



PLANNING COMMISSION MEETING AGENDA

Monday, September 14, 2026 at 6:00 PM
Commission Chambers, 300 Municipal Drive,
Madeira Beach, FL 33708

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

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

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

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

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

4. APPROVAL OF MINUTES

A. Approval of August 2026 Minutes

5. NEW BUSINESS

A. Elect New Vice Chair

B. ORD 2026-10, Chapter 106, Vegetation

C. Ord 2026-16, Temporary Parking Use

6. OLD BUSINESS

7. ADMINISTRATIVE/STAFF PRESENTATION

8. PLANNING COMMISSION DISCUSSION

9. NEXT MEETING

Next meeting is scheduled for Monday, October 5, 2026 at 6:00 p.m.

10. INFORMATIONAL MATERIALS

11. ADJOURNMENT

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

Any person who decides to appeal any decision of the Planning Commission with respect to any matter considered at this meeting will need a record of the proceedings and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The law does not require the minutes to be transcribed verbatim; therefore, the applicant must make the necessary arrangements with a private reporter or private reporting firm and bear the resulting expense. In accordance with the Americans with Disability Act and F.S. 286.26; any person with a disability requiring reasonable accommodation to participate in this meeting should call Marci Forbes, Community Development Director at 727-313-0126 or email a written request to mforbes@madeirabeachfl.gov.

THE CITY OF MADEIRA BEACH, FLORIDA
LOCAL PLANNING AGENCY / PLANNING COMMISSION
Madeira Beach City Hall, Patricia Shontz Commission Chambers
300 Municipal Drive, Madeira Beach, FL 33708
www.madeirabeachfl.gov | 727.391.9951
August 3, 2026 – MINUTES

1. CALL TO ORDER

- Chairman Wyckoff called meeting to order at 6:00 PM

2. ROLL CALL

Present: Wyckoff, Holloway, Noble, Meagher.
Absent: Cloud, LaRue.

A quorum was established

3. PUBLIC COMMENT

Resident Tom Whalley raised three issues: requested an ADA beach mat at 137th Avenue Circle, asked about canal dredging progress after Hurricane Helene, and objected to Caddy's restaurant traffic entering Kitty Stuart Park.

4. APPROVAL OF MINUTES

Previous Minutes: Approved 4-0 (Moved: Meagher, Second: Noble).

5. NEW BUSINESS

Vice Chair Election: Postponed to the next meeting due to low attendance.
Approved 4-0 (Moved: Meagher, Second: Noble).

A. ORD 2026-09, Nonconformances and rebuilding regulations

Staff shared compliance metrics and clarified Floor Area Ratio (FAR) definitions for Johns Pass. Approved 4-0 to recommend to the Board of Commissioners on an expedited schedule (Moved: Noble, Second: Meagher).

B. ORD 2026-10, Chapter 106, Vegetation:

Added a tree credit system and retained specific tree lists. Approved 4-0 as written (Moved: Noble, Second: Holloway).

C. ORD 2026-11, Section 110-423 - Intersection Visibility:

Maintained the 36-inch clear-height minimum standard to comply with Senate Bill 180. Approved 4-0 (Moved: Meagher, Second: Noble).

D. ORD 2026-12, Repealing Section 110-670 – Landscaping green area:

Repealed redundant Section 110-670 to centralize rules in Chapter 106. Approved 4-0 (Moved: Noble, Second: Meagher).

E. Ordinance 2026-13, Chapter 82, Definitions Related to Chapter 106 Aligned

Chapter 82 definitions with Chapter 106 landscape updates. Approved 4-0 (Moved: Noble, Second: Holloway).

6. OLD BUSINESS & STAFF PRESENTATIONS

- None.

7. COMMISSION DISCUSSION

- Staff confirmed a two-phase RFQ process to hire a consultant to rewrite and reorganize the city's land development codes. The Planning Commission will review the draft before it reaches the City Commission.

8. ADJOURNMENT & NEXT MEETING

- **Next Meeting:** September 14, 2026, at 6:00 PM.
- **Adjourned:** Meeting Adjourned by Chairman Wyckoff at 6:25 PM

Michael Wyckoff, Chairman

Date

Lisa Scheuermann, Board Secretary

Date



Memorandum

Meeting Details: August 3rd, 2026 – Planning Commission Meeting
Prepared For: Planning Commission
Staff Contact: Community Development Department – Joseph Petraglia, CFM, Planner II
Subject: ORD 2026-10 - Chapter 106, Vegetation

Background:

The City's landscaping regulations have remained largely unchanged since their adoption in the early 1980s. Staff have identified several provisions that are outdated, conflict with other sections of the City Code, have been subject to varying interpretations over time, or have proven difficult to administer and enforce consistently. In addition, evolving landscaping practices and changing site conditions have highlighted areas where the current code may no longer reflect industry standards or the City's desired development outcomes. The primary reasons for this ordinance are challenges meeting the strict greenspace requirements of the current code, lack of regulation in city right-of-way, conflicting regulations, and new state legislation pre-empting certain portions of the existing code.

It is important to note that Policy 5.2.4.1 of the city's comprehensive plan states that impervious surfaces must not cover more than 70 percent of any lot, and Policy 5.2.1.2 states that alterations and repairs exceeding 25% of the structure's value should adhere to such stormwater management requirements.

Discussion:

The Planning Commission recommended approval of this ordinance at the last meeting in August; however, after the meeting, staff recognized an oversight regarding the hedge requirements for perimeter landscape buffers. As recommended by the city attorney, the change is being presented to the Planning Commission tonight before the ordinance moves forward. The previously approved wording inadvertently added five-foot-tall hedge requirements for all required landscape buffers. The new proposed language restores the current hedge requirements while consolidating regulations and resolving conflicts with other code provisions. The three-foot minimum height requirement comes from the code's definition of a hedge, which is pasted below. The title of the section has also been modified. No other changes are proposed from the last meeting.

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.

Item 5B.

Fiscal Impact:

Any proposed amendments can be implemented using existing departmental resources. Staff anticipate that clarifying and modernizing landscaping requirements may result in minor administrative cost savings by reducing permit review issues, failed landscaping inspections, repeat inspections, and delays associated with permit closeout and certificate of occupancy issuance. No significant fiscal impact is anticipated.

Recommendation(s):

Staff recommends the Planning Commission provide a recommendation of approval to allow the ordinance to proceed to first reading at the next regularly scheduled Board of Commissioners meeting.

