

ORDINANCE 2025-09

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING SECTION 110-151 (ESTABLISHMENT OF DISTRICTS) OF CHAPTER 110 (ZONING) OF ARTICLE V. (DISTRICTS) DIVISION 1 (GENERALLY) OF THE CITY'S LAND DEVELOPMENT REGULATIONS; RENAMING THE C-1 ZONING DISTRICT TO JOHN'S PASS VILLAGE ACTIVITY CENTER; REMOVING C-2, JOHN'S PASS MARINE COMMERCIAL ZONING DISTRICT; PROVIDING FOR CONFLICT, CODIFICATION AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Madeira Beach adopted Ordinance 2024-09 to establish the C-1, John's Pass Village Activity Center Zoning District; and

WHEREAS, the City of Madeira Beach adopted Ordinance 2024-12 which deleted the C-2, John's Pass Commercial Zoning District; and

WHEREAS, Section 110-151. Establishment of districts lists the zoning districts in Madeira Beach; and

WHEREAS, City staff has recommended revising Section 110-151 to reflect the changes made by Ordinances 2024-09 and 2024-12; and

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

WHEREAS, the Planning Commission recommended approval of the proposed amendments; and

WHEREAS, the Board of Commissioners received input from the public at 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:

Section 1. That Section 110-151 of Chapter 110 (Zoning), Article V. (Districts) Division 1 (Generally) is hereby amended to read as follows:

Sec. 110-151. Establishment of districts.

For the purpose of protecting, promoting and improving the public health, safety, morals and general welfare of the community, the city is hereby divided into the following types of districts:

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

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

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 Ordinances or parts of ordinances in conflict herewith to the extent that such conflict exists are hereby repealed.

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

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

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

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY
OF MADEIRA BEACH, FLORIDA, THIS 2nd day of April, 2025.



A handwritten signature in blue ink, reading "Anne-Marie Brooks", written over a horizontal line.

Anne-Marie Brooks, Mayor

ATTEST:

A handwritten signature in blue ink, reading "Clara VanBlargan", written over a horizontal line.

Clara VanBlargan, MMC, MSM, City Clerk

APPROVED AS TO FORM:

A handwritten signature in blue ink, reading "Thomas J. Trask", written over a horizontal line.

Thomas J. Trask, City Attorney

PASSED ON FIRST READING:

March 12, 2025

PUBLISHED:

March 19, 2025

PASSED ON SECOND READING:

April 2, 2025



February 18, 2025

Jenny Rowan, CFM
Community Development Director
City of Madeira Beach
300 Municipal Drive
Madeira Beach, FL 33708

RE: Review of ordinances from the City of Madeira Beach (Ordinances 2025-09, 2025-10, and 2025-11)

Dear Jenny,

Thank you for submitting the proposed amendments to the Madeira Beach Code of Ordinances, regarding the John's Pass Village Activity Center zoning district and restrictions on the sale of alcoholic beverages. The amendments are consistent with the Countywide Rules, with comments as follows:

- These ordinances address zoning district classifications, setback requirements for accessory structures, and restrictions on the sale of alcoholic beverages in various districts, aligning with the Countywide Rules and current planning practices.

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

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

Sincerely,

Emma Wennick

Emma Wennick
Program Planner

Business Impact Estimate

Proposed ordinance's title/reference:
Ordinance 2025-09: Districts

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

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

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

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

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

Ordinance 2025-09: Districts amends Section 110-151 of the Madeira Beach Code of Ordinances to reference the C-1, John's Pass Village Activity Center Zoning District and to remove reference to the C-2, John's Pass Marine Commercial Zoning District.

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.

There is no foreseeable 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):

Section 110-151 establishes the zoning district names.

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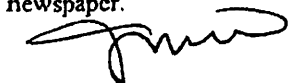
Tampa Bay Times

Published Daily

STATE OF FLORIDA } ss
COUNTY OF HERNANDO, CITRUS, PASCO,
PINELLAS, HILLSBOROUGH County

Before the undersigned authority personally appeared Jean Mitotes who on oath says that he/she is a Legal Advertising Representative of the Tampa Bay Times a daily newspaper printed in St. Petersburg, in Hernando, Citrus, Pasco, Pinellas, Hillsborough County, Florida that the attached copy of advertisement being a Legal Notice in the matter ORDS 2025-01, 02, 03, 09, 10, 11, & 12 was published in said newspaper by print in the issues of 03/19/25 or by publication on the newspaper's website, if authorized.

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes. Affiant further says the said Tampa Bay Times is a newspaper published in Hernando, Citrus, Pasco, Pinellas, Hillsborough County, Florida and that the said newspaper has heretofore been continuously published in said Hernando, Citrus, Pasco, Pinellas, Hillsborough County, Florida each day and has been entered as a second class mail matter at the post office in said Hernando, Citrus, Pasco, Pinellas, Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



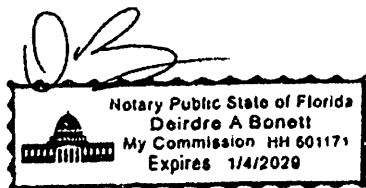
Signature of Affiant _____

Sworn to and subscribed before me this 03/19/2025

Signature of Notary of Public

Personally known X or produced identification.

