

# PLANNING COMMISSION MEETING AGENDA

Monday, September 09, 2024 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 Minutes

#### 5. NEW BUSINESS

A. Ordinance 2024-18 Planned Development

#### 6. OLD BUSINESS

#### 7. ADMINISTRATIVE/STAFF PRESENTATION

#### 8. PLANNING COMMISSION DISCUSSION

A. Madeira Beach Master Plan Update

#### 9. NEXT MEETING

Next meeting is scheduled for Monday, October 7, 2024 at 6:00 p.m.

#### 10. INFORMATIONAL MATERIALS

#### 11. ADJOURNMENT

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

Any person who decides to appeal any decision of the Planning Commission with respect to any matter considered at this meeting will need a record of the proceedings and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The law does not require the minutes to be transcribed verbatim; therefore, the applicant must make the necessary arrangements with a private reporter or private reporting firm and bear the resulting expense. In accordance with the Americans with Disability Act and F.S. 286.26; any person with a disability requiring reasonable accommodation to participate in this meeting should call Jenny Rowan, Community Development Director at 727-391-9951, ext. 244 or email a written request to jrowan@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 5, 2024 - MINUTES

#### 1. CALL TO ORDER

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

#### 2. ROLL CALL

#### **Members in Attendance:**

Chairman Wyckoff Commissioner LaRue Commissioner Dillon Commissioner Meagher

#### **Members Absent:**

Commissioner Noble Commissioner Connolly

#### **Staff Representatives:**

Jenny Rowan, Community Development Director Marci Forbes, City Engineer Andrew Morris, Long Range Planner Tom Trask, City Attorney

#### 3. PUBLIC COMMENTS

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

No residents came forward.

#### 4. **APPROVAL OF MINUTES**

Minutes from the June meeting were approved unanimously.

#### 5. NEW BUSINESS

#### A. Ordinance 2024-09: Appendix D JPVAC Zoning 2024-09

Jenny Rowan presented.

- Staff went through history and stated shy this ordinance is currently being heard.
- Staff noted that additional printed packet was provided to commissioners and public e attending the meetings.
- Page five has special exception uses and specifics added to the ordinance.
- Staff rec commends approval to Section D-108 that addresses height and the used of the word "stories".

Commissioner Dillon asked a question about rooftop uses. Ms. Rowan stated that it would have to have special exception use and be approved by the special Magistrate.

Chairman Wyckoff asked for public comment.

A resident came forward and spoke about amplified and live music per 500 feet.

Discussion followed regarding enforcing noise ordinance.

- Commissioner LaRue made a motion for the John's Pass Village Center Zoning Activity Center Development standards as amended by staff.
- Commissioner Meagher seconded the motion.
- The motion passed unanimously.

#### B. Ordinance 2024-10: C-1 refer to Appendix D

Chairman Wyckoff asked for public comment. NO residents come forward

Ms. Rowan presented.

This would change C-1 to JPV Activity and update presentation.

A short discussion followed.

- Chairman Wyckoff called for a motion.
- Commissioner Meagher made a motion to approve
- Commissioner Dillon seconded
- The motion passed unanimously.

#### C. Ordinance 2024-11: Rezone JPVAC area to C-1

Attorney Trask stated that this is quasi-judicial and read the summary of the application.

Attorney Trask then read the section of code relevant to the application and stated the order of presentation and read the quasi-judicial procedures.

Attorney Trask then asked if anyone had a conflict of interest and asked for people to be sworn in.

Ms. Rowan presented.

No discussion followed.

- Chairman Wyckoff called for a motion.
- Chairman Dillon made a motion to approve.
- Chairman LaRue seconded the motion.
- The motion passed unanimously.

#### D. Ordinance 2024-12: C-2 to reserved

Chairman Wyckoff asked for public comment. No residents came forward.

Ms. Rowan presented.

- Chairman Wyckoff asked for a motion.
- Commissioner Dillon made a motion to approve.
- Commissioner Meagher seconded
- The motion passed unanimously.
- E. Ordinance 2024-13: C-3 to be consistent with Madeira Beach Town Center Special Area Plan

Chairman Wyckoff asked for public comment. No residents came forward.

Ms. Rowan presented. Staff recommends it to read the same as previous item, 2024-09.

Discussion followed.

