roof with two slopes on each of four sides. The mansard sign shall be attached as outlined in wall signs.

Marquee sign. Any sign attached to, or made a part of a marquee.

Nonconforming sign. Any sign that does not conform to the requirements of the land development regulations.

Off-site sign. Any sign that advertises goods, services, person, activity or condition not obtainable on the premises where the signs are located.

On-premises sign. Any sign which identifies a use, person, business or advertises a product for sale or service to be rendered on the zone lot where the sign is located.

Pennant. Any plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire or string usually in a series.

Pole sign. An outdoor sign supported by poles or uprights. The bottom coping shall be not less than eight feet above ground or street level.

Porch. An exterior appendage to a building forming a covered approach to a doorway.

Portable sign means any sign not permanently attached to the ground or other permanent structure, designed to be transported including, but not limited to, signs designed to be transported by means of wheels, balloons used as signs, umbrellas used for advertising, and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless such vehicle is used in the normal day-to-day operations of the business.

Projecting signs. Any sign affixed to a building or wall in such a manner that its leading edge stands more than six inches beyond the surface of the building or wall.

Revolving sign. Signs with visible moving, revolving, or rotating parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic, or mechanical means, except for traditional barber poles.

Sign face. The part of the sign that is or can be used to identify, display, advertise, communicate information, or for visual representation which attracts or intends to attract the attention of the public for any purpose.

Sign height. The vertical distance measured from ground level at the base of the sign to the highest point of the sign.

Sign structure. Any structure which is designed specifically for the purpose of supporting the sign, has supported or is capable of supporting a sign. This definition shall include decorative covers, braces, wires, supports or components attached to or placed around the sign structure.

Snipe sign. Any sign which is attached in any way to a utility pole, tree, fence post or other similar object, located on public or private property. Any sign designed to provide warning to the public shall not be construed to be a snipe sign.

Twirling sign. Signs, commonly referred to as wind signs, consisting of one or more banners, flags, pennants, ribbons, spinners, streamers or captive balloons, or other objects or material fastened in such a manner as to move upon being subjected to pressure by wind.

Vehicle sign. A sign attached to or placed on a vehicle, including automobiles, trucks, boats, campers, and trailers that are parked on or otherwise utilizing a public right-of-way, public property or on private property so as to be intended to be viewed from a vehicular right-of-way for the basic purposes of providing advertisement of products or services or directing people to a business or activity. This definition is not to be construed to include those signs that identify a firm or its principal products on a vehicle or such advertising devices as may be attached to and within the normal unaltered lines of the vehicle of a licensed transit carrier, when and during that period of time such vehicle is regularly and customarily used to traverse the public highways during the normal course of business.

Wall sign. A sign which is painted on, fastened to, or erected against the wall of a building with its face in a parallel plane to the plane of the building facade or wall.

Warning sign. Signs located on a property posting such property for warning or prohibitions on parking, trespassing, hunting, fishing, swimming, or other activity, provided such signs do not carry any commercial message or identification.

Window sign. A sign located on a window or within a building or other enclosed structure, which is visible from the exterior through a window or other opening.

Site specific plant means a selection of plant material that is particularly well suited to withstand the physical growing conditions that are normal for that location.

Soil texture means the classification of soil based on the percentage of sand, silt, and clay in the soil.

Special adult cabarets means any bar, dance hall, restaurant or other place of business which features dancers, go-go dancers, exotic dancers, strippers, male or female impersonators, or similar entertainers, or waiters or waitresses that engage in "specified sexual activities" or display "specified anatomical area", or any such business establishment, the advertising for, or a sign or signs identifying which, use the words, "adult," "topless," "nude," "bottomless," or other words of similar import.

Special exception use means a use which may be allowed within a zoning district subject to the provisions of the land development regulations and in accordance with the procedures as set forth in the land development regulations.

Special flood hazard area means all land located within the floodplain of a community subject to a percent or greater chance of flooding in any given year.

Specified anatomical areas means:

(1) Less than completely and opaquely covered:
   a. Human genitals or pubic region;
   b. Cleavage nates of the human buttocks;
   c. That portion of the human female breast below the point immediately above the top of the areola; this definition shall include the entire lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breast exhibited by a dress, blouse, shirt, leotard, bathing suit or other wearing apparel, provided the areola is not so exposed.

(2) Human male genitals in a discernible turgid state, even if completely and opaquely covered.

Specified criminal act means:

(1) An offense under Florida Statutes ch. 794, (sexual battery);
(2) An offense under Florida Statutes ch. 796, (prostitution);
(3) An offense under Florida Statutes ch. 800, (lewdness; indecent exposure);
(4) An offense under Florida Statutes ch.826, (bigamy; incest); or
(5) An offense under Florida Statutes ch. 847, (obscene literature; profanity); or
(6) An offense under an analogous statute of a state other than this state, or under an analogous ordinance of another county or municipality.

Specified sexual activities means:

(1) Human genitals in a state of sexual stimulation or arousal or tumescence;
(2) Acts of anilingus, bestiality, buggery, cunnilingus, coprophagy, coprophilia, fellation, flagellation, masochism, masturbation, necrophilia, pederasty, pedophilia, sadism, sadomasochism, sapphism, sexual intercourse, sodomy, urolagnia or zooerasty; and any other acts of human masturbation, sexual intercourse or sodomy, whether actual or simulated;
(3) Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast; or
(4) Excretory functions as part of or in connection with any of the activities set forth in subsections (1) through (3) of this definition.

Start of construction, for new construction or substantial improvement it means the date the build permit was issued, provided the actual commencement of construction, repair, reconstruction or improvement is within 180 days of the permit date. An extension, upon an approved written application, may be granted for 90 days.

Stormwater retention means that portion of surface water drainage system used for the storage or treatment of stormwater runoff and design reviewed and constructed in accordance with the land development regulations.

Story means the portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. A complete horizontal section of building having one continuous or practically continuous floor. This term does not include the floor of a garage used solely for the parking of vehicles and entry to habitable living space.

Straddle dance (also known as lap dance, or face dance) means the use by an employee, whether clothed or not, of any part of his/her body to massage, rub, stroke, knead, caress or fondle the genital or pubic area of a patron, while on the premises, or the placing of the genital or pubic area of an employee in contact with the face of a patron, while on the premises.

Street means all property accepted or intended by the city for public street purposes or officially approved for private street purposes.

Structural alterations means any change, except the repair or replacement in supporting members of a building, such as bearing walls, columns, beams or girders, or the rearrangement of any interior partitions.

Structure means anything constructed or erected, the use of which requires permanent location on the land or attachment to something having permanent location on the land. Structures include buildings, walls, screened enclosures, fences, advertising signs, billboards, swimming pools and exterior mechanical equipment such as air-conditioning compressors.

(1) *Major structure:* Houses, mobile homes, apartment buildings, condominiums, motels, hotels, restaurants, towers, other types of residential, commercial, or public buildings, and other construction.

(2) *Minor structure:* Pile-supported, elevated dune and beach walkover structures; beach access ramps and walkways; stairways; pile-supported, elevated viewing platforms, gazebos, and boardwalks; lifeguard support stands; public and private bathhouses; sidewalks, driveways, parking areas, shuffleboard courts, tennis courts, handball courts, racquetball courts, and other uncovered paved areas; earth retaining walls; and sand fences, privacy fences, ornamental walls, ornamental garden structures, aviaries, and other ornamental construction. It shall be a characteristic of minor structures that they are considered to be expendable under design wind, wave, and storm forces.

(3) *Nonhabitable major structure:* Swimming pools; parking garages; pipelines; piers; canals; lakes, ditches, drainage structures, and other water retention structures; water and sewage treatment plants; electrical power plants, and all related structures or facilities, transmission lines, distribution lines, transformer pads, vaults, and substations; roads, bridges, streets and highways; and underground storage tanks.

(4) *Coastal or shore protection structure:* Shore-hardening structures, such as seawalls, bulkheads, revetments, rubble mound structures, groins, breakwaters, and aggregates of materials other that beach sand used for shoreline protection; beach and dune restoration; and other structures which are intended to prevent erosion or protect other structures from wave and hydrodynamic forces.

Submerged land means the land area situated below the mean high water line of a standing body of water, including ocean, gulf, bay, estuary, lake, pond, river or stream. For the purpose of this definition drainage retention/detention areas to be created as a function of development and wetlands shall not be considered submerged land.

Substantial damage means the damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement means any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the fair market value of the structure, before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either any project for improvement of the structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official, and which are the minimum necessary to assure living conditions, or any alterations of an historic structure, provided that the alteration will not preclude the structure's continued designation as an historic structure.

Substantially improved existing manufactured home parks or subdivisions means where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

Subsurface drainage means any approved method used as a vehicle to convey groundwater.

Swale means a low place in a tract of land.

Temporary lodging unit means an individual room, rooms or suite within a temporary lodging use designed to be occupied as a single unit for temporary occupancy.

Temporary lodging use means a facility containing one or more temporary lodging units, the occup of which occurs, or is offered or advertised as being available, for a term of less than one month, more than three times in any consecutive 12-month period. In determining whether a property is used as a temporary lodging use, such determination shall be made without regard to the form of ownership of the property or unit, or whether the occupant has a direct or indirect ownership interest in the property or unit; and without regard to whether the right of occupancy arises from a rental agreement, other agreement, or the payment of consideration. This term includes tourist condo-hotel and motel/hotel as elsewhere defined in this Code.

Trees means self-supporting, woody plants, which normally grow to a minimum height of 15 feet, have trunks which can be maintained with over five feet of clear wood and have an average mature crown spread of at least 15 feet.

Turf means continuous plant coverage consisting of grass species suited to growth in the county.

Turtle nesting season means the period from May 1 through October 31 of each year.

Unimproved land means the land that has not been altered or improved from its natural state.

Unity of title refers to a document recorded in the office of the clerk of the circuit court of Pinellas County stipulating that a lot, lots, or parcel of land shall be held under single ownership, shall not be eligible for further subdivision and shall not be transferred, conveyed, sold or divided in any unit other than in its entirety.

Use means the specific activity or function for which land, a building or a structure is designated, arranged, occupied or maintained.

(1) Accessory use on the same lot or in the same structure with, and of a nature and extent customarily incidental and subordinate to the principal use of the lot of structure.

(2) The primary use and chief purpose of a lot or structure.

User means any independent entity which is marketing a service to retail customers in the city. For the purposes of determining the number of users co-locating, no two users shall have any common ownership ties.

Variance means a modification of some particular requirement of the zoning ordinance which may be granted by the special magistrate in order to alleviate a unique and unnecessary hardship which may result from literal enforcement of the provisions of the land development regulations with respect to the parcel involved.

Vegetation, native means any plant species with a geographic distribution indigenous to all or part, of the state.

Water or community waters means any and all water on or beneath the surface of the ground or in atmosphere. It includes the water in any watercourse, waterbody or drainage system. It also includes diffused surface water and water percolating, standing or flowing beneath the surface of the ground, as well as coastal waters.

Water surface elevation means the projected heights in relation to mean sea level reached by floods of various magnitudes and frequencies in the floodplains of coastal or riverline areas. These may be expressed by curvilinear lines on FHBMs or FIRMs and reflected as a border delineating the special flood hazard areas.

Waterbody means any natural or artificial pond, lake, reservoir or other area which ordinarily or intermittently contains water and which has a discernible shoreline.

Watercourse means any natural or artificial stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, street, roadway, swale or wash in which water flows in a definite channel, bed or banks.

Watershed area means an area allowing or generating storm or irrigation water runoff.

Wetland means land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Wireless communication antenna means any exterior apparatus designed for telephonic, radio or television communications through the sending or receiving of electromagnetic waves.

Wireless communication antenna array means a configuration of antennas necessary for broadcast and reception of radio frequency from a particular site.

Wireless communication tower means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes, but is not limited to radio and television transmission towers, microwave towers, common carrier towers, and cellular telephone towers.

Xeriscape means a landscaping method that maximizes the conservation of water by the use of site-appropriate plants and an efficient watering system. The principles of xeriscape include planning and design, appropriate choice of plants, soil analysis which may include the use of solid waste compost, practical use of turf, efficient irrigation, appropriate use of mulches, and proper maintenance.

Yard means an open space on the same lot with a building, unoccupied and unobstructed from the ground upward, except by trees or shrubbery or as otherwise provided in the land development regulations.

Yard, front means an open unoccupied space across the full width of the lot, extending from the front building line, including open porches, to the front line of the lot.

Yard, side means an open unoccupied space on the same lot with a building, between the building and the side line of the lot extending through from the front building line to the rear yard, or to the rear line of the lot where no rear yard is required.

Yard, rear means an open unoccupied space extending across the full width of the lot and measured between the rear line of the lot and the rear building line of the main building.

Yard, waterfront means an open unoccupied space on waterfront property with depth measured perpendicular to the property line or waterside lot line for nonseawalled lots. Waterfront property is hereby defined as property abutting open water, bays, bayous and manmade canals.

(Code 1983, ch. 20, art. II; Ord. No. 918, § 1, 12-7-99; Ord. No. 925, § 1, 6-20-00; Ord. No. 956, §§ 1, 2, 12-11-01; Ord. No. 987, § 1, 11-25-03; Ord. No. 992, § 1, 1-27-04; Ord. No. 1020, § 1, 6-8-04; Ord. No. 1037, § 1, 1-25-05; Ord. No. 1071, § 3(Exh. A, § 4), 2-28-06; Ord. No. 1126, § 2, 7-8-08; Ord. No. 1138, § 1, 12-9-08; Ord. No. 1165, § 1, 8-10-10; Ord. No. 1181, § 1, 7-10-12; Ord. No. 2014-08, § 1, 11-12-14; Ord. No. 2014-15, § 4, 12-9-14; Ord. No. 2015-03, § 2, 2-24-15; Ord. No. 2015-04, §§ 1, 2, 6-9-15; Ord. No. 2016-02, § 1, 4-12-16; Ord. No. 2016-12, § 1, 11-15-16; Ord. No. 2021-18 , § 1, 9-8-21; Ord. No. 2021-22 , § 1, 11-10-21)

Cross reference— Definitions generally, § 1-2.

Sec. 94-93. - Definitions.

Accessory structure means a structure on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. For floodplain management purposes, the term includes only accessory structures used for parking and storage.

Appeal means a request for a review of the Floodplain Administrator's interpretation of any provision of this chapter.

ASCE 24 means a standard titled *Flood Resistant Design and Construction* that is referenced by the Florida Building Code. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

Base flood means a flood having a one-percent chance of being equaled or exceeded in any given year. [Also defined in FBC, B, Section 202.] The base flood is commonly referred to as the "100-year flood" or the "one-percent-annual chance flood."

Base flood elevation means the elevation of the base flood, including wave height, relative to the national geodetic vertical datum (NGVD), North American vertical datum (NAVD) or other datum specified on the flood insurance rate map (FIRM). [Also defined in FBC, B, Section 202.]

Basement means the portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in FBC, B, Section 202.]

Breakaway wall means a partition or wall that is independent of supporting structural members and that is intended to withstand design wind forces but to collapse from a water load less than that which would occur during the base flood, without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system.

Coastal A Zone means area within a special flood hazard area, landward of a V zone or landward of an open coast without mapped coastal high hazard areas. In a coastal A zone, the principal source of flooding must be astronomical tides, storm surges, seiches or tsunamis, not riverine flooding. During the base flood conditions, the potential for breaking wave height shall be greater than or equal to one and one-half feet (457 mm). The inland limit of the coastal A zone is (a) the limit of moderate wave action if delineated on a FIRM, or (b) designated by the authority having jurisdiction.

Coastal construction control line means the line established by the state pursuant to Florida Statutes § 161.053, and recorded in the official records of the community, which defines that portion of the beach-dune system subject to severe fluctuations based on a 100-year storm surge, storm waves or other predictable weather conditions.

Coastal high hazard area means a special flood hazard area extending from offshore to the inland a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are also referred to as "high hazard areas subject to high velocity wave action" or "V zones" and are designated on Flood Insurance Rate Maps (FIRM) as zone V1-V30, VE, or V. [Also defined in FBC, B, Section 202.]

Conditional Letter of Map Revision (CLOMR) means a formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective flood insurance rate map or flood insurance study; upon submission and approval of certified as-built documentation, a letter of map revision may be issued by FEMA to revise the effective FIRM.

Design flood means the flood associated with the greater of the following two areas: [Also defined in FBC, B, Section 202.]

(1) Area with a floodplain subject to a one-percent or greater chance of flooding in any year; or

(2) Area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Design flood elevation means the elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to two feet. [Also defined in FBC, B, Section 202.]

Development means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations or any other land disturbing activities.

Encroachment means the placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

Existing building and existing structure means any buildings and structures for which the "start of construction" commenced before May 7, 1971. [Also defined in FBC, B, Section 202.]