Attachments/Corresponding Documents:

- ORD 2026-10, Chapter 106, Vegetation
- Sec. 106-35. Perimeter Landscaping as presented at August 3rd Planning Commission Meeting
- ORD 2026-10, Business Impact

City of Madeira Beach, 300 Municipal Drive, FL, 33708, USA

ORDINANCE 2026-10

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 106 (VEGETATION) OF THE CITY OF MADEIRA BEACH LAND DEVELOPMENT REGULATIONS TO REDUCE GENERAL LANDSCAPE REQUIREMENTS AND STANDARDS; TO CONSOLIDATE CONFLICTING SECTIONS; TO ADD SPECIFIC REQUIREMENTS FOR RIGHTS OF WAY; TO ADD SPECIFIC REQUIREMENTS FOR ARTIFICIAL TURF; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 106 of the City's Land Development Regulations has not undergone a comprehensive update in many years and certain provisions would benefit from clarification, modernization, and improved organization; and

WHEREAS, City staff has identified landscaping regulations that are outdated, duplicative, unnecessarily burdensome, or difficult to administer, and has recommended amendments to improve clarity, consistency, and ease of administration while maintaining the City's landscaping objectives; and

WHEREAS, section 125.572, Florida Statutes, establishes limitations on local government regulation of synthetic turf, and these amendments are intended to ensure the City's regulations are consistent with applicable state law; and

WHEREAS, the Florida Department of Environmental Protection has published guidance regarding the installation, drainage, and maintenance of synthetic turf to protect water quality and stormwater systems, and these amendments incorporate standards consistent with such guidance; and

WHEREAS, the proposed amendments also update tree planting, preservation, replacement, irrigation, rights-of-way landscaping, and other landscaping standards to reflect current best practices and improve long-term maintenance of landscaping throughout the City; and

WHEREAS, section 163.045, Florida Statutes, limits local regulation of the removal, pruning, and trimming of trees on certain residential properties and these amendments are intended to ensure the City's regulations remain consistent with state law.

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

Section 1. That Article II (Landscaping) and Article III (Trees) of Chapter 106 (Vegetation) of the City of Madeira Beach Land Development Regulations shall be amended to read as follows:

ARTICLE II. LANDSCAPING

Sec. 106-31. Purpose.

- (a) This article is intended to ensure that all developments or areas proposed to be developed in the city provide a portion of such area devoted to landscape beautification and natural plant growth.
- (b) It is intended that the implementation of this article accomplish the following objectives:
 - (1) Ensure that all new developments ~~have a portion of the area landscaped with ground cover and shrubs or preserve adequate open space and provide~~ trees and landscaping to enhance the appearance and environmental quality of the city.
 - (2) Ensure that all new developments have a portion of the land area remain permeable to allow for the retention and treatment of the ten-year, 60-minute stormwater runoff.
 - (3) Maximize protection from beach erosion by the planting of sea oats and the development of natural dunes.
 - (4) Promote vehicular and pedestrian safety by clearly delineating and buffering off-street vehicular use areas.
 - (5) Create a transitional interface between incompatible land uses by providing buffering and screening.
 - (6) Promote energy conservation by maximizing the cooling and shading effect of trees.

Sec. 106-32. General landscape requirements.

- (a) ~~Minimum requirements for landscaping must consist of a combination of~~ Grass, or ground cover, and shrubs, vines, hedges, trees, or palms. ~~Other material such as rocks, pebbles, sand or decorating fence, artificial turf meeting Sec. 106-37, shell, decorative stone, or other similar non-invasive pervious landscape materials~~ may be used to satisfy the landscaping requirements west of Gulf Boulevard of this chapter except as otherwise provided herein. ~~Concrete, asphalt paving, pavers of any kind, including pervious pavers, or pebbles any of the foregoing materials placed on an impervious surface or used for driveways or parking, will not satisfy landscaping requirements in any location.~~ Mulch may only be used underneath ground cover, accent plants, shrubs and trees, provided the ground cover, accent plants, shrubs and trees or a combination thereof are planted and maintained at a cumulative ratio of at least one shrub or tree, planted within the mulch per each ten square feet of organic mulched area but shall not otherwise be used as a substitute for required landscaped area.
- (b) When trees are required to meet the landscape requirements, such trees shall meet the same minimum standards as required of replacement trees ~~a minimum of 50 percent of the trees shall be native species or hybrids or cultivars of native species.~~
- (c) ~~Hedges shall be planted and maintained so as to form a continuous, unbroken, solid visual screen. Spacing of plants shall be no more than 30 inches on center, depending on the species.~~

Sec. 106-33. Residential single-family, townhouse, duplex and triplex.

- (a) ~~All new s~~Single-family, townhouses, duplexes and triplexes ~~residential developments~~ shall include a minimum of 25 percent of the net land area as landscape area, which will include native and/or nonnative "introduced" trees and vegetation. ~~The minimum number of trees will be as~~ New construction and substantial improvements of the primary structure shall provide the minimum number of trees prescribed below in subsection 106-72(a). For townhouses, the minimum number of required trees shall be determined based on the aggregate net land area. The required trees shall be distributed so that each townhouse lot contains and maintains at least one required tree, unless the individual lot area requires a greater number.

<u>Net Land Area (in Square Feet)</u>	<u>Minimum Number of Trees</u>
<u>3,500— 6,000</u>	<u>2</u>
<u>6,001— 7,500</u>	<u>3</u>
<u>7,501—10,000</u>	<u>4</u>
<u>10,001—16,000</u>	<u>6</u>
<u>Over 16,000</u>	<u>8</u>

- ~~(b) No residential lot, excluding the area covered by the principal structure, will be covered by more than 40 percent impervious surface.~~

Sec. 106-34. Residential multifamily or commercial non-residential.

- ~~(a) All new r~~Residential multifamily (excluding triplex), non-residential or commercial developments will and off-street parking areas not contained within a building, including standalone parking lots, shall require a minimum of ten percent of the net land area as landscape areas. Such landscape areas shall be exclusive of perimeter landscape buffers that are required around vehicular use areas. All perimeter landscaping provided in excess of that required may be counted as part of this interior requirement. There shall be a minimum of one tree for each 4,000 square feet or fraction thereof of required landscape net land area in addition to any trees required within perimeter landscape buffers.
- ~~(b) The lot, excluding the area covered by the principal structure, will be covered by no more than 70 percent impervious surface.~~

Sec. 106-35. Perimeter landscaping for residential multifamily or commercial non-residential.

The perimeter landscaping for residential multifamily (excluding triplex), or commercial non-residential, including standalone parking lots shall be as follows:

- (1) The exterior of all vehicular use areas facing adjacent properties or public right-of-way shall be landscaped with a buffer strip which is at least five feet in width. Such buffer strips shall include one tree for each 35 linear feet, or fraction thereof, of perimeter. These trees may be planted in clusters or groupings and not necessarily in an equidistant row planting. If palms are used, they shall consist of no more than 50 percent of the total tree requirement for this section. Hedges or other durable landscape barriers of at least three feet in height shall be installed in such a manner as to screen the vehicular use area from the public right-of-way, if applicable.
- (2) When paved ground surfaces are adjacent to properties zoned exclusively for residential use, all land between the paved surface and the property line shall be landscaped. ~~The landscaping shall include with~~ a buffer strip of at least five feet in width adjacent to the abutting property, ~~containing a~~ Hedges or other durable ~~screen of~~ landscaping barriers of at least five feet in height shall be installed in such a manner as to screen the abutting properties.
- (3) All required hedges or other durable landscape barriers must be planted and maintained at their required height, except that where the maximum height permitted by another provision of this Code is less than the required height, the maximum permitted height shall control. Spacing of plants shall

~~be no more than 30 inches on center, depending on the species, to form a continuous, unbroken, solid visual screen. Trees or palms having a average mature crown spread of less than 15 feet may be grouped so as to create the equivalent of 15-foot spread. All required trees, other than palms, shall be a minimum of eight feet in height at time of planting. If palms are used, they shall consist of no more than 50 percent of the total tree requirement and shall have a minimum of ten feet of clear wood at planting.~~

- ~~(4) Nonliving landscape materials permitted elsewhere in this chapter, such as crushed shell, shall not satisfy the landscape requirements of required landscape buffers which must be maintained as green area.~~

Sec. 106-36. Public rights-of-way. Xeriscape requirements.