Ms. Rowan stated that 110-319 Open Rooftop and Balcony and Elevated Terrace use if commercial use are accessible to more than one temporary lodging or vacation unit to be included along with staff recommendation to adopt. She further stated that the goal of staff is to eliminate inconsistencies.

- Commissioner LaRue made a motion to approve with changes for clarification.
- Commissioner Dillon seconded the motion.
- The motion passed unanimously.

# F. Ordinance 2024-14:C-4 to be consistent with Madeira Beach Town Center Special Area Plan

Chairman Wyckoff asked for public comment. No residents came forward.

Ms. Rowan presented.

- Commissioner LaRue made a motion to pass with updates.
- Commissioner Meagher seconded the motion.
- The motion passed unanimously.

# G. Ordinance 2024-15: R-3 to be consistent with Madeira Beach Town Center Special Area Plan

Chairman Wyckoff asked for public comment.

A resident came forward and addressed the potential for rooftop activity. He stressed the noise and suggested that a manager should be present to enforce rules.

Ms. Rowan presented. This would be the same as previous items.

Discussion followed. Staff clarified that rooftop use is currently permitted, and this ordinance will add another step.

Ms. Rowan stated that we would ask for the same definition as previous.

- Chairman Wyckoff called for a motion.
- Commissioner Dillon made a motion to pass with changes.
- Chairman LaRue seconded the motion.
- The motion passed unanimously.

#### 6. OLD BUSINESS

There was no old business.

#### 7. PLANNING COMMISSION DISCUSSION

There was no planning commission discussion.

#### 8. ADMINISTRATIVE/STAFF PRESENTATION

#### A: Planned Development Zoning

Jenny Rowan presented.

o There are inconsistencies in our code that need to be resolved.

• We reviewed plans from other cities and made sure it's consistent with the Comprehensive plan.

Discussion followed

#### **B:** Floodplain amendments

Jenny Rowan and Marci Forbes presented.

- The city was contacted by the Florida Department of Emergency Management and informed that some changes were needed.
- o New FL building code triggers this requirement for changes.
- o Definitions are all placed in the same section.
- o Discussion regarding CRS and insurance followed.
- o Ms. Rowan stated that we will be seeing this again in the future.

#### C: Master Plan

Mr. Morris reminded the Commission that we have a survey regarding the master plan, and it has been getting a good response.

#### 9. **NEXT MEETING**

The next meeting is scheduled for September 9, 2024, at 6:00 PM.

#### 10. ADJOURNMENT

Chaiman Wyckoff adjourned the meeting at 7:29 PM.		
Respectfully submitted:		
Michael Wyckoff, Chairman	Date	
Lisa Scheuermann, Board Secretary	 Date	



#### Memorandum

Meeting Details: September 9, 2024 – Planning Commission

**Prepared For:** Planning Commission

From: Community Development Department

Subject: Ordinance 2024-18: Planned Development

**Background:** Chapter 110 Zoning, Article V. Districts, Division 10 PD, Planned Development in the Madeira Beach Code of Ordinances has some inconsistencies that need to be resolved.

<u>Discussion:</u> Ordinance 2024-18: Planned Development amends the Planned Development (PD) division in the Madeira Beach Code of Ordinances to fix inconsistencies, reference the Forward Pinellas Countywide Rules, and update the standards in that division to current practices.

#### **Recommendation(s):**

Staff recommends approval of Ordinance 2024-18: Planned Development.

#### **Fiscal Impact or Other:**

N/A

#### **Attachments:**

Ordinance 2024-18: Planned Development

Ordinance 2024-18 Business Impact Statement

#### **ORDINANCE 2024-18**

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 110 ZONING, ARTICLE V. DISTRICTS, DIVISION 10, PD., PLANNED DEVELOPMENT, OF THE CITY'S LAND DEVELOPMENT CODE PROVIDING FURTHER INFORMATION ON INTENT AND PURPOSE; INCLUDING DIMENSIONAL REGULATIONS; SPECIFYING REQUIREMENTS FOR THE APPLICATION FOR PD ZONING; CLARIFYING THE REVIEW CRITERIA FROM THE LOCAL PLANNING AGENCY; CLARIFYING THE REVIEW CRITERIA FROM THE BOARD OF COMMISSIONERS; INCLUDING STANDARD OPERATING ADJUSTMENTS IN THE CHANGES OF DEVELOPMENT PLAN; AND INCLUDING OPTIONS FOR TIME EXTNSIONS; PROVIDING FOR CONFLICT, CODIFICATION AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City of Madeira Beach's Planned Development zoning district regulations have not been reviewed thoroughly and updated with standard review criteria in a number of years; and