Federal emergency management agency (FEMA) means the federal agency that, in addition to carrying out other functions, administers the national flood insurance program.

Flood or *flooding* means a general and temporary condition of partial or complete inundation of normally dry land from: [Also defined in FBC, B, Section 202.]

(1) The overflow of inland or tidal waters.

(2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood damage-resistant materials means any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Also defined in FBC, B, Section 202.]

Flood hazard area means the greater of the following two areas: [Also defined in FBC, B, Section 202.]

(1) The area within a floodplain subject to a one-percent or greater chance of flooding in any year.

(2) The area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Flood insurance rate map (FIRM) means the official map of the community on which the Federal Emergency Management Agency has delineated both special flood hazard areas and the risk premium zones applicable to the community. [Also defined in FBC, B, Section 202.]

Flood insurance study (FIS) means the official report provided by the federal emergency management agency that contains the flood insurance rate map, the flood boundary and floodway map (if applicable), the water surface elevations of the base flood, and supporting technical data. [Also defined in FBC, B, Section 202.]

Floodplain administrator means the office or position designated and charged with the administration and enforcement of this chapter (may be referred to as the floodplain manager).

Floodplain development permit or approval means an official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this chapter.

Florida Building Code means the family of codes adopted by the Florida Building Commission, including: Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.

Freeboard means a level higher than the base flood elevation. It is a factor of safety usually expressed in feet above a flood level for purposes of flood plain management. Freeboard compensates for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action or the hydrological effect of urbanization on the watershed. [The City] of Madeira Beach requires four feet of freeboard above base flood elevation.

Functionally dependent use means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term

does not include long-term storage or related manufacturing facilities.

Highest adjacent grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

Historic structure means any structure that is determined eligible for the exception to the flood hazard area requirements of the Florida Building Code, Existing Building, Chapter 12 Historic Buildings.

Letter of map change (LOMC) means an official determination issued by FEMA that amends or revises an effective flood insurance rate map or flood insurance study. Letters of map change include:

Letter of map amendment (LOMA) means an amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective flood insurance rate map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

Letter of map revision (LOMR) means a revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

Letter of map revision based on fill (LOMR-F) means a determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

Light-duty truck means as defined in 40 C.F.R. 86.082-2, any motor vehicle rated at 8,500 pounds gross vehicular weight rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less, which is:

(1) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or

(2) Designed primarily for transportation of persons and has a capacity of more than 12 persons; or

(3) Available with special features enabling off-street or off-highway operation and use.

Limit of moderate wave action means [a] line shown on FIRMs to indicate the inland limit of the one and one-half-foot (457 mm) breaking wave height during the base flood.

Lowest floor means the lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the Florida Building Code or ASCE 24. [Also defined in FBC, B, Section 202.]

Manufactured home means a structure, transportable in one or more sections, which is eight feet more in width and greater than 400 square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or "park trailer." [Also defined in 15C-1.0101, F.A.C.]

Market value means the value of buildings and structures, excluding the land and other improvements on the parcel. Market is the actual cash value (in-kind replacement cost depreciated for age, wear and tear, neglect, and quality of construction) determined by a qualified independent appraiser, or the "just value" of the structure, developed by the Pinellas County Property Appraiser's Office (PAO) for ad valorem taxation purposes, adjusted to approximate market value, as determined by the PAO.

New construction means, for the purposes of administration of this chapter and the flood resistant construction requirements of the Florida Building Code, structures for which the "start of construction" commenced on or after May 7, 1971 and includes any subsequent improvements to such structures.

Nonconversion agreement means a form provided by the floodplain administrator to be signed by the owner and recorded on the property deed in official records of the clerk of courts, for the owner to agree not to convert or modify in any manner that is inconsistent with the terms of the building permit and these regulations, enclosures below elevated buildings.

Recreational vehicle means a vehicle, including a park trailer, which is: [See Florida Statutes § 320.01)

(1) Built on a single chassis;

(2) Four hundred square feet or less when measured at the largest horizontal projection;

(3) Designed to be self-propelled or permanently towable by a light-duty truck; and

(4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Sand dunes means naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Special flood hazard area means an area in the floodplain subject to a one percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V. All of Madeira Beach is located in a special flood hazard area. [Also defined in FBC, B, Section 202.]

Start of construction means the date of issuance of permits for new construction and substantial improvements structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days of the date of the issuance. The actual start of

construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns.

Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Also defined in FBC, B, Section 202.]

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Substantial damage also means flood-related damage sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

Substantial improvement means any combination of repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure taking place during a one-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the building or structure before the "start of construction" of the improvement. For each building or structure, the one-year period begins on the date of the first permit issued for improvement or repair subsequent to November 15, 2016. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either: [Also defined in FBC, B, Section 202.]

(1) Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.

(2) Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure.

Variance means a grant of relief from the requirements of this chapter, or the flood resistant construction requirements of the Florida Building Code, which permits construction in a manner that would not otherwise be permitted by this chapter or the Florida Building Code.

(Ord. No. 2016-11, § 2, 11-15-16; Ord. No. 2021-06 , § 1, 8-11-21; Ord. No. 2022-02 , § 1, 2-9-22)

Sec. 14-62. - Definitions.

The following words, terms and phrases when used in this article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory structure means a structure, the use of which is incidental to that of the main building and which is attached thereto or located on the same premises.

Building means a combination of materials to form a construction adapted to permanent or continuous occupancy for use for private, public, institutional, residence, business or storage purposes.

Building code means the Standard Building Code, as amended.

Deterioration means the condition or appearance of a building or parts thereof, characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting or other evidence of physical decay or neglect, excessive use or lack of maintenance.

Enforcing authority means city manager or such other person as he my specifically designate.

Exposed to public view means any premises, or any part thereof, or any building, or any part thereof, which may be lawfully viewed by the public or any member thereof, from a sidewalk, street, alley way, water, licensed open-air parking lot or from any adjoining or neighboring premises.

Exterior of premises means those portions of a building which are exposed to public view and the open space of any premises outside of any building erected thereon.

Extermination means the control and elimination of insects, termites, rodents and vermin by eliminating their harborage places; by removing or making inaccessible material that may serve as their food by poisoning, spraying, fumigating, tenting, trapping, or by any other approved means of pest elimination.

Fire hazard means anything or any act which increases or may cause an increase of the hazard or menace of fire to a greater degree than that customarily recognized as normal by persons in the public service of preventing, suppressing, or extinguishing fire; or which may obstruct, delay or hinder or may become the cause of an obstruction, a delay, a hazard or a hindrance to the prevention, suppression or extinguishment of fire.

Garbage means putrescible animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

Ground cover includes all plant materials which reach a maximum height of not more than 12 inches and may be used in lieu of grass.

Health officer means the health officer of the county.

Hedges means a dense row of shrubs forming a boundary which shall be:

(1) A minimum of 18 inches in height immediately upon planting, with spacing of no more 30 inches on center and reach an average height of 22 inches within one year of planting.

(2) Of nondeciduous (leaves not falling off at a certain season) species, planted and maintained so as to form a continuous screen within a maximum of one year of planting.

Infestation means the presence of insects, termites, rodents, vermin or other pests on the premises which constitute a health or structural hazard.

Mixed occupancy means any building containing one or more dwelling units or rooming units and also having a portion thereof devoted to nondwelling uses.

Nuisance means any one or combination of the following:

(1) Any public nuisance known at common law or in equity jurisprudence or as provided by the statutes of the state, or ordinances of the city.

(2) Physical conditions dangerous to human life or detrimental to the health or safety of children, whether in a building, or the premises of a building, or upon an unoccupied lot. This includes, but is not limited to: Abandoned wells, shafts, basements, excavation, abandoned buildings, abandoned ice boxes, refrigerators, motor vehicles and any structurally unsound fences or structures, lumber, trash, fences, debris or vegetation such as poison ivy, oak or sumac, which may prove a hazard for inquisitive minors.

(3) Physical conditions dangerous to human life or detrimental to health of persons on or near the premises where the condition exists.

(4) Unsanitary conditions or anything offensive to the senses or dangerous to health, in violation of this article.

(5) Whatever renders air, food or drink unwholesome or detrimental to the health of human being.

(6) Fire hazards.

Operator means any person who has charge, care or control of premises or a part thereof, whether with or without the knowledge or consent of the owner.

Owner means any person who, alone or jointly or severally with others, shall have legal or equitable title to any premises with or without accompanying actual possession thereof, or shall have charge, care or control of premises, as owner or agent of the owner, or as executor, executrix, administrator, administratrix, trustee, receiver, or guardian of the estate, or as a mortgagee in possession either by virtue of a court order or by voluntary surrender by the person holding the legal title. Any person who is a lessee, subletting, or reassigning any part or all of any premises shall be deemed to be a co-owner with the lessor and shall have joint responsibility over the portion of the premises sublet or assigned by such lessee.

Plumbing means all of the following supplies, facilities and equipment: Gas pipes, gas burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bath tubs, shower baths, installed clothes washing machines, catch basins, vents and any other similar supplied fixtures, together with all connections to water, sewer or gas lines and water pipes and lines utilized in connection with air conditioning equipment.

Premises means a lot, plot or parcel of land including the buildings or structures thereon.

Refuse means all putrescible or nonputrescible solid wastes (except body wastes), including but not limited to garbage, rubbish, ashes, street cleaning, dead animals, abandoned vehicles, unlicensed vehicles and solid market and industrial wastes.

Room means space in an enclosed building or space set apart by a partition or partitions.

Rubbish means nonputrescible solid wastes consisting of both combustible and noncombustible waste, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.

Sanitary sewer means any sanitary sewer owned, operated and maintained by the county or the city and available for public use for the disposal of sewage.

Sewage means waste from a flush toilet, bath tub, sink, lavatory, dishwashing or laundry machine, or the water-carried waste from any other fixture or equipment or machine.

Shrub means a low, woody plant with several stems; bush.

Story means that portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between such floor and the ceiling next above it. The ground floor of a building may be used for parking and not counted as a story.

Structure means a combination of any materials, whether fixed or portable, forming a construction, including buildings.

Washrooms means enclosed space containing one or more bath tubs, showers, or both, and which shall also include toilets, lavatories, or fixtures serving similar purposes.

Water closet compartment means enclosed space containing one or more toilets which may also contain one or more lavatories, urinals and other plumbing fixtures.

Weathering means deterioration, decay or damage caused by exposure to the elements.

Vacant lot means a lot without improvements.

(Code 1983, § 6-204; Ord. No. 2011-06, § 1, 12-13-11)

Cross reference— Definitions generally, § 1-2.

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))

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.

(Code 1983, § 20-505(B))

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.

(Code 1983, § 20-505(C))

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.

Accessory structures may not be located in front yards in C-3, retail commercial zones. Accessory structures in C-3, retail commercial zones must provide the same side and rear setbacks as are required for the principal structure.

(Code 1983, § 20-505(G))

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 the same side and rear setbacks as are required for the principal structure.

(Code 1983, § 20-505(H))

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.

For single-family structures, the maximum size for an accessory structure will be eight feet wide by ten feet long by eight feet high. For duplex and multifamily structures, there may not be more than two accessory structures for a maximum size of six feet by eight feet by eight feet or a single accessory structure eight feet by ten feet by eight feet. 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 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)

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

An accessory structure not to exceed eight feet by 12 feet by eight feet may be installed and only one accessory type structure may be placed on any lot or group of lots under the same ownership.

(Code 1983, § 20-505(K))

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)

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.

City of Madeira Beach Zoning and House Numbers

Madeira Beach Zoning

Zoning Categories

- C-1
- C-2
- C-3
- C-4
- P-SP
- PD
- R-1
- R-2
- R-3
- Madeira Beach Parcels

N

0 0.3 0.6 1.2 Miles

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

DIVISION 10. PD, PLANNED DEVELOPMENT

Sec. 110-386. Intent and purpose of planned development (PD) district.

The PD district is intended to accommodate integrated and well-designed developments in accordance with approved development plans containing detail adequate to ensure compliance with this division. The PD district is intended to offer design flexibility and to encourage imaginative, functional, high-quality land planning development for those uses consistent with the applicable future land use plan category and compatible with adjacent and nearby lands and activities.

In keeping with the stated intent of the comprehensive plan and in furtherance of the historic and desired low intensity character of the community, PD development must:

(1) Meet the minimum design criteria required for the underlying zoning;

(2) At a maximum, be designed to reflect the average intensity, height, and massing of the development pattern on surrounding property of similar zoning and use.

The application must demonstrate that the proposed PD zoning district meets the clearly-stated intent of the comprehensive plan and a clearly-defined public purpose. Additional stories, above the limitations of the underlying conventional or PD zoning district at the time the application for PD is officially sufficient, may be considered in light of voluntary provision of civic or community enhancements, e.g., ground floor retail, expanded setback, enhanced landscaping, and other design enhancements furthering the policies and strategies of the comprehensive plan.

In particular, the PD district is required for development proposed in the resort facilities high plan category of the comprehensive plan and for any project requesting the additive density/intensity provided for in the commercial core and the enumerated portions of the causeway sub-districts, town center special area plan.

(Ord. No. 1040, § 1, 4-26-05; Ord. No. 2014-08, § 4, 11-12-14; Ord. No. 2019-07 , § 1, 10-8-19)

Sec. 110-387. Uses permitted.

No specific list of uses permitted is established for the PD zoning district. Land proposed for development under the PD zoning district may contain a mixture of temporary lodging, residential, commercial, recreational and other uses consistent with the future land use map designation on the site. In furtherance of comprehensive plan policies and in the interest of neighborhood compatibility, commercial uses in PD developments located in residential districts are limited to a maximum total of 20 percent of the non-parking stories.

(Ord. No. 1040, § 1, 4-26-05; Ord. No. 2014-08, § 4, 11-12-14; Ord. No. 2019-07 , § 1, 10-8-19)

Sec. 110-388. Application for PD zoning.

(a) Applications for PD zoning require a preliminary development plan, with graphic illustrations, establishing the basis for the proposed planned development, and all application fees for the established review process.

(b) The preliminary PD development plan proposal must include all information deemed appropriate, necessary, and relevant by the city to conduct the staff review and, at minimum, must include the following:

(1) Three signed and sealed development proposals and one electronic copy; and

(2) A development report and a preliminary development plan including all the following information:

a. Legal description and underlying conventional zoning district.

b. Existing use(s) and proposed use(s).

c. Site area in square feet and acres.

d. Lot lines.

e. Current required and proposed setbacks.

f. North arrow and scale: engineering scale no smaller than one inch equals 50 feet.

g. Proposed development criteria (current standard and proposed standard) including at a minimum:

1. Gross floor area (in square feet);

2. Building coverage (in square feet);

3. Open (green) space (in square feet);

4. Impervious surface (in square feet);

5. Density and intensity (including ratios for mixed use);

6. Parking spaces (scaled to location on plan and number of type, e.g., accessible, standard, etc.);

7. Building height(s) and stories, and number of stories allowed and existing on adjacent properties;

8. Preservation areas in total square feet;

9. Land alteration plan;

10. Buffering standards, e.g., design standards to buffer neighboring properties from commercial activities, construction impacts, vehicular traffic, etc.;

11. Solid waste disposal containers location and access;

12. Lighting design standards;

13. Signage standards;

14. Tree survey, indicating the species and size of all existing trees, four inches or greater caliper measured at breast height;

15. Landscape design standards and plans that must, at a minimum:

(i) Comply with chapter 106, article II of this Code and all native and xeriscape plant materials;

(ii) Indicate location, quantity, size, species, and standards for all trees and shrubs; and

(iii) Meet or exceed minimum irrigation standards required by this Code;

16. Building envelop and general access, egress, an ingress locations;

17. Conceptual stormwater drainage plan with calculations based on maximum proposed development coverage adequate to meet the minimum standards of SWFWMD and this

Code, ensure no additional off-site impacts, and resolve existing drainage problems deemed necessary by the city;

18. Permit from FDEP with concept plan indicating proposed changes, reconstruction, and replanting if dune system impact is anticipated; and

19. Details of any design or performance criteria assured at the required neighborhood meeting.

h. Mobility and access plan indicating:

1. Proposed curb cuts and off-site traffic access management plan and standards;

2. Preliminary location and function plan and standards for required sidewalk, bicycle, and other multimodal improvements;

3. Preliminary on-site circulation; and,

4. If impacting a collector or arterial road or required by FDOT, a transportation impact study prepared by a registered engineer and documented preliminarily approved of FDOT.

i. Structural design criteria meeting city overlay district requirements. Additional design specification can be required as a condition of approval during the public hearing process.

j. PD development plan detailing the manner in which the proposal furthers community goals and meets or exceeds existing comprehensive plan, land development code, and special district requirements and standards.

k. Record of notice of, and transcribed and video record of the required neighborhood meeting.