~~The exposed ground surface within public rights-of-way maintained by an adjoining property owner shall meet the general landscape requirements, excluding areas of walkways, sidewalks, or driveways.~~

~~Artificial turf and other surfaces or structures that may be burdensome or costly to remove or install may be permitted within public rights-of-way only upon approval by the Public Works Director. Such surfaces installed within a public right-of-way shall be subject to removal by the city at any time, without prior notice, and all costs of removal and restoration shall be the sole responsibility of the adjoining property owner.~~

~~Shrubs, hedges, and mulch shall be prohibited within public rights-of-way unless expressly authorized by the Public Works Director. The Public Works Director may authorize boulders or similar landscape elements to be installed within public rights-of-way for the purpose of preventing unauthorized vehicle parking, provided they do not obstruct drainage, utilities, sight visibility, pedestrian access, or maintenance activities.~~

~~Any irrigation system installed shall be at least one foot away from the curb or abutting street paving.~~

~~The xeriscape design principle of plant selection and placement based upon function, water requirements and suitable environmental exposure of plant materials shall be used in all vehicular use areas. In addition, the following xeriscape techniques shall be required:~~

- ~~(1) Fifty percent of the plants used in all vehicular use area landscape designs shall be drought tolerant and located in groupings according to water requirements.~~
- ~~(2) Seventy five percent of the plants used in all vehicular use area landscape designs shall be a combination of native and drought tolerant.~~
- ~~(3) All plantings shall be grouped in zones according to water requirements and shall be irrigated in zones separating high water use lawn area from drought tolerant zones.~~
- ~~(4) All irrigation systems shall be automatic with cycling capacity and shall be designed to avoid irrigation of unplanted surfaces.~~

Sec. 106-37. Artificial turf. Xeriscaping maintenance and enforcement.

- (a) All artificial turf must comply with established building permit procedures and shall be inspected by the city, except when installed within the footprint of a building such as on a balcony and that one installation of 100 square feet or less is allowed on a lot provided all other requirements of this code are met, and the surface is counted toward the property's total impervious surface ratio (ISR).
- (b) Artificial turf is prohibited from being installed:
 - (1) Within any drainage facility, stormwater pond, or drainage feature required as part of an approved stormwater management system;
 - (2) In a manner that restricts access to a septic tank;
 - (3) Closer than ten feet to the mean high-water line along waterbodies, including canals, except immediately landward of, or on top of a seawall;
 - (4) Within required perimeter landscape buffers; or
 - (5) Within tree drip lines, unless a certified arborist, using site specific information and best professional judgment, certifies that installation within that drip line would not be harmful to the tree.
- (c) Artificial turf may be counted toward minimum landscape area requirements and shall not be counted toward impervious surface ratio (ISR) calculations only when the applicant demonstrates that the installation:
 - (1) Be green in color;
 - (2) Be free of intentionally added PFAS and heavy metals;
 - (3) Utilize permeable backing and a pervious base designed for positive drainage; and
 - (4) Be supported by manufacturer specifications or other documentation demonstrating permeability of at least 10 inches per hour for all layers.
 - (5) Be installed in accordance with the manufacturer's specifications and installation requirements. Prior to permit closeout, the city may require certification from a licensed engineer, landscape architect, architect, or contractor that the installation complies with the manufacturer's specifications and this section.
- (d) Artificial turf shall not adversely impact drainage onto adjacent properties, alter the permitted stormwater management system, or otherwise render the site non-compliant with Chapter 98, Article II or state water quality standards.
- ~~(a) All property owners and residents utilizing xeriscape techniques shall be responsible for the continued maintenance of all landscaped areas.~~
- ~~(b) All xeriscape landscaping areas shall present a healthy and neat appearance free of refuse and debris.~~

- ~~(c) All landscape areas which die from lack of maintenance, disease or other natural occurrence, shall be relandscaped.~~
- ~~(d) Failure to take corrective action as required by this section shall constitute a violation of the Code and the property owner/resident shall be responsible for any costs or damages and any costs and expenses related to property clearance or the maintenance of any xeriscape landscaping.~~

Sec. 106-38. Maintenance and protection of landscaping.

- (a) The property owner shall be responsible for the maintenance of all landscaped area which shall be maintained in good condition so as to present healthy, neat and orderly appearance free of refuse, debris and leaves, in conformance with section 106-32 regarding general landscape requirements. Landscaped areas shall be provided with and maintained using an adequate water supply, including irrigation where necessary to sustain healthy plant material.
- (b) Paving, treating or covering minimum required landscape areas in a way that renders it impervious or otherwise contrary to the intent or purpose of this code is prohibited.
- (c) All landscape areas and required trees which die from lack of maintenance, disease, or other cause shall be replaced or restored in accordance with this chapter.
- (d) Mulch, shell, rock, gravel, and other loose landscape materials shall be adequately contained and maintained to prevent erosion, displacement, or discharge into the municipal separate storm sewer system, drainage facilities, public rights-of-way, sidewalks, and streets.
- (e) The property owner shall be responsible for maintaining all landscaping within the intersection visibility triangle, in conformance with section 110-423 to provide unobstructed visibility.
- (f) Failure to take corrective action as required by this section shall constitute a violation of the Code and the property owner/resident shall be responsible for any costs or damages and any costs and expenses related to property clearance or the maintenance of any landscaping.

~~Sec. 106-39. Site distance restrictions at intersections.~~

~~When an access way intersects a public right-of-way or other access way, or when the subject property abuts the intersection of two or more public right-of-ways, all landscaping within the triangular areas described as [or] referred to as the "cross-visibility area," shall provide unobstructed cross-visibility at a level between 36 inches and eight feet. Trees and plant material trimmed in such a manner that cross-visibility is not hindered will be allowed, provided they are located so as not to create a traffic hazard, as determined by the city. The site distance restrictions shall be determined by city building official.~~

~~Sec. 106-40. Screening of backflow preventers.~~

~~Backflow preventers shall be screened by dense evergreen shrubbery a minimum of 30 inches in height, planted two feet on center. Such shrubbery shall be planted far enough away from the unit so as to provide a minimum of a three foot cleared area on two sides of the unit for maintenance purposes.~~

Sec. 106-~~39~~41. Existing plant material.