Type of identification produced _____



LEGAL NOTICE

NOTICE OF PUBLIC HEARINGS CITY OF MADEIRA BEACH

In accordance with the City of Madeira Beach Code of Ordinances, the City of Madeira Beach City Charter, and Florida Statute §166.011(1)(a):

NOTICE IS HEREBY GIVEN, that the Board of Commissioners of the City of Madeira Beach will conduct a Second Reading and Public Hearing for the adoption of proposed Ordinance 2025-01, Ordinance 2025-02, Ordinance 2025-03, Ordinance 2025-09, Ordinance 2025-10, Ordinance 2025-11, and Ordinance 2025-12 on Wednesday, April 2, 2025, at 5:00 p.m. The meeting will be held at the Palmco Shortz Convention Center located at 300 Municipal Drive, Madeira Beach, FL 33708. The City of Madeira Beach is a 100% city.

ORDINANCE 2025-01

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, ADOPTING A NEW PERSONNEL POLICY, REPEALING ORDINANCE 2019-13, AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2025-02

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING DIVISION 4 OF ARTICLE II OF CHAPTER 2 OF THE MADEIRA BEACH CODE OF ORDINANCES RELATING TO THE CIVIL SERVICE COMMISSION, PROVIDING FOR CONFLICT, CODIFICATION, AND SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2025-03

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, ADDING DIVISION 5 (POST TERMINATION HEARINGS; HEARING OFFICER) TO ARTICLE II OF CHAPTER 2 OF THE MADEIRA BEACH CODE OF ORDINANCES, PROVIDING FOR CONFLICT, CODIFICATION, AND SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2025-09

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING SECTION 110-151 (ESTABLISHMENT OF DISTRICTS) OF CHAPTER 110 (ZONING) OF ARTICLE V (DISTRICTS) DIVISION 1 (GENERALLY) OF THE CITY'S LAND DEVELOPMENT REGULATIONS; RENAMING THE C-1 ZONING DISTRICT TO JOHN'S PASS VILLAGE ACTIVITY CENTER; REMOVING C-2, JOHN'S PASS MARINE COMMERCIAL ZONING DISTRICT; PROVIDING FOR CONFLICT, CODIFICATION AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2025-10

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 110 (ZONING), ARTICLE VI (SUPPLEMENTARY DISTRICT REGULATIONS), DIVISION 4 (ACCESSORY STRUCTURES) OF THE CITY'S LAND DEVELOPMENT REGULATIONS TO RENAMING THE C-1 TOURIST COMMERCIAL ZONES TO INCLUDE JOHN'S PASS VILLAGE ACTIVITY CENTER; ADD SETBACKS FOR EACH CHARACTER DISTRICT OF JOHN'S PASS VILLAGE ACTIVITY CENTER ZONING; AND REMOVE REFERENCES TO THE C-2 ZONING DISTRICT; PROVIDING FOR CONFLICT, SEVERABILITY, AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2025-11

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 110 (ZONING), ARTICLE VI (SUPPLEMENTARY DISTRICT REGULATIONS), DIVISION 6 (ALCOHOLIC BEVERAGES) OF THE CITY'S LAND DEVELOPMENT REGULATIONS; PROVIDING FOR JOHN'S PASS VILLAGE ACTIVITY CENTER ZONING DISTRICT REGULATIONS; PROVIDING FOR PLANNED DEVELOPMENT ZONING DISTRICT REGULATIONS; REMOVING REFERENCES TO C-2, JOHN'S PASS MARINE COMMERCIAL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2025-12

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, ADOPTING A REVISED APPENDIX A - FEES AND COLLECTION PROCEDURES MANUAL OF THE CODE OF ORDINANCES OF CITY OF MADEIRA BEACH, FLORIDA, TO PROVIDE FOR THE MODIFICATION OF HOURLY RATES AND ROOMS AVAILABLE FOR RENT WITHIN THE RECREATION CENTER AND CITY MALL AND REWORD THE REFERENCE TO SALES TAX COLLECTED THEREFOR, REPEALING ORDINANCE 2023-08; PROVIDING FOR CONFLICT, CODIFICATION AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Interested parties may appear at the meeting and be heard with respect to the proposed Ordinances. Copies of the proposed Ordinances are available for inspection in the City Clerk's Office between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday.

If you would like more information regarding the proposed Ordinances 2025-01, 2025-02, 2025-03 and 2025-12, please contact City Manager Robin Gomez at 727-560-8014 or email rgomez@madeirabeachfl.gov. If you would like more information regarding the proposed Ordinances 2025-09, 2025-10, and 2025-11, please contact Community Development Director Jane Rowan at 727-560-0178 or email jrowan@madeirabeachfl.gov.

The meeting will be aired on Public Access TV Spectrum Channel 610 and on the City's website: www.madeirabeachfl.gov/citymeetings/.

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

In accordance with Section 286.26, Florida Statute, persons with disabilities needing special accommodations to participate in the meeting should contact the City Clerk's Office no later than 48 hours prior to the meeting: (727) 560-8014 Ext. 231 or email cityclerk@madeirabeachfl.gov with request to cityclerk@madeirabeachfl.gov.