WHEREAS, City staff has reviewed the current Planned Development zoning district regulations; and WHEREAS, City staff has determined that the relationship between the Madeira Beach Comprehensive Plan and Land Development Regulations in the Planned Development zoning district regulations were not clearly stated in Division 10; and

WHEREAS, the allowed uses and dimensional regulations in the Planned Development zoning district regulations were not clearly stated in Division 10; and

WHEREAS, the review criteria for the Local Planning Agency (Planning Commission) and Board of Commissioners was not clear and certain design elements would not be necessary at this stage in development; and

**WHEREAS**, City staff has recommended that the Planned Development zoning district regulations be revised to address the matters referenced in the recitals above; and

WHEREAS, the Planning Commission has considered the recommended changes referenced above at a public hearing and has recommended approval to the Board of Commissioners; and

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

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**WHEREAS**, the Board of Commissioners held two public hearings to consider the approval of the recommended changes and the adoption of this ordinance.

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

<u>Section 1</u>. That Chapter 110 (Zoning) Article V. (Districts) Division 10 (PD – Planned Development) of the Land Development Code of the City of Madeira Beach is hereby amended to read as follows:

#### 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, a PD development must meet the intent and criteria (density, intensity, and impervious surface ratio) of the future land use in the Madeira Beach Comprehensive Plan and plan category in the Countywide Plan.:

- (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.

Planned Redevelopment Mixed-Use (PR-MU), Activity Center (AC), Commercial General (CG), Residential/Office/Retail (R/O/R), and Resort Facilities Medium (RFM). In particular, the 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, in the Madeira Beach town center special area plan.

#### Sec. 110-387. Uses permitted and dimensional regulations.

The type or types of land uses permitted must be consistent in all respects with the comprehensive plan and such uses shall be found to be so located and arranged to ensure complete compatibility amongst themselves, with adjacent existing or future land uses, and with existing or future public facilities, services and utilities. No specific list

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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.

Flexibility in setbacks for nonresidential projects will be allowed provided there is adequate space for site improvements and fire access; that there is no adverse impact on surrounding properties and there is adequate distance between structures and public or private streets for residential projects. Flexibility in building height will be allowed provided they are compatible with the surrounding neighborhood; and provide increased setbacks to compensate for added building height. Increased flexibility in setbacks and height from the zoning district prior to the rezoning to PD may also be considered provided in light of voluntary provision of civic or community enhancements, e.g., ground floor retail, expanded setback, enhanced landscaping, sustainable building practices (LEED), and other design enhancements furthering the policies and strategies of the comprehensive plan.

#### 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) A development agreement is required to rezone any property to PD and must go to the Local Planning Agency (Planning Commission) at the same public hearing as the rezoning, before the Board of Commissioners as a discussion item at the first public hearing at the rezoning, and before the Board of Commissioners at the second reading and public hearing as the rezoning. See Chapter 86, Administration, Article IV. Development Agreements for more information on development agreements.
- (c) If the project uses the alternative temporary lodging use standards the development agreement must also follow all required standards in Forward Pinellas Countywide Rules and intensities and densities cannot exceed the allowable maximums as described in the comprehensive plan.
- (d) 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) A <u>narrative of the Planned Development (PD report) is required for a preliminary development plan.</u>

  including all the following information

  Three signed and sealed development proposals and one electronic copy; and
  - a. The narrative must include how the proposal furthers community goals and meets the comprehensive plan, land development regulations, and any special area plan standards.
- (2) Three hard copies of the signed and sealed preliminary development plan proposals and a digital submission all of which must provide the following: one electronic copy; A development report and a preliminary development plan including all the following information:
  - a. Legal description, zoning district prior to PD rezoning, future land use (Madeira Beach comprehensive plan) and underlying conventional zoning district plan category (Countywide Plan).
  - b. Existing use(s) and proposed use(s).
  - c. Site area in square feet and acres.
  - d. Lot lines Sign and sealed survey.
  - e. <u>Setbacks for zoning district prior to PD rezoning Current required</u> and proposed setbacks.
  - f. North arrow and scale: engineering scale no smaller than one inch equals 50 feet.