In the instances where healthy plant material exists on a site prior to its development, in part or in whole, ~~for purposes of vehicular use areas~~, the ~~city manager~~ Community Development Director or designee may adjust the application of the requirements of this ~~article~~ chapter to allow credit for such plant material (excluding sick or damaged trees, or any trees ~~listed as an undesirable and invasive species included in the prohibited species tree list~~), provided that the ~~city manager~~ Community Development Director or designee finds such adjustment is in keeping with and will preserve the intent of this article.

Sec. 106-4~~0~~2. Sea oats/sand dunes.

The removal or relocation of sea oats or sand dunes on any property landward of the county coastal construction control line will be coordinated with the ~~building and zoning~~ Community Development ~~d~~Director or their designee prior to the start of work.

Secs. 106-4~~1~~3—106-6~~1~~0. Reserved.

ARTICLE III. TREES

Sec. 106-6~~2~~4. Purpose.

The purpose of this article is to protect the environment and appearance of the city by controlling the removal of existing trees and mangroves.

Sec. 106-6~~3~~2. ~~Native and Florida-friendly~~ Permitted species.

~~Species native to the Madeira Beach area include, but are not limited to:~~

- (1) Native pines—*Pinus* spp.;
- (2) Native oaks—*Quercus* spp.;
- (3) Hickories and pecans—*Carya* spp.;
- (4) Bald and pond cypresses—*Taxodium* spp.;
- (5) Southern red cedar—*Juniperus silicicola*;
- (6) Hollies—*Ilex* spp.;
- (7) Sweetbay—*Magnolia virginiana*;
- (8) Southern magnolia—*Magnolia grandiflora*;
- (9) Sweetgum—*Liquidambar styraciflua*;
- (10) Red maple—*Acer rubrum*;
- (11) Black Cherry—*Prunus serotina*;
- (12) Carolina cherry laurel—*Prunus caroliniana*;
- (13) Persimmon—*Diospyros virginiana*;
- (14) Black gum—*Nyssa sylvatica*;

- (15) Loblolly bay—*Gordonia lasianthus*;
- (16) Wax myrtle (bayberry)—*Myrica cerifera*;
- (17) Willows—*Salix* spp.;
- (18) Elderberry—*Sambucus simpsonii*;
- (19) Slatbrush—*Baccharis* spp.;
- (20) Cabbage (sabal) palm—*Sabal palmetto*.
- (21) All species of palm trees;
- (22) In addition to the 21 named species, any other species that are listed as "Florida Native" or "~~Okay~~" having a drought tolerance rating of Medium or higher on the University of Florida IFAS Extension "Florida Friendly Plant List," as updated from time to time.

~~Sec. 106-63. Nonnative "introduced" species.~~

~~Nonnative "introduced" species included, but not limited to:~~

- ~~(1) Camphor—*Cinnamomum camphora*;~~
- ~~(2) Citrus—*Citrus* spp.;~~
- ~~(3) Eucalyptus—*Eucalyptus* spp.;~~
- ~~(4) Silk oak—*Grevillea robusta*;~~
- ~~(5) Jacaranda—*Jacaranda acutifolia*;~~
- ~~(6) Jerusalem thorn—*Parkinsonia aculeata*;~~
- ~~(7) Ear tree—*Enterolobium cyclocarpum*;~~
- ~~(8) Fig tree—*Ficus* spp.~~

~~Sec. 106-64. Prohibited trees; exotic species, and permit exemptions.~~

~~A permit is not required for the removal of the following trees and replacement (using species native to the city) is encouraged:~~

The following species shall not receive landscape credit, shall not be planted within the city, and shall not require replacement pursuant to this chapter:

- (1) Punk (cajeput) tree—*Malaleuca quinquenervia leu-codendron*;
- (2) Brazilian pepper—*Schinus terebin thefolius*;
- (3) Australian pine—*Casuarina* spp.;
- (4) Chinaberry (*Melia azedarach*);
- (5) Ear tree (*Enterolobium cyclocarpum*);
- (6) Eucalyptus (*Eucalyptus* spp.);
- (7) Silk Oak (*Grevillea robusta*).

Sec. 106-65. Prohibited acts.

It shall be unlawful to remove, cut down, damage, poison or in any other manner destroy or cause to be destroyed any trees or mangroves, except in accordance with the provisions of this article.

Sec. 106-66. Emergencies.

In case of emergencies involving natural disasters such as, but not limited to, hurricane, windstorm, flood, freeze or natural disasters, the city manager may allow a reasonable time for the removal and for replacement of damaged trees to meet the requirements of sections 106-71 and 106-72.

Sec. 106-67. County tree regulations not applicable.

County tree regulations shall not be applicable to real estate within the city limits of the city.

Sec. 106-68. Protective barrier requirements; protection during construction.

- (a) A protective barrier shall be placed around all trees scheduled to remain on the site:
 - (1) At or greater than a six-foot radius of all species of mangroves and cabbage palms;
 - (2) At or greater than the full dripline of all native pine trees;
 - (3) At or greater than two-thirds of the dripline of all other species.
- (b) Whenever a protective barrier is required under the provisions of this article, it shall remain in place until all construction activity is terminated.
- (c) Signs, building permits, wires or other attachments of any kind shall not be permitted to be attached to any tree. Guy wires designed to support trees are excluded from this prohibition.

Sec. 106-69. Tree removal—Permit required.

- (a) It shall be unlawful for any person to remove or cause to be removed any tree having a diameter at breast height of four inches or greater without first having procured a ~~no-fee~~ permit except in conjunction with the demolition, rebuild, or substantial improvement of the principal structure, or on a qualifying single-family residential property where the owner possesses documentation prepared in accordance with F.S. § 163.045.
- (b) It shall be unlawful for any person to remove or cause to be removed any mangrove, regardless of size without first having procured the required city, county and state permits.

Sec. 106-70. Same—Application.

The following information shall be provided when applying for a permit:

- (1) A site plan showing the location of all trees and mangroves, the trees proposed to be removed, existing and proposed structures, walks, driveways and parking areas and other improvements.
- (2) Where mangroves exist on the tract or lot, an aerial photograph at a scale not smaller than one inch equals 50 feet may be required in lieu of the submission requirements contained above.

Sec. 106-71. Relocation or replacement—Specifications.

