

**ORDINANCE NO. 2021-10**

**AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF MADEIRA BEACH TO AMEND CHAPTER 92, THE CITY OF MADEIRA BEACH PROPORTIONATE-SHARE DEVELOPMENT FEE ORDINANCE TO REGULATE THE USE AND DEVELOPMENT OF LAND IN THE CITY OF MADEIRA BEACH; IMPOSING A PROPORTIONATE-SHARE DEVELOPMENT FEE (IMPACT FEE) ON LAND DEVELOPMENT AND REDEVELOPMENT IN THE CITY OF MADEIRA BEACH FOR PROVIDING IMPROVED MUNICIPAL CULTURE AND RECREATION AND PUBLIC SAFETY FACILITIES AND SERVICES NECESSITATED BY SUCH LAND DEVELOPMENT AND REDEVELOPMENT; STATING THE AUTHORITY FOR ADOPTING THE ORDINANCE; MAKING LEGISLATIVE FINDINGS; AMENDING ORDINANCE SECTIONS 92-2, PURPOSE; 92-10, DEFINITIONS; 92-20, COMPUTING THE AMOUNT OF PROPORTIONATE-SHARE DEVELOPMENT FEES; 92-21, INDEPENDENT FEE CALCULATION; 92-25, PAYMENT OF FEES; 92-26, DEPOSIT INTO TRUST FUND; 92-35, PROPORTIONATE-SHARE DEVELOPMENT FEE TRUST FUNDS ESTABLISHED; 92-40, USE OF TRUST FUNDS FOR CAPITAL IMPROVEMENTS; 92-42, USE OF TRUST FUNDS FOR DEBT SERVICE; 92-43, USE OF TRUST FUNDS FOR REIMBURSEMENT; 92-44, ANNUAL REPORT ON USE OF TRUST FUNDS; 92-52, APPLICATION FOR REFUND OF FEES PAID; 92-55, EXEMPTIONS; 92-67, BASIS FOR ADJUSTMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to the authority conferred by the Constitution of the State of Florida, Article VIII, Section 2, and pursuant to Section 1-12 of the Code of Ordinances of the City of Madeira Beach, Florida ("City"), the Board of Commissioners of the City has determined that it is necessary to amend Chapter 92 of the Code of Ordinances for the purpose of promoting the health, safety, morals, convenience, order, prosperity, and general welfare of the City; and

**WHEREAS**, the Board of Commissioners of the City has explored the feasibility of imposing proportionate-share development fees; and

**WHEREAS**, the City is a tourism destination resort community providing improved municipal culture and recreation and public safety facilities and services to citizens and visitors alike to support a high quality of life; and

**WHEREAS**, the Board of Commissioners of the City supports the Chambers of Commerce and the St. Petersburg/Clearwater Area Convention and Visitors Bureau, organizations that together spend millions of dollars annually to promote tourism and visitation to Madeira Beach and the other Gulf of Mexico barrier island beaches; and

**WHEREAS**, The St. Petersburg/Clearwater area, in which the City is located, is the leading destination on the Gulf Coast in the U.S., drawing more than 6.8 million overnight visitors in 2019; and

**WHEREAS**, the Board of Commissioners of the City finds that the impacts of citizens and visitors upon the improved municipal culture and recreation and public safety facilities and services of the City are roughly equivalent and proportional in their demand by building area as measured by the Pinellas County Property Appraiser; and

**WHEREAS**, the City of Madeira Beach Comprehensive Plan defines building area to mean the enclosed area of a building within the municipal boundaries of the City according to the Pinellas County Property Appraiser as provided in the field TOTLVGAREA in the Pinellas County Property Appraiser's Geographic Information System; and

**WHEREAS**, the Board of Commissioners of the City finds increased building area within the municipal limits of the City increases the demands upon the Board of Commissioners of the City's improved municipal culture and recreation and public safety facilities and services; and

**WHEREAS**, the Board of Commissioners of the City seeks to sustain the level-of-service standards for improved municipal culture and recreation and public safety facilities and services as the City grows and redevelops in the future; and

