

## ORDINANCE 2026-04

**AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING SECTION 110-151 (ESTABLISHMENT OF DISTRICTS) OF DIVISION 1 (GENERALLY) OF ARTICLE V (DISTRICTS) OF CHAPTER 110 (ZONING) OF THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF MADEIRA BEACH TO ESTABLISH R-2R, LOW DENSITY VACATION RENTAL, AS A TYPE OF ZONING DISTRICT; CREATING DIVISION 6 (R-2R, LOW DENSITY VACATION RENTAL) OF ARTICLE V (DISTRICTS) OF CHAPTER 110 (ZONING) OF THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF MADEIRA BEACH AND PROVIDING FOR DEFINITIONS, PURPOSE AND INTENT, PERMITTED USES, ACCESSORY USES, SPECIAL EXCEPTION USES, MINIMUM BUILDING SITE AREA REQUIREMENTS, SETBACK REQUIREMENTS, MAXIMUM BUILDING HEIGHT, MAXIMUM LOT COVERAGE, IMPERVIOUS SURFACE RATIO (ISR) AND SPECIAL REQUIREMENT; PROVIDING FOR CODIFICATION, SEVERABILITY, AND FOR AN EFFECTIVE DATE.**

**WHEREAS**, City has received an application to amend the current provisions of Article V (Districts) of Chapter 110 (Zoning) of the Land Development Regulations of the City of Madeira Beach to establish a Low Density Vacation Rental District (R-2R); and

**WHEREAS**, City staff objects to the applicant's proposed zoning district being added to the city's Land Development Regulations; and

**WHEREAS**, the applicant's request was presented to and reviewed by the Planning Commission at a public hearing; and

**WHEREAS**, the Planning Commission has recommended denial of the proposed change; and

**WHEREAS**, the Board of Commissioners has received input from the public at two public hearings and has found the request of the applicant, over the objections of city staff and the recommendation of denial by the Planning Commission, to be meritorious.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1.** That Section 110-151 (Establishment of Districts) of Division 1 (Generally) of Article V (Districts) of Chapter 110 (Zoning) of the City of Madeira Beach Land Development Regulations be amended and shall 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
<b>R-2R</b>	<b>Low Density Vacation Rental</b>
R-3	Medium Density Multifamily Residential
C-1	John's Pass Village Activity Center
C-3	Retail Commercial
C-4	Marine Commercial
P-SP	Public-Semi Public
PD	Planned Development

**Section 2.** That Article V (Districts) of Chapter 110 (Zoning) Supplemental District Regulations) of the City of Madeira Beach Land Development Regulations be amended to create Division 6 (R-2R, Low Density Vacation Rental) and shall read as follows:

**DIVISION 6. - R-2R, LOW DENSITY VACATION RENTAL**

**Sec. 110-286. - Definition; purpose and intent.**

The R-2R, low density vacation rental district provides for low density vacation rental correlates with the residential medium (RM) category of the countywide plan and, which does allow for a variety of dwelling types.

Any use which is not specifically identified as a permitted use, accessory use or special exception use is a prohibited use. As used in this division, the term

"Nightly Vacation rental (stays of less than 3 months)" shall mean any rental of a dwelling unit, or portion thereof, for less than a three-month period.

**Sec. 110-287. - Permitted uses.**

The permitted uses in the R-2R, low density vacation rental district are as follows:

- (1) Single-family.
- (2) Duplex.
- (3) Triplex.
- (4) Nightly Vacation rental (stays of less than 3 months)
- (5) Townhouse type construction.
- (6) Public education facilities of the school board.

**Sec. 110-288. - Accessory uses.**

The accessory uses in the R-2R, low density vacation rental district are as follows:

- (1) Home occupations.
- (2) Private garages and carports.
- (3) Private swimming pools.
- (4) Residential signs.
- (5) Residential docks.
- (6) Essential services.
- (7) Other accessory uses customarily incident to permitted or approved special exception uses.

**Sec. 110-289. - Special exception uses.**

Upon application for a special exception to the board of adjustment and favorable action thereon, the following uses may be permitted in the R-2R, low density vacation rental district:

- (1) Churches, synagogues or other houses of worship.
- (2) Publicly owned or operated parks or recreation areas.
- (3) Private schools.
- (4) Public service facilities.
- (5) Cabanas used as bathhouses.