- (a) ~~Species.~~ The species of the required or replacement tree shall be the same as those being requested for removal from the natural environment or shall be listed in section 106-6~~32~~.
- (b) ~~Minimum standards.~~ All required or replacement trees must have a minimum overall height of eight feet at the time of planting and be of a state department of agriculture nursery grade standard (quality) of No. 1 or better.
- (c) Trees used to satisfy landscape requirements shall have an average mature crown spread of at least 15 feet. Tree species having a lesser mature crown spread may be grouped to create the equivalent of a 15-foot crown spread. Palms may satisfy tree requirements.
- (d) A minimum of three tree species shall be used when more than ten required trees are provided.
- (e) ~~(e) Waivers of replacement tree specifications.~~ The city may waive the species or minimum standard specifications if the applicant can demonstrate that the current market conditions are such that replacement trees meeting these specifications are not readily available. Substitute trees allowed under this waiver section must have the approval of the ~~city manager's~~ Community Development Director or their designee.

Sec. 106-72. Same—Replacement trees.

- (a) ~~Residential lots. For all residential lots, a minimum number of replacement trees will be required based on the following square footage areas.~~ Any removal of trees will require replacement up to the minimum number required under sections 106-33 through 106-36. In no instance shall the tree or trees required to be replaced exceed the number of trees existing on the property at the time of granting the tree removal permit.
- (b) Existing healthy trees preserved on the site may be credited toward the minimum tree requirements of sections 106-33 through 106-36 at the following ratios:
 - 4"—10" DBH = 1 tree
 - 10"—20" DBH = 2 trees
 - Over 20" DBH = 3 trees
- (c) Dead or dying trees may be removed without replacement, provided a tree removal permit is obtained when required by this chapter and the city

determines, based on its inspection or documentation provided by a qualified professional, that corrective actions will not restore the tree and the condition was not caused by the property owner's actions or neglect.

~~Tree Replacement Requirements for Residential Zones~~

—Lot Size Square Footage (in Square Feet)	Minimum Replacements
—3,500— 6,000	2
—6,001— 7,500	3
—7,501— 10,000	4
10,001— 16,000	6
Over 16,000	8

- (b) ~~Nonresidential tracts. On retail commercial, tourist commercial, marine commercial, or related nonresidential zoned property, a minimum of one tree must be replaced for each permitted tree removed in excess of 25 percent of those protected trees which exist naturally on the site or no less than required under sections 106-334 through 106-356; whichever is greater.~~

Section 2. For purposes of codification of any existing section of the Madeira Beach Code herein amended, words **underlined** represent additions to original text, words **stricken** are deletions from the original text, and words neither underlined nor stricken remain unchanged.

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

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

Section 5. The Codifier shall codify the substantive amendments to the Code of Ordinances of the City of Madeira Beach contained in Section 1 of this Ordinance as provided for therein and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 6. Pursuant to Florida Statutes §166.041(4), this Ordinance shall take effect immediately upon adoption.

**PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY
OF MADEIRA BEACH, FLORIDA, THIS _____ day of _____, 2026.**

Anne-Marie Brooks, Mayor

ATTEST:

Clara VanBlargan, MMC, MSM, City Clerk

APPROVED AS TO FORM:

Thomas J. Trask, City Attorney

PASSED ON FIRST READING: _____

PUBLISHED: _____

PASSED ON SECOND READING: _____

Sec. 106-35. Perimeter landscaping ~~for residential multifamily or commercial.~~

The perimeter landscaping for residential multifamily (excluding triplex), or commercial non-residential, including standalone parking lots shall be as follows:

- (1) The exterior of all vehicular use areas shall be landscaped with a buffer strip which is at least five feet in width. Such buffer strips shall include one tree for each 35 linear feet, or fraction thereof, of perimeter. These trees may be planted in clusters or groupings and not necessarily in an equidistant row planting. If palms are used, they shall consist of no more than 50 percent of the total tree requirement for this section. Hedges or other durable landscape barriers shall be installed in such a manner as to screen the vehicular use area from the public right of way, if applicable.
- (2) When paved ground surfaces are adjacent to properties zoned exclusively for residential use, all land between the paved surface and the property line shall be landscaped: with a buffer strip which is ~~The landscaping shall include a buffer strip of~~ at least five feet in width adjacent to the abutting property, ~~containing a hedge or other durable screen of landscaping at least five feet in height.~~
- (3) All required buffer strips must contain hedges or other durable landscape barriers planted and maintained to form a continuous, unbroken, solid visual screen. Spacing of plants shall be no more than 30 inches on center, depending on the species, and shall be at least five feet in height or the maximum height permitted pursuant to Chapter 110, Article VI, Division 3, whichever is less. Trees or palms having a average mature crown spread of less than 15 feet may be grouped so as to create the equivalent of 15-foot spread. All required trees, other than palms, shall be a minimum of eight feet in height at time of planting. If palms are used, they shall consist of no more than 50 percent of the total tree requirement and shall have a minimum of ten feet of clear wood at planting.
- (4) Nonliving landscape materials permitted elsewhere in this chapter such as crushed shall not satisfy the vegetation requirements of required landscape buffers which must be maintained as green area.

Business Impact Estimate

Proposed ordinance's title/reference:

ORDINANCE 2026-10

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 106 (VEGETATION) OF THE CITY OF MADEIRA BEACH LAND DEVELOPMENT REGULATIONS TO REDUCE GENERAL LANDSCAPE REQUIREMENTS AND STANDARDS; TO CONSOLIDATE CONFLICTING SECTIONS; TO ADD SPECIFIC REQUIREMENTS FOR RIGHTS OF WAY; TO ADD SPECIFIC REQUIREMENTS FOR ARTIFICIAL TURF; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
 - a. Development orders and development permits as those terms are defined in Section 163.3164, Florida Statutes, and development agreements as authorized by the Florida Local Government Development Agreement Act under Sections 163.3220-163.3243, Florida Statutes;
 - b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party;
 - c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or

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

- e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

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

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

The purpose of the ordinance is to reduce and simplify the landscape requirements, to allow for alternative materials to qualify as landscaped area and comply with state pre-emptions.

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

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

It is estimated that there will be no additional costs for businesses. The regulatory costs to the city will not change.

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

Any business that proposes to rebuild or alter existing landscaping would have slightly more flexibility.

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

N/A



July 29, 2026

Joseph Petraglia, CFM
City of Madeira Beach
300 Municipal Drive
Madeira Beach, FL 33708

**RE: Review of City of Madeira Beach Ordinances for Consistency with the Countywide Rules
(Ordinances 2026-09 through 2026-13)**

Dear Joseph,

Thank you for submitting the proposed amendments to the Madeira Beach Code of Ordinances. The amendments are consistent with the Countywide Rules, with comments as follows:

- All reviewed amendments appear consistent with the Countywide Rules. The amendments primarily address local zoning administration, disaster recovery, landscaping standards, vegetation protection, and development regulations. The provisions maintain existing development rights, do not increase density or intensity, and generally support Countywide objectives related to redevelopment, resiliency, environmental protection, and transportation safety.

We recognize that the consistency process is an ongoing one, and if either the County or Forward Pinellas staff has failed to note a matter governed by the consistency process in the course of this review, we will be happy to work with you to resolve any such matter as may be necessary.

If you have any questions, please feel free to call me at 727-464-5679 or email me at ewennick@forwardpinellas.org.

