



PLANNING COMMISSION MEETING AGENDA

Monday, June 03, 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.](#) May Minutes

5. NEW BUSINESS

[A.](#) Ordinance 2024-08 Fences

6. ADMINISTRATIVE/STAFF PRESENTATION

7. PLANNING COMMISSION DISCUSSION

[A.](#) John's Pass Village Activity Center Zoning Workshop

8. NEXT MEETING

Next meeting is scheduled for Monday, July 1, at 6:00 p.m.

9. INFORMATIONAL MATERIALS

10. 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

May 6, 2024 - MINUTES

1. CALL TO ORDER

First Vice Chair Dillon called the meeting to order at 6:00 PM

2. ROLL CALL

Members in Attendance:

Commissioner Ghovae
Commissioner Dillon
Commissioner Noble
Commissioner Connolly

Commissioner Meagher

Members Absent:

Chairman Wyckoff
Commissioner LaRue

Staff Representatives:

Jenny Rowan, Community Development Director
City Engineer, Marci Forbes
Andrew Morris, Long Range Planner
Lisa Scheuermann, Program Coordinator/Board Secretary
Joseph Petraglia, Planner Tech
Nancy Meyer, City Attorney's Office

3. PUBLIC COMMENTS

First Vice Chair Dillon 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 April meeting were approved unanimously.

5. NEW BUSINESS

A. Potential Fence Code Amendments

Joe Petraglia presented. He spoke about why the fence code needs to be improved and went step by step through the changes needed and reasons that they were needed.

Commissioner Connolly asked about silt fences.

Jenny Rowan responded and said the LPA will be hearing more about construction fences and silt fences in the future.

Changes will be with definitions to start. Commissioner Dillon asked if it will be redundant. Marci Forbes said that we are missing construction site maintenance and erosion control fencing in our code.

Discussion followed.

Commissioner Noble asked if the code has to be consistent with OSHA standards. He also suggested that the removal requirements for removal of construction fences be changed from two days to two weeks upon completion of construction because of potential weather events or scheduling issues.

Commissioner Connolly asked why Marci Forbes left out haybales as a method of flood protection. She responded that it is used. He stated that he would like hay bales added to the code.

Mr. Petraglia moved on to item five and stated that fence height would be based on setback line.

He then moved on to the swimming pool section. Commissioner Ghovae asked a question about the visibility triangle. Joe answered that heights are not being changed. Marci Forbes stated that a 6' fence can't be all the way to the water, therefore visibility would not be affected. The setbacks are the same for the primary structure and a 6' fence in these districts, R-1 and R-2.

Mr. Petraglia moved on to page 12, regarding adding a small, non-conforming section. This would state that fences that do not currently meet the fence code would have to comply with the code if they are altered.

Commissioner Dillon voiced his disagreement, stating the smaller non-conforming lots may not be able to meet current code. Joe agreed that was a good point for a smaller lot, and Andrew Morris suggested that we make this specific to larger lots.

Marci Forbes said we should address the non-conforming lots and new fences should conform to the code. We can have a caveat for smaller, non-conforming spaces.

Discussion followed, and it was suggested that we do the other sections and come back with non-conformity section in a few months. Attorney Nancy Meyers said it would be best to do this all at once.

Commissioner Dillon asked if there was any further discussion. Marci Forbes gave Joe accolades for all of the hard work he's done on the fence code.

Commissioner Dillon moved on to the next agenda item.

Item B: John's Pass Village Activity Center Zoning Workshop.

Commissioner Dillon asked if the property is owned from the property line to CCCL, Marci Forbes stated that you can build past the CCCL. Discussion followed regarding property line and CCCL.

Mr. Dillon asked if things can be built on easements. Ms. Forbes stated that no structures but sidewalks and plants etc. can be on an easement. The onus is on the homeowner to maintain them. Commissioner Dillon asked about trash structures.

Ms. Rowan moved on to the presentation and mentioned the workshop dates and touched on Madeira Beach history.

Commissioner Ghovae asked about architectural review and design guidelines.

Commissioner Connolly asked if the information from the workshop has been compiled. Jenny Rowan said this is in the packets. Marci covered height and setbacks. Jenny went over the character districts.

Ms. Rowan covered the format of workshops and information captured.

Commissioner Dillon said he's concerned about overall height. Ms. Rowan responded that heights couldn't be increased without a PD or Variance, and we don't do Variances for height.

Discussion followed. Commissioner Ghovae asked if a 20' accessory structure could be 16'.

Ms. Rowan covered comments specific to the Boardwalk district.

Discussion moved on to the Commercial Core district.

John's Pass Resort (R-3) and spoke about non-conforming design standards.

Commissioner Connolly asked a question about design standards, stating that design is very important. Ms. Rowan stated that the Planning Commission may possibly ask the Planning Commission to act as Board of Architectural Review.

Commissioner Connolly stated that he would like to see plans at LPA of Variance reviewed. Ms. Rowan stated that major Site Plans only would go to LPA for review, and that we can look at the Site Plan process for minor site plan review.

Director Rowan stated that we can only speak to code.

Commissioner Connolly asked if we can change the code.

Ms. Rowan responded that we can change our code.

Ms. Rowan moved on to the Low Intensity Mixed Use category of the John's Pass Village Zoning Workshop results. Commissioner Noble and questions regarding a new structure on Pelican. Commissioners stated that it is "God-awful."

Traditional Village is in zoning district C-1 and workshop results were to maintain current, mostly.

Transitional is R-3

On the beach side and R-2, C-4, and ac-3 off the beach.

Commissioner Ghovae had a question about parking. Ms. Rowan and Mr. Morris stated that our Master Plan Contractors, Kimly Horn, will address that.

Ms. Rowan stated that we had a good outcome at the workshops and asked for questions. Commissioner Ghovae stated that he has a concern about where you measure the roof from as far as flat roofs vs. hip roofs. His fear is that developers may go with flat roofs in order to get extra height. JR responded that we measure from the eave and there are pitch and height limitations.

Andrew Morris stated that it's like a layer cake. One floor parking at grade, five stories of livable space and then the eave line.

First Vice Chair Dillon asked if there was any more conversation about the workshops.

There was none.

6. OLD BUSINESS:

There was no old business.

7. ADMINISTRATIVE/STAFF PRESENTATION

None

8. PLANNING COMMISSION DISCUSSION

There was no discussion.

9. NEXT MEETING

The next meeting is scheduled for June 3, 2024, at 6:00 PM.

10. ADJOURNMENT

First Vice Chair Dillon adjourned the meeting at 8:03 PM.

Respectfully submitted:

Michael Wyckoff, Chairman

Date

Lisa Scheuermann, Board Secretary

Date

**Memorandum****Meeting Details:** Planning Commission, June 03, 2024**Prepared For:** Planning Commission**From:** Community Development Department**Subject:** Ordinance 2024-08 Fences

Background: The lack of details in the fence section of the Madeira Beach Land Development Regulations (LDRs) has caused confusion and frustration for various homeowners, contractors, city staff, and applicants attempting to obtain a fence permit. Some of these issues include many common prefabricated open fence types not meeting current open fence sizing and spacing requirements, fencing requirements in other code sections not being referenced in the fence division, and a lack of clear black-and-white guidance when it comes to fences. The current code is also silent on some fence types such as temporary construction fencing and split rail fences. While this section of the code already has a definition for “building line” as being established by the primary structure setback, this definition is not referenced at all in this code. Due to not being referenced, the lack of a clear definition of where the side, rear, and front yards begin, when determining height, city staff is forced to interpret it as the building line of the primary structure that exists at the time of permitting. Because of this, applicants whose structures do not extend as far as the minimum setback requirements are penalized, applicants with nonconforming structures built beyond the setbacks are rewarded and fence lines are inconsistent from property to property within the same zoning district. As a result, some applicants have had their neighbors apply for their fence permits to extend further than they typically would be able to.

Discussion: The proposed ordinance (attached to the memo) has been reviewed by community development staff several times over the past couple of months. This proposed ordinance has been brought to the April 24th BOC Workshop Meeting and May 6th Planning Commission Meeting. The Ordinance has been revised based on feedback from these meetings and recommendations from the city attorney.

The most notable change from the last Planning Commission meeting was a change to the building line definition to be less restrictive for lots with nonconfirming primary structures.

The proposed amendments incorporate all the above-discussed issues and improvements city staff noticed and recommend amending or adding to the current fence code. When coming up with the proposed amendments, city staff analyzed common issues that arose through fence permit applications over the past several months, reviewing common fence types listed by manufacturers such as Home Depot, as well as comparing the Madeira Beach Code of Ordinances to, that of other nearby municipalities.

Recommendation(s): Staff recommends approval of Ordinance 2024-08 to be brought to the next BOC meeting.

Fiscal Impact or Other:

There is no anticipated fiscal impact.

