

## **ORDINANCE 2026-19**

**AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING SECTIONS 110-320, 110-323 AND 110-326 OF , DIVISION 7, C-3 RETAIL COMMERCIAL OF ARTICLE V (DISTRICTS) OF CHAPTER 110 (ZONING) OF THE CITY'S LAND DEVELOPMENT REGULATIONS TO REVISE DEVELOPMENT STANDARDS, INCLUDING RESIDENTIAL DENSITY LIMITATIONS APPLICABLE TO CERTAIN FUTURE LAND USE MAP AMENDMENTS, AND RELATED TO BUILDING AND SITE DEVELOPMENT REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Madeira Beach regulates land use and development through its Comprehensive Plan and Land Development Regulations; and

**WHEREAS**, the City has initiated this amendment to the C-3 Retail Commercial Zoning District standards to provide clear redevelopment criteria for properties that may be redesignated from Residential Medium (RM) to Residential/Office/Retail (R/O/R) on the City's Comprehensive Plan Future Land Use Map; and

**WHEREAS**, the Countywide Rules administered by Forward Pinellas do not permit increases in residential density through such Future Land Use Map amendments, and the City's Comprehensive Plan similarly limits increases in residential density; and

**WHEREAS**, the City recognizes that certain properties may be appropriate locations for redevelopment and reinvestment through a change in the future land use designation, if redevelopment remains compatible with surrounding development patterns and neighborhood character; and

**WHEREAS**, the proposed amendments establish development standards that maintain the existing maximum residential density otherwise permitted within the Residential Medium (RM) areas while allowing redevelopment opportunities through the Residential/Office/Retail (R/O/R) future land use category; and

**WHEREAS**, the proposed amendments further establish a maximum commercial use floor area ratio of 0.50 for properties redesignated from Residential Medium (RM) to Residential/Office/Retail (R/O/R) to balance redevelopment opportunities with neighborhood compatibility and appropriate development intensity; and

**WHEREAS**, the Planning Commission, serving as the Local Planning Agency, held a duly

noticed public hearing to consider the proposed amendments and has recommended approval to the Board of Commissioners; and

**WHEREAS**, the recommendations of the Planning Commission and City staff have been considered by the Board of Commissioners and found to be meritorious; and

**WHEREAS**, the Board of Commissioners have conducted two duly noticed public hearings, considered the proposed amendments, the recommendations of the Planning Commission and City staff and all information received at the hearings and finds that approval of the amendments is in the best interest of the city.

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

**Section 1.** That Section 110-320 of Division 7. - C-3, Retail Commercial of Article V (Districts) of Chapter 110 (Zoning) of the Land Development Regulations of the City of Madeira Beach is hereby amended to read as follows

**Sec. 110-320. Building site area requirements.**

The minimum building site area requirements in the C-3, retail commercial district are as follows:

(1) Lot size:

- a. For all uses except multifamily, vacation rental and temporary lodging units: 4,000 square feet.
- b. Duplex and triplex units: 3,000 square feet per dwelling unit.
- c. Multifamily and vacation rental units and above: 2,420 square feet per dwelling unit.
- d. Public service facilities: Shall not exceed a maximum area of five acres. Like uses or contiguous like uses in excess of this threshold shall require the parcel to be amended to the P-SP zoning district and the appropriate land use category.

(2) Lot width:

- a. All permitted uses except multifamily, vacation rental and temporary lodging units: 40 feet.
- b. Multifamily, vacation rental and temporary lodging units: 60 feet.

(3) Lot depth: All permitted uses: 80 feet.