(Ord. No. 1040, § 1, 4-26-05; Ord. No. 1050, § 12, 8-9-05; Ord. No. 2014-08, § 4, 11-12-14; Ord. No. 2019-07 , § 1, 10-8-19)

Sec. 110-389. Procedure for approval of PD zoning.

Submission requirements and process. The city will receive the application and distribute the application among city staff for review and comments. The city will compile the staff reviews and provide the applicant with comments, objections, and recommendations for applicant response and application amendment necessary to determine complete sufficiency to facilitate a full review and produce staff findings and a recommendation of approval, approval with conditions, or denial. Once the city determines the application is sufficient, the application, neighborhood meeting record, and staff recommendation will be scheduled for public hearing review and recommendation before the planning commission as the local planning agency (LPA). The formal legal notice of the LPA public hearing must be posted as least 15 days prior to the public hearing date. The LPA will issue findings to the board of commissioners that will include a recommendation of approval, approval with conditions, or denial.

(Ord. No. 1040, § 1, 4-26-05; Ord. No. 1050, § 12, 8-9-05; Ord. No. 2019-07 , § 1, 10-8-19)

Sec. 110-390. Reimbursement of expenses.

The applicant shall provide for reimbursement of all expenses incurred by the city, deemed necessary by the city manager or his/her designee, to review and process a planned development (PD) district.

Expenses may include, but are not limited to any technical, engineering, planning, landscaping, surveying, legal or architectural services, and advertising.

Within 30 days of the date of receipt of any invoice for such services, the applicant shall reimburse the city for such costs. Failure by the applicant to make such reimbursement when due shall delay the recording of the approved development order, until paid.

(Ord. No. 1040, § 1, 4-26-05; Ord. No. 1072, § 6, 3-28-06)

Sec. 110-391. Review by local planning agency.

The local planning agency (LPA) will review the proposed PD zoning district application to ensure that the following criteria are met. The LPA must recommend denial if the application fails to meet the following criteria. If the application meets the following criteria, the LPA may recommend approval, approval with conditions, or denial. The following criteria will guide district assignments and changes in district assignments, whether initiated by the city or by a property owner.

(1) *Consistency with the comprehensive plan.* All zoning district assignments must be consistent with the comprehensive plan, including, but not limited to the future land use map and future land use element goals, objectives, and policies. The zoning district(s) assigned must be consistent with the land use category of the future land use map.

(2) *Land use compatibility.* The zoning districts assigned must promote the project's compatibility with adjacent land uses.

(3) *Adequate public facilities.* The zoning districts assigned must be consistent with the public facilities and services available to reasonably assure the city that the demand for services necessitated by the intensity of uses allowed will not exceed the adopted levels of services for such public facilities and services.

(4) *Public interest.* Zoning districts assigned must not conflict with the public interest and must promote the public health, safety and welfare.

(5) *Consistency with land development regulations.* Zoning districts assigned must be consistent with the intent and purpose of this Code, specifically the criteria contained in section 110-388 and the general criteria required of the board of commissioner's review provided in section 110-393 of this Code.

(Ord. No. 1040, § 1, 4-26-05; Ord. No. 1050, § 12, 8-9-05; Ord. No. 2019-07 , § 1, 10-8-19)

Editor's note(s)—Ord. No. 1050, § 12, adopted August 9, 2005, changed the title of § 110-391 from "Review by planning commission" to "Review by local planning agency."

Sec. 110-392. Neighborhood information meeting.

The applicant must hold a neighborhood information meeting with property owners within 300 feet of the proposed development prior to the LPA or board of commissioners considering the application. The neighborhood information meeting must be held at a location and time reasonably convenient to the surrounding property owners to maximize attendance, subject to the following requirements:

(1) *Notification.* Two weeks prior to the neighborhood information meeting date, the applicant must mail notices of the meeting date, place, and time to all property owners inside a radius of 300 feet from the boundaries of the proposed development parcel, to the board of commissioners, and must post this information prominently on the property. The applicant must inform the city manager or designee of the proposed meeting date, place, and time prior to sending out the notices. The city manager or designee may require a change of date, place, or time due to schedule conflicts or in order to accommodate advertising requirements for upcoming public hearing consideration. The applicant must provide documentation of the mailed notice to the city manager or designee for verification. The city

manager or designee may reasonably require additional properties be issued a notice and otherwise post notice of the neighborhood information meeting.

(2) *Applicant's presentation.* At the neighborhood information meeting, the applicant must explain the proposed preliminary PD development plan and proposed use of the subject property and make a copy of the proposed preliminary PD development plan available for review by meeting attendees. The applicant may also discuss the project's development objectives, design philosophy, and proposed time schedule for completion.

(3) *Question and answer period.* Upon completion of the presentation, a reasonable time must be reserved for a question and answer period. Questions should be limited to the proposal as presented, not to the question of whether the site should be developed or redeveloped. The applicant must identify how potential conflicts will be mitigated.

(4) *Record.* The applicant must provide the city both a written and video record of the neighborhood information meeting, including any representations made by the applicant to the attendees. The applicant must include any applicant representations as required project provisions in the application.

Failure to conduct and properly record a neighborhood information meeting provided above renders the PD zoning application incomplete and prevents submission and review.

(Ord. No. 1040, § 1, 4-26-05; Ord. No. 2019-07 , § 1, 10-8-19)

Sec. 110-393. Review by board of commissioners.

In their analysis of the rezoning application and the proposed development plan submitted pursuant to this division, and prior to official action the board of commissioners shall consider the recommendation of the local planning agency and ensure the rezoning application is in conformance with the criteria listed in section 110-390.

The board of commissioners shall review the proposed development plan for compliance with the provisions of article II, site plans and the following general conditions:

(1) Land uses within the development shall be appropriate in their proposed location, in their relationships to each other, and in their relationships with uses and activities on adjacent and nearby properties.

(2) The development shall comply with applicable city plans and planning policies, and shall have a beneficial effect both upon the area of the city in which it is proposed to be established and upon the city as a whole.

(3) Stipulations of approval of a planned development plan may include requirements to construct improvements, dedicate needed property and easements or contribute money to improvements to public facilities such as roadways, new medians, sanitary sewer and water facilities, drainage facilities, street lighting, landscaping, signage, parks and recreational facilities, walkways and sidewalks, burying of utility lines along abutting rights-of-way or adopted planned streetscape improvements.

(4) A minimum of a five-foot sidewalk shall be provided along any street right-of-way or on private property by easement dedication if the right-of-way is of insufficient width.

(5) The total land area within the development and the area devoted to each functional portion of the development shall be adequate to serve its intended purpose.

(6) Streets, utilities, drainage facilities, recreation areas, building heights, sizes and yards, and vehicular parking and loading facilities shall be appropriate for the particular use involved, and shall equal or exceed the level of design and construction quality required of similar land development elsewhere in the city.

(7) Visual character and community amenities shall be equal or better in quality than that required by standard zoning districts for similar development.

(8) Open space shall be adequate for the type of development and the population density of the proposed development.

(9) Outdoor storage of merchandise or materials shall be prohibited.

(10) Areas proposed for common ownership shall be subject to a reliable and continuing maintenance guarantee.

(11) All existing nonconforming signs or sign structures shall be removed.

(12) In the case of developments, which are to be constructed in several phases, the proposed phases shall be shown on the overall development plan. The proposed construction phases shall individually comply with the standards set forth in this section in order that, if for any reason construction ceases prior to completion of the entire planned development, the resulting partially complete project will adequately serve its purchasers and occupants and will not cause a general public problem.

Lastly, the board of commissioners must review the plans, drawings, and schematics for the proposed development plan in detail. Such drawings shall define the physical character of the project, including all building and architectural treatments. The board of commissioners' review will ensure conformance with the following design standards:

(1) Treatment of the sides and rear of all buildings within the planned development shall be compatible in amenity and appearance to treatment given to street frontages of the same buildings.

(2) All buildings in the layout and design shall be an integral part of the development and have convenient pedestrian access to and from adjacent uses.

(3) Individual buildings shall be related to each other in design, mass, materials, placement and connections to provide a visually and physically integrated development.

(4) Landscape treatments for walkways, plazas, arcades, roads, and service and parking areas shall be designed as an integral part of a coordinated landscape design for the entire project area. The landscape plan submittal shall include the anticipated appearance of the trees and landscape materials after five years of growth to visually provide their size and proportion relative to the proposed buildings, view corridors, curb appeal, pedestrian corridors, etc.

(5) The project's scale, and the size, color and proportion of building elements, components and materials are appropriate and harmonious with surrounding neighborhood structures.

(6) All mechanical equipment, electrical equipment, roof top equipment, refuse areas associated with this project shall be screened.

(7) Appropriate building materials are being used. The use or employment of any of the following is generally considered inappropriate and will not be permitted unless appropriately integrated into a project meeting all other criteria, including aesthetic criteria, of this article:

a. Corrugated metal siding;

b. Prefabricated metal buildings or their components;

c. Primary colors or black;

d. False windows or doors; and

e. Unmodified formula and trademark buildings and structures.

(8) The project's location and design adequately protects or enhances unique site characteristics such as those related to scenic views, natural vistas, waterways or similar features.

(9) The project appropriately integrates landscape elements into the site plan and building design. Plantings shall be of a size to give the appearance that the project is settled into a mature landscape. The landscape submittal shall include a description of each tree and plant proposed on site by type and details relative to maximum height/size and color at maturity.

(10) Signage and other building appurtenances are integral components of the building, appropriately scaled, and consistent in character with the building's overall design.

(11) The project incorporates defensible space concepts of crime prevention through environmental design. A lighting plan shall be provided to review safety considerations for pedestrians and motorists, as well as, environmental impacts.

(Ord. No. 1040, § 1, 4-26-05; Ord. No. 1050, § 12, 8-9-05; Ord. No. 1090, § 1(Exh. A), 9-26-06)

Sec. 110-394. Methods of documenting all approvals and conditions.

All plans, schematics, and conditions of a planned development approval will become part of a development order for the project. The development order shall state with specificity the development plan approved by the board of commissioners. The executed development order shall be recorded in the public records of Pinellas County prior to issuance of any building permit for the project.

(Ord. No. 1040, § 1, 4-26-05; Ord. No. 1113, § 1, 6-26-07)

Sec. 110-395. Effect of PD zoning.

Upon the rezoning of land to a PD district, the approved development plan, along with such requirements, safeguards, modifications or stipulations as may have been included by the board of commissioners in its rezoning action shall be substantially complied with relative to the issuance of all building permits, zoning clearances and certificates of occupancy by the city.

Deviation from the approved development plan or failure to comply with any requirement, safeguard, modification or stipulation imposed by the city at the time of rezoning land to the PD district shall constitute a violation of the Land Development Code, chapter 82.

(Ord. No. 1040, § 1, 4-26-05)

Sec. 110-396. Changes in development plan.

Minor modifications to an approved development order may be approved by the board of commissioners. A minor modification is one which does not increase the density or intensity of the development to occur upon the property; does not result in a reduction or change of previously approved setbacks, open space or public improvements; does not increase the height of the development to occur upon the property; or does not substantially alter the location of any improvements approved for the site.

There shall be no other modifications of any approved development order permitted by the board of commissioners, without a public hearing. Any applicant desiring such other modifications to an approved development order or development plan must commence the planned development approval process anew. Any such applicant must pay the applicable fee and submit the application for a modification to the development order. Such application shall be processed in the same manner as the board of commissioners considered the

original development plan, including a public hearing. An amended development order issued pursuant to section 110-394 shall reflect any changed or modified approvals and be recorded in the public records of Pinellas County.

(Ord. No. 1040, § 1, 4-26-05; Ord. No. 1113, § 1, 6-26-07)

Sec. 110-397. Time limitations.

(a) Upon failure to complete plans, drawings, and schematics for the proposed development plan within six months of the neighborhood information meeting; the application shall be null and void. No further review or processing of that application shall occur and there shall be no refund of the application fee. The city manager may grant an extension of up to three months upon determination that a good faith effort to submit plans has been made.

(b) Upon failure to complete plans, drawings, and schematics for the proposed development plan within six months of receiving the technical review comments of the city staff and reviewing agencies; the application shall be null and void. No further review or processing of that application shall occur and there shall be no refund of the application fee or any site plan review fee. The city manager may grant an extension of up to three months upon determination that a good faith effort to submit plans has been made.

(c) Upon the effective date of an ordinance authorizing a PD district, construction shall commence within 12 months.

(d) Upon application filed prior to or on the date of commencement set forth in (c), the city manager may grant a one year extension of the commencement date upon a determination that a good faith effort to commence construction prior to the commencement date has been made. Thereafter, the board of commissioners by resolution may grant a one-year extension of the commencement date upon a determination that a good faith effort to commence construction prior to the commencement date has been made.

(e) Upon failure to commence construction within the specified time or failure to comply with Section 104.5 of the Florida Building Code:

    (1) The ordinance rezoning this site to PD shall be repealed;

    (2) The zoning for the site shall revert to the zoning classification that existed on the site prior to approval thereof; and

    (3) No further development shall occur on site and no building permit or development order shall be issued thereafter under the terms of the PD district.

(f) After the commencement date described in subsection (a), no building permit or development order for a new or expanded structure shall be issued under the terms of the PD district without the board of commissioner's approval. Authorization of the PD district shall not create a right to such issuance.

(g) "Construction" for purposes of this section, shall mean obtaining a building permit for a structure or structures authorized in the PD district and initiating substantial site and structural improvements, not including land clearing, land filling and soil compaction.

All time limitations set forth in this section shall be applicable to all PD applications filed with the city, as of September 26, 2006.

(Ord. No. 1040, § 1, 4-26-05; Ord. No. 1090, § 1(Exh. A), 9-26-06))

Secs. 110-398—110-400. Reserved.

Memorandum

Meeting Details:	June 28, 2023, BOC Regular Workshop Meeting
Prepared For:	Hon. Mayor Rostek and Board of Commissioners
Staff Contact:	Community Development Department
Subject:	The City of Madeira Beach Master Plan and Land Development Regulations

Background:

A Master Plan is a cohesive document to help guide and regulate the present and the future development of a community. The city used consultant groups Jones Edmunds & Associations, Inc., HDR Planning, and Duany Plater-Zyberk & Company to create the Madeira Beach Master Plan. The City of Madeira Beach Master Plan developed a vision for Madeira Beach based on research, planning concepts, and input from stakeholders and the public in 2001 through 2002. The framework of the City of Madeira Beach Master Plan included concepts related to land use, zoning, design guidelines, transportation, and infrastructure.

The framework had 29 initiatives. These initiatives focused on incentivizing and guiding redevelopment efforts to fit within a long-range vision of the city. Some examples of proposed initiatives included creating three distinct centers along Gulf Boulevard with pedestrian walk sheds, adopting Community Redevelopment District Future Land Use designations for Madeira Beach Town Center and John's Pass Neighborhood Center, and increasing height limits in the R-3 and C-3 Zoning Districts.

The intent of The City of Madeira Beach Master Plan was to influence future updates to the Madeira Beach Comprehensive Plan and Land Development Regulations (LDRs) in the Madeira Beach Code of Ordinances. Implementation of the proposed concepts in the Madeira Beach Master Plan required separate ordinances to update the Madeira Beach Comprehensive Plan and LDRs.

Discussion:

Resolution 02.21 adopted the concept of the Madeira Beach Master Plan. The adoption of Resolution 02.21 did not amend the Madeira Beach Comprehensive Plan or the LDRs in the Madeira Beach Code of Ordinances. The Board of Commissioners adopted Resolution 02.21 with the conditions that the city would maintain the C-4 Zoning District, the speed limit on Gulf Boulevard and 150th Avenue would not be reduced to below 35 mph, and the city owned property (Gulf Beaches Library, Rex Place Recreation Complex, and Municipal Buildings) would continue to be publicly owned and that land could only be used for public uses.

Ordinance 984 proposed to amend multiple elements in the Madeira Beach Comprehensive Plan to implement the 2002 Madeira Beach Master Plan. The Florida Department of Community Affairs objected against Ordinance 984 due to concerns of increasing residential density in the Coastal High Hazard Area (CHHA) and the lack of data and analysis for the impact additional development would have on public facilities. Ordinance 984 was voted down at the second reading of the ordinance.

The Madeira Beach Master Plan did influence the City to implement certain concepts into the Madeira Beach Comprehensive Plan and Land Development Regulations in the Madeira Beach Code of Ordinances. Examples

of this include Planned Development (PD), Alternative Temporary Lodging Use Standards, the Madeira Town Center Special Area Plan, and the Redevelopment Planning Process.