Attachments:

- Business Impact Estimate
- Proposed amendments to the Fence Code

Business Impact Estimate

Proposed ordinance's title/reference:

ORDINANCE 2024-08

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING DIVISION 3 (LANDSCAPE FENCES, GATES, HEDGES, AND WALLS) OF ARTICLE VI (SUPPLEMENTARY DISTRICT REGULATIONS) OF CHAPTER 110 (ZONING) OF THE CITY'S LAND DEVELOPMENT CODE TO REVISE THE DEFINITION OF BUILDING LINE; TO ADD A PROVISION FOR OPENINGS; TO REVISE THE PROVISION RELATED TO OPEN FENCES; TO PROHIBIT FENCES OVER THREE FEET IN INTERSECTION VISIBILITY TRIANGLES; TO AMEND HEIGHT, FRONT, SIDE AND REAR YARD REQUIREMENTS; TO INCLUDE A PROVISION FOR FENCES AROUND SWIMMING POOLS; AND TO ADD A NONCONFORMING FENCE, GATE, HEDGE OR WALL PROVISION; PROVIDING FOR CONFLICT, CODIFICATION AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

- b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
- c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

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

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

The lack of details in the fence section of the Madeira Beach Land Development Regulations (LDRs) has caused confusion and frustration for various homeowners, contractors, city staff, and applicants attempting to obtain a fence permit. Some of these issues include many common prefabricated open fence types not meeting current open fence sizing and spacing requirements, fencing requirements in other code sections not being referenced in the fence division, and a lack of clear black-and-white guidance when it comes to fences. The current code is also silent on some fence types such as temporary construction fencing and split rail fences. While this section of the code already has a definition for “building line” as being established by the primary structure setback, this definition is not referenced at all in this code. Due to not being referenced, the lack of a clear definition of where the side, rear, and front yards begin, when determining height, city staff is forced to interpret it as the building line of the primary structure that exists at the time of permitting. Because of this, applicants whose structures do not extend as far as the minimum setback requirements are penalized, applicants with nonconforming structures built beyond the setbacks are rewarded and fence lines are inconsistent from property to property within the same zoning district. As a result, some applicants have had their neighbors apply for their fence permits to extend further than they typically would be able to.

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.

No foreseen impact.

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

It is not foreseen that any businesses will be negatively impacted by passing this ordinance.

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

ORDINANCE 2024-08

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING DIVISION 3 (LANDSCAPE FENCES, GATES, HEDGES, AND WALLS) OF ARTICLE VI (SUPPLEMENTARY DISTRICT REGULATIONS) OF CHAPTER 110 (ZONING) OF THE CITY'S LAND DEVELOPMENT CODE TO REVISE THE DEFINITION OF BUILDING LINE; TO ADD A PROVISION FOR OPENINGS; TO REVISE THE PROVISION RELATED TO OPEN FENCES; TO PROHIBIT FENCES OVER THREE FEET IN INTERSECTION VISIBILITY TRIANGLES; TO AMEND HEIGHT, FRONT, SIDE AND REAR YARD REQUIREMENTS; TO INCLUDE A PROVISION FOR FENCES AROUND SWIMMING POOLS; AND TO ADD A NONCONFORMING FENCE, GATE, HEDGE OR WALL PROVISION; PROVIDING FOR CONFLICT, CODIFICATION AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City Staff has reviewed the current provisions of Division 3 of Article VI of Chapter 110 of the Land Development Code of the City of Madeira Beach and recommends amending the building line definition to be less restrictive; and

WHEREAS, City Staff has reviewed the current provisions of Division 3 of Article VI of Chapter 110 of the Land Development Code of the City of Madeira Beach and recommends amending the open fence requirements to be less restrictive and more descriptive and allow for the addition of decorative fencing such as split rail fences; and

WHEREAS, City Staff has reviewed the current provisions of Division 3 of Article VI of Chapter 110 of the Land Development Code of the City of Madeira Beach and recommends adding information clarifying that construction fencing does not apply to this section; and

WHEREAS, City Staff has reviewed the current provisions of Division 3 of Article VI of Chapter 110 of the Land Development Code of the City of Madeira Beach and recommends amending the height requirements to be more clear on where front, rear and side yards are located by utilizing the building line definition; and

WHEREAS, City Staff has reviewed the current provisions of Division 3 of Article VI of Chapter 110 of the Land Development Code of the City of Madeira Beach and recommends adding information regarding swimming pool fences, nonconforming fences and the intersection sight visibility triangle to reflect other sections of the Land Development Code; and

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

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

Section 1. That Section 110-446 (Applicability of Division) of Division 3 (Landscape Fences, Gates, Hedges and Walls) of Article VI (Supplementary District Regulations) of Chapter 110 (Zoning) of the Land Development Code of the City of Madeira Beach, Florida, is hereby amended to read as follows:

Sec. 110-446. - Applicability of division.

This division applies to all fences, hedges, and walls that are not specifically exempted from this division. This division does not apply to seawalls (see [chapter 14](#), article V of this Code for regulations on seawalls).

(1) *Definitions.* The following terms and phrases used in this division have the following meanings.

Building line means the line established by the setback required by the zoning district in which the lot is located, beyond which a building must not extend, ~~excepter~~ as specifically provided by this Code or approved variance from this Code. If the furthest vertical structural member of the primary structure on the subject property, or the abutting neighbor's shared property line to the proposed fence extends further than the established setback required by the zoning district, then that furthest vertical structural member shall apply as the building line.

Chain-link fence means an open fence consisting of a woven mesh of thick steel wire having a uniform diamond-shaped pattern.

Grade means a reference plane representing the average of finished ground level along the exterior edge of the fence, hedge, or wall.

Hedge 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.

Picket fence means an open fence consisting of pickets or pales attached to horizontal stringers between upright posts.

Post means a sturdy vertical component placed into the ground to support a fence. Posts for residential use cannot be greater than five inches wide and posts for non-residential uses cannot be greater than eight inches wide. Posts may extend three inches above the restricted fence height.

Sand fence means an artificial barrier of evenly spaced wooden slats or synthetic fabric erected perpendicular to the prevailing wind and supported by posts.

Wall means a non-bearing landscape wall.

(2) *Building permits required.* All fences and walls except temporary construction fencing must comply with established building permit procedures.

(3) *Design.* All fences and walls on each property must have reasonably complementary or uniform design and materials.

(4) *Openings.* Openings in any fence must not allow passage of a four-inch diameter (102 mm) sphere unless spacing is greater than 12 inches for decorative fences not required by Florida Building Code.

(45) *Open fences.* When a fence is required to be open, the following criteria must be met. Open fences must have openings between vertical or horizontal members shall not be less than three inches and no greater than four inches between vertical and horizontal members. Horizontal members, other than the top and bottom horizontal members which cannot be greater than six inches wide, cannot be greater than two and one-half inches in width. Vertical members, other than posts which cannot be greater than six inches wide, cannot be greater than three and one-half inches wide. Openings in any fence must not allow passage of a four-inch diameter (102 mm) sphere. Permitted open fences include chain-link and picket fences.

- (~~56~~) *Materials*. Fences and walls must be constructed of traditional building materials including brick, stone, stucco over concrete block, finished concrete, metal, vinyl, wood (natural, stained, or painted), and composite products manufactured specifically for fences and walls. Non-traditional materials, such as tires, mufflers, hubcaps, etc. are prohibited. Chain-link and other wire fences are not permitted in front yards.
- (~~67~~) *Finished sides*. Fences and walls must be constructed to present a finished side to all adjoining lots and abutting rights-of-way.
- (~~78~~) *Maintenance*. After construction, fences and walls must be maintained with original components and remain substantially vertical to serve their function and aesthetic purposes. Structural integrity must be maintained to prevent a danger of destruction or flight during high winds. Hedges must be maintained at or below the maximum height permitted.
- (~~89~~) *Dangerous structures*. Barbed wire, spire tips, sharp objects, or electrically charged fences or walls are prohibited.

Section 2. That Section 110-447 (Location and Height of Fences, Hedges and Walls) of Division 3 (Landscape Fences, Gates, Hedges and Walls) of Article VI (Supplementary District Regulations) of Chapter 110 (Zoning) of the Land Development Code of the City of Madeira Beach, Florida, is hereby amended to read as follows:

Sec. 110-447. - Location and height of fences, hedges, and walls.

- (a) *Setbacks*. Except as otherwise permitted or required by this Code, fences and walls are prohibited:
- (1) Within any right-of-way or street easement, or closer than three feet to any sidewalk or bike path,
 - (2) Closer to the Gulf of Mexico than the County Coastal Construction Control Line,
 - (3) Closer to the Gulf of Mexico than 18 feet landward of an existing seawall,
 - (4) Closer than five feet to the mean high-water line along waterbodies, including canals, except a fence or wall may be permitted immediately landward of, or on top of, an existing seawall.

(5) Within the intersection visibility triangle as specified in [Sec. 110-423](#) unless three feet in height or less

(b) *Height.* Height is measured from the average grade elevation ~~along the entire length of the fence, hedge, or wall.~~

- (1) *Front yards.* ~~From the required front building line to the right-of-way~~, all walls, solid fences, and hedges ~~located in front yards~~ must not exceed three feet. Open fences, must not exceed four feet. Chain-link and other wire fences are not permitted in front yards.
- (2) *Side yards.* ~~From the required front building line to the required rear building line~~, all fences, hedges, and walls ~~located in side yards~~ must not exceed six feet.
- (3) *Rear yards facing water.* ~~From the required rear building line to the rear property line, a~~All walls and solid fences ~~located in rear yards~~ abutting or facing waterbodies must not exceed three feet, ~~except fences up to six feet are permitted adjacent to sewage lift stations and along property lines adjacent to parking associated with nonresidential uses.~~ Open fences must not exceed four feet. Fences up to six feet are permitted adjacent to sewage lift stations, city pocket parks, and along residential property lines that are adjacent to commercial uses. When deemed necessary by the permitting authority to ensure life-safety and security however, a six-foot high solid or open fencing may be allowed or required in the site plan review process for commercial and institutional uses. In rear yards facing the Gulf of Mexico, open and sand fences must not exceed four feet and fencing that is wrought iron in appearance must not exceed six feet.
- (4) *Sand fences.* Sand fences may be approved by temporary permits and must be removed when the director determines that sea oats have established a permanent vegetative screen. Permitted sand fences must be accompanied by no less than three rows of one-gallon container sea oats planted seaward of and along the entire length of the sand fence. Each sea oat planting must be no more than 12 inches apart, on-center, and rows separated by no more than 12 inches.
- (5) *Rear yards not facing water.* ~~From the required rear building line to the rear property line, a~~All fences and walls ~~located in rear yards~~ not abutting or facing waterbodies must not exceed six feet.