Sincerely,

Emma Wennick

Emma Wennick
Program Planner



Memorandum

Meeting Details: September 14, 2026 – 6:00 p.m. – Planning Commission
Prepared For: Planning Commission
Staff Contact: Kathryn Younkin and Andrew Morris
Subject: Ordinance 2026-16 Temporary Parking Use – Parking lots along Gulf Boulevard and within John’s Pass Village Activity Center

Background

At the BOC workshop meeting on July 22, 2026, staff asked for guidance on whether the Board of Commissioners wanted to allow for temporary parking lot use. Based on feedback received at the meeting staff prepared Ordinance 2026-16 for review at the BOC workshop meeting on August 26, 2026. The Board of Commissioners had staff revise the ordinance to have the temporary parking lots expire on December 31, 2029.

Discussion

This ordinance was written to allow temporary parking use in two specific areas of the city, for properties immediately adjacent to Gulf Boulevard, and for properties located within John’s Pass Village Activity Center (map attached).

The intent was for this to be temporary in nature, while property owners work on their redevelopment plans.

One of the Commission’s requests was to see if these parking lots could be limited in the amount they charged for parking. The City Attorney has advised that we would not be able to regulate the amount charged for parking. Another request from the Commission was to see if these could be automatically renewed. To keep this parking use from continuing indefinitely (as allowed by a series of emergency declarations) this ordinance would need to set a specific date for the use to cease.

This ordinance lays out the process, submittal requirements and standard conditions of approval that will apply to all temporary parking lots. Included in the requirements are that any impact on abutting residential use will be buffered.

Tentative Adoption Schedule

- 8/26/26 4:00 pm - BOC Workshop
- 9/14/26 6:00 pm - Planning Commission
- 10/14/26 6:00 pm - BOC 1st Reading
- 11/18/26 2:00 pm - BOC 2nd Reading

Fiscal Impact

There are two potential impacts, one is a loss of property tax revenue from using these lots for parking rather than for the building of new structures with the potential to have a much higher taxable value, thereby providing property tax revenue to the city. The second is a potential loss of parking revenue for the city, if the public chooses to park in these new temporary lots instead of the city’s established public parking lots.

Recommendation(s)

Staff recommends the approval of Ordinance 2026-16, Temporary Parking Use.

Attachments/Corresponding Documents

Ordinance 2026-16, Temporary Parking Use

Business Impact Statement Ord 2026-16 Temporary Parking Use

Forward Pinellas Compliance Letter

2026 Madeira Beach Zoning Map

ORDINANCE 2026-16

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 110 (ZONING), ARTICLE VII (OFF-STREET PARKING AND LOADING), OF THE CITY'S LAND DEVELOPMENT REGULATIONS TO ESTABLISH REGULATIONS GOVERNING TEMPORARY PARKING LOT USE; PROVIDING THIS TEMPORARY RELIEF IN RESPONSE TO THE EXTENSIVE DAMAGE CAUSED BY THE 2024 HURRICANES; ALLOWING TEMPORARY PARKING LOTS AS A TEMPORARY USE ON PROPERTIES LOCATED IMMEDIATELY ADJACENT TO GULF BOULEVARD OR LOCATED WITHIN THE JOHN'S PASS VILLAGE ACTIVITY CENTER; TO ALLOW THIS TEMPORARY PARKING LOT USE PROVIDED THAT CERTAIN CONDITIONS ARE MET AND TO PROVIDE THE REGULATIONS FOR THE USE; PROVIDING THAT ALL OF THESE TEMPORARY PARKING LOT USE APPROVALS EXPIRE ON DECEMBER 31, 2029; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, Chapter 110, Article VII of the Land Development Regulations establishes regulations governing off-street parking lots; and

WHEREAS, City staff has identified that there are no provisions in the city code for temporary parking lots; and

WHEREAS, following the 2024 hurricane season and the extensive damage to structures in the city, the city wishes to adopt provisions allowing temporary parking lots in specific locations to allow this temporary use of the property while redevelopment planning is taking place; and

WHEREAS, the Board of Commissioners directed staff to review requirements and create regulations that would allow these temporary parking lots under specific conditions; and

WHEREAS, the recommended amendment to the Land Development Regulations was presented to and reviewed by the Planning Commission at a public hearing; and

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

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

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

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

Section 1. That Division 2 (Off Street Parking Spaces) of Article VII (Off-Street Parking and Loading) of Chapter 110 (Zoning) of the Land Development Regulations of the City of Madeira Beach is hereby amended to create and add a new Section 110-978 which shall read as follows:

Sec. 110-978. - Temporary parking lots.

In response to the number of structures damaged by Hurricane Helene and Hurricane Milton in September and October of 2024, temporary parking lots on properties located immediately adjacent to Gulf Boulevard or within the John's Pass Village Activity Center will be allowed as a temporary use upon approval of the Community Development Director, and may continue through December 31, 2029.

The temporary parking lot must meet the criteria outlined in this section, as well as any specific conditions of approval. This approval is temporary in nature, not meant to be a permanent use and is provided to allow the property owners time to pursue financing and redevelopment of the subject properties as allowed under the applicable zoning district regulations.

All sites eligible for this temporary use must be vacant land or have an existing vacant structure that has not been deemed substantially damaged and which could be rehabilitated in the future.

(a) Application: An application for a temporary parking lot must be provided to the city's Community Development Department and must meet the following minimum requirements:

- (1) A written application on the form provided by the city, including:
 - a. Name and address of the applicant.

- b. Owner Authorization if the owner is not the applicant.
 - c. 24-hour contact information for the operator of the lot, including name, phone number, and address.
 - d. Signed and sealed topographic survey of the subject property, including the legal description.
 - e. This proposed dates for operation of the temporary parking lot.
 - f. The use of the abutting properties.
 - g. A "Verification of Exemption" or a permit from Southwest Florida Water Management District.
 - h. An access permit from the Florida Department of Transportation for any new curb cuts on Gulf Boulevard.
 - i. Sanitation pickup arrangements.
 - j. Two or more property owners may develop their properties in coordination provided a recorded parking lot agreement is provided to the city that allows the two property owners to share the responsibilities and conditions of the temporary parking use and provides cross access between the parcels.
- (2) A signed and sealed scaled site plan showing:
- a. The number of spaces, with the dimensions of the spaces, the drive aisles and driveway. Dimensions for parking spaces and drive aisles shall be those shown in Sec. 110-973, 110-974 and 100-975, as applicable. For lots less than or equal to 50-feet in width, up to 100% of the spaces may be compact as outlined in Sec. 110-974. For lots less than or equal to 50-feet in width, drive aisles for temporary parking lots may be reduced to a minimum of ten feet for a one-way drive aisle or twenty feet for a two-way drive aisle.
 - b. A defined parking space shall be a parking space which is either striped or has a wheel stop. On paved surfaces striping may be used to define the parking space location in lieu of wheel stops.
 - c. Parking shall be located so that vehicles do not overhang lot lines or drive aisles.
 - d. Parking space striping shall be shown on the plan, but the non-accessible spaces are not required to be striped if a wheel stop is provided for that space.
 - e. The number of accessible parking spaces must be provided as provided in the city code. These accessible spaces must be of a durable surface, provide an accessible route to a public sidewalk or right-of-way if no sidewalks exists, and have the required dimensions, signage, and striping as outlined in Sec. 110-975 and

Fla. Stat. § 553.5041. The site plan must include van accessible space(s) as required by federal regulations.