Attachments/Corresponding Documents:

- Resolution 02.21

RESOLUTION 02.21

A RESOLUTION OF THE CITY OF MADEIRA BEACH, FLORIDA, ADOPTING THE CITY OF MADEIRA BEACH MASTER PLAN, AS ATTACHED IN EXHIBIT "A" AND INCLUDING THE AMENDMENTS AS NOTED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is the desire of the City of Madeira Beach Board of Commissioners to have a Master Plan for the future development of the City; and

WHEREAS, in an effort to achieve this goal the Board of Commissioners contracted with a team of consultants to prepare a Master Plan; and

WHEREAS, on May 24, 2002 the consultant team delivered to the City a draft Master Plan which consisted of a series of concepts and recommendations for the future development of the community.

WHEREAS, at the Board of Commissioners workshops of June 4 and 17, 2002, the consultant team answered questions pertaining to the Draft Master Plan, and

WHEREAS, the Board of Commissioners provided input on the issues, concepts and recommendations of the Draft Master Plan and directed the consultant team to bring forth the Final Master Plan for formal action.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA:

SECTION 1. That the City of Madeira Beach Board of Commissioners adopt the City of Madeira Beach Master Plan as identified in Exhibit "A".

SECTION 2. That the adopted Master Plan shall be the concept plan upon which the forthcoming Comprehensive Plan amendments and Land Development Regulations revisions will be based.

SECTION 3. That this Resolution shall become effective immediately upon its adoption.

INTRODUCED AND PASSED by the Board of Commissioners of the City of Madeira Beach, Pinellas County, Florida, on this 27th day of August, 2002.

AYES:	**(4)**	**Commissioners Koske, Moore, Sturgis and Mayor De Cesare**
NAYS:	**(1)**	**Commissioner Parker**
ABSENT:	**(0)**	
ABSTAIN:	**(0)**	

Tom De Cesare
MAYOR-COMMISSIONER

ATTEST:

Denise M. Schlegel
CITY CLERK

Resolution 02.21

Exhibit A

CITY OF MADEIRA BEACH

300 MUNICIPAL DRIVE * MADEIRA BEACH, FLORIDA 33708

MEMORANDUM

Attachment to: **All Madeira Beach Master Plan, July 2002 Documents**

From: **Paula Cohen, Community Services Director**

Subject: **Madeira Beach Board of Commissioners Action**

On August 27, 2002 the Madeira Beach Board of Commissioners reviewed and commented on the City of Madeira Beach Master Plan document. Contrary to the initiatives and concepts described in the attached Madeira Beach Master Plan - July 2002, the Madeira Beach Board of Commissioners took the following position:

- The City will maintain the C-4 Zoning District
- The posted speed limit on Gulf Boulevard will not be decreased below 35 mph
- The posted speed limit on 150th Avenue will not be decreased below 35 mph
- The City will retain the City-owned property encompassing the Gulf Beaches Library, Rex Place Recreation Complex, and Municipal Building for public purposes only

Following this discussion, the Madeira Beach Board of Commissioners voted (4-1) to adopt in concept the Madeira Beach Master Plan. Accordingly, the Master Plan was adopted in concept pursuant to Resolution 02.21.

The adoption of this Master Plan sets a direction for the City of Madeira Beach. The actual implementation of the concepts and initiatives described in this Master Plan require adoption of Comprehensive Plan amendments and amendments to the Madeira Beach Code of Ordinances. Questions regarding the Master Plan should be directed to:

City of Madeira Beach
Community Development Department
300 Municipal Drive
Madeira Beach, FL 33708

(727) 391-9951

After some discussion, Mayor De Cesare opened the meeting for public hearing. Hearing no response, Mayor De Cesare closed the public hearing.

Roll Call on the motion carried 5-0: Commissioner Moore-Aye; Vice-Mayor Sturgis-Aye; Commissioner Koske-Aye; Commissioner Parker-Aye; Mayor De Cesare-Aye.

02.68 Resolution 02.21 - Adopts the City of Madeira Beach Master Plan in concept

City Attorney Trask read **RESOLUTION 02.21** by title only. **A RESOLUTION OF THE CITY OF MADEIRA BEACH, FLORIDA, ADOPTING THE CITY OF MADEIRA BEACH MASTER PLAN, AS ATTACHED IN EXHIBIT "A" AND INCLUDING THE AMENDMENTS AS NOTED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE.**

City Manager Madden explained that the Board of Commissioners:

- Reviewed the draft Master Plan at two workshops in June;
- Concurred with the general concepts and recommendations presented in the draft Master Plan;
- Directed the consultant team to finalize the Master Plan document and bring it forth to adopt in concept.

It was noted the final document includes:

- The elimination of the C-4 zoning district;
- Different design speed limits on Gulf Boulevard; and
- Different design speed limits on 150th Avenue.

The Board of Commissioners had mixed emotions on whether to retain or eliminate the C-4 zoning district; therefore it was left in the master plan and be addressed at a public hearing which will allow the Board of Commissioners to hear from the public.

The reduction in speed along the two major roadways was seen by the consultant team as a major factor necessary to create a pedestrian-friendly environment. The final Master Plan discussed different design speeds for specific segments of roadway, but there is no mention of posting different speeds along the roadway which would create confusion for motorists.

Motion was made by Commissioner Koske, seconded by Commissioner Moore that Resolution 02.21 be passed, signed by the Mayor-Commissioner and attested to by the City Clerk.

Commissioner Koske expressed some concern and requested:

- That "the elimination of the C-4 Zoning District" be removed from the Master Plan;
- That the Master Plan reflect the 35 mile per hour speed limit the Board of Commissioners asked the design team to correct for Gulf Boulevard and 150th Avenue and that the traffic calming issues be removed from the plan.

Vice-Mayor Sturgis agreed with Commissioner Koske on striking the "elimination of the C-4 Zoning District." and changing the variations in speed to be 35 miles per hour.

City Manager Madden also commented the Master Plan recommended that the City sell some of its property around City Hall for development; however, this cannot happen, because the deed to the property states the City cannot sell, transfer or lease this property.

Commissioner Parker:

- Commented he followed this with great interest and apprehension, because the City paid $200,000 to create this Master Plan ; but is disappointed in the results;
- Advised he would not vote in favor of the concept to eliminate the C-4 Zoning District;
- Stated he did not like the concept of row houses;

Commissioner Moore:

- Advised she felt that if the Board of Commissioners went back to the beginning when this started - - there were a lot of people, and she felt the biggest thing that came out of it was that it caused people to think.
- Advised that early on Dr. Moore made a statement that the City is going to change and it can change with you or it can change without you - - and that the Master Plan is a broad umbrella, it is not nuts and bolts - - it is a concept.
- Felt that if the City does not have the ability to control what goes on around us - - the way we as a City want to see it happen; there will be chaos.

Vice-Mayor Sturgis wanted to amend the motion by adopting in concept but omitting the portion where it states to eliminate the C-4 Zoning District and to revise the various speed limits on Gulf Boulevard and 150th Avenue to 35 miles per hour.

Commissioner Parker wanted to amend the Resolution to say the City will:

- Never sell the property; and although he understands the City can't do it, therefore the concept should be removed from the Master Plan;
- Not make Gulf Boulevard into two lanes.

Vice-Mayor Sturgis inquired if the Board of Commissioners needed to amend the motion to include the three items. City Manager Madden advised that staff has received direction in terms of implementation, but if the Commission wishes to strike this out of the Master Plan and don't go forward with the C-4 Zoning District and go forward with the 35 mph speed limit, it is doable.

After some discussion, Mayor De Cesare opened the meeting for public hearing.

Tom Edwards of 132nd Avenue and Gulf Lane pointed out that on:

- Page 47 the map was incorrect. The Board of Commissioners and the consultants agreed;
- Page 74 the height requirements were to be modified to reflect a limit on the height of buildings which border the Coastal Construction Control Line; however, the exceptions are sites designated as Community Redevelopment.

Community Development Director Cohen explained that the Comprehensive Plan amendments have not been processed as of this date to the Pinellas Planning Council or the Department of Community Affairs, because the City needed to make sure staff knew exactly what the Board of Commissioners was looking at in the Master Plan.

City Manager Madden explained that a person could not get an exception to exceed the height restrictions without appearing before the Board of Adjustment to get a variance.

Mr. Edwards elaborated that at the June workshop, Dr. Moore, stated the concept was that it should not be above six stories (parking and five stories).

Bob Derry of 407 South Bayshore Drive stated he agreed with Commissioner Moore that the City needs to have a plan, but he felt that conceptually this may be the worse plan he has ever seen, because there is not any part of it that he can see will work. Mr. Derry advised that as a former corporate planner, none of this will work and the consultants advised the City that increasing density won't impact our sewers or roads. Mr. Derry commented that if you want to build these nodes and limit traffic around 140th Avenue and 150th Avenue, he suggested the City do this with the price of a few strips of traffic tape and do it January through April; and when the traffic backs up from 150th Avenue to John's Pass he wants the Commissioners to tell him how much they like it then, before the Commissioners ever vote on this.

Gerald Davis of 13255 Gulf Lane commented it was a good plan and agreed that Gulf Boulevard should be a lower speed.

Hearing no additional response, Mayor De Cesare closed the public hearing.

Roll Call on the motion carried 4-1: Vice-Mayor Sturgis-Aye; Commissioner Parker-No; Commissioner Moore-Aye; Commissioner Koske-Aye; Mayor De Cesare-Aye.

02.69 Contract for Law Enforcement Services for Fiscal Year 2002-2003 Between the City of Madeira Beach and the Pinellas County Sheriff's Office

City Manager Madden advised the Law Enforcement Contract between the City of Madeira Beach and the Pinellas County Sheriff's Office is for FY 2002-03 and includes one Community Police Officer.

The amount for regular law enforcement service is $646,021.51 which is a 4.521% increase over the previous year's amount of $618,078.35. The cost for the Community Police Officer is $51,894.42, which is an increase over the previous year's amount of $51,479.73.

City Manager Madden also explained there was one scrivener's error on page 4. It appears the first sentence should read: "This agreement shall be interpreted and administrated in such a manner that it will not" and strike the word "be".

Motion was made by Commissioner Koske, seconded by Commissioner Parker that Board of Commissioners approve the Contract for Law Enforcement Services between the City of Madeira Beach and the Pinellas County Sheriff's Office effective October 1, 2002. The Law Enforcement Contract shall be signed by the Mayor-Commissioner and attested to by the City Clerk.

After some discussion, Mayor De Cesare opened the meeting for public hearing. Hearing no response, Mayor De Cesare closed the public hearing.

Roll Call on the motion carried 5-0: Commissioner Moore-Aye; Vice-Mayor Sturgis-Aye; Commissioner Parker-Aye; Commissioner Sturgis-Aye; Mayor De Cesare-Aye.

02.70 Utility Easement Agreement between the City of Madeira Beach and Pinellas County Utilities regarding Pump Station 163

City Manager Madden explained this agreement is for the reconstruction of the sewer pump station located in front of the Public Works facility at 505 - 150th Avenue. Pinellas County

Memorandum

Meeting Details:	June 28, 2023, BOC Regular Workshop Meeting
Prepared For:	Hon. Mayor Rostek and Board of Commissioners
Staff Contact:	Andrew Laflin, Finance Director
Subject:	FY 2023 Audit Engagement Letter

Background:

In fiscal year 2020, the City completed a Request for Proposals (RFP) process and selected the audit firm James Moore & Co. to perform auditing services for the City for fiscal years 2020, 2021, and 2022. According to the contract, upon completion of the engagement for the fiscal year 2022 audit, a new engagement can be entered into for two additional one-year periods, at the option of both parties. James Moore & Co. has provided the City with an engagement letter to perform the FY 2023 audit.

Fiscal Impact:

The fees for the audit of the financial statements and related services, including expenses, are as follows:

Audit Fee - $45,000
Preparation of Financial Statements - $4,500
Single Audit Fee (Per Major Program) - $3,500

Attachments:

- FY 2023 Audit Engagement Letter

JAMESMOORE

June 14, 2023

To the Honorable Mayor and Board of Commissioners,
City of Madeira Beach, Florida:

You have requested that we audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Madeira Beach, Florida (the City) as of September 30, 2023, and for the years then ended, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

In addition, if applicable, we will audit the City's compliance over major federal award programs and major state projects for the year ended September 30, 2023. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter. Our audits will be conducted with the objectives of our expressing an opinion on each opinion unit and an opinion on compliance regarding the City's major federal award programs and major state projects.

The objectives of our audit of the financial statements are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America (GAAS), and in accordance with Government Auditing Standards, and the provisions of Chapter 10.550, Rules of the State of Florida, Office of the Auditor General, will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

The objectives of our compliance audit are to obtain sufficient appropriate audit evidence to form an opinion and report at the level specified in the governmental audit requirement about whether the City complied in all material respects with the applicable compliance requirements and identify audit and reporting requirements specified in the governmental audit requirement that are supplementary to GAAS and Government Auditing Standards , if any, and perform procedures to address those requirements.

Accounting principles generally accepted in the United States of America (U.S. GAAP), as promulgated by the Governmental Accounting Standards Board (GASB) require that supplementary information, such as management's discussion and analysis (MD&A) or budgetary comparison information, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the GASB, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the required supplementary information (RSI) in accordance with auditing standards generally accepted in the United States of America (GAAS). These limited procedures will consist primarily of inquiries of management regarding their methods of measurement and presentation, and comparing the information for consistency with management's responses to our inquiries. We will not express an opinion or provide any form of assurance on the RSI. The following RSI is required by U.S. GAAP. This RSI will be subjected to certain limited procedures but will not be audited:

1. Management's discussion and analysis
2. Budgetary comparison schedules
3. Pension and OPEB schedules (as applicable)

Supplementary information other than RSI will accompany the City's basic financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and perform certain additional procedures, including comparing and reconciling the supplementary information to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and additional procedures in accordance with GAAS. We intend to provide an opinion on whether the following supplementary information is presented fairly in all material respects in relation to the basic financial statements as a whole:

1. Nonmajor fund combining schedules
2. Budgetary comparison schedules
3. Schedule of revenues and expenditures – Emergency Medical Services
4. Schedule of expenditures of federal awards and state financial assistance (if applicable)

Also, the document we submit to you will include the following other additional information which will not be subjected to the auditing procedures applied in our audit of the basic financial statements:

1. Introductory section
2. Statistical section

Data Collection Form

If applicable, prior to the completion of our engagement, we will complete the sections of the Data Collection Form that are our responsibility, if the Data Collection Form is applicable. The form will summarize our audit findings, amounts and conclusions. It is management's responsibility to submit a reporting package including financial statements, schedule of expenditure of federal awards, summary schedule of prior audit findings and corrective action plan along with the Data Collection Form to the federal audit clearinghouse. The financial reporting package must be text searchable, unencrypted, and unlocked. Otherwise, the reporting package will not be accepted by the federal audit clearinghouse. We will assist you in the electronic submission and certification. You may request from us copies of our report for you to include with the reporting package submitted to pass-through entities.

The Data Collection Form, if applicable, is required to be submitted within the earlier of 30 days after receipt of our auditors' reports or nine months after the end of the audit period, unless specifically waived by a federal cognizant or oversight agency for audits. Data Collection Forms submitted untimely are one of the factors in assessing programs at a higher risk.

Audit of the Financial Statements

We will conduct our audits in accordance with GAAS and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States of America (if applicable); the audit requirements of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, Audit Requirements for Federal Awards* (Uniform Guidance) (if applicable); Section 215.97, Florida Statutes, *Florida Single Audit Act* (if applicable), and the provisions of Chapter 10.550, Rules of the State of Florida, Office of the Auditor General (if applicable). As part of an audit of financial statements in accordance with GAAS, and in accordance with Government Auditing Standards, and the provisions of Chapter 10.550, Rules of the State of Florida, Office of the Auditor General, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit

evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.

- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

- Conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for a reasonable period of time.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements may not be detected exists, even though the audit is properly planned and performed in accordance with U.S. GAAS and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States of America, and the provisions of Chapter 10.550, Rules of the State of Florida, Office of the Auditor General. Please note that the determination of abuse is subjective and *Government Auditing Standards* does not require auditors to detect abuse.

Our responsibility as auditors is limited to the period covered by our audit and does not extend to any other periods.

We will issue a written report upon completion of our audit of the City's basic financial statements. Our report will be addressed to the governing body of the City. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph(s) to our auditors' report, or if necessary, withdraw from the engagement. If our opinions on the basic financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

In accordance with the requirements of *Government Auditing Standards*, we will also issue a written report describing the scope of our testing over internal control over financial reporting and over compliance with laws, regulations, and provisions of grants and contracts, including the results of that testing. However, providing an opinion on internal control and compliance over financial reporting will not be an objective of the audit and, therefore, no such opinion will be expressed.

We also will issue a written report as required by Chapter 10.550, Rules of the State of Florida, Office of the Auditor General upon completion of our audit.