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- g. <u>Site data table with current standard (for zoning district prior to PD rezoning) and proposed development standards Proposed development criteria (current standard and proposed standard) including at a minimum:</u>
  - 1. Gross floor area (in square feet) and heated floor area of existing and proposed;
  - 2. Building coverage (in square feet);
  - 3. Open (green) space (in square feet);
  - 4. Impervious surface area (in square feet) and impervious surface ratio;
  - 5. Density and intensity (including ratios for mixed use);
  - 6. Quantity and type of parking spaces and parking requirements Parking spaces (scaled to location on plan and number of type, e.g., accessible, standard, etc.);
  - 7. Building height(s) <u>from design flood elevation</u> and stories <u>of preliminary development plan</u> <u>and maximum height allowance in zoning district prior to PD zoning, and number of stories allowed and existing on adjacent properties;</u>
  - 8. Preservation areas in total square feet;
  - 9. Land alteration plan;
- <u>h. 10</u>. Buffering standards, e.g., design standards to buffer neighboring properties from commercial activities, construction impacts, vehicular traffic, etc.;
- <u>i.11</u>. Solid waste disposal containers location and access;
- 12. Lighting design standards;
- 13. Signage standards;
- <u>i</u> <u>14.</u> Tree survey, indicating the species and size of all existing trees, four inches or greater caliper measured at breast height;
- k 15. Landscape design standards and plans that must, at a minimum:
  - 1.(i) Meet or exceed the minimum requirements in Comply with chapter 106, article II of this Code and all native and xeriscape plant materials;
  - 2. (ii) Indicate location, quantity, size, species, and standards for all trees and shrubs; and
  - 3. (iii) Meet or exceed minimum irrigation standards required by this Code;
- <u>16</u>. Building envelop and general access, egress, and ingress locations;
- <u>m</u> 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;
- <u>n\_18</u>. Permit from FDEP with concept plan indicating <u>lf applicable</u> proposed changes, reconstruction, and replanting if dune system impact is anticipated; and
- <u>o\_19</u>. Details of any design or performance <u>project commitments criteria assured agreed to</u> at the <u>required</u> neighborhood meeting.
- hp. Mobility and access plan indicating:
  - Proposed curb cuts and off-site traffic access management plan and standards;
  - 2. Preliminary location and function <del>plan and standards</del> for required sidewalk, bicycle, and other multimodal improvements;

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- 3. Preliminary Onon-site circulation; and,
- 4. If impacting a collector or arterial road or required by FDOT, a transportation impact study prepared by a registered engineer <u>for submittal and review by city staff and other governing</u> agencies and documented preliminarily approved of FDOT.
- q.i. If the comprehensive plan or previous zoning district includes design standards or guidelines those must be met at a minimum. 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.
- rk. Record of notice of, and transcribed and video record of the required neighborhood meeting.

#### 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.

#### 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.

#### 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 The PD report and preliminary development plan 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 The PD report and preliminary development plan must promote the project's compatibility with adjacent land uses.

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- (3) Adequate public facilities. The zoning districts assigned The PD report and preliminary development plan 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 The PD report and preliminary development plan 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 The PD report and preliminary development plan 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.

#### 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—commitments 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.

#### 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 110-390388.

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The board of commissioners shall review the proposed preliminary development plan for general conformance 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, the comprehensive plan, 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 of public facilities such as roadways, new medians, sanitary sewer and water facilities, drainage systems 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 <u>six-five-foot</u> sidewalk, <u>ten-foot preferred</u>, 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 systems facilities, landscaping, 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 similar development within the zoning districts for similar development prior to rezoning to PD.
- (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.
- (109) 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.
- (1210) 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. Each phase should be able to be completed entirely such that each phase may be independently provided a Certificate of Occupancy.

Lastly, the board of commissioners must review the plans, drawings, and schematics preliminary 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.

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- (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 characteristics structures.
- (6) All mechanical equipment, electrical equipment, roof top equipment, refuse areas associated with this project shall not be visible from the public right-of-way 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; and
  - False windows or doors, unless used on a parking structure or level to blend into the built environment.; 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.

#### 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.

#### 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.

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#### Sec. 110-396. Changes in development plan.

Standard operating adjustments that do not have to go before the board of commissioners for review includes fences, additional parking, pools, signage, and accessory structures that meet the requirements of the zoning district prior to the rezoning of PD. 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. The PD zoning conditions, or Development Agreement may allow for a percentage of allowances in reduction of height, intensity, and density and/or increase in setbacks and is not considered a minor modification and not required to go before the board of commissioners.