(c) Swimming pool fence:

- (1) Every outdoor swimming pool, outdoor spa and outdoor permanent wading pool shall be completely surrounded by an appropriate fence not less than four feet in height for all pools, commercial and residential. A building, existing wall or screen enclosure may be used as a part of such enclosure.

(2) For rear yards facing an open water body with a swimming pool, the required swimming pool fence must be four feet in height and must, at a minimum, have the highest foot of the fence constructed as an open fence in compliance with Sec. 110-446(5) (i.e. three-foot solid fence with one-foot lattice)

(3) All gates or doors opening through such enclosure shall be of self-closing and self-latching construction and shall be designed to permit locking. The releasing device for the latch shall be located no less than 54 inches from the bottom of the gate, the device release mechanism may be located on either side of the gate and so placed that it cannot be reached by a young child over the top or through any opening or gap from the outside.

Section 3. That Section 110-449 (Nonconformities) shall be added to Division 3 (Landscape Fences, Gates, Hedges and Walls) of Article VI (Supplementary District Regulations) of Chapter 110 (Zoning) of the Land Development Code of the City of Madeira Beach, Florida, and shall read as follows:

Sec. 110-449. – Nonconformities.

Any legally nonconforming fences, gates, hedges, or walls must be brought into conformance once any maintenance requiring a permit on the fence, gate or wall is done.

Section 4. 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 5. Ordinances or parts of ordinances in conflict herewith to the extent that such conflict exists are hereby repealed.

Section 6. 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 7. The Codifier shall codify the substantive amendments to the Land Development Code of the City of Madeira Beach contained in Sections 1 through 3 of this Ordinance as provided for therein and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 8. Pursuant to Florida Statutes §166.041(4), this Ordinance shall take effect immediately upon adoption.

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

James "Jim" Rostek, Mayor

ATTEST:

Clara VanBlargan, MMC, MSM, City Clerk

APPROVED AS TO FORM:

Thomas J. Trask, City Attorney

PASSED ON FIRST READING: _____

PUBLISHED: _____

PASSED ON SECOND READING: _____



Memorandum

Meeting Details: May 22, 2024 – Planning Commission Meeting
Prepared For: Planning Commission
Staff Contact: Madeira Beach Community Development Department
Subject: John's Pass Village Activity Center Zoning Workshop

Background

The City of Madeira Beach Board of Commissioners adopted Ordinance 2023-01 (John's Pass Village Activity Center Plan) and Ordinance 2023-02 (Amending FLUM to add John's Pass Village Activity Center) on March 13, 2024. These ordinances updated the Madeira Beach Comprehensive Plan and Future Land Use Map. Ordinance 2023-01 and Ordinance 2023-02 did not change the Land Development Regulations (LDRs) in the Madeira Beach Code of Ordinances or amend the Madeira Beach Zoning Map. The Madeira Beach Code of Ordinances LDRs and Madeira Beach Zoning Map must be amended within one (1) year of the adoption of the John's Pass Village (JPV) Activity Center Plan and amendment to the City's Future Land Use Map.

Discussion

The City of Madeira Beach Community Development Department held three JPV Zoning Public Workshops on April 13th, April 18th, and April 20th. City staff presented each character district to explain the characteristics, existing structures, and current zoning requirements. Participants were broken up into groups, each group discussed potential zoning requirements and important features around each character district. In general participants preferred the following concepts:

- Protect the existing built environment and characteristics of JPV and nearby neighborhoods.
- Maintain height limits similar to existing built structures, but do not increase height limits to be as high as previously approved Planned Developments or variances.

- Focus on pedestrian friendly designs that enhance walkability.

Attached to this memo is a summary document of what feedback we received from the groups at the zoning workshop.

Based on feedback from these workshops, we developed a rough draft of the land development regulations (LDRs) for the John's Pass Village Activity Center Plan (JPV). The LDRs for the JPV will be located in an appendix of the Madeira Beach Code of Ordinances. A map showing each Character District will be included in the appendix. Each Character District will have standards and regulations related to principle uses, accessory uses, setbacks, height, densities/intensities, impervious surface ratio, and design guidelines. The various standards and regulations will each have their own section within the appendix.

Fiscal Impact

N/A

Recommendation(s)

Staff would like to hear input from the Planning Commission on any additional suggestions that could be included in the draft LDRs for the JPV.

Attachments/Corresponding Documents

John's Pass Village Activity Center LDRs Draft

John's Pass Village Zoning Summary Workshop Worksheet

Existing Zoning for John's Pass Village Activity Center Map

John's Pass Village Activity Center Character District Map

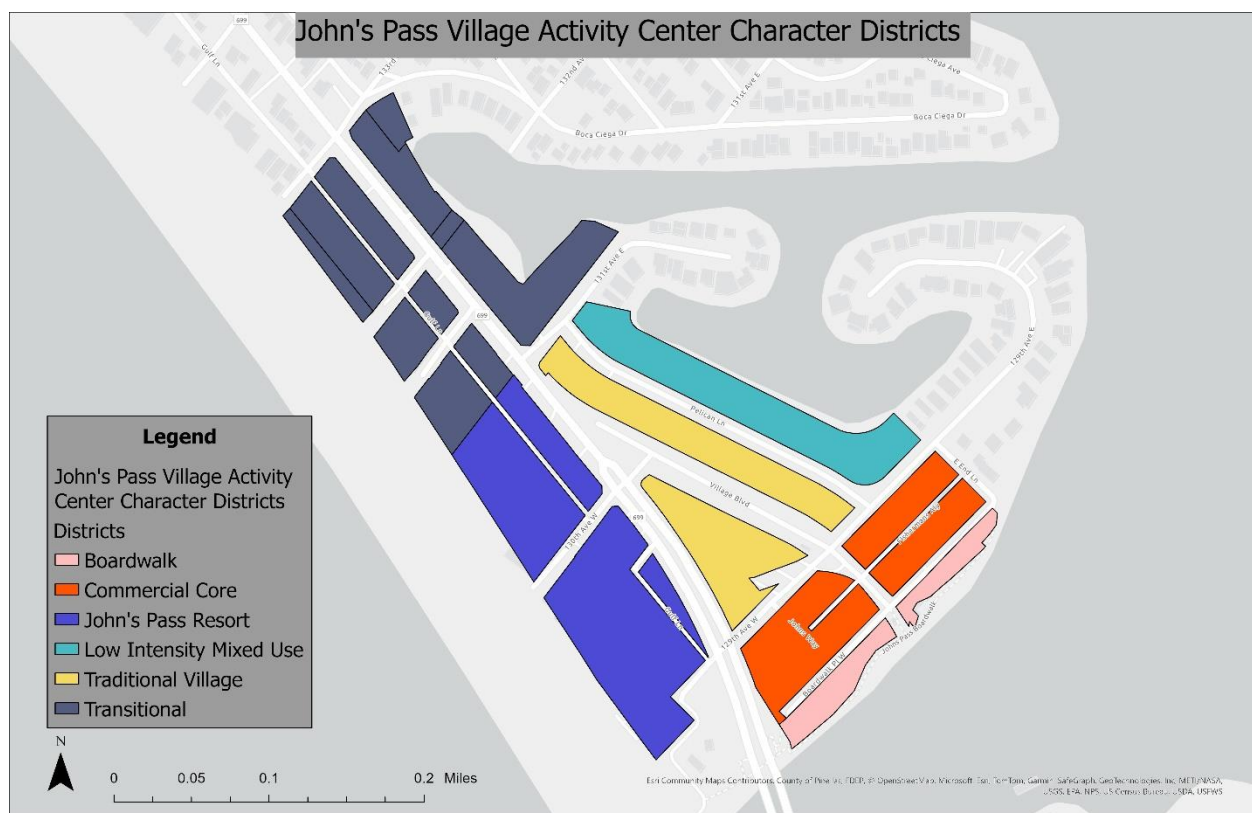
Appendix D -John's Pass Village District Development Standards

Division 1. General Provisions

Section D-101. – Intent and Purpose.

Section D-102. – Relation to the Comprehensive Plan, Zoning District, and Character Districts.

Figure 1. Character Districts



Section D-103. – Principal Uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses in the John's Pass Village District are as follows:

- 1) Boardwalk:
 - a. Personal service, office, and office support, excluding drive-through windows.
 - b. Retail commercial, business service, and commercial, excluding drive-through windows.

- c. Restaurants, excluding drive-through windows.
 - d. Commercial recreation.
 - e. Commercial fishing activities and working waterfront.
 - f. Charter and party boat operations.
- 2) Commercial Core:
- a. Residential and vacation rental located above first floor commercial use.
 - b. Temporary lodging located above first floor commercial use.
 - c. Personal service, office, and office support, excluding drive-through windows.
 - d. Retail commercial, business service, and commercial, excluding drive-through windows.
 - e. Restaurants, excluding drive-through windows.
 - f. Commercial recreation.
- 3) John's Pass Resort:
- a. Residential and vacation rental
 - b. Temporary lodging.
 - c. Publicly owned or operated parks and recreation areas.
 - d. Institutional.
- 4) Low Intensity Mixed Use:
- a. Residential and vacation rental
 - b. Temporary lodging.
 - c. Publicly owned or operated parks and recreation areas.
 - d. Institutional.
- 5) Traditional Village:
- a. Residential and vacation rental located above first floor commercial use.
 - b. Temporary lodging located above first floor commercial use.
 - c. Personal service, office, and office support, excluding drive-through windows.
 - d. Retail commercial, business service, and commercial, excluding drive-through windows.
 - e. Restaurants, excluding drive-through windows.
 - f. Commercial recreation.
- 6) Transitional:
- a. Residential and vacation rental
 - b. Temporary lodging.
 - c. Publicly owned or operated parks and recreation areas.
 - d. Institutional.
 - e. Retail commercial, personal service, business service, and restaurants only on the east side of Gulf Boulevard.