Reporting on Key Audit Matters

Management has not requested that we communicate key audit matters in our auditors' report for this fiscal year.

Significant Risks Identified

We have identified the following preliminary significant risks of material misstatement as part of our audit planning, which are being communicated to comply with auditing standards and do not represent any specific finding and/or concerns related to the audit:

- Override of internal controls by management
- Improper revenue recognition due to fraud
- Improper use of restricted resources

Our final communication of significant risks identified will take place upon completion of our audit.

Audit(s) of Major Program and/or Major Project Compliance

If applicable, our audit(s) of the City's major federal award program(s) and/or state project(s) compliance will be conducted in accordance with the requirements of the Single Audit Act, as amended; the Uniform Guidance; and Chapter 10.550, Rules of the State of Florida, Office of the Auditor General; and will include tests of accounting records, a determination of major programs and/or projects in accordance with the Uniform Guidance, Chapter 10.550, Rules of the State of Florida, Office of the Auditor General, and other procedures we consider necessary to enable us to express such an opinion on major federal award program and/or major state project compliance and to render the required reports. We cannot provide assurance that an unmodified opinion on compliance will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion or withdraw from the engagement.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether material noncompliance with applicable laws and regulations, the provisions of contracts and grant agreements applicable to major federal award programs, and the applicable compliance requirements occurred, whether due to fraud or error, and express an opinion on the City's compliance based on the audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, Government Auditing Standards, and the Uniform Guidance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the City's compliance with the requirements of the federal programs as a whole.

Our procedures will consist of determining major federal programs and, performing the applicable procedures described in the U.S. Office of Management and Budget OMB Compliance Supplement for the types of compliance requirements that could have a direct and material effect on each of the City's major programs, and performing such other procedures as we consider necessary in the circumstances. The purpose of those procedures will be to express an opinion on the City's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Also, as required by the Uniform Guidance, we will obtain an understanding of the City's internal control over compliance relevant to the audit in order to design and perform tests of controls to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each of the City's major federal award programs. Our tests will be less in scope than would be necessary to render an opinion on these controls and, accordingly, no opinion will be expressed in our report. However, we will communicate to you, regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we have identified during the audit.

Chapter 10.550, Rules of the State of Florida, Office of the Auditor General requires that we also plan and perform the audit to obtain reasonable assurance about whether material noncompliance with applicable laws and regulations, the provisions of contracts and grant agreements applicable to major state projects, and the applicable compliance requirements occurred, whether due to fraud or error, and express an opinion on the City's compliance based on the audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, Government Auditing Standards, and Chapter 10.550, Rules of the State of Florida, Office of the Auditor General, will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the City's compliance with the requirements of the state projects as a whole.

Our procedures will consist of tests of transactions and other applicable procedures described in the State of Florida State Projects Compliance Supplement for the types of compliance requirements that could have a direct and material effect on each of the Organization's major state projects, and performing such other procedures as we consider necessary in the circumstances. The purpose of these procedures will be to express an opinion on the City's compliance with requirements applicable to each of its major state projects in our report on compliance issued pursuant to Chapter 10.550, Rules of the State of Florida, Office of the Auditor General.

Also, as required by Chapter 10.550, Rules of the State of Florida, Office of the Auditor General, we will obtain an understanding of the City's internal control over compliance relevant to the audit in order to design and perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major state project. Our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to Chapter 10.550, Rules of the State of Florida, Office of the Auditor General. However, we will communicate to you, regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we have identified during the audit.

As part of a compliance audit in accordance with GAAS, and in accordance with Government Auditing Standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks.

We will issue a report on compliance that will include an opinion or disclaimer of opinion regarding the City's major federal award programs and/or major state projects, and a report on internal controls over compliance that will report any significant deficiencies and material weaknesses identified; however, such report will not express an opinion on internal control.

Management's Responsibilities

Our audit will be conducted on the basis that management acknowledge and understand that they have responsibility:

1. For the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America;
2. For the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error;
3. For identifying, in its accounts, all federal awards received and state financial assistance expended during the period and the federal programs under which they were received;

4. For maintaining records that adequately identify the source and application of funds for federally funded activities;
5. For preparing the schedule of expenditures of federal awards and/or state financial assistance (including notes and noncash assistance received) in accordance with the Uniform Guidance (if applicable) and Chapter 10.550, Rules of the State of Florida, Office of the Auditor General requirements (if applicable);
6. For the design, implementation, and maintenance of internal control over federal awards, state financial assistance, and compliance;
7. For establishing and maintaining effective internal control over federal awards and state financial assistance that provides reasonable assurance that the City is managing federal awards and state projects in compliance with federal and state statutes, regulations, and the terms and conditions of the federal awards and state financial assistance;
8. For identifying and ensuring that the City complies with federal laws and state statutes, regulations, and the terms and conditions of federal award programs and state financial assistance projects and implementing systems designed to achieve compliance with applicable federal and state statutes, regulations, rules, provisions of contracts or grant agreements, and the terms and conditions of federal award programs and state financial assistance projects;
9. For disclosing accurately, currently, and completely the financial results of each federal award and major state project in accordance with the requirements of the award;
10. For identifying and providing report copies of previous audits, attestation engagements, or other studies that directly relate to the objectives of the audit, including whether related recommendations have been implemented;
11. For taking prompt action when instances of noncompliance are identified;
12. For addressing the findings and recommendations of auditors, for establishing and maintaining a process to track the status of such findings and recommendations and taking corrective action on reported audit findings from prior periods and preparing a summary schedule of prior audit findings;
13. For following up and taking corrective action on current year audit findings and preparing a corrective action plan for such findings;
14. For submitting the reporting package and data collection form to the appropriate parties;
15. For making the auditor aware of any significant contractor relationships where the contractor is responsible for program compliance;
16. To provide us with:
    a. Access to all information of which management is aware that is relevant to the preparation and fair presentation of the financial statements, including the disclosures, and relevant to federal award programs and state financial assistance projects, such as records, documentation, and other matters;
    b. Additional information that we may request from management for the purpose of the audit;
    c. Unrestricted access to persons within the City and others from whom we determine it necessary to obtain audit evidence.
    d. A written acknowledgement of all the documents that management expects to issue that will be included in the annual report and the planned timing and method of issuance of that annual report; and
    e. A final version of the annual report (including all the documents that, together, comprise the annual report) in a timely manner prior to the date of the auditors' report
17. For adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the current year period(s) under audit are immaterial, both individually and in the aggregate, to the financial statements as a whole;
18. For acceptance of nonattest services, including identifying the proper party to oversee nonattest work;
19. For maintaining adequate records, selecting and applying accounting principles, and safeguarding assets;
20. For informing us of any known or suspected fraud affecting the City involving management, employees with significant role in internal control and others where fraud could have a material effect on compliance;

21. For the accuracy and completeness of all information provided;
22. For taking reasonable measures to safeguard protected personally identifiable and other sensitive information;
23. For confirming your understanding of your responsibilities as defined in this letter to us in your management representation letter; and
24. For identifying and ensuring that the City complies with applicable laws, regulations, contracts, agreements, and grants.
25. Additionally, it is management's responsibility to follow up and take corrective action on reported audit findings and to prepare a summary schedule of prior audit findings and a corrective action plan. The summary schedule of prior audit findings should be available for our review on the first day of fieldwork.

With regard to the supplementary information referred to above, you acknowledge and understand your responsibility (a) for the preparation of the supplementary information in accordance with the applicable criteria, (b) to provide us with the appropriate written representations regarding supplementary information, (c) to include our report on the supplementary information in any document that contains the supplementary information and that indicates that we have reported on such supplementary information, and (d) to present the supplementary information with the audited financial statements, or if the supplementary information will not be presented with the audited financial statements, to make the audited financial statements readily available to the intended users of the supplementary information no later than the date of issuance by you of the supplementary information and our report thereon.

As part of our audit process, we will request from management written confirmation concerning representations made to us in connection with the audit.

Additional Examination Engagements

You have requested that we examine the City's compliance for the fiscal year ended September 30, 2023, with the following statutes (collectively, "the Statutes"):

- Section 218.415, Florida Statutes, *Local Government Investment Policies*
- Section 288.8018, Florida Statutes, *Gulf Coast Audits* (if applicable)

We are pleased to confirm our acceptance and our understanding of this direct examination engagement by means of this letter. Our examination will be conducted with the objective of obtaining reasonable assurance by evaluating whether the City complied in all material respects with the Statutes and performing other procedures to obtain sufficient appropriate evidence to express an opinion in a written practitioner's report that conveys the results of our evaluation.

Practitioner Responsibilities

We will conduct our examination in accordance with the attestation standards established by the AICPA. An examination involves performing procedures to obtain attest evidence about whether the City complied with the Statutes, in all material respects. An examination involves performing procedures to obtain evidence about the City's compliance with the Statutes. The nature, timing, and extent of procedures selected depend on the practitioner's judgment, including the assessment of the risks of material misstatement of the underlying subject matter, whether due to fraud or error.

Because of the inherent limitations of an examination engagement, together with the inherent limitations of internal control, an unavoidable risk exists that some material misstatements may not be detected, even though the examination is properly planned and performed in accordance with the attestation standards. However, we will inform you of any material noncompliance with laws or regulations, uncorrected misstatements, fraud, and when relevant to the underlying subject matter or subject matter information, internal control deficiencies that comes to our attention, unless clearly inconsequential.

Management Responsibilities

Our examination will be conducted on the basis that management and, when appropriate, those charged with governance, acknowledge and understand that they have responsibility:

1. For ensuring the City complies with the Statutes;
2. For the design, implementation, and maintenance of internal control to prevent, or detect and correct, misstatement of or noncompliance with the Statutes, due to fraud or error;
3. For selecting the criteria for the evaluation of the City's compliance with the Statutes;
4. Determining that such criteria are suitable, will be available to the intended users, and are appropriate for the purpose of the engagement; and
5. To provide us with:
    a. Access to all information of which management is aware that is relevant to compliance with the Statutes, such as records, documentation, and other matters and that you are responsible for the accuracy and completeness of that information;
    b. Additional information that we may request from management for the purpose of the examination; and
    c. Unrestricted access to persons within the City from whom we determine it necessary to obtain attest evidence.

As part of our examination process, we will request from you written confirmation concerning representations made to us in connection with the examination.

Reporting

We will issue a written report upon completion of our examination of the City's compliance with the Statutes. Our report will be addressed to the governing body. We cannot provide assurance that an unmodified opinion will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion, add an emphasis-of-matter or other-matter paragraph(s), or withdraw from the engagement.

Nonattest Services

We will perform the following nonattest services: preparation of financial statements, preparation of schedule of expenditures of federal awards and state financial assistance and data collection form (if applicable). With respect to any nonattest services we perform, we will not assume management responsibilities on behalf of the City. However, we will provide advice and recommendations to assist management of the City in performing its responsibilities. The City's management is responsible for (a) making all management decisions and performing all management functions; (b) assigning a competent individual (Andrew Laflin) to oversee the services; (c) evaluating the adequacy of the services performed; (d) evaluating and accepting responsibility for the results of the services performed; and (e) establishing and maintaining internal controls, including monitoring ongoing activities.

Our responsibilities and limitations of the engagement are as follows. We will perform the services in accordance with applicable professional standards. This engagement is limited to the services previously outlined. Our firm, in its sole professional judgment, reserves the right to refuse to do any procedure or take any action that could be construed as making management decisions or assuming management responsibilities, including determining account coding and approving journal entries. Our firm may advise the City with regard to different matters, but the City must make all decisions with regard to those matters.

Any nonattest services performed by us do not constitute an audit performed in accordance with *Government Auditing Standards.*

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents or support for any other transactions we select for testing.

We do not host, are not the custodian of, and accept no responsibility for your financial and non-financial data. You acknowledge that you have sole responsibility for the storage and preservation of your financial and non-financial data.

During the course of the audit, we may observe opportunities for economy in, or improved controls over, your operations. We will bring such matters to the attention of the appropriate level of management, either orally or in writing.

You agree to inform us of facts that may affect the financial statements of which you may become aware during the period from the date of the auditors' report to the date the financial statements are issued.

Zach Chalifour is the service leader for the audit services specified in this letter. The service leader's responsibilities include supervising the services performed as part of this engagement and signing or authorizing another qualified firm representative to sign the reports.

Our fees for the audit of the financial statements and related services, including expenses, for each of the fiscal years included in this engagement are as follows:

Year Ending September 30,	Audit Fee	Preparation of Financial Statements	Single Audit Fee (per major program)
2023	$45,000	$4,500	$3,500

Payments shall be due in accordance with Section 218.70, Florida Statutes, *Local Government Prompt Payment Act*.

This engagement may be terminated by either party for noncompliance with the terms as noted in this engagement letter. The parties will provide 60 days' notice of their intention to terminate the engagement. Upon completion of this engagement with the audit for the year ended September 30, 2023, a new engagement can be entered into for an additional one-year period, at the option of both parties. Any such engagements will be evidenced by a new engagement letter.

At the conclusion of our audit engagement, we will communicate to those charged with governance the following significant findings from the audit:

- Our view about the qualitative aspects of the City's significant accounting practices;
- Significant difficulties, if any, encountered during the audit;
- Uncorrected misstatements, other than those we believe are trivial, if any;
- Disagreements with management, if any;
- Other findings or issues, if any, arising from the audit that are, in our professional judgment, significant and relevant to those charged with governance regarding their oversight of the financial reporting process;
- Material, corrected misstatements that were brought to the attention of management as a result of our audit procedures;
- Representations we requested from management;
- Management's consultations with other accountants, if any; and
- Significant issues, if any, arising from the audit that were discussed, or the subject of correspondence, with management.

In accordance with the requirements of *Government Auditing Standards*, we have attached a copy of our latest external peer review report of our firm for your consideration and files.

The audit documentation for this engagement is the property of James Moore & Co., P.L. and constitutes confidential information. However, we may be requested to make certain audit documentation available to a grantor or their designee, a federal or state agency providing direct or indirect funding, or the U.S. Government Accountability Office pursuant to authority given to it by laws or regulation, or to peer reviews. If requested, access to such audit documentation will be provided under the supervision of James Moore & Co., P.L. personnel. We will notify you of any such request. Furthermore, upon request, we may provide copies of selected audit documentation to these agencies and regulators. The regulators and agencies may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

In the normal course of business, we use the services of third-parties and individual contractors, which are not employees of James Moore & Co., P.L. Those services are performed at various levels and in various aspects our engagements including bookkeeping, tax return preparation, consulting, audit and other attest services and clerical and data entry functions. It is possible that during the course of the engagement we may utilize such third-party and individual contractor sources. Additionally, the engagement will, of necessity, require us to handle confidential information and we expects third-party service providers and individual contractors to maintain the confidentiality of such information. To be reasonably assured that unauthorized release of confidential client information does not occur, we require those individuals and third-party service providers to enter into a written agreement to maintain the confidentiality of such information. Your acceptance of this arrangement acknowledges and accepts our handling of confidential information including access by third-party and individual service providers.

Public Records

While we will not and cannot perform hosting services for the City, and therefore do not expect to be in possession of any of the City's original records, with regard to any public records of the City in our possession, pursuant to section 119.0701, Florida Statutes, we shall comply with Florida's Public Records Act, Chapter 119, Florida Statutes, and agree to:

Keep and maintain all public records that ordinarily and necessarily would be required by the City to keep and maintain in order to perform the engagement.

Upon request from the City's custodian of public records, provide copies to the City within a reasonable time and public access to said public records on the same terms and conditions that the City would provide the records and at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law.

Ensure that said public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.

We will meet all requirements for retaining said public records and transfer, at no cost, to the City all said public records in our possession upon termination of this Agreement and destroy any duplicate public records that are exempt or confidential and exempt from Chapter 119, Florida Statutes, disclosure requirements. All records will be returned to the City in their original form.

IF THE CONTRACTOR (JAMES MOORE & CO., P.L.) HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLICE RECORDS AT 727-391-9951, cvanblargan@madeirabeachfl.gov, 300 Municipal Drive, Madeira Beach, FL 33708.

All notices and communications required under this proposal shall be in writing and shall be deemed to have been duly given when delivered personally or by registered or certified mail to the following persons:

For the City: Robin Gomez, City Manager
300 Municipal Drive
Madeira Beach, FL 33708

For James Moore & Co., P.L.: Zach Chalifour
121 Executive Circle
Daytona Beach, FL 32114

We appreciate the opportunity to be of service to the City of Madeira Beach, Florida and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,

James Moore & Co., P.L.

JAMES MOORE & CO., P.L.

RESPONSE:

This letter correctly sets forth the understanding of the City of Madeira Beach, Florida.