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.

#### 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. The city manager may grant up to three one-year extensions. 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.
- (gf) "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.

Secs. 110-398-110-400. 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.

<u>Section 3</u>. 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.

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

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

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

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	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:		

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# **Business Impact Estimate**

Proposed ordinance's title/reference:
Ordinance 2024-18: Planned Development

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
$\boxtimes$	The proposed ordinance is enacted to implement the following:
	a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and

development orders, development agreements and development permits; b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;

municipal planning, and land development regulation, including zoning,

- c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

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

1

Page **1** of **2** 

<sup>&</sup>lt;sup>1</sup> See Section 166.041(4)(c), Florida Statutes.

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

Ordinance 2024-18: Planned Development amends the Planned Development (PD) division in the Madeira Beach Code of Ordinances to fix inconsistencies, reference the Forward Pinellas Countywide Rules, and update the standards in that division to current practices.

- 2. An estimate of the direct economic impact of the proposed ordinance on private, forprofit 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.

No foreseen direct economic impact of the proposed ordinance.

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

No foreseen impact on businesses with the proposed ordinance.

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

Chapter 110 Zoning, Article V. Districts, Division 10 PD, Planned Development in the Madeira Beach Code of Ordinances has some inconsistencies that need to be resolved. Ordinance 2024-18 fixes these inconsistencies.



#### Memorandum

Meeting Details: September 9, 2024 – Planning Commission Meeting

**Prepared For:** Planning Commission

From: Community Development Department

Subject: Madeira Beach Master Plan Update

#### **Background:**

Over the last few months Kimley-Horn and City Staff have been gathering community feedback to help guide the Madeira Beach Master Plan. We received feedback from a public workshop, an online survey, an interactive map, and various community pop-up events.

#### **Discussion:**

Kimley-Horn recently gave us a summary document that is an overview of the community feedback we have received. The document includes an overall engagement summary section that has the major themes within the Master Plan Topic Areas based on the community feedback.

#### **Recommendation(s):**

City Staff recommends for the Planning Commission to review the Madeira Beach Master Plan Summary Document and give feedback.

#### **Fiscal Impact or Other:**

N/A

#### **Attachments:**

Madeira Beach Master Plan Summary Document









# MADEIRA BEACH MASTER PLAN

Guiding the City Towards a Resilient Future





Working Draft: August 2024





#### MADERA BEACH MASTER I

# **Community Workshop #1 Summary**

When: Thursday, June 27th, 2024 from 6 - 7:30pm

Where: Madeira Beach City Hall Chambers

Who attended: Residents, elected officials, the City Manager, and the Project Team (Community Development Department staff and Kimley-Horn staff)

*Purpose:* To inform those who live, work, and visit Madeira Beach about the new City Master Plan and receive feedback on the community's vision and ideas for improvements related to new development/redevelopment, transportation/mobility, economic and business development, resiliency, public spaces, and beautification.

## **Event Summary**

The Community Workshop was held in a roundtable format where the Project Team presented an overview of the Master Plan project and then led workshop attendees through a series of questions related to the Master Plan topic areas. Workshop attendees discussed each question posed by the Project Team at their tables and then shared key takeaways from their respective discussions with the whole group. The Project Team recorded responses, asked follow up questions, and encouraged attendees to fill out comment cards to capture feedback that was not shared aloud. Key takeaways and major themes are summarized below and on the following pages.

## **Major Themes**

The following themes emerged from feedback received at the meeting and have been sorted into opportunities and challenges, which will help inform the Master Plan's overall vision, goals, and recommendations presented in Chapters 4 and 5.

## Opportunities

- ► Leverage existing recreational amenities for revenue-generating opportunities to promote year-round economic growth
- ► More event programming that appeals to diverse groups to generate more engagement and social connection amongst the community
- ▶ Marina improvements to benefit both residents and visitors alike
- ► Collaborate with hotels and businesses to provide educational information to visitors to promote stewardship of the City's coastal resources and transportation safety
- ► As new development/redevelopment occurs, work with developers to encourage quality architectural design, green building practices, and the provision of public benefits, such as structured parking garages, green space, and sidewalk improvements