**Sec. 110-290. - Minimum building site area requirements.**

The minimum building site area requirements in the R-2R, low density vacation rental district are as follows:

(1) Lot size:

- a. Single-family: 4,000 square feet.
- b. Duplex and triplex: Minimum land area of 3,000 square feet per dwelling unit.
- c. Townhouses: Minimum land area of 12,000 square feet (3,000 square feet per dwelling unit). (See article VI, division 10, subdivisions II and III of this chapter.)
- d. Public service facilities: Shall not exceed a maximum area of three 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. Single-family: 40 feet.
- b. Duplex: 60 feet.
- c. Triplex: 80 feet.
- d. Townhouses: 100 feet.

(3) Lot depth: 80 feet.

(4) The maximum density is 15 dwelling units per acre.

**Sec. 110-291. - Setback requirements.**

The following minimum setbacks shall apply in the R-2R, low density vacation rental district:

(1) Front yard: 20 feet.

(2) Rear yard: 25 feet.

(3) Side yard:

- a. Single-family lots less than 50 feet wide may reduce the total side setback to ten feet with a minimum of five feet on either side.
- b. Single-family and duplex lots, the total side setback shall be 15 feet with a minimum of seven feet on either side for lots equal to 50 feet and less than 80 feet wide.
- c. Single-family and duplex lots, the total side setback shall be 18 foot with a minimum of eight feet on either side for lots equal to 80 feet and less than 120 feet wide.
- d. Single-family and duplex lots 120 feet in width or greater, the total side setback shall be 25 foot with a minimum of 12 feet on either side.
- e. Triplex lots, the total side setback shall be 20 feet with a minimum of nine feet on either side.

f. Townhouses: A minimum of 15 feet between each row of townhouses and minimum of nine feet on each side property line.

- (4) For only those dwelling units with the lowest habitable space elevated at or above the elevation designated on the flood insurance rate map (FIRM); exterior stairs, platforms for mechanical equipment, and chimneys shall be allowed to extend into the side-yard setback, but only to a depth of no more than one-half of the required setback. Such equipment shall be located in the middle one-third of the structure. All mechanical equipment must be appropriately shielded from public view with materials including, but not limited to, louvers, lattice and the like.

**Sec. 110-292. - Maximum building height.**

No structure in the R-2R, district shall exceed 30 feet in height measured from the designated base flood elevation on the flood insurance rate map (FIRM) plus required freeboard, to the eave line of the building; except as provided in the land development regulations.

In any case, the overall height of the building measured from the base flood elevation to the highest point shall not exceed 40 feet and the maximum roof pitch shall not exceed 6:12 pitch or 45 degrees.

**Sec. 110-293. - Maximum lot coverage.**

The maximum lot coverage in the R-2R, low density vacation rental district is as follows:

- (1) Residential use: Floor area ratio (FAR) 0.80. The maximum area of a lot or parcel to be covered by structures shall be 40 percent of the total area except for townhouse dwelling units which shall be 50 percent of the total lot area.
- (2) Public owned parks and recreation facilities: Floor area ratio (FAR) 0.25.
- (3) Public service facilities:
- a. Institutional: Floor area ratio (FAR) 0.50.
  - b. Transportation/utility: Floor area ratio (FAR) 0.50.

**Sec. 110-294. - Impervious surface ratio (ISR).**

The impervious surface ratio (ISR) in the R-2R, low density vacation rental district for all uses is 0.70.

**Sec. 110-295. - Special requirement.**

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.

**Section 3.** For purposes of codification of any existing section the Land Development Regulations of the City of Madeira Beach 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 4.** Ordinances or parts of ordinances in conflict herewith to the extent that such conflict exists are hereby repealed.

**Section 5.** In the event a court of competent jurisdiction finds any part or provision of this 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 6.** The Codifier shall codify the substantive amendments to the Land Development Regulations of the City of Madeira Beach contained in Sections 1 and 2 of this Ordinance as provided for herein and shall not codify the exordial clauses nor any other sections not designated for codification.

**Section 7.** This Ordinance shall become effective immediately upon its final passage and adoption.

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

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Anne-Marie Brooks, Mayor

**ATTEST:**

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Clara VanBlargan, MMC, MSM, City Clerk

**APPROVED AS TO FORM:**

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Thomas J. Trask, City Attorney

PASSED ON FIRST READING: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

PASSED ON SECOND READING: \_\_\_\_\_