Section D-104. – Accessory uses.

The accessory uses in the John's Pass Village District are as follows:

- 1) Boardwalk:
 - a. Off-street parking
 - b. Nonresidential signs.
 - c. Essential services.
 - d. Other customary accessory uses ancillary to the principal uses.
- 2) Commercial Core:
 - a. Swimming pools or cabanas used as bath houses.
 - b. Essential services.
 - c. Nonresidential signs.
 - d. Off-street parking and loading.
- 3) John's Pass Resort:
 - a. Restaurants, excluding drive-through windows.
 - b. Retail commercial and business service, excluding drive-through windows.
 - c. Swimming pools or cabanas used as bath houses.
 - d. Home occupation.
 - e. Private garages and carports.
- 4) Low Intensity Mixed Use:
 - a. Swimming pools or cabanas used as bath houses.
 - b. Home occupation.
 - c. Private garages and carports.
- 5) Traditional Village:
 - a. Swimming pools or cabanas used as bath houses.
 - b. Essential services.
 - c. Nonresidential signs.
 - d. Off-street parking and loading.
- 6) Transitional:
 - a. East side of Gulf Boulevard
 - i. Restaurants, excluding drive-through windows.
 - ii. Retail commercial and business service, excluding drive-through windows.
 - iii. Off-street parking and loading/unloading
 - iv. Boat slips associated with a permitted business use, not for rental or commercial marine activities
 - v. Other accessory uses customarily permitted.
 - b. West side of Gulf Boulevard
 - i. Swimming pools or cabanas used as bath houses.
 - ii. Home occupation.

- iii. Private garages and carports, only allowed on the west side of Gulf Boulevard.
- iv. Other accessory uses customarily permitted.
- v. Retail commercial, personal service, business service, and restaurants excluding drive-through windows only on the east side of Gulf Boulevard.

Section D-105.- Special exception uses.

Upon application for a special exception to the special magistrate and favorable action thereon, the following uses may be permitted in the John's Pass Village District:

- 1) Boardwalk:
 - a. Exhibition of reptiles by permit.
 - b. Open rooftop use.
- 2) Commercial Core:
 - a. Exhibition of reptiles by permit.
 - b. Private social, recreational or fraternal clubs and organizations.
 - c. Publicly owned or operated parks or recreation areas.
 - d. Stand-alone parking lots and parking garages as a principal use.
 - e. Open rooftop use.
- 3) John's Pass Resort:
 - a. Retail commercial, restaurant, and personal service uses as a stand-alone use. Stand-alone commercial by special exception use can only front Gulf Boulevard.
 - b. Public service facilities.
 - c. Commercial recreation.
 - d. Open rooftop use.
- 4) Low Intensity Mixed Use:
 - a. Restaurants, excluding drive-through windows.
 - b. Retail commercial and business service, excluding drive-through windows.
 - c. Commercial recreation.
 - d. Open rooftop use.
- 5) Traditional Village:
 - a. Exhibition of reptiles by permit.
 - b. Private social, recreational or fraternal clubs and organizations.
 - c. Publicly owned or operated parks or recreation areas.
 - d. Stand-alone parking lots and parking garages as a principal use.
 - e. Open rooftop use.
- 6) Transitional:

- a. Retail commercial, restaurant, and personal service uses as a stand-alone use. Stand-alone commercial uses by special exception use can only front Gulf Boulevard.
- b. Public service facilities.
- c. Commercial recreation.
- d. Open rooftop use.
- e. Outdoor storage areas, provided that the outdoor storage use is an accessory use, does not exceed 20 percent of the area of the building which is principal use on the site, and can only be on the east side of Gulf Boulevard.

Section D-106. -Building site area requirements.

The minimum building site area requirements are as follows:

- 1) Boardwalk:
 - a. Lot width: 40 feet.
 - b. Lot depth: 50 feet
- 2) Commercial Core:
 - a. Lot width: 40 feet.
 - b. Lot depth: 80 feet.
- 3) John's Pass Resort:
 - a. Single-family, duplex, triplex: 40 feet in lot width
 - b. Multifamily and temporary lodging: 60 feet in lot width
 - c. Stand-alone commercial: 60 feet in lot width
- 4) Low Intensity Mixed Use:
 - a. Single-family, duplex, triplex: 40 feet in lot width
 - b. Multifamily and temporary lodging: 60 feet in lot width
- 5) Traditional Village:
 - a. Lot width: 40 feet.
 - b. Lot depth: 75 feet.
- 6) Transitional:
 - a. Single-family, duplex, triplex: 40 feet in lot width
 - b. Multifamily and temporary lodging: 60 feet in lot width
 - c. Stand-alone commercial: 60 feet in lot width
 - d. Public service facilities: shall not exceed a maximum of five acres. Like uses or contiguous like uses in excess of this threshold shall require the parcel to be amended to the P-SP zoning district and the appropriate land use category.

Section D-107. – Setback requirements.

The following minimum and maximum setbacks shall apply in the John's Pass Village District:

- 1) Boardwalk:
 - a. Front yard (Boardwalk Place): 10 feet.
 - b. Side yard:
 - i. Lots equal to or less than 60 feet wide: 0 feet.
 - ii. Lots greater than 60 feet wide: 5 foot setback on one side.
 - c. Rear yard or waterfront yard: no setback, however access to the "tie-backs" supporting seawalls must be provided for maintenance.
 - d. For multiple story buildings, a ten-foot minimum step back behind the front facade of the building shall be required for stories above the second story for portions of a building facing or bordering a public right-of-way.

- 2) Commercial Core:
 - a. Front yard:
 - i. Buildings one story high: 0 feet minimum to 10 feet maximum.
 - ii. Buildings two or more stories high: 10-foot setback with either a structured arcade/ covered walkway allowed in the setback or awning over the 10-foot setback. The second floor and above may have a structured porch within the setback.
 - iii. Awnings may protrude into the public right-of-way a maximum of 4 feet, with the liability and maintenance on the property owner.
 - b. Side yard:
 - i. Lots less than 100 feet wide: none
 - ii. Lots 100 feet wide or greater: 10 feet on one side.
 - iii. For corner lots with a side yard along a street, the side setback along the street must be 10 feet.
 - c. Rear yard: 20 feet.
 - d. For multiple story buildings, a ten-foot minimum step back behind the primary facade of the building shall be required for stories above the second floor for portions of a building facing or bordering a public right-of-way.

- 3) John's Pass Resort:
 - a. Front yard:
 - i. Single-family, duplex, and triplex: 20 feet.
 - ii. Multifamily and temporary lodging: 25 feet.
 - b. Rear yard:

- i. The rear setback for lots less than 100 feet long is 18 feet.
 - ii. The rear setback for lots more than 100 feet long is 25 feet.
- c. Waterfront rear yard: For lots on the Gulf of Mexico, the setback shall be landward of the county coastal control line.
- d. Side yard:
 - i. Single-family, duplex, and triplex:
 - 1) Lots less than 50 feet in width, the minimum side yard setback is five feet.
 - 2) Lots 51 feet or greater in width, the minimum total side yard setback is 15 feet with a minimum of 7 feet on either side.
 - ii. Multifamily, temporary lodging, and retail commercial:
 - 1) The minimum side yard setback is ten feet for lots less than 120 feet wide.
 - 2) For lots between 120 to 240 feet wide, the minimum side yard setback is 15 feet.
 - 3) For lots wider than 240 feet, the minimum side yard setback is 20 feet.
- e. For multiple floor buildings, a ten-foot minimum step back behind the primary facade of the building shall be required for floors above the third floor for portions of a building facing or bordering a public right-of-way.
- 4) Low Intensity Mixed Use:
 - a. Front yard: 20 feet.
 - b. Rear yard: 18 feet.
 - c. Side yard:
 - i. Lots equal to or less than 50 feet wide: 5 feet on each side.
 - ii. Lots greater than 50 feet wide: 10 feet on each side.
 - d. For multiple story buildings, a ten-foot minimum step back behind the primary facade of the building shall be required for floors above the third floor for portions of a building facing or bordering a public right-of-way.
- 5) Traditional Village:
 - a. Front yard: 0 feet minimum to 10 feet maximum.
 - b. Rear yard: 10 feet.
 - c. Side yard:
 - i. 0 feet.
 - ii. For lots with a side yard along a street, the side setback must be 10 feet along a street.
 - d. For multiple story buildings, a ten-foot minimum step back behind the primary facade of the building shall be required for stories above the second story for portions of a building facing or bordering a public right-of-way. Open access and use may be within this setback.

- e. Awnings may protrude in the public right-of-way a maximum of 4 feet.
- 6) Transitional:
 - a. Front yard:
 - i. Single-family, duplex, and triplex: 20 feet.
 - ii. Multifamily, temporary lodging, and commercial: 20 feet.
 - b. Rear yard:
 - i. Lots equal to or shorter than 100 feet in length: 18 feet.
 - ii. Lots greater than 100 feet in length: 25 feet.
 - iii. Waterfront lots on the Gulf of Mexico: landward of the county coastal control line (CCCL).
 - c. Side yard:
 - iii. Single-family, duplex, and triplex:
 - 1) Lots less than 50 feet in width, the minimum side yard setback is five feet.
 - 2) Lots 51 feet or greater in width, the minimum total side yard setback is 15 feet with a minimum of 7 feet on either side.
 - iv. Multifamily, temporary lodging, and retail commercial:
 - 1) The minimum side yard setback is ten feet for lots less than 120 feet wide.
 - 2) For lots wider than 120 feet but less than 240 feet, the minimum side yard setback is 15 feet.
 - 3) For lots wider than 240 feet, the minimum side yard setback is 20 feet.
 - d. For multiple story buildings, a ten-foot minimum step back behind the primary facade of the building shall be required for floors above the third floor for portions of a building facing or bordering a public right-of-way.