### Challenges

- ► Concerns over flooding and surface water management due to storm events and sea level rise
- ► Need to balance tourism-based economic development with the needs of residents
- ► Gulf Boulevard is a physical barrier to accessing the City's beaches and is not a pedestrian-friendly roadway
- ► Transportation infrastructure and utilities in need of upgrades in certain areas
- ► Inconsistency in the accessibility of public spaces
- Difficult to regulate Short Term Rentals, which detract from housing stock and lead to other code violations related to noise and property maintenance





# "What do you think of Madeira Beach today and what would you change in the future?"

Workshop attendees were asked to describe how they see Madeira Beach today, what characteristics of the City are important to them, and then describe their vision for the City's future. The overwhelming response was that people see Madeira Beach as a small coastal village, however, many noted that the City is experiencing growing pains and is at a cross-roads for what its identity might become. Among some of the elements that were important to the attendees were the proximity to daily needs and recreational amenities, proximity to neighboring communities, and how the City has retained its character even as growth occurs. There are many reasons to like Madeira Beach, but its name-sake beaches, natural beauty, and coastal resources are what truly stood out to attendees as one of the characteristics they liked the most, as well as the casual, laid-back atmosphere and friendliness of those who live, work, and visit the City.

When attendees were asked what they would change and what they would want to see more of, there was a range of answers that covered all of the Master Plan topic areas. Attendees primarily noted the desire to see small changes that have the potential to have a big impact, such as improvements to existing recreational amenities, more community events/programming, code enforcement to better regulate noise, litter, and short-term rentals, enhanced landscaping along roadways, and more pedestrian crossings along Gulf Boulevard. Please see pages 12 to 13 for a comprehensive summary of improvements.

## Online Engagement

Opportunities to engage virtually were provided throughout the project. The volume of feedback received through online engagement is presented below, with major themes captured in the overall engagement summary on pages 12-13.

# **Interactive Map**

- ► Number of Responses: 25 (August 2024)
- » Most commented category: Infrastructure and Resiliency

## **Survey #1: Community Visioning**

- ► Number of Responses: 68 (August 2024)
- ► Top 3 priority topic areas (thus far)
- » Parks, Recreation, and Public Spaces
- » Beautification and Placemaking
- » Sustainability and Resiliency
- $\ ^{\text{\tiny "New Development/Redevelopment is overwhelmingly the lowest priority)}$

# Survey #2: Master Plan Recommendations

► Number of Responses: (TBD)



# **Community Pop-Up Events**

Throughout Visioning and Goal Setting phase of the Master Plan, the Project Team employed a "pop-up" engagement strategy where we set up a booth in conjunction with events were already occurring in the City to spread the word about the Master Plan. These pop-up engagements put the Project Team in places where the City's residents, workers, and visitors already were and offered those who would not typically attend a traditional community workshop or public meeting a quick and casual opportunity to learn about the project and provide feedback. A list of pop-up engagement events is provided below with feedback summarized on pages 12-13.

## **Pop-Up Engagements**

- ► Final Friday at John's Pass Village, July 26, 2024
- ► Trash Pirates of Mad Beach August Beach Clean Up, August 3, 2024
- ► Final Friday at John's Pass Village, August 30, 2024
- ▶ Pop-up event #4
- ▶ Pop-up event #5
- ▶ Pop-up event #6





Pop-up engagements afforded the opportunity to receive feedback from a diversity of people: youth, families, retirees, residents, and visitors alike shared their ideas for what they'd like to see the Master Plan address



As attendees of Final Friday at John's Pass passed by the project booth, they wrote down their vision and ideas for improving the City



The Project Team spent a Saturday morning with the Trash Pirates of Mad Beach at the August Beach Clean Up to hear from volunteers and see the community in action



Commissioner Eddie McGeehen (District 3) stopped by the pop-up booth at Final Friday





# A Vision for a Thriving and Sustainable Future

The following quotes are taken directly from written responses gathered through workshop comment cards, pop-up engagement events, and online survey and interactive map responses.

"A great little beach town geared towards permanent residents while welcoming visitors"

"Excellence in architecture"

"Laid back, quiet, beachy vibes"

"Casual, tropical beach town with lots of green spaces and locally owned businesses"

"Better planning for infrastructure and protection against sea level rise"

"Classic, small town feel, but updated. A place where you don't have to be rich to reside, vacation, and enjoy."

"Modern look with a fishing village feel"

"Family friendly"



# What is your vision for Madeira Beach?

"More cohesion"

"Promote logical, planned growth. This growth must protect businesses while acknowledging the needs of residents, as well as taking into account environmental factors and societal needs."