- f. All non-accessible spaces shall have stabilized surfaces of asphalt, concrete, pavers, shell, or gravel that do not cause erosion, barriers to pedestrian access, or adverse effects to abutting parcels.
- g. If no curb cut exists, a paved driveway meeting the requirements of Chapter 58 – Streets, Sidewalks and other Public Places, Article II . – Sidewalks and Driveways is required. A separate building permit application is required for a driveway.
- h. Parking lots shall be designed so that there is no backing into the right-of-way. When there is only one access point a turnaround and two-way drive aisle must be provided.
- i. Dimensions of any turnaround, including provisions for fire access.
- j. The visibility triangle as shown in the city's code or if located on Gulf Boulevard, based on the FDOT requirement.
- k. The Imperious Surface Ratio, this must meet the zoning district requirement.
- l. When abutting residential use: A minimum of a four-foot solid fence or wall along any property line abutting residential use, or across an alley from residential use. Within visibility triangles or within the front yard setback, the height of the required fence or wall or shrubs is limited to three feet. Any additional fencing shall meet the requirements Chapter 110, ARTICLE VI. DIVISION 3. Existing hedges or a solid row of shrubs 2-feet deep and 4-feet in height along the property line may substitute for the required fencing.
- m. Location and size of trash receptacles. A method of securing the trash receptacles must be shown.
- n. Location and size of any proposed signage, including the signage as required by Fla. Stat. § 715.07 and § 715.075. Each temporary parking lot is allowed to have pole or ground signage as shown in Chapter 102 of the City's Land Development Regulations based on the applicable zoning district regulations.
- o. Location and size of any kiosk used for parking fee collection.

(b) Process

- (1) The department will circulate the plan for fire, zoning, and engineering review.
- (2) In addition to the standard conditions below, staff may establish additional conditions based on the specific site and abutting properties, including but not limited to traffic access/egress, traffic circulation, pedestrian safety, drainage, and compatibility with abutting properties.

- (3) The Community Development Director shall issue a letter within 30 days of the receipt of a complete application which approves the temporary parking lot use with standard conditions, approves with standard and site-specific special conditions, or denies the application.
- (4) The fee for a temporary parking lot approval letter will be established in the city's adopted fee schedule.
- (5) Any appeal of the Community Development Director's decision shall follow the provisions of Sec. 2-505.
- (c) Standard Conditions of approval for all temporary parking lots:
 - (1) Failure to maintain any design standard or any violation of the temporary parking lot approved site plan shall be a violation of the City Code.
 - (2) Temporary parking lots shall not be used to fulfill the requirements for parking for onsite or offsite use.
 - (3) Only self-parking is allowed, no valet or stacked parking.
 - (4) No commercial vehicles, boats, trailers, or recreational vehicles are allowed.
 - (5) Maximum hours of operation are 8:00 a.m. to 10:00 p.m. daily. No overnight parking.
 - (6) Outdoor sales and displays, or any other sales are prohibited within temporary parking lots.
 - (7) Payment kiosk may only contain instructions for payment and have no additional signage.
 - (8) All conditions of temporary parking approval must continue to be met throughout the duration of the use of temporary parking.
 - (9) No parking allowed that exceeds the number of spaces approved. Each vehicle not parked in a defined parking space shall be a violation of this section.
 - (10) No parking or signage is allowed in the right-of-way.
 - (11) Signage in compliance with Fla. Stat. § 715.07 and § 715.075 must be provided.
 - (12) A separate sign permit is required except for signs required by State or Federal regulations or signs excluded from permitting as shown in Sec. 102-49.
 - (13) All lighting must meet the requirements of the city code.
 - (14) Excessive noise or other causes shall be reason for revoking approval of the Business Tax Receipt following the provisions in Sec. 62-57.
 - (15) Upon notice from the city, all items not in compliance with the temporary parking lot approval shall be rectified within 15 days from the

date of notice. Failure to bring the temporary parking lot into compliance within 15 days, except for drainage, shall cause the approval for temporary parking to be revoked.

- (16) If the drainage adversely affects neighboring properties, a plan of action to bring this drainage into compliance is due within 15 days, and the implementation of the planned drainage changes must be completed within 45 days.
- (17) An approved Business Tax Receipt is required prior to commencement of the use of the temporary parking lot.
- (18) The addition of a different permitted use on the property shall terminate the temporary parking lot use.
- (19) All temporary parking lots approved under this section must cease operation by December 31, 2029, and all wheel stops and signage shall be removed.
- (20) After December 31, 2029, the site must be cleared, stabilized, and maintained in accordance with city codes.

Secs. 110-9789—110-995. – Reserved.

Section 2. For purposes of codification of any existing section of the Madeira Beach Code herein amended, words **underlined** represent additions to original text, words **~~stricken~~** are deletions from the original text, and words neither underlined nor stricken remain unchanged.

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

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

Section 5. The Codifier shall codify the substantive amendments to the Code of Ordinances of the City of Madeira Beach contained in Section 1 of this Ordinance as

provided for therein and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 6. Pursuant to Florida Statutes §166.041(4), this Ordinance shall take effect immediately upon adoption.

**PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY
OF MADEIRA BEACH, FLORIDA, THIS _____ day of _____, 2026.**

Anne-Marie Brooks, Mayor

ATTEST:

Clara VanBlargan, MMC, MSM, City Clerk

APPROVED AS TO FORM:

Thomas J. Trask, City Attorney

PASSED ON FIRST READING: _____

PUBLISHED: _____

PASSED ON SECOND READING: _____

Business Impact Estimate

ORDINANCE 2026-16

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 110 (ZONING), ARTICLE VII (OFF-STREET PARKING AND LOADING), OF THE CITY'S LAND DEVELOPMENT REGULATIONS TO ESTABLISH REGULATIONS GOVERNING TEMPORARY PARKING LOT USE; PROVIDING THIS TEMPORARY RELIEF IN RESPONSE TO THE EXTENSIVE DAMAGE CAUSED BY THE 2024 HURRICANES; ALLOWING TEMPORARY PARKING LOTS AS A TEMPORARY USE ON PROPERTIES LOCATED IMMEDIATELY ADJACENT TO GULF BOULEVARD OR LOCATED WITHIN THE JOHN'S PASS VILLAGE ACTIVITY CENTER; TO ALLOW THIS TEMPORARY PARKING LOT USE PROVIDED THAT CERTAIN CONDITIONS ARE MET AND TO PROVIDE THE REGULATIONS FOR THE USE; PROVIDING THAT ALL OF THESE TEMPORARY PARKING LOT USE APPROVALS EXPIRE ON DECEMBER 31, 2029; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

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

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
 - a. Development orders and development permits as those terms are defined in Section 163.3164, Florida Statutes, and development agreements as authorized by the Florida Local Government Development Agreement Act under Sections 163.3220-163.3243, Florida Statutes;

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

- b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party;
- c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
- d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

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

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

The proposed ordinance would allow for property owners along Gulf Boulevard and within the John's Pass Village Activity Center the option to apply for a temporary parking lot use of their vacant properties. The ordinance includes requirements for the temporary parking lots, penalties for if those requirements are violated, and an expiration date for the temporary parking lots.