Section D-108. – Residential, vacation rental, and temporary lodging use density.

The following maximum densities are measured in units per acre and must also fall within the floor area ratio maximums allowed (Section D-109). If using the alternative temporary lodging use standards see Section D-110.

- 1) Boardwalk:
 - a. Residential and vacation rental: 0 units per acre.
 - b. Temporary lodging: 0 units per acre.
- 2) Commercial Core:
 - a. Residential and vacation rental: 15 units per acre.
 - b. Temporary lodging: 60 units per acre.
 - c. Alternative temporary lodging use standards:
 - i. Lot area is less than one acre: 75 units per acre.
 - ii. Lot area is more than one acre: 87 units per acre.

- 3) John's Pass Resort:
 - a. Residential and vacation rental: 18 units per acre.
 - b. Temporary lodging: 60 units per acre.
 - c. Alternative temporary lodging use standards: 75 units per acre.
- 4) Low Intensity Mixed Use:
 - a. Residential and vacation rental: 18 units per acre.
 - b. Temporary lodging: 40 units per acre.
 - c. Alternative temporary lodging use standards: 60 units per acre.
- 5) Traditional Village:
 - a. Residential and vacation rental: 15 units per acre.
 - b. Temporary lodging: 45 units per acre.
- 6) Transitional:
 - a. Residential and vacation rental: 18 units per acre.
 - b. Temporary lodging: 50 units per acre.
 - c. Alternative temporary lodging use standards: 75 units per acre.

Figure xx. Maximum Residential Density

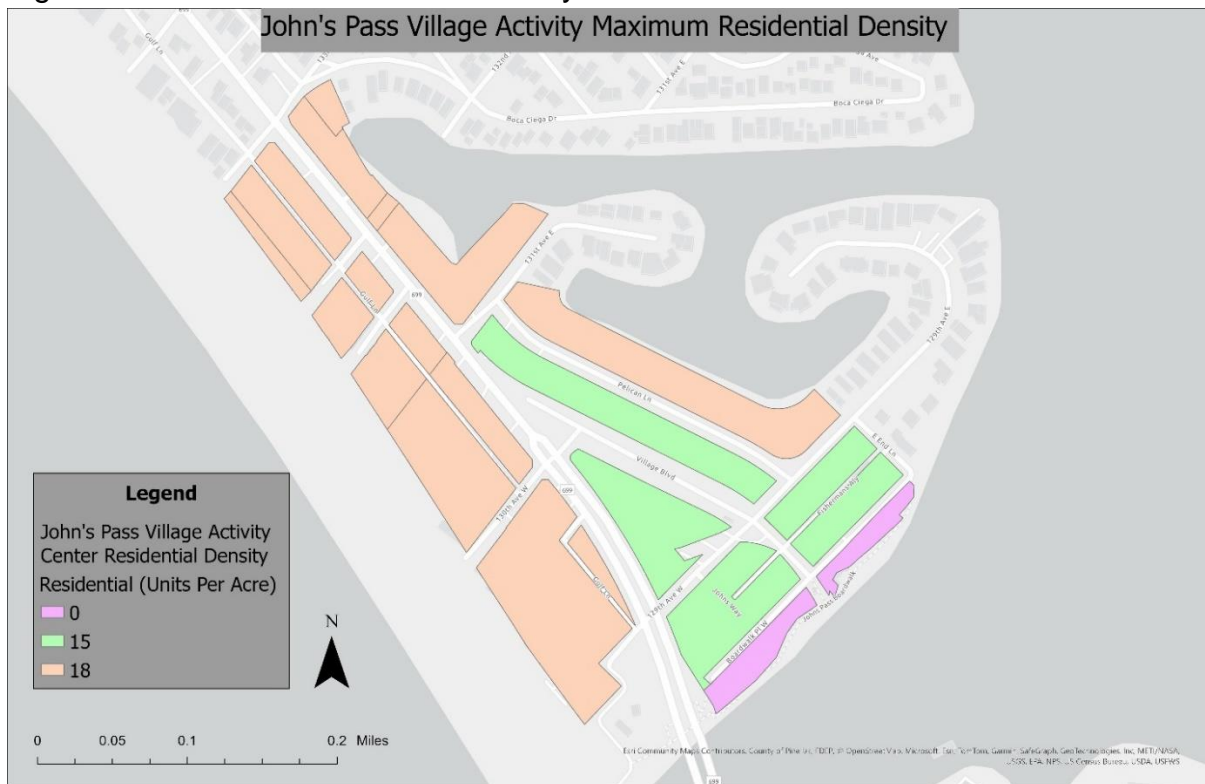
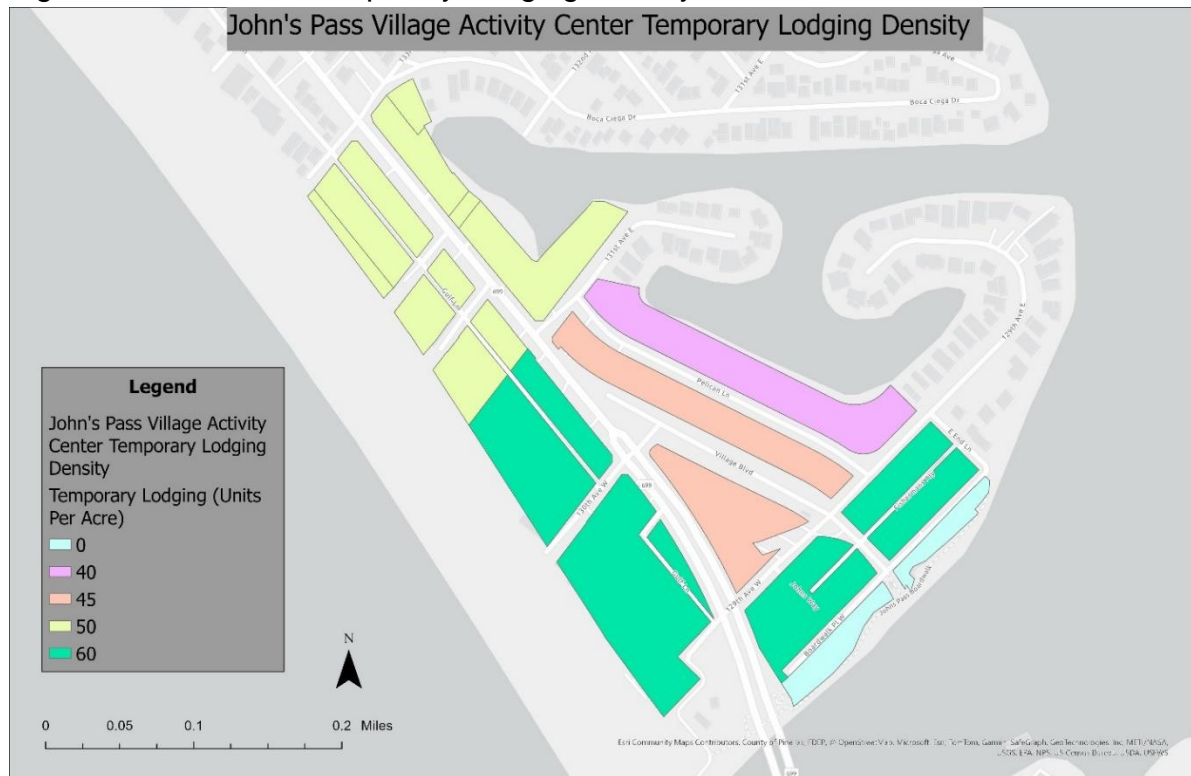