"A safer Gulf Boulevard"

"Hasn't been overdeveloped"

"Green space"

"Pristine beaches, environmentally conscious, easy travel throughout the city, safe"

"More focus on beaches, pet friendly. Water fountains, cold non alcoholic drinks, more seating on boardwalk"

"Equal opportunities for all who live rent or visit our town."

"Places for new generations"



# Overall Engagement Summary: Major Themes within the Master Plan Topic Areas



# Development/Redevelopment

- ▶ Desire to limit density/intensity and building height; concerns with become "over-developed" and the strains larger, more intense developments could put on infrastructure
- ► Controlled and consistent growth is preferred, along with transparency from the City regarding new projects
- ▶ When new development does occur, mixed use developments are preferable, with retail space below and residential in the above stories
- ▶ Additional design standards/guidelines to create a more cohesive look along Gulf Boulevard
  - » Consider creating an architectual review board to create a more cohesive look in major activity centers as new development plans are proposed
- ▶ Limit impervious surface and encourage new development/redevelopment to provide green public spaces



# **Economic/Business Development**

- ► Consistent enforcement and permitting of Short Term Rentals
- ▶ Restore working waterfronts and dock access to busineses along the intercoastal waterway in Boca Ciega Bay
- ▶ Become an attractive area for thriving small businesses that support year-round local area residents
  - » More small businesses such as specialty shops, clinics, daycares, and restaurants with outdoor dining
  - » Opportunities for roadside vending and micro-retail, such as produce stands and food trucks
- ▶ More concerts and events that take place throughout the year
- ▶ Leverage Activity Centers as entertainment hubs for both visitors and residents alike
- ▶ Build relationships with small businesses and encourage their involvement in citywide events (e.g., Final Friday, beach clean ups, markets, etc.)



# Transportation/Mobility

- ▶ Create a safer Gulf Boulevard that is more comfortable for pedestrians
- Add more sidewalks (and wider sidewalks) and crosswalks
- ▶ Implementation of protected bike lanes or a separated multi-use path on Gulf Boulevard
- ▶ Install covered bike parking at the beach
- ▶ Slow down traffic at Tom Stuart Causeway/150th Avenue and Gulf Boulevard needs to be safer for pedestrians
- ▶ Promote use of the Jolley Trolley and post signs with its schedule (as some people don't bring their phones to the beach)
- ▶ Consider other forms of microtransit, such as the Freebee service



# **Working Draft: August 2024**

## Guiding the City Towards a Resilient Future -





# **Sustainability and Resiliency**

- ▶ Better public outreach regarding hazard mitigation measures, such as how to address flooding and property protection
- ▶ Address the silting of Boca Ciega Bay
- ► Continued push to get undergrounding of utilities from Duke Energy
- Flood mitigation measures such as improved drainage, bioswales, seawalls and raised streets
  - » Signifcant flooding issues noted from 140th Street to 142nd Avenue between Bayshore Boulevard and Gulf Boulevard
- ► Consider a ban on styroam and plastic straws
- ► Install electric vehicle charging stations powered by solar
- ► Improve capacity of sanitary sewer infrastructure



#### Parks, Recreation, and Public Spaces

- ▶ Improvements to the dog park, such as increased shade structures, water features and wash stations, as well as a more durable turf solution
- ► Additional recreational facilities, such as:
  - » Tennis and pickleball courts
  - » Public swimming pool
  - » Playground and/or splash pad on the beach
- Expand fitness center hours for residents and bring more programming to R.O.C. Park and the rec center
- ▶ More accessibility measures throughout the city's public spaces (such as the mats that run along the beach)
- A community garden or eco-learning center to provide opportunities for cross-generational interactions and education
- ▶ Develop educational materials and install signage (with an emphasis on graphics as opposed to text) to inform beach-goers about sea turtle nesting and good stewardship of coastal resources



# **Beautification and Placemaking**

- ▶ Improve the entrances to the City with gateway signage, landscaping, and/or public art
- ▶ Install gateway signage at neighborhood entrances
- ► Install salt-tolerant, low-maintenance landscaping along major roadways consider having a dedicated Public Works staff member to keep up with maintenance
- ▶ Plant shade trees along roadways and in R.O.C. Park
- ▶ Repaint exisiting public structures, such as the bridges and bridge towers
- ▶ Employ local artists to paint murals around the City, such as under the bridge at John's Pass