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

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

This proposed ordinance would not have a negative financial impact on private businesses and property owners since it is optional. This ordinance would allow for a parking lot temporary use that currently is not permitted in the code. The temporary parking lot use could potentially generate revenue for property owners.

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

The proposed ordinance would not have a negative impact on any businesses in the C-3, C-4, PD, and C-1 Zoning Districts. The proposed parking lot temporary use is an optional use for property owners to apply for.

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

The temporary parking lot uses would expire on December 31, 2029. Making temporary parking a permanent option for property owners would not align with the Development and Redevelopment Vision and Economic and Business Development Vision from the adopted Madeira Beach Master Plan.



August 14, 2026

Andrew Morris, AICP
City of Madeira Beach
300 Municipal Drive
Madeira Beach, FL 33708

RE: Review of ordinances from the City of Madeira Beach (ORDINANCE 2026-16)

Dear Andrew,

Thank you for submitting the proposed amendments to the Madeira Beach Code of Ordinances. The amendments are consistent with the Countywide Rules, with comments as follows:

- Temporary Parking Lots: The proposed ordinance establishes temporary parking lots as a temporary use on properties immediately adjacent to Gulf Boulevard or within the John's Pass Village Activity Center in response to damage caused by the 2024 hurricanes. The temporary use is limited through December 31, 2028, and requires compliance with applicable zoning district standards, including the existing impervious surface ratio requirements. The proposed use and development standards are consistent with the applicable standards and criteria of the Countywide Rules.

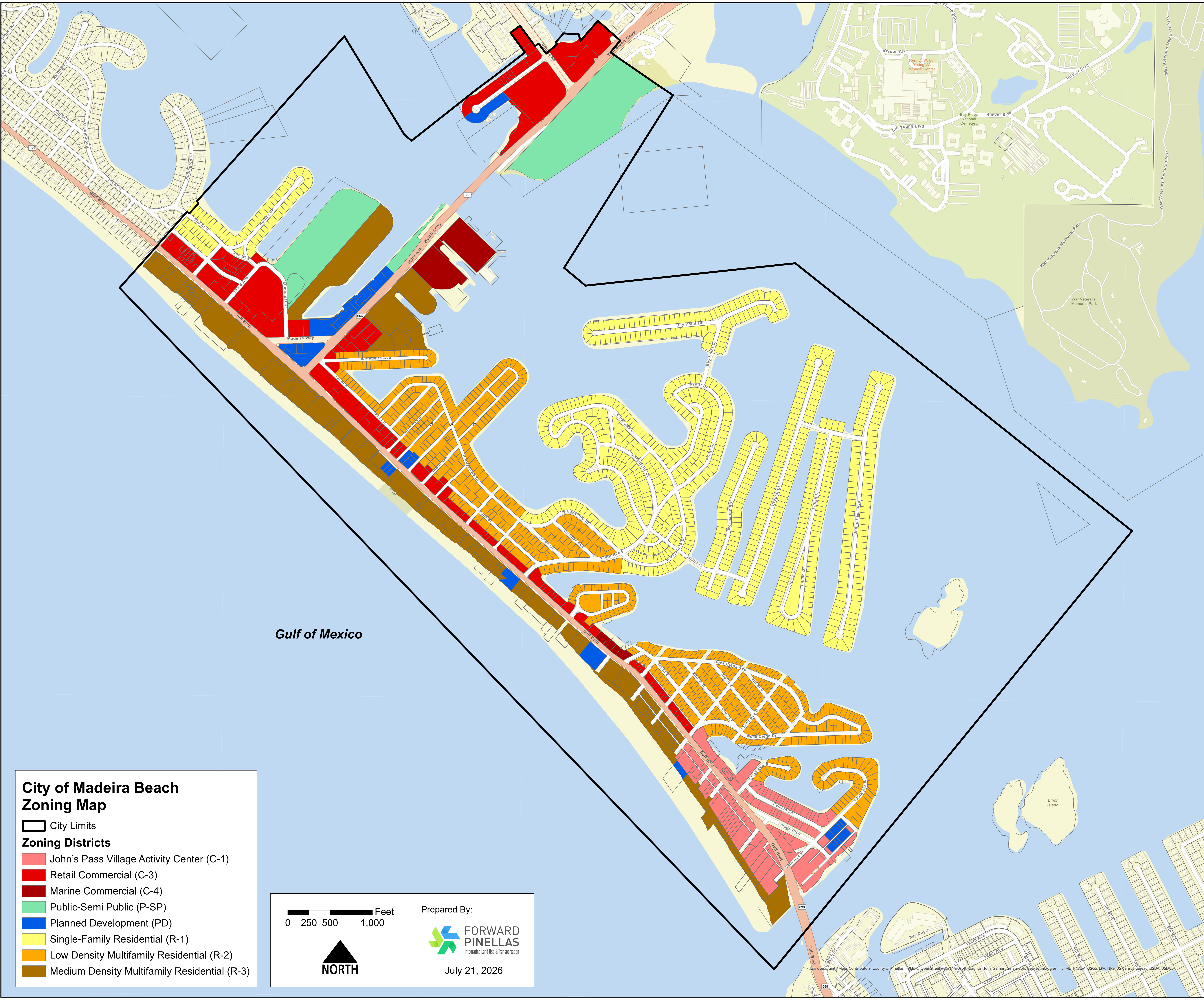
We recognize that the consistency process is an ongoing one, and if either the County or Forward Pinellas staff has failed to note a matter governed by the consistency process in the course of this review, we will be happy to work with you to resolve any such matter as may be necessary.

If you have any questions, please feel free to call me at 727-464-5679 or email me at ewennick@forwardpinellas.org.

Sincerely,

Emma Wennick

Emma Wennick
Program Planner



City of Madeira Beach Zoning Map

City Limits

Zoning Districts

- John's Pass Village Activity Center (C-1)
- Retail Commercial (C-3)
- Marine Commercial (C-4)
- Public-Semi Public (P-SP)
- Planned Development (PD)
- Single-Family Residential (R-1)
- Low Density Multifamily Residential (R-2)
- Medium Density Multifamily Residential (R-3)

0 250 500 1,000 Feet



Prepared By:



July 21, 2026