Figure xx. Maximum Temporary Lodging Density



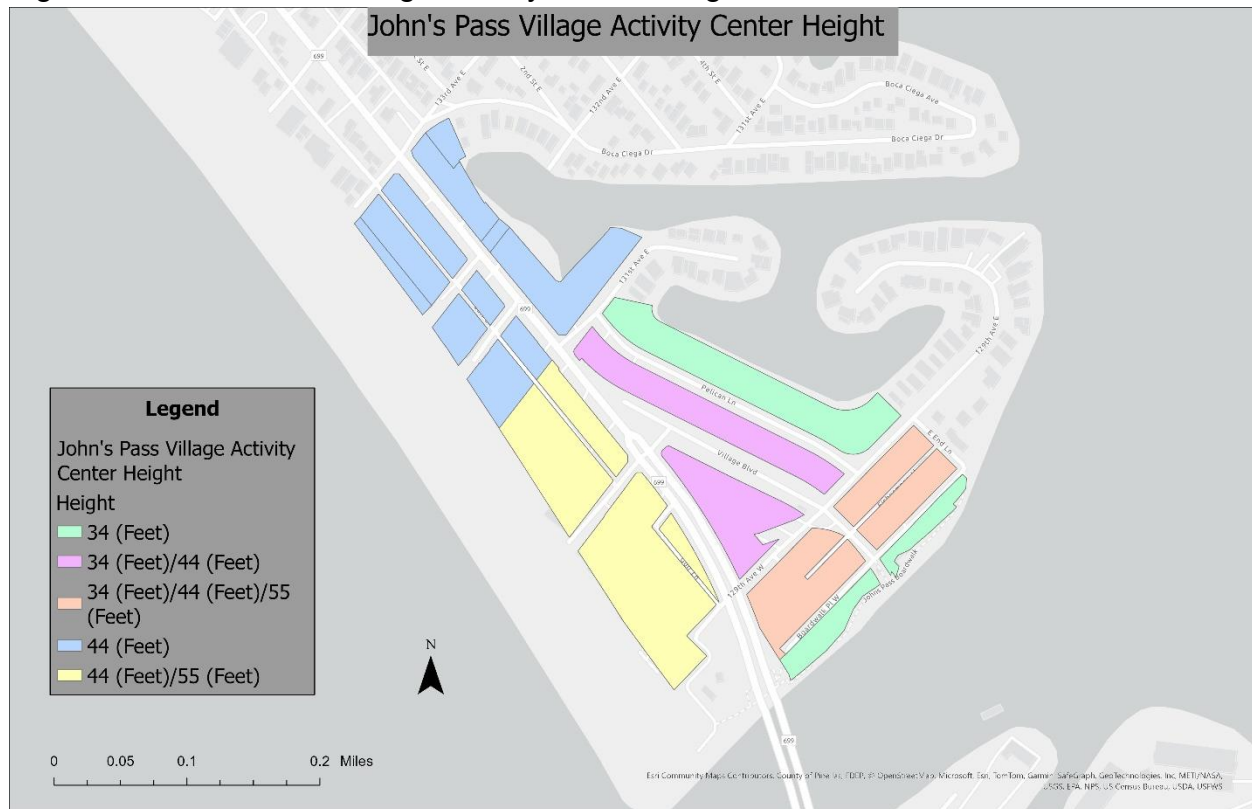
Section D-109. – Maximum building height.

The following maximum building heights are measured from Design Flood Elevation in the John's Pass Village District to the eave line of the building:

- 7) Boardwalk: 34 feet
- 8) Commercial Core:
 - a. Lots equal to or less than $\frac{1}{4}$ acre in size: 34 feet.
 - b. Lots between $\frac{1}{4}$ to $\frac{1}{2}$ acre in size: 44 feet.
 - c. Lots equal to or larger than $\frac{1}{2}$ acre in size: 55 feet.
- 9) John's Pass Resort:
 - a. Lots equal to or less than $\frac{1}{2}$ acre in size: 44 feet.
 - b. Lots greater than $\frac{1}{2}$ acre in size: 55 feet.
- 10) Low Intensity Mixed Use: 34 feet.
- 11) Traditional Village:
 - a. Lots equal to or less than $\frac{1}{2}$ acre: 34 feet.
 - b. Lots greater than $\frac{1}{2}$ acre : 44 feet.
- 12) Transitional: 44 feet

* Structures permanently affixed to the roof that accommodate rooftop occupancy shall only be permitted if within the maximum allowable height. Permitted exception to height regulations. Chimneys, cooling towers, elevators, bulkheads, fire towers, stairways, protective railings, gas tanks, steeples, water towers, ornamental towers or spires, amateur radio towers or necessary mechanical appurtenances, may be erected as to their height in accordance with existing or hereafter adopted ordinances of the municipality, provided no tower other than a church spire or such noncommunication tower of a public building shall exceed 20 feet above the maximum allowable building height limit or 20 feet above the main building roof if the roof is below the maximum allowable building height.

Figure xx. John's Pass Village Activity Center Height Limits



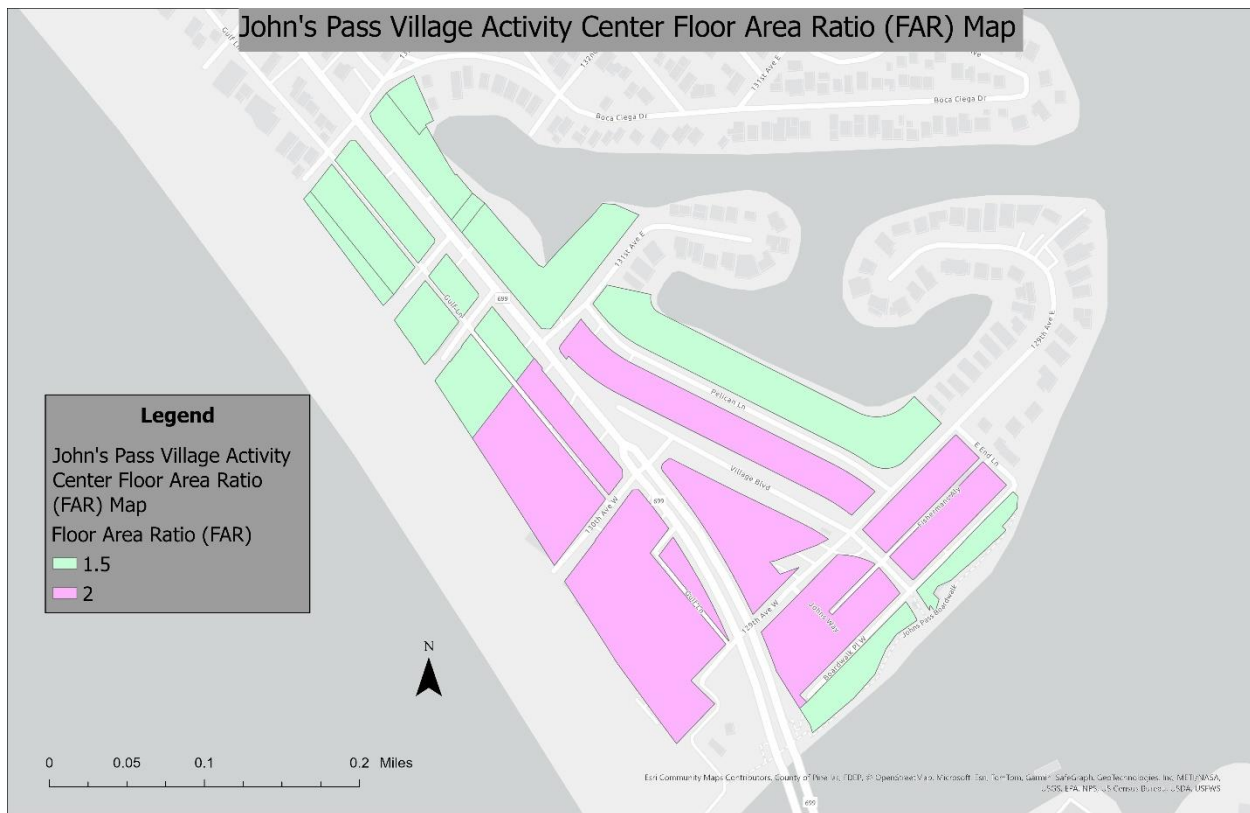
Section D-110. – Maximum floor area ratio.

Floor area ratio (FAR) is all-inclusive of residential, temporary lodging, and commercial uses in the John's Pass Village Activity Center. If using the alternative temporary lodging use standards see Section D-112.

- 1) Boardwalk: 1.5 FAR

- 2) Commercial Core: 2.0 FAR
- 3) John's Pass Resort: 2.0 FAR
- 4) Low Intensity Mixed Use: 1.5 FAR
- 5) Traditional Village: 2.0 FAR
- 6) Transitional: 1.5 FAR

Figure xx. John's Pass Village Activity Center Floor Area Ratio (FAR) Map



Section D-111. – Impervious surface ratio (ISR).

- 1) Boardwalk: 0.85
- 2) Commercial Core: 0.85
- 3) John's Pass Resort: 0.85
- 4) Low Intensity Mixed Use: 0.85
- 5) Traditional Village: 0.85
- 6) Transitional: 0.85

Section D-112. – Alternative Temporary Lodging Use Standards.

The following maximum densities are measured in units per acre and must also fall within the floor area ratio maximums allowed. A development agreement is required by the City's land development regulations and Forward Pinellas' Countywide Rules to use the Alternative Temporary Lodging Use Standards. The development agreement must

follow all the requirements in Forward Pinellas' Countywide Rules to use the Alternative Temporary Lodging Use Standard.

- 1) Boardwalk: not available.
- 2) Commercial Core:
 - a. Temporary Lodging Density:
 - i. Lot area less than one acre: 75 units per acre.
 - ii. Lot area more than one acre: 87 units per acre.
 - b. Intensity:
 - i. Lot area less than one acre: 2.2 FAR
 - ii. Lot area one acre or larger: 3.0 FAR
- 3) John's Pass Resort:
 - a. Temporary Lodging Density: 75 units per acre.
 - b. Intensity:
 - i. Lot area less than one acre: 2.2 FAR
 - ii. Lot area one acre or larger: 2.5 FAR
- 4) Low Intensity Mixed Use:
 - a. Temporary Lodging Density: 60 units per acre.
 - b. Intensity: 2.0 FAR
- 5) Traditional Village: not available.
- 6) Transitional:
 - a. Temporary Lodging Density: 75 units per acre.
 - b. Intensity: 2.0 FAR

Figure xx. John's Pass Village Activity Center Alternative Temporary Lodging Use Standards Density Map