By_____

Title_____

Date_____

HADDOX REID EUBANK BETTS PLLC

CPAs & Advisors

REPORT ON THE FIRM'S SYSTEM OF QUALITY CONTROL

April 23, 2021

To the Members
James Moore & Co., P.L.
and the National Peer Review Committee

We have reviewed the system of quality control for the accounting and auditing practice of James Moore & Co., P.L. (the firm) in effect for the year ended October 31, 2020. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review.

Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, including compliance audits under the Single Audit Act and audits of employee benefit plans.

As a part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of James Moore & Co., P.L. in effect for the year ended October 31, 2020, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass, pass with deficiency(ies)* or *fail.* James Moore & Co., P.L. has received a peer review rating of *pass.*

Haddox Reid Eubank Betts PLLC

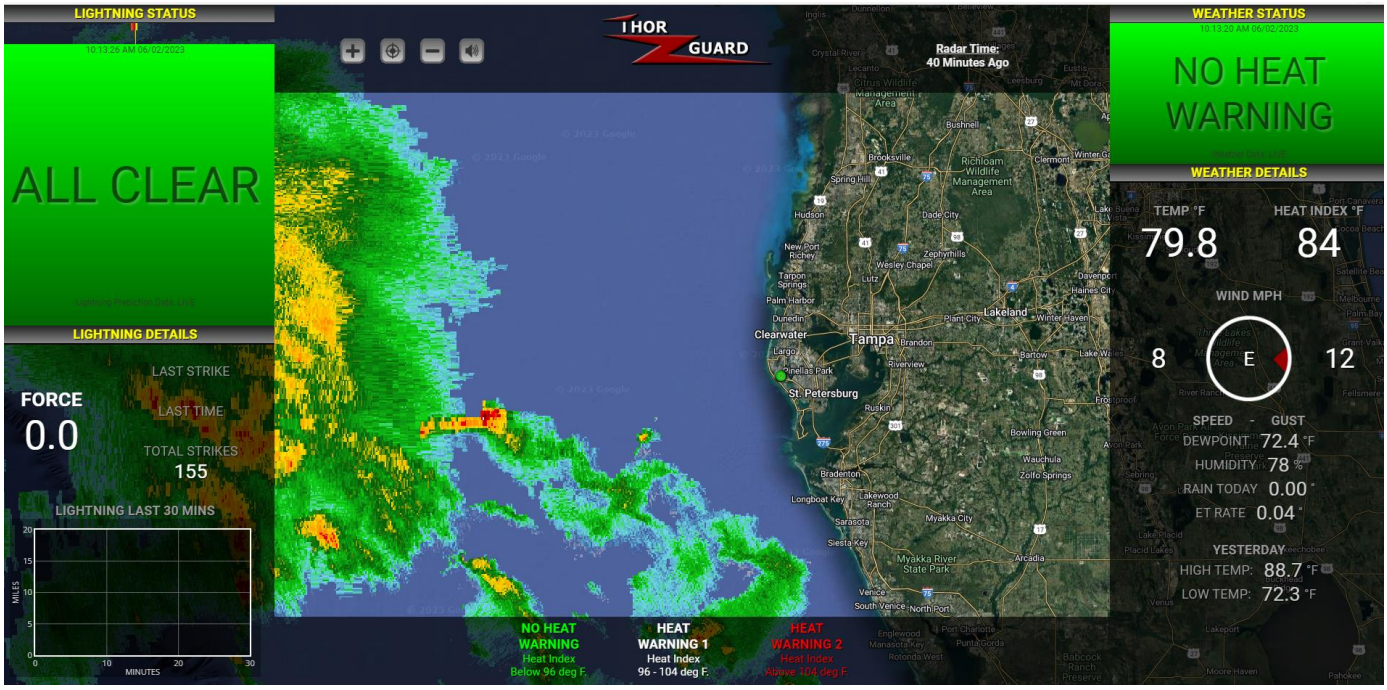
CITY MANAGER'S REPORT - MAY 2023

CITY MANAGER

May brought us some warmer temperatures, the return of humidity, and a few thunderstorms, a sign that summer is near as many begin to turn to the Gulf and intracoastal for refreshing swims (at least for the next few weeks) as well as enjoying pools, boating, and the many outdoor excursions available here in Madeira Beach. While Memorial Day weekend weather yielded very sunny days with comfortable temperatures, thousands visiting our waters were reminded of the need to be safe and encouraged to utilize all available safety precautions and devices from swimming in marked areas to wearing safety devices on boats (more on boating safety below) to following all posted signs and markers both on water and land. We continued experiencing eclectic sunrises, sunsets, and everything in between reminding us why many call Madeira Beach home and why so many visit our city every year. As in prior months thousands enjoyed our vast and varied events including our 2nd annual Founder's Day Weekend Grouper gala that culminated with wonderful fireworks our weekly Wednesday Market on Madeira Way various youth softball tournaments and a spectacular final Friday at the John's Pass bell tower area. Please read below for additional events in June including the Trash Pirates of Madeira Beach Community Clean-up on Saturday, June 3, the Madeira Beach 5K Sunset Series on Friday June 30 at John's Pass park, and Final Friday in John's Pass Village also on Friday, June 30. As the calendar turns into July, please join us for our annual Independence Day Fireworks scheduled for Monday, July 3, beginning at 9 pm – fireworks will be launched from the Madeira Beach Fundamental school field. Lots of exciting events and activities for all ages.

WEATHER & HURRICANE SEASON – June 1 to November 30

Did you know the Madeira Beach Rec Center has a weather station and lightning detection system located on top of our Recreation Center building? The system/software offers a public page for the community to utilize when there is weather approaching. Check it out here: https://bit.ly/43CfwpW



June 1 officially marks the start of the Atlantic basin Hurricane Season – a note from Madeira Beach Fire Department:

As we enter the Hurricane Season, Madeira Beach Fire Department would like to encourage all of our residents and businesses to have a plan in the event a storm is heading our way. You can pick up a Hurricane Guide at City Hall or the Fire Station that will be able to assist you with shelter information, pet shelters, preparation of supplies and important numbers and resources for before and after the storm.

The Hurricane Supplies Tax Free Holiday runs through June 9, 2023... See more

Some important reminders include:

- Keep a hurricane kit stocked with food, water, meds, flashlights, battery-powered radio, etc
- Make an evacuation plan for your family (remember to include your pets)
- Gas up vehicles
- Physically prepare/protect your home – clear yard of furniture, debris, and potential projectiles
- Board up windows, put up shutters
- Be ready to turn off power in case of flooding
- Place important documents and valuables in watertight containers
- Keep calm & stay alert

Additional Hurricane & Emergency Management Information:

Ready Pinellas Emergency Planning Mobile App

Introducing the new and improved Ready Pinellas mobile app!

Ready Pinellas is designed to help residents prepare themselves and their families before, during and after a storm. It is available for free download on the Apple App Store and Google Play store.

Note: Android device users who already had the previous Ready Pinellas app installed will need to download the new app from the Google Play store and remove the old app from their devices. Apple device (iPhone and iPad) users will see the app automatically updated.

The new app features a refreshed design and user experience, additional information and tips, and convenient checklists to make sure you and your family are prepared. App users can use emergency supply checklist, home inventory and emergency contacts tools to build a personal emergency plan.

As a storm approaches, the app will provide real-time updates to help keep you safe, including detailed information that is available at your fingertips even if you lose internet connectivity. It will provide resources to contact us year-round and during a disaster and give you tips to Stay Informed.

Ready Pinellas App Features

- **Know Your Zone**: If you have your locator services on, the app will tell you if you are in a designated evacuation zone. You can also look up other addresses to see if they are in an evacuation zone. Remember: Evacuation zones were updated for the 2022 hurricane season, so you may have a new zone. When a storm is approaching, it will tell you if Pinellas County is in the 5-day or 3-day cone and if an evacuation order has been issued.
- **Make a Plan**: Use our emergency supply checklist, home inventory and emergency contacts tools to build a personal emergency plan that you can share. You can take pictures of items for your home inventory.
- **Push Notifications**: Through the app, you will receive informational and emergency notifications from Pinellas County Emergency Management, the National Weather Service and **Alert Pinellas**.
- **Special Needs**: You can learn more about special needs assistance, which is intended for those who need transportation or require minimal medical assistance while seeking public shelter. You can register from the app.
- **Preparedness Tips**: Learn how to prepare your family, pets, home, condo, mobile home, boat and more.
- **Safety Tips**: Find information on What to Do Now before, during, and after an event. Learn about year-round preparedness, how to clean up after a flood or food safety if power has been out.
- **Report Damages** after a storm has hit Pinellas County.

FEMA- June Plan

Hurricane Season Starts June 1st, are you ready?

Hurricane season starts June 1st. Make sure you and your family are ready and understand Hurricane impacts and what to do before and after the storms. Don't forget to make a plan for your pets, they are family too!

***Under disaster conditions and the following recovery operations, access to Madeira Beach will be restricted to persons with identification showing they are a resident or property owner. Emergency access permits are available to Madeira Beach Residents and Business Owners.**

***Receive alerts about emergencies and other important community news by signing up for Alert Pinellas.**

Take a look below for some links on how to prepare before and after the storm below!

What to do before a storm

There are many ways you can prepare your home and family prior to a storm.

- Sign up for alerts on storm tracking
- Prepare your home
    - Clear your yard of furniture and potential projectiles
    - Board up windows or put up shutters
    - Be ready to turn off power in case of a flood
    - Fill containers with clean water for drinking
    - Place important documents or valuables in watertight containers
    - Gas up vehicles and be ready if you need to evacuate
- Identify a safe spot for potential tornado activity
    - inside room without windows on the lowest floor (**bathroom**, **closet**, center **hallway**)
- Build/replenish your kit
- Make an evacuation plan
    - Make sure to include pets in your plan!
    - Prepare to execute your evacuation plan if needed, during the storm emergency personnel may not be able to help!

What to do during a storm

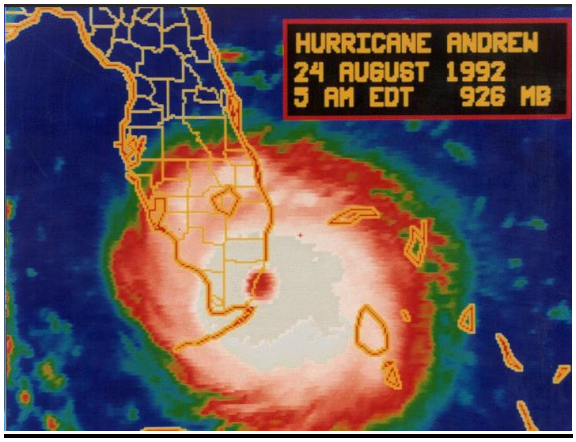
Make sure you know what to do during a storm to stay safe.

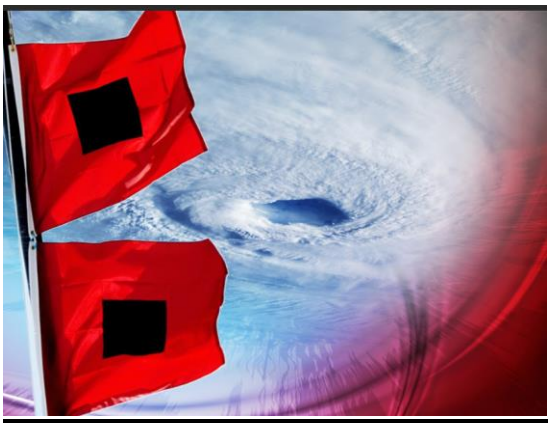
- Stay indoors
- Stay tuned to the news or other alert outlets on storm tracking
    - Be prepared for tornadoes during a hurricane
- Turn off power if flood waters rise
- Do not drive or swim through flooded waters. Turn around don't drown!
- If needed call 911 for help
    - Keep in mind that depending on the storm and flood waters emergency personnel may suspend emergency operations until it is safe.
- Keep calm and wait for the storm to pass!

What to do after a storm

Make sure you know what to do after a storm to stay safe.

- Listen to local officials for information
  - If you evacuated make sure it is safe to come back from local officials
- When assessing damage be carful of down powerlines
- If there is still flooding turn around
- Do not touch electrical equipment if still wet
- Reporting Damage: it is important to do the following before clean up
  - Take pictures of water lines on the house
  - Take pictures of any damage, more pictures the better
  - Document estimated cost of damage
  - Send information to Pinellas County (the Madeira Beach Community Development team can also help get information to the County)
  - Contact your insurance company for further information on your policy and what information they need
- Debris Clean Up
  - Public Works will work hard to collect debris on the curb
    - Debris pick up will start with major roads and continue into neighborhoods
    - Garbage pick up might not be on a regular schedule as the dumping of debris takes a bit longer post storm
  - Dispose of sandbags properly
- Properly apply for permits for restoration (contact the Building or Community Development Departments for specific information)
  - FEMA 50% rule must be followed when repairing/restoring homes





SALES TAX HOLIDAY – DISASTER PREPAREDNESS SUPPLIES/ITEMS

Additionally, the FL legislature and governor approved a sales tax holiday on various hurricane/storm season preparation items and supplies that runs through June 9, 2023 (a 2nd Disaster Preparedness Sales Tax Holiday will also occur from August 26 – September 8, 2023). Many items are included in the no sales tax period including:

- Portable generators costing $3,000 or less
- Smoke detectors or smoke alarms costing $70 or less
- Gas or diesel fuel tanks costing $50 or less
- Trash bags costing $30 or less
- Cat litter weighing 25 or fewer pounds costing $25 or less
- Manual can openers costing $15 or less

And much more! Please view the below announcement.

The May 10, 2023, Commission Meeting included the following ***National Safe Boating Week*** proclamation provided to our very own US Coast Guard Auxiliary. The purpose of the proclamation continued to be to bring attention to important and useful life-saving tips for recreational boaters to enjoy safer and more fun experiences out on the various waterways. Thank you to the US Coast Guard Auxiliary for their continued support of National Safe Boating Week.

PROCLAMATION
National Safe Boating Week
May 20 – May 26, 2023

For nearly 90 million Americans, boating continues to be a popular recreational activity. From coast to coast, and everywhere in between, people are taking to the water and enjoying time together boating, sailing, paddling, and fishing. During National Safe Boating Week, we want to bring special attention to this pastime and remind recreational boaters of a few tips to ensure that they and their loved ones are safe and responsible while exploring our nation's waterways.

Proper planning for a day of boating begins even before leaving home and getting a free vessel safety check, taking a safe boating course at the beginning of the boating season, filing a float plan with a trusted family member or friend, and checking the weather before boating are key steps to enjoy boating. Everyone should always wear a U.S. Coast Guard-approved life jacket while boating. Drowning remains the number one cause of death for recreational boaters each year, and most drowning victims in recreational boating accidents are not wearing a life jacket. Safe and responsible boating includes never operating a boat while under the influence of drugs or alcohol and knowing basic navigation rules.

National Safe Boating Week is observed to bring attention to important life-saving tips for recreational boaters to have a safer, more fun experience out on the water.

Whereas, on average, 700 people die each year in boating-related accidents in the U.S.; approximately three-fourths of these are fatalities caused by drowning. The vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment, or environmental factors; and

Whereas, a significant number of boaters who lose their lives by drowning would be alive today had they worn their life jacket; and

Whereas, to combat these statistics, the National Safe Boating Council, in partnership with the U.S. Coast Guard and the National Association of State Boating Law Administrators, will launch the annual North American Safe Boating Campaign during National Safe Boating Week. The Campaign is designed to reach more than 70 million boaters around North America and communicates this year's life-saving message: Boat Smart. Boat Safe. Wear It: and

Now, Therefore, I, James "Jim" Rostek, Mayor of the City of Madeira Beach, Florida do hereby support the goals of the North American Safe Boating Campaign and proclaim May 20-26, 2023 as National Safe Boating Week and urge all boaters to Boat Smart, Boat Safe, and Wear it. Proclaimed this 10th day of May 2023.

The May 10, 2023, Commission Meeting also recognized ***National Public Works Week*** May 21-27, 2023, with the following proclamation recognizing the vast and varied contributions and daily work of our fabulous Public Works employees that regularly help to make our City shine and smile. . .

National Public Works Week Proclamation
May 21–27, 2023
"Connecting the World Through Public Works"

WHEREAS, public works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and the public health, high quality of life, and well-being of the people of the City of Madeira Beach, Florida; and,

WHEREAS, infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation's transportation, water supply, water treatment, and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders, and children in the City of Madeira Beach, Florida, to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2023 marks the 63rd annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association;

NOW THEREFORE, I, James "Jim" Rostek, Mayor of the City of Madeira Beach, Florida do hereby designate the week May 21–27, 2023 as

National Public Works Week

and urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

CITY VISIONING – MISSION & VISION STATEMENTS

We have begun our visioning process to determine the future of our wonderful City. Numerous Commission and public meetings will be held by late summer/early fall to review and discuss our City's Mission and Vision Statements, essentially a very comprehensive look at the City's master plan that will guide our development/redevelopment, public safety, infrastructure maintenance, and over-all quality of life over the next twenty (20) years. Please stay tuned for notices on these and other public meetings to obtain your input.