- (4) For properties located in the commercial general (CG) future land use category in the comprehensive plan, the density is a maximum of 15 residential dwelling units, 15 vacation rental units, or 40 temporary lodging units per acre. Alternative temporary lodging use standards are allowed as detailed in subsection 110-326(f).
- (5) For properties located in the residential/office/retail (R/O/R) future land use category in the comprehensive plan, the maximum density is 18 residential dwelling units, 18 vacation rental units, or 40 temporary lodging units per acre. Alternative temporary lodging use standards are allowed as detailed in subsection 110-326(g).
- (6) Notwithstanding subsection (5), properties for which a future land use map amendment from Residential Medium (RM) to Residential/Office/Retail (R/O/R) is approved by ordinance after February 10, 2027, are limited to a maximum density of 15 dwelling units per acre, 15 vacation rental units per acre, or 40 temporary lodging units per acre. Alternative temporary lodging use standards are allowed as detailed in subsection 110-326(g).
- ~~(67)~~ For properties located in the commercial core district of the planned redevelopment-mixed use (PR-MU) future land use category of the comprehensive plan, the maximum density is 15 residential dwelling units, 15 vacation rental units, and 60 temporary lodging units per acre.
- ~~(78)~~ For properties located in the transition district of the planned redevelopment-mixed use (PR-MU) future land use category of the comprehensive plan, the maximum density is 15 residential dwelling units, 15 vacation rental units, and 60 temporary lodging units per acre.

**Section 2.** That Section 110-323 of Division 7. - C-3, Retail Commercial of Article V (Districts) of Chapter 110 (Zoning) of the Land Development Regulations of the City of Madeira Beach is hereby amended to read as follows

**Sec. 110-323. Maximum lot coverage.**

The maximum lot coverage in the C-3, retail commercial district is based on the use and future land use categories in the comprehensive plan as follows:

- (1) Commercial general (CG) commercial use: the floor area ratio (FAR) is 0.55.
- (2) Residential/office/retail (R/O/R) commercial use: the floor area ratio (FAR) is 0.55.
- (3) Notwithstanding subsection (2), for properties for which a future land use map amendment from Residential Medium (RM) to Residential/Office/Retail (R/O/R)

is approved by ordinance after November 10, 2026, the commercial use floor area ratio (FAR) is 0.50.

(34) Planned redevelopment-mixed use (PR-MU) commercial core district: the floor area ratio (FAR) is 1.2.

(45) Planned redevelopment-mixed use (PR-MU) transition district: the floor area ratio (FAR) is 1.2.

**Section 3.** That Section 110-326 of Division 7. - C-3, Retail Commercial of Article V(Districts) of Chapter 110 (Zoning) of the Land Development Regulations of the City of Madeira Beach is hereby amended to read as follows

**Sec. 110-326. Special requirements.**

- (a) In the C-3, retail commercial district residential dwelling units, vacation rental units, and temporary lodging units are permitted above first-floor commercial or office units.
- (b) No structure in the C-3, retail commercial district may be wider than 150 feet parallel to the front yard right-of-way unless the building is designed to appear as multiple buildings with façade segments ranging from 40 to 100 feet in width. If two structures are proposed on the same lot or parcel, the buildings shall be separated by a minimum of ten feet.
- (c) When a proposed nonresidential use in the C-3, retail commercial district abuts property zoned R-1, Single-Family Residential, or R-2, Low Density Multifamily Residential. ~~a residential use~~ an additional five-foot setback is required along the length of the entire shared lot line. ~~This additional setback will be utilized to provide additional landscaped screening.~~
- (d) Mixed uses in a single development shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the gross land area of the property.
- (e) Institutional, other than public educational facilities shall not exceed a maximum area of five acres. Transportation and/or utility uses shall not exceed a maximum area of three acres.
- (f) In the commercial general (CG) future land use category of the comprehensive plan, alternative temporary lodging use standards allows 60 temporary lodging units per acre and a FAR of 1.2. A development agreement is required by the city's land development regulations and Forward Pinellas' Countywide Rules to use the alternative temporary lodging use standard. The development agreement must follow all required standards in Forward Pinellas Countywide Rules to use the alternative temporary lodging use standards.

- (g) In the residential/office/retail (R/O/R) future land use category of the comprehensive plan, alternative temporary lodging use standards allows 60 temporary lodging units per acre and a FAR of 1.2. A development agreement is required by the city's land development regulations and Forward Pinellas' Countywide Rules to use the alternative temporary lodging use standard. The development agreement must follow all required standards in Forward Pinellas Countywide Rules to use the alternative temporary lodging use standards.

**SECTION 4:** For purposes of codification of any existing section of the Maderia 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 of 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 Code of Ordinances of the City of Madeira Beach contained in Section 1, 2 and 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 \_\_\_\_\_, 202\_.**

---

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:

---

PUBLISHED:

---