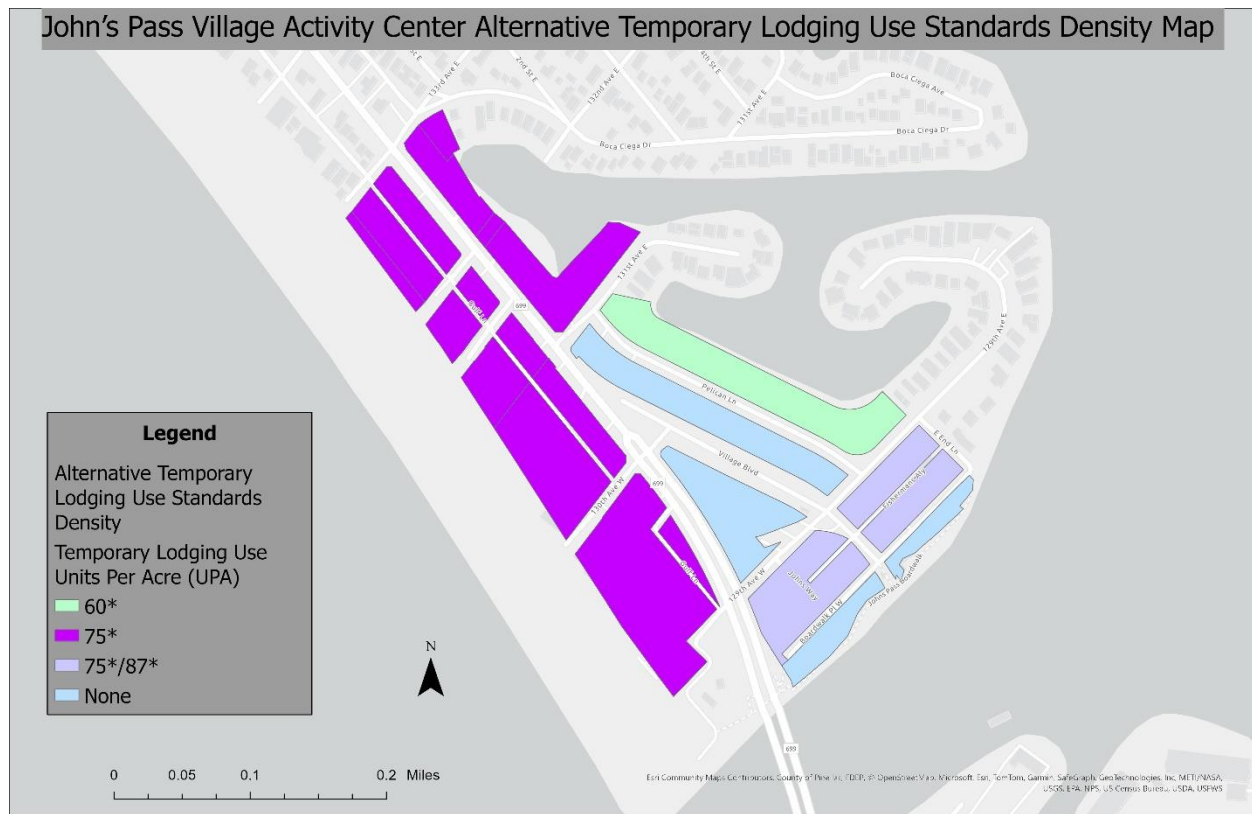
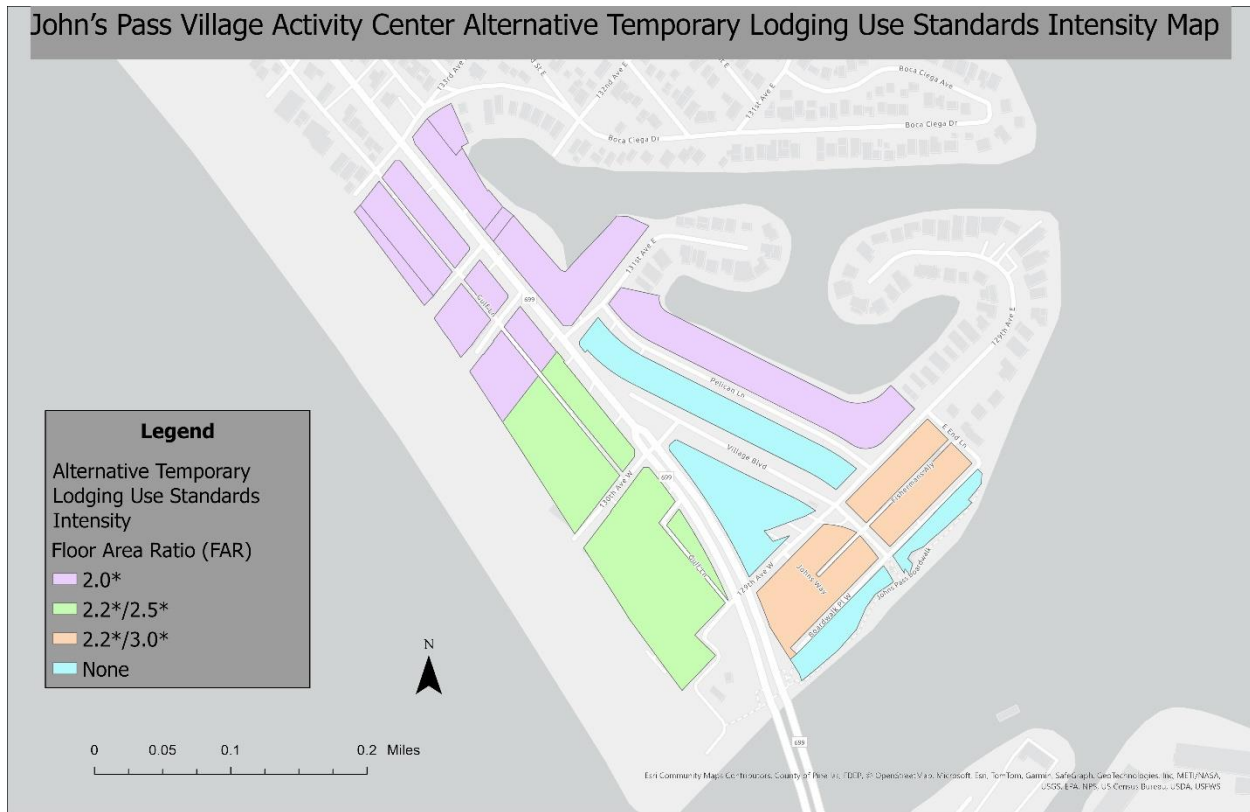


Figure xx. John's Pass Village Activity Center Alternative Temporary Lodging Use Standards Intensity Map



Section D-113. – Design Standards and Guidelines.

The following design standards and guidelines are only applicable to the Boardwalk, Commercial Core, and Traditional Village districts. Single family and duplex buildings are exempt from the following standards and guidelines. Guidelines are recommended while standards are required.

Building Facades: New and remodeled facades should conform to the general historical old Floridian fishing village architectural style of John's Pass Village. Decorative elements such as cornices, dormers and belt courses should be used to give scale and interest to the facades, to help define the building elements (base, middle, and top), and to create three-dimensional richness to the facades.

Facade rhythms. The building facades should incorporate multiple rhythms or cadences (rather than a single repetitive rhythm) that is reflective of the pattern found in the area. This is accomplished with a rich variety of surface treatments such as architectural features, large storefront windows and door frames, projecting bay window displays, canopies above the door, awnings, etc. Individual storefront facades should be narrow and change often to add richness to the sidewalk, street, and neighborhood. The preferred width of the storefront is approximately 40 feet, and should have a maximum width of 100 feet;

Corner treatment. In cases where buildings are on a corner special treatment is encouraged for the buildings at these locations. This includes such things as rounded or cut corners, articulated corner entrances, accented display windows, special corner roof features, etc.

1) Design Standards:

- a. Any new mechanical units, including heating, ventilation and air conditioning equipment (HVAC) and exhaust and supply fans, shall be located in a visually inconspicuous area of a building, such as shielded on the roof, and not visible or shielded from public right-of-way.
- b. Structured parking facades must blend into the built environment with a visual appearance from the public right-of-way as an occupied building.
- c. Electric, gas service, public utility meters, and associated services that are visible from the public right-of-way shall be located in the most inconspicuous location on a building, if the services must be located in a prominent visual location, screening with an enclosure may be required or painted to match the predominant façade color.
- d. Window and door shutters must be appropriate for the size of window or door.
- e. Awnings may overhang the sidewalks in Traditional Village and Commercial Core districts (awnings shall be below 14 feet in height, not less than eight feet above the sidewalk and project a maximum of four feet into the public right-of-way and cannot project into the curb). Internally lit or plastic awnings are not permitted. All awnings shall comply with city codes.
- f. Satellite antennas:
- g. Dumpster enclosures shall be located in a visually inconspicuous area of a building and shielded from public right-of-way

2) Design Guidelines:

- a. Materials guidelines:
 - i. Wood siding may have an unfinished or painted appearance.
 - ii. Synthetic siding should have a clapboard appearance.
 - iii. Brick and stone should remain unpainted.
 - iv. Stucco should cover over any exterior CMU construction.
 - v. Roofs that are not flat should be standing seam metal.
- b. Second floor and above porches may protrude in the front setback and are encouraged to create a more pedestrian friendly environment.
- c. Exterior lighting should enhance the old Floridian fishing village aesthetic such as caged and hooded metal light fixtures.