City Of
Madeira Beach
FLORIDA

City of Madeira Beach's Mission Statement

Madeira Beach, A Gulf Coast barrier island community, provides exceptional services to our residents, businesses, and visitors in a manner consistent with the eclectic nature of our city. We celebrate a quality of life enjoyed by all.

City of Madeira Beach's Vision Statement

Madeira Beach, gateway to the Gulf, is a welcoming, livable community dedicated to the preservation of our pristine natural beaches and our eclectic neighborhoods which create a unique sense of place for all.

Public Trust - *We believe that honesty and integrity are the foundation of all constructive relationships and the basis of public trust. We will ensure this through ethical behavior and decision making.*

Safety - *We value safety by promoting a healthy environment, infrastructure, and lifestyle for the community.*

Transparency - *We will protect and preserve open and honest goverance to maintain the public's trust and confidence.*

Teamwork - *We are committed to working together, embracing diversity and inclusion to best serve one another and the public.*

Accountability - *We define accountability as taking ownership and responsibility for the outcomes of our decisions, actions, and management of our resources.*

Professionalism - *Professionalism is dedication to excellence through integrity, requiring careful analysis of issues, free of personal biases, with a commitment to the organization and the community.*

Respect - *We value all viewpoints and opinions and treat each other with courtesy and respect.*

CITY BUDGET

The next Fiscal Year (FY) 24 Budget Workshop will take place on Wednesday, June 28, beginning at 4 pm (at City Commission Chambers, 300 Municipal Dr) to discuss department personnel and operating expenditures, the City's tax (millage) rate, and various non-departmental expenditures including contributions to other agencies (Chambers of Commerce, Coast Guard Auxiliary, etc). A reminder that the City's fiscal year runs from October 1 to September 30 – so our fiscal year 2023, will conclude this September 30, with the fiscal year 2024, beginning the following day on October 1, 2022. Our property/millage tax rate compared to other cities (millage rate utilized for FY 23 budget):

MILLAGE RATES – MB & OTHER CITIES

Municipality	FY 2022 millage rate
City of Clearwater	5.8850
City of South Pasadena	4.9650
City of Dunedin	4.1345
City of Treasure Island	3.8129
City of St. Pete Beach	3.1500
City of Madeira Beach	2.7500
City of Belleair Beach	2.0394
City of Indian Rocks Beach	1.8326

CITY CLEAN-UPS & BEAUTIFICATION

Thank you very much to our wonderful Madeira Beach organizations, Trash Pirates and Trash Turtles that once again held clean-ups in May as well as the organization *Keep Pinellas Beautiful* for their continued support of our two clean-up organizations and over-all countywide beautification.

KEEP PINELLAS Beautiful
KEEP AMERICA BEAUTIFUL AFFILIATE

Trash Pirates of Mad Beach

Trash Turtles

TRASH TURTLES
TrashTurtles.org
#LEAVEWITH3

- Trash Pirates monthly clean-up on Sat, June 3

Thank you to all the wonderful volunteers, family, and friends that continue to make our community a better place to live, learn, work, and play. The pounds of trash removed at the clean-ups truly make our slice of paradise shine. We very much appreciated all who volunteered their time keeping our ***Two Miles Long and a Smile Wide*** city looking fabulous !

Additionally, our City Public Works and Recreation crews continued daily maintaining our beach/sand, parks, and public rights-of-way clean and beautiful. From the daily sand raking to

ENVIRONMENTAL STEWARDSHIP – LEAVE NO TRACE

As we continue with beautification work including the monthly city-wide clean-ups and enhanced recycling services, we will also continue reminding our residents, businesses, and visitors to ensure all trash/waste ends up in the proper containers particularly when visiting our sand. Also please remember: No dogs on the Sand, No glass on the Sand. Fines are $250 for littering and $93 for dog on the sand/beach:

City Of Madeira Beach FLORIDA

Beach Ordinances

Sec. 42-37 - Leave no trace

- Any unattended tent or property left on the Public Beach at night shall be deemed discarded by the owners and become the property of the City of Madeira Beach and may be removed and disposed of by the appropriate authority.
- All holes on the beach are to be filled in the same day they are created.
- Camping, bonfire, grilling and glass are prohibited.

Sec. 42-38 - Enforcement

- Violation of any provision of this article shall be subject to the following penalties:
  - First violation: $100.00 fine.
  - Second violation: $200.00 fine.
  - Third violation: Fine not to exceed $500.00 pursuant to F.S. § 162.22.

Sec. 10-5 – Animals banned from Public Beaches

- It shall be unlawful for any dog, cat, other animal , whether running at large, on a leash, or being carried, to be on any public beach within the city.

For more information or questions please call Code Enforcement at 727-391-9951 X 295

Help us leave no Trace !

Sanitation-Trash Collection

REMINDER: Trash containers need to be stored somewhere other than curbside, and wheeled out to the curb for collection no earlier than 5:30 pm the day prior to collection, and removed away from the curb by sunset the day of collection. If your container is damaged or missing please contact the City of Madeira Beach Public Works/Sanitation department at 727.543.8154. The City of Madeira Beach greatly appreciates everyone's patience and understanding with the trash collection change that will help to keep our City even cleaner.

TURTLE NESTING SEASON BEGAN MAY 1

Here in Madeira Beach, we love sea turtles! Nesting season runs from May 1st to November 30th. The City of Madeira Beach greatly appreciates your support by helping to pick up litter on the beach, filling sand holes on the beach, and making sure your home lighting is sea turtle compliant if you live on the beach side. Look below for some links on more information on what you can do and organizations that help our beloved sea turtles!

- **Pinellas County Sea Turtle Information** – pinellascounty.org/environmental/coastal/sea-turtles.htm
- **SeaTurtleTrackers.org**
- **Clearwater Marine Aquarium Rescue Program** – https://mission.cmaquarium/org/what-we-do/rescue-rehab-release
- **Madeira Beach Leave No Trace Ordinance** - https://storage.googleapis.com/proudcity/madeirabeachfl/uploads/2021/04/Leave-no-trace-flyer.pdf

UPCOMING SPECIAL EVENTS/ACTIVITIES/MEETINGS

(1) **Trash Pirates monthly clean up** at John's Pass Bell Tower area and Archibald Park, Sat, Jun 3 beginning at 8 am.

(2) **BOARD OF COMMISSIONERS REGULAR MEETING,** Wed, June 14, 6 pm, CITY HALL – Commission Chambers

(3) **Big-C Monthly Meeting**, Wednesday, June 28, 9 am, Indian Rocks Beach Commission Chambers, 1507 Bay Palm Blvd

(4) BOARD OF COMMISSIONERS BUDGET WORKSHOP CITY HALL, Wed, June 28, 4pm – Commission Chambers

(5) **BOARD OF COMMISSIONERS WORKSHOP** CITY HALL, Wed, June 28, 6 pm – Commission Chambers

(6) **Madeira Beach Sunset 5K, Friday, June 30, 6 pm, John's Pass Park**

(7) **Final Friday, Friday, June 30, 6 pm, John's Pass Bell Tower area**

(8) Independence Day Fireworks, Sunday, July 3, 9 pm

CONTACTING CITY OF MADEIRA BEACH: a reminder of the various means and methods to contact/reach out to us, report an issue/concern, visit, etc.,

- City internet/web site: www.madeirabeachfl.gov
- Via email (listed on our website): rgomez@madeirabeachfl.gov
  -all city employee emails are the first letter of the first name followed by last name
- On the phone (main line): **727-391-9951**
  -additional phone #'s listed on website
- In person at City Hall, 300 Municipal Dr, open M-F 8 am to 4:30 pm: to obtain a resident permit parking pass/sticker, purchase our 75th anniversary items (shirts, hats, etc), to ask a question(s), or to just say hello
- In person at City Hall Commission Chambers, for our monthly Board of Commission meetings: Regular Meeting on the 2nd Tuesday of each month
  Workshop Meeting on the 4th Tuesday of each month
  -both typically begin at 6pm
- Via our App: ***CITY OF MADEIRA BEACH MOBILE APP***

Remember to download the free City of Madeira Beach mobile app, ***My Madeira Beach***, from the Apple App or Google Play stores. Residents, businesses, visitors can utilize the app to communicate service requests and/or report concerns/issues such as potholes, trash, graffiti, or any other area needing City attention. The app is also a great resource with links to the City website, news, and ongoing/upcoming events.

Thank you very much for your attention. Again, a huge thank you to all City staff that daily make Madeira Beach shine. Please let us know of any matter needing the City's attention. Stay Safe, enjoy Our Slice of Paradise, and a wish for all to enjoy every day throughout 2023 !!

CITY CLERK

As of May 31, 2023, the Board of Commissioners held 14 meetings in 2023.

5-Year History – As of May 31, 2023 - Board of Commissioners Meetings

2018 – 22 meetings
2019 – 20 meetings
2020 – 22 meetings
2021 – 18 meetings
2022 – 15 meetings

The public can view meetings on Spectrum Channel 640 and YouTube streamed on the City's website. Due to technical difficulties, Channel 640 is not available temporarily.

Public participation is encouraged. If you are addressing the Commission, step to the podium and state your name and address for the record. Please limit your comments to five (5) minutes and do not include any topic on the agenda. Public comment on agenda items will be allowed when they come up.

If you would like someone at the City to follow up on a comment or question made at the meeting, you may fill out a comment card with the contact information and give it to the City Manager. Comment cards are available at the back table in the Commission Chambers. It is not mandatory to complete a comment card.

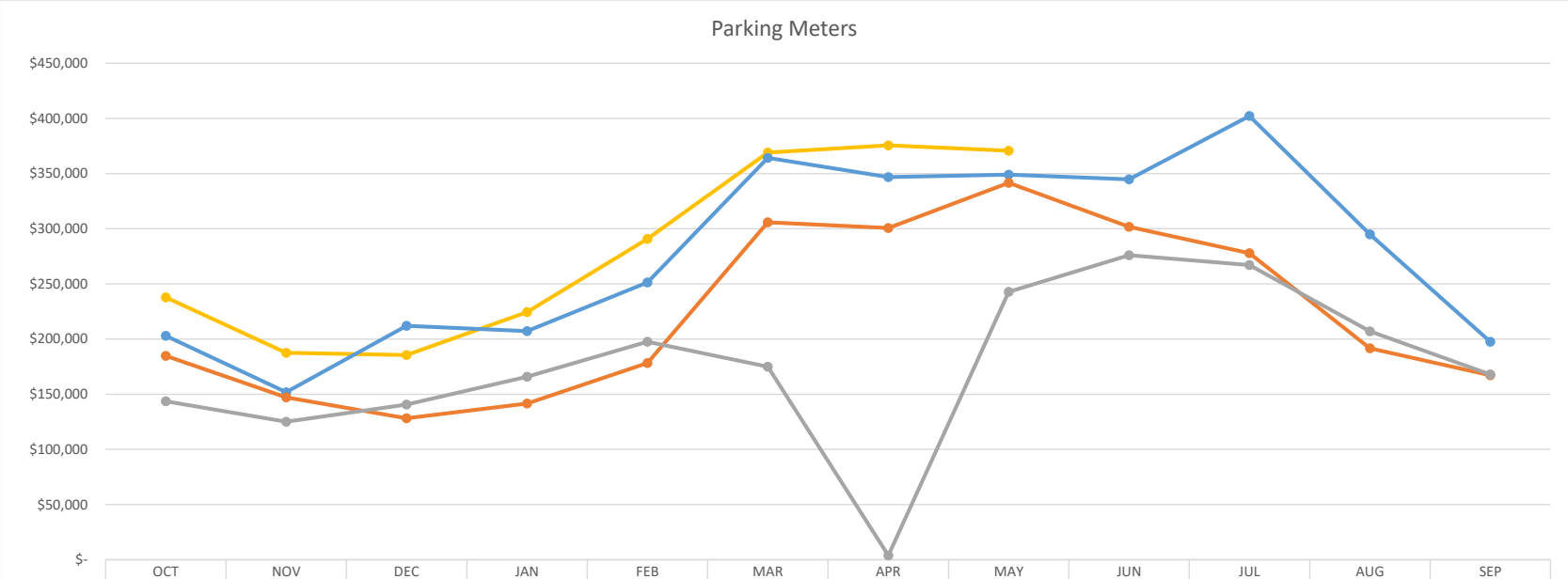
For any quasi-judicial public hearings that might be on the agenda, an affected person may become a party to a quasi-judicial proceeding and can be entitled to present evidence at the hearing including the sworn testimony of witnesses and relevant exhibits and other documentary evidence and to cross- 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.

Regularly scheduled meetings are held:

Board of Commissioners Meetings – Commission Chambers, 300 Municipal Drive, Madeira Beach, FL 33708

Regular Meeting	2nd Wednesday @ 6 p.m.
Budget Workshop Meeting	4th Wednesday @ 4 p.m. (April through August)
Regular Workshop Meeting	4th Wednesday @ 6 p.m.

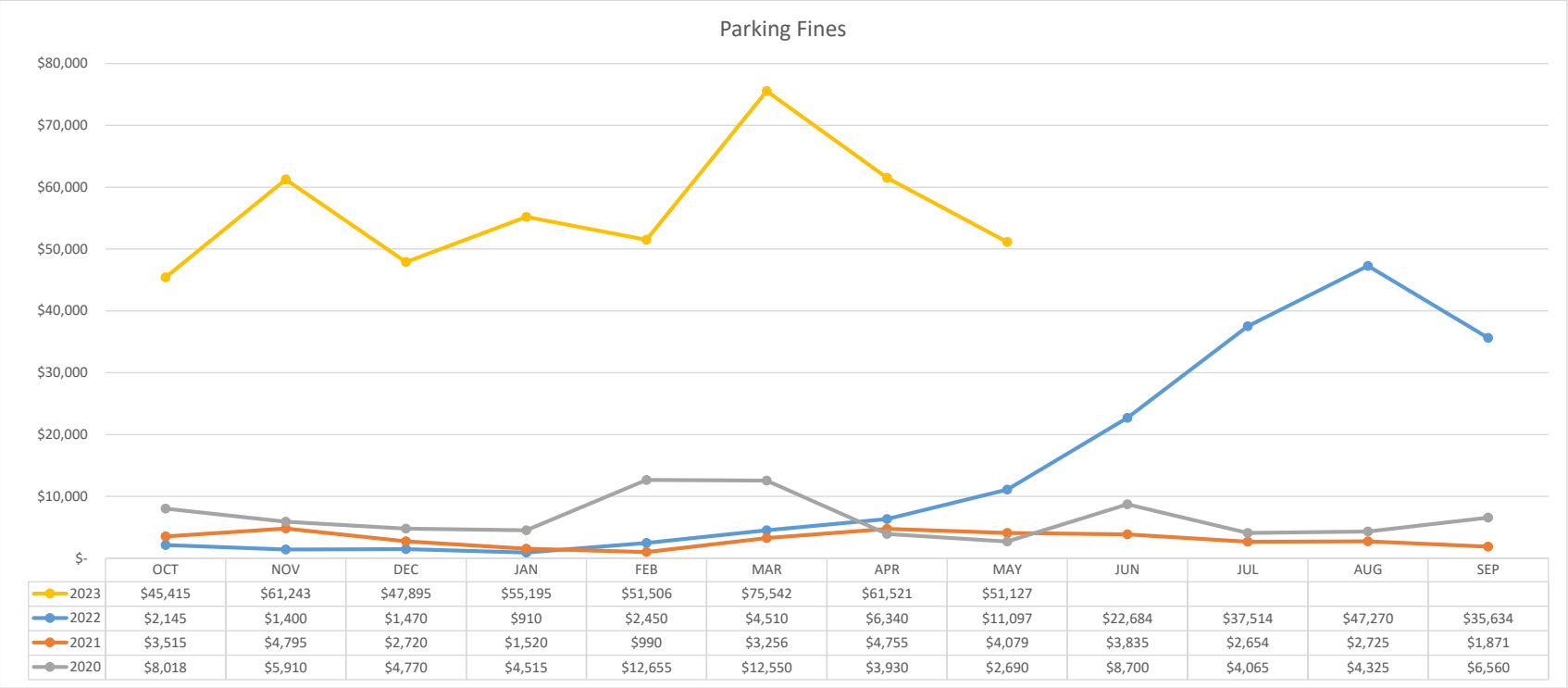
Meeting dates and times are subject to change due to holidays, etc.



