



Memorandum

Meeting Details: February 4, 2026 – BOC Regular Meeting
Prepared For: Honorable Mayor Brooks, the Board of Commissioners
Staff Contact: Community Development Department – Joseph Petraglia, Planner II
Subject: Ordinance 2026-02, Nonconforming Time Restrictions – 1st Reading and Public Hearing

Background/ Discussion:

Under section 110-93(3) c. of the city's land development regulations, any structure damaged by Hurricane Helene and Hurricane Milton would need to be repaired by March 26, 2026, or made fully compliant with current codes. So far, roughly half of all pre-FIRM houses in Madeira Beach have not yet taken any action to repair, rebuild, or demolish their properties. Many of these properties that have not applied for permits have done unpermitted work or are sitting abandoned. City staff are planning to extend this deadline an additional 6 months for hurricanes Helene and Milton and raise awareness of this time restriction through additional mailings and website updates to encourage the remaining properties who have not yet submitted interior remodel or full structure demolition permits to do so before the newly proposed deadline provided the proper permit has been obtained by such date. City staff is recommending that a text change amendment to allow property owners additional time to complete the repairs once the permit has been obtained.

Additionally, there is a conflict between two different sections of the code when it pertains to legally nonconforming uses. City staff plan to add language to clarify that sec. 110-93(2) which has a one year time limitation only applies to voluntary termination of nonconforming uses, and nonconforming uses can be retained indefinitely under the provisions of sec. 110-95, or sec. 110-96.

Some other nearby municipalities also have timeframe limitations when it comes to nonconformities. See Treasure Island [sec. 68-512](#), Gulfport [sec. 22-9-06](#), and Indian Rocks Beach [sec. 110-104](#). City staff plan to propose a more comprehensive amendment and evaluation of the entire nonconforming article in the coming months but would like to expedite these two time sensitive text change amendments before discussion on the rest of the article commences.

Fiscal Impact:

Minor direct cost (mailings, documentation) and moderate staff time. Could require more field presence from code enforcement to document conditions and progress.

Recommendation(s):

City Staff recommends approval of ORD 2026-02.

Attachments/Corresponding Documents:

- ORD 2026-02