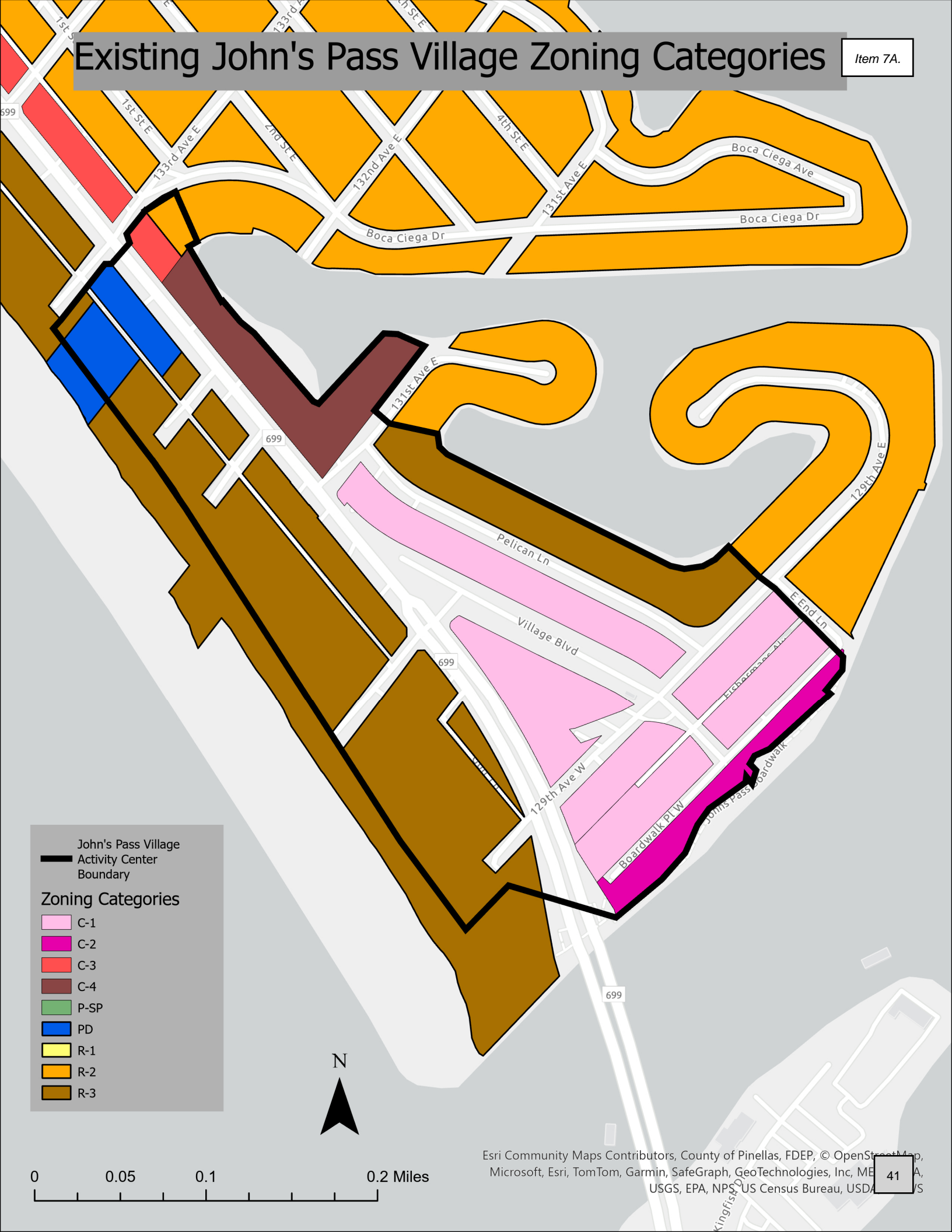
- d. Storefront designs should incorporate large storefront windows typical of a main street and blank walls and small windows are discouraged.

Boardwalk					
	Top answer voted	Second answer voted	Potential Standards		Other Comments
Height (above DFE)	37' / highest building on ground	34' / current standards	Measured DFE to eave: 34'		Design standards, pedestrian safety/sidewalks, walkability, no overhangs on boardwalk
Setback	Main street feel: 0-5 ft sideyard setbacks, 0 ft setback on the boardwalk, and varying setback on the front/road with certain cantilever exceptions		a.Front yard (Boardwalk Place): 10 feet. b.Side yard: i.Lots equal to or less than 60 feet wide: 0 feet. ii.Lots greater than 60 feet wide: 5 foot setback on one side. c.Rear yard or waterfront yard: no setback, however access to the “tie-backs” supporting seawalls must be provided for maintenance. d.For multiple story buildings, a ten-foot minimum step back behind the primary facade of the building shall be required for stories above the second story for portions of a building facing or bordering a public right-of-way.		
Commercial Core					
	Top answer voted	Second answer voted	Potential Standards		Other Comments
Height (above DFE)	55'	34' above DFE	Measured DFE to eave: Lots equal to or larger than 1/2 acre: 55', Lots between 1/4 to 1/2 acre in size: 44', Lots equal to or less than 1/4 acre 34'		Design standards, pedestrian safety/sidewalks, walkability, shade
Setback	Main street feel, similar to current C-1 setbacks, allow for 2nd floor to encroach into front 10 foot setback		a.Front yard: i.Buildings one story high: 0 feet minimum to 10 feet maximum ii.Buildings two or more stories high: 10-foot setback with either a structured arcade/ covered walkway allowed in the setback or awning over the eight-foot setback. The second floor may have a structured porch within the setback. b.Side yard: i.Lots less than 100 feet wide: none ii.Lots 100 feet wide or greater: 10 feet on one side. iii.For lots with a side yard along a street, the side setback must be 10 feet along a street. c.Rear yard: 20 feet. d.For multiple story buildings, a ten-foot minimum step back behind the primary facade of the building shall be required for stories above the second floor for portions of a building facing or bordering a public right-of-way.		
John's Pass Resort					
	Top answer voted	Second answer voted	Potential Standards		Other Comments
Height (above DFE)	51'	44'	Measured DFE to eave: Lots greater than ½ acre in size: 55', Lots equal to or less than ½ acre in size: 44'		
Setback	Maintain current setbacks		a.Front yard: i.Single-family, duplex, and triplex: 20 feet. ii.Multifamily and temporary lodging: 25 feet. b.Rear yard: i.The rear setback for lots less than 100 feet long is 18 feet. ii.The rear setback for lots more than 100 feet long is 25 feet. c.Waterfront rear yard: For lots on the Gulf of Mexico, the setback shall be landward of the county coastal control line. d.Side yard: i.Single-family, duplex, and triplex: 1)Lots less than 50 feet in width, the minimum side yard setback is five feet. 2)Lots 51 feet or greater in width, the minimum total side yard setback is 15 feet with a minimum of 7 feet on either side. ii.Multifamily, temporary lodging, and retail commercial: 1)The minimum side yard setback is ten feet for lots less than 120 feet wide. 2)For lots between 120 to 240 feet wide, the minimum side yard setback is 15 feet. 3)For lots wider than 240 feet, the minimum side yard setback is 20 feet. e.For multiple floor buildings, a ten-foot minimum step back behind the primary facade of the building shall be required for floors above the third floor for portions of a building facing or bordering a public right-of-way.		

Traditional Village					
	Top answer voted	Second answer voted	Potential Standards		Other Comments
Height (above DFE)	34'	44' for structures with parking garages	Measured DFE to eave: Lots greater than ½ acre : 44', Lots equal to or less than ½ acre: 34'		
Setback	Main street feel, similar to current C-1 setbacks		a.Front yard: 0 feet minimum to 10 feet maximum. b.Rear yard: 10 feet. c.Side yard: i.0 feet. ii.For lots with a side yard along a street, the side setback must be 10 feet along a street. d.For multiple story buildings, a ten-foot minimum step back behind the primary facade of the building shall be required for stories above the second story for portions of a building facing or bordering a public right-of-way. Open access and use may be within this setback.		Design standards, pedestrian safety/sidewalks, walkability, shade
Low-Intensity Mixed Use					
	Top answer voted	Second answer voted	Potential Standards		Other Comments
Height (above DFE)	44'	32'-34'	DFE to eave: 34'		
Setback	Maintain current setbacks		a.Front yard: 20 feet. b.Rear yard: 18 feet. c.Side yard: i.Lots equal to or less than 50 feet wide: 5 feet on each side. ii.Lots greater than 50 feet wide: 10 feet on each side. d.For multiple story buildings, a ten-foot minimum step back behind the primary facade of the building shall be required for floors above the third floor for portions of a building facing or bordering a public right-of-way.		Potentially convert Pelican Lane to one way to allow for sidewalks to be installed.
Transitional					
	Top answer voted	Second answer voted	Potential Standards		Other Comments
Height (above DFE)	44' Current Code	50'	DFE to eave: 44'		
Setback	Maintain current setbacks		a.Front yard: i.Single-family, duplex, and triplex: 20 feet. ii.Multifamily, temporary lodging, and commercial: 20 feet. b.Rear yard: i.Lots equal to or shorter than 100 feet in length: 18 feet. ii.Lots greater than 100 feet in length: 25 feet. iii.Waterfront lots on the Gulf of Mexico: landward of the county coastal control line (CCCL). c.Side yard: iii.Single-family, duplex, and triplex: 1)Lots less than 50 feet in width, the minimum side yard setback is five feet. 2)Lots 51 feet or greater in width, the minimum total side yard setback is 15 feet with a minimum of 7 feet on either side. iv.Multifamily, temporary lodging, and retail commercial: 1)The minimum side yard setback is ten feet for lots less than 120 feet wide. 2)For lots wider than 120 feet but less than 240 feet, the minimum side yard setback is 15 feet. 3)For lots wider than 240 feet, the minimum side yard setback is 20 feet. d.For multiple story buildings, a ten-foot minimum step back behind the primary facade of the building shall be required for floors above the third floor for portions of a building facing or bordering a public right-of-way.		Concerns about rooftop bars near residential properties.

Existing John's Pass Village Zoning Categories

Item 7A.



John's Pass Village
Activity Center
Boundary

Zoning Categories

- C-1
- C-2
- C-3
- C-4
- P-SP
- PD
- R-1
- R-2
- R-3

0 0.05 0.1 0.2 Miles