	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
2023	$237,794	$187,490	$185,507	$224,454	$290,884	$369,010	$375,568	$370,647				
2022	$202,933	$151,849	$211,964	$207,118	$251,333	$364,137	$346,827	$348,983	$344,778	$402,134	$294,792	$197,502
2021	$184,676	$147,059	$128,217	$141,579	$178,368	$305,858	$300,649	$341,594	$301,756	$277,785	$191,617	$167,206
2020	$143,571	$125,034	$140,584	$165,941	$197,643	$174,867	$3,838	$242,767	$276,011	$266,996	$207,016	$167,944

$ 2,085,145

YEAR	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	
2023	$ 237,794	$ 187,490	$ 185,507	$ 224,454	$ 290,884	$ 369,010	$ 375,568	$ 370,647					$ 2,241,354
2022	$ 202,933	$ 151,849	$ 211,964	$ 207,118	$ 251,333	$ 364,137	$ 346,827	$ 348,983	$ 344,778	$ 402,134	$ 294,792	$ 197,502	$ 3,324,351
2021	$ 184,676	$ 147,059	$ 128,217	$ 141,579	$ 178,368	$ 305,858	$ 300,649	$ 341,594	$ 301,756	$ 277,785	$ 191,617	$ 167,206	$ 2,666,362
2020	$ 143,571	$ 125,034	$ 140,584	$ 165,941	$ 197,643	$ 174,867	$ 3,838	$ 242,767	$ 276,011	$ 266,996	$ 207,016	$ 167,944	$ 2,112,211



	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
2023	$45,415	$61,243	$47,895	$55,195	$51,506	$75,542	$61,521	$51,127				
2022	$2,145	$1,400	$1,470	$910	$2,450	$4,510	$6,340	$11,097	$22,684	$37,514	$47,270	$35,634
2021	$3,515	$4,795	$2,720	$1,520	$990	$3,256	$4,755	$4,079	$3,835	$2,654	$2,725	$1,871
2020	$8,018	$5,910	$4,770	$4,515	$12,655	$12,550	$3,930	$2,690	$8,700	$4,065	$4,325	$6,560

$ 30,322

YEAR	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	
2023	$ 45,415	$ 61,243	$ 47,895	$ 55,195	$ 51,506	$ 75,542	$ 61,521	$ 51,127					$ 449,444
2022	$ 2,145	$ 1,400	$ 1,470	$ 910	$ 2,450	$ 4,510	$ 6,340	$ 11,097	$ 22,684	$ 37,514	$ 47,270	$ 35,634	$ 173,424
2021	$ 3,515	$ 4,795	$ 2,720	$ 1,520	$ 990	$ 3,256	$ 4,755	$ 4,079	$ 3,835	$ 2,654	$ 2,725	$ 1,871	$ 36,714
2020	$ 8,018	$ 5,910	$ 4,770	$ 4,515	$ 12,655	$ 12,550	$ 3,930	$ 2,690	$ 8,700	$ 4,065	$ 4,325	$ 6,560	$ 78,688

Month	Fiscal Year 2022	2023	2024	Gross Totals
October	-	33,085.26	-	33,085.26
November	-	26,826.15	-	26,826.15
December	24,476.64	27,153.76	-	51,630.40
January	30,337.91	32,123.83	-	62,461.74
February	35,171.98	39,748.42	-	74,920.40
March	50,111.85	50,661.11	-	100,772.96
April	47,236.29	51,249.95	-	98,486.24
May	46,699.86	49,261.28	-	95,961.14
June	46,141.33	-	-	46,141.33
July	53,959.46	-	-	53,959.46
August	39,613.94	-	-	39,613.94
September	27,021.32	-	-	27,021.32
Annual Totals	**$ 400,770.58**	**$ 310,109.76**	**$ -**	**$ 710,880.34**

-

Building Official(s) – Development Report (May - 2023)

City Building Official, Frank DeSantis reports that our redevelopment/economic development continues at a steady pace including several large condominium projects on-going and/or under current plan review.

- The **Schooner Resort** is under review

- The **Tiki Docks Bar & Grill** permit has been issued. (Interior Restaurant only)
  - ✓ Framing is complete
  - ✓ Plumbing rough in is complete
  - ✓ Electrical rough in is 75% complete
  - ✓ Store front door has been installed
  - ✓ Drywall is installed.
  - ✓ Kitchen hoods installed.

- **15405 Gulf Blvd. Azul Townhomes**
  - ✓ Phase #1 trusses are complete.
  - ✓ Phase #1 roof dry-in started today.
  - ✓ M.E.P. roughs are in progress.
  - ✓ Windows and S.G.D. are being installed.
  - ✓ Phase #2 split roof trusses are in progress bldg "B".
  - ✓ Bldg "B" framing is in progress.
  - ✓ Bldg. "C" foundations are poured.
  - ✓ Bld "C" first lift of block is complete.

- **200 150th Ave. Harbor at Town Center**
  - ✓ Phase #1 trusses are complete.
  - ✓ Phase #1 roof dry-in started
  - ✓ M.E.P. roughs are in progress.
  - ✓ Windows and S.G.D. are being installed.
  - ✓ Phase #2 split roof trusses are in progress bldg "B".
  - ✓ Bldg "B" framing is in progress.
  - ✓ Bldg. "C" foundations are poured.
  - ✓ Bld "C" first lift of block is complete.

- The **Holiday Isles projects** *(The Development Order expires October 20, 2024)*
  - ✓ **555 150th Ave**. (Hampton Inn Hotel) – *(The permit #4082 expires July 1, 2024)*
    Site clearing and grading work continues – expected to be complete in two to three weeks.
  - ✓ **565 150th Ave.** (31-unit building) – *(The permit #20210386 expires January 26, 2026)*
    New silt fencing installed, no scheduled date to start

PERMIT TYPES ISSUED (05/01/2023 through 05/31/2023):

- **SFH projects – (1)**
  Single Family Homes
- **Docks & Lift projects – (13)**
  Replacement & Repairs
- **Generator projects – (0)**
  New Generator
- **Demo Permits – (5)**
  Demolition
- **Windows/Doors – (26)**
  Replacement
- **Electrical Permits – (11)**
  Meter, Panel C/O's
- **Commercial projects – (4)**
  Remodel
- **Roof & Awning projects – (13)**
  New & Re-roof
- **Swimming Pool – (2)**
  New
- **Driveway/Pavers – (2)**
  New
- **Mechanical E/C/O's – (24)**
  New AC units
- **Plumbing HW C/O's – (2)**
  Hot Water Heaters
- **Residential projects – (11)**
  Remodel
- **Fence – (6)**
  New & Replacement
- **Seawall projects – (10)**
  New Seawall & Cap
- **Deck – (1)**
  New & Replacement
- **Sign projects – (0)**
  New Sign Permits
- **Solar Permits – (1)**
  New Solar Permits

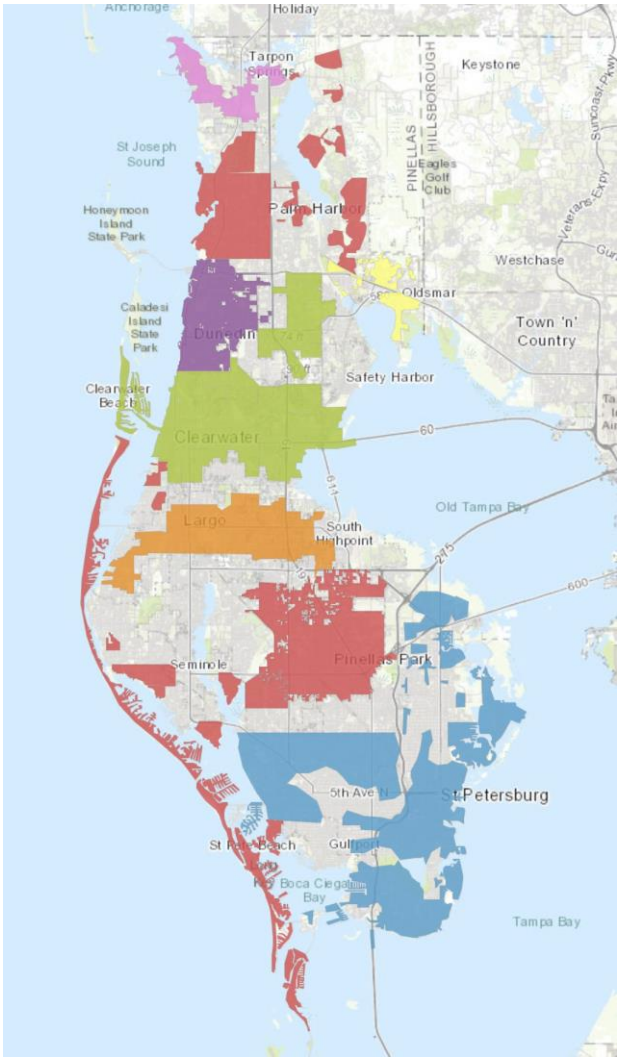
Monthly Totals (05/01/2023 through 05/31/2023):

- **Building Department**:
  1. 82 different types of permits were processed & issued.
  2. $48,260.08 Permit fees collected.
  3. $1,957,093 Permit estimated value or cost.
  4. 209 completed inspections (average 12 +/- per day)

- **Building Code Compliance & Residential Rental Inspections**:
  1. 7 new code compliance cases were created.
  2. 13 code compliance cases being resolved.
  3. 31 open/outstanding code compliance concerns with the help of the Special Magistrate.
  4. 0 residential rental inspections for the month of April.

Fertilizer & Landscape Information

Incorrect use of fertilizer, excessive irrigation, and poor landscape debris management can allow nutrients to leach into the groundwater and wash into stormdrains that flow to creeks, lakes, Tampa Bay, or the Gulf of Mexico. This causes harmful algae blooms, which lower oxygen levels and lead to fish kills. Nutrient pollutions can be controlled with your help. An ounce of prevention is worth a ton of cure!



- **June 1 – September 30:** Skip the fertilizer during the summer rainy season.
- **Near waterfront:** Fertilizer-free zone begins 10 feet back from the top of the slope towards any seawall or body of water.
- **Landscape maintenance:** Blow grass clippings, sand, and leaves back in the yard.
- **Irrigation:** Reclaimed water is liquid nutrients. Overwatering causes leaching of nutrients. Conserve water and skip the fertilizer. Select the link below the reclaimed water map image to see if you can reduce your fertilizer use.
  Sprinkler Calibration | Time Clock Setting
- **Homeowner Landscape Class:** Sign up today for the next scheduled class and learn best practices for landscape maintenance.

Refer to https://pinellas.gov/fertilizer-retailers-distributors/ for information specifically about the retail sale of fertilizer.

Fertilizer Reduction App
for Reclaimed Water Users

Landscape Maintenance & Fertilizer Use Ordinance

- Landscape Maintenance and Fertilizer Use Ordinance
- Pinellas County Fertilizer Ordinance Summary

Pinellas County Fertilizer Ordinance PSA Video https://youtu.be/YadGkSoD0pk

Commercial Landscape Maintenance Professionals

Landscape Maintenance BMPs – Required if you get paid to mow, prune, edge, use a blower or trim trees.

- Training & Decal Requirements for Landscapers

Fertilizer Applicator Professionals

Do you get paid to apply fertilizer? All commercial and institutional applicators must complete the Green Industry BMP (GIBMP) class **and** obtain the limited fertilizer license from the Florida Department of Agriculture and Consumer Services (FDACS) **before** applying fertilizers.

- Learn more about landscape fertilizer applicator requirements.
- Search GIBMP certifications

Soil Nutrient Testing

Before you can apply any fertilizer containing phosphorous to turf or landscaping, you must first submit a soil test to Pinellas County that shows deficiency for phosphorous.

- Soil Test Submission Form
- Soil Testing for Home Landscape or Vegetable Garden
- Soil Testing and Interpretation for Turf grasses

Project Updates

Beach Groin Renourishment Project

- Design is finalized and submitted for Permitting.
- Permits received from FDEP, under review with Pinellas County and Army Corp.

Area 3 – E Parsley, W Parsley, Marguerite, A Street, B Street, and Lynn Way. Roadway and Drainage improvement Project.

- Working on final comments from FDOT
- Placing out to bid by August 2023

Area 5- 131st Ave E and 129th Ave Roadway and Drainage improvement Project

- Engineering Scope approved by the BOC and in Engineering

Area 6a- Municipal Dr., Harbor Dr., 1st St. E., 2nd St. E., 153rd Ave., 154th Ave., & 155th Ave. Roadway and Drainage Improvements

- Engineering Scope approved by the BOC and in Engineering

Gulf Lane and Beach Access roadway and drainage improvements

- The project will consist of Milling and resurfacing Gulf Lane along with 135th to 130th Beach access parking lots and improving the stormwater drainage.
- RFP closed May 11th and will be discussed at the May 24th BOC workshop
- Final approval of the contract and acceptance of the Bid to be placed on the June 14th BOC agenda.

Gulf Blvd Utility Undergrounding

- Binding Cost Estimate (BCE) from Duke Energy received and under review for cost to decrease. While materials are underway.
- Task 2 – Construction management and Construction approved by the BOC September 14th.

FDOT Bridge Repair Project

Updates can be found at: 439565-1-52-01 SR 699/Gulf Blvd Bridge Maintenance over John's Pass (fdottampabay.com)

- This project will provide routine maintenance to the lighting and moveable parts of the John's Pass bridges.
- Construction is anticipated to begin in the spring of 2022 and be complete in the fall of 2023.
    - Construction Manager – Matt Kappler 727-575-8300 matthew.kappler@dot.state.fl.us

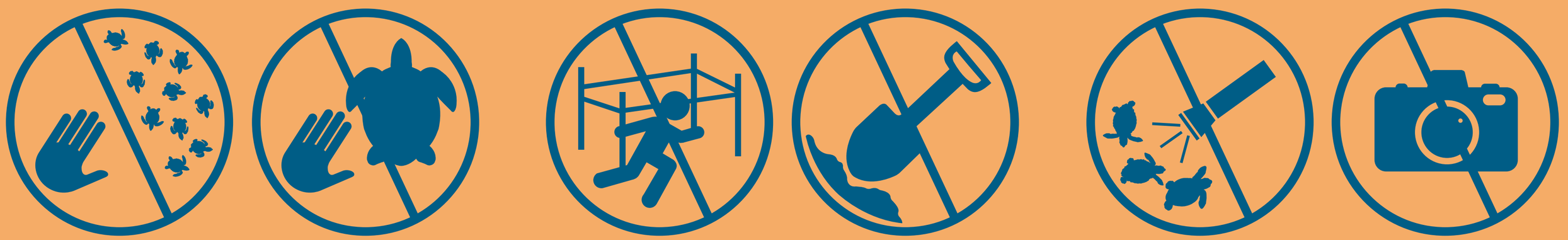
FDOT Gulf Blvd Water leak near 148th

- FDOT has design plans to create an underdrain and connect it to their existing storm that runs down Gulf Blvd.
- FDOT has signed a contract with Ajax.
- Ajax has placed the order for materials, material lead times are 3-5 months due to specialty items.

HELP PROTECT SEA TURTLES

Sea Turtle Nesting Season May 1 – October 31

- Fill in holes and knock down sand castles that may obstruct sea turtles
- Do not leave toys, trash, tents, or beach furniture on the beach overnight



DO NOT TOUCH **DO NOT DISTURB** **NO LIGHTS**

To report any concerns with sea turtles, please call Clearwater Marine Aquarium at **727-441-1790 x1** or the Florida Fish and Wildlife Conservation Commission at **888-404-3922**

This sign was funded in whole by a grant awarded from the Sea Turtle Grants Program. The Sea Turtle Grants Program is funded by proceeds from the sale of the Florida Sea Turtle License Plate. Learn more at www.helpingseaturtles.org

CLEARWATER MARINE AQUARIUM®

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FEDERAL AND STATE LAWS PROHIBIT INTERACTION WITH SEA TURTLES AND THEIR NESTS (E.G., HARM, HARASS, TAMPERING)

All sea turtles, their eggs, and nests are protected under the US Endangered Species Act of 1973 and Florida's Marine Turtle Protection Act (379.2431, Florida Statutes)

Save our Water by Preventing

Stormwater Pollution

Where it Comes From

Where it Goes

When rain or water hit hard surfaces like pavement, it creates stormwater runoff.

This runoff picks up lots of nasty pollution as it is carried directly through gutters and drains out to the rivers, streams, and lakes that hold our drinking water, making them toxic and unsafe for people and animals.

What You Can Do!

This pollution is not treated or removed from the water on its journey, so it is up to each of us to keep it clean and fresh from the start. Here are some things we can all do to prevent stormwater pollution and keep our communities looking and feeling great!

- Mulch 'em!
- Dispose of properly!
- Pick up litter!
- Scoop poop!
- Follow the directions!
- Clean spills promptly!

If each of us makes some small changes, we can make sure our waters are clean and our environment is healthy for all of us!

CITY OF TEMPLE TERRACE
RIVER WATCH TASK FORCE