**WHEREAS**, the Board of Commissioners of the City finds that sustaining the level-of-service standards for improved municipal culture and recreation and public safety facilities and services entails providing additional improvements to the Board of Commissioners of the City's improved municipal culture and recreation and public safety facilities and services; and

**WHEREAS**, the Board of Commissioners of the City finds that providing additional improvements to the City's improved municipal culture and recreation and public safety facilities and services entails additional expense to the City, which expense should be borne by the persons permitted to increase the building area within the municipal limits of the City; and

**WHEREAS**, the Board of Commissioners of the City has quantified the expense of providing additional improvements to the improved municipal culture and recreation and public safety facilities and services and seeks to recover the proportionate-share of that expense from persons permitted to increase the building area within the municipal limits of the City; and

**WHEREAS**, the Florida Legislature, through the enactment of Florida Statutes Section 163.31801 ("the Florida Impact Fee Act") has recognized the authority of the Board of Commissioners of the City to enact proportionate-share development fees or "impact fees"; and

**WHEREAS**, the Board of Commissioners of the City has calculated the proportionate-share development fee for improved municipal culture and recreation and public safety facilities and services based on the most recent and localized data; and

**WHEREAS**, the Board of Commissioners of the City provides for accounting and reporting proportionate-share development fee collections and expenditures, and accounting for the fee revenues and expenditures in a separate accounting fund; and

**WHEREAS**, the Board of Commissioners of the City has provided notice not less than 90 days before the effective date of this ordinance imposing new proportionate-share development fees; and

**WHEREAS**, the Board of Commissioners of the City provides for collection of the proportionate-share development fees on the date of issuance of a building permit for the property subject to the fee; and

**WHEREAS**, the Board of Commissioners of the City finds that the proportionate-share development fee is proportional and reasonably connected to, or has a rational nexus with, the need for additional capital facilities and the increased impact generated by new residential or nonresidential development or redevelopment construction; and

**WHEREAS**, the Board of Commissioners of the City finds that the proportionate-share development fee is proportional and reasonably connected to, or has a rational nexus with, the expenditures of the funds collected and the benefits accruing to the new residential or nonresidential development or redevelopment construction; and

**WHEREAS**, the Board of Commissioners of the City provides for specifically earmarking funds collected under the proportionate-share development fee for use in acquiring, constructing, or improving capital facilities to benefit new users; and

**WHEREAS**, the Board of Commissioners of the City provides that revenues generated by the proportionate-share development fees may not be used, in whole or in part, to pay existing debt or for previously approved projects unless the expenditure is reasonably connected to, or has a rational nexus with, the increased impact generated by new residential or non-residential development or redevelopment construction; and

**WHEREAS**, the Board of Commissioners of the City provides that if the Board of Commissioners of the City increases its proportionate-share development fee rates, a holder of any proportionate-share development fee credits—whether such credits are granted under Florida Statutes sections 163.3180, 380.06, or otherwise—that were in existence before the increase, is entitled to the full benefit of the intensity prepaid by the credit balance as of the date the credit balance was first established; and

**WHEREAS**, the Board of Commissioners of the City provides that audits of financial statements of the City that are performed by a certified public accountant pursuant to Florida Statutes section 218.39 and submitted to the Auditor General will include an affidavit signed by the chief financial officer of the

City stating that the City has complied with Florida Statutes section 163.31801; and

**WHEREAS**, the Board of Commissioners of the City, in addition to the items that must be reported in the annual financial reports under Florida Statutes section 218.32, will report all of the following data on all proportionate-share development fees charged:

(a) The specific purpose of the fee, including the specific infrastructure needs to be met including, but not limited to, mobility, parks, water, sewer, and schools; and

(b) The fee schedule policy describing the method of calculating fees; and

(c) The amount assessed for each purpose and each type of development or redevelopment construction; and

(d) The total amount of impact fees charged by type of development or redevelopment construction; and

(e) Each exception and waiver provided for construction or development of housing that is affordable as defined in Florida Statutes section 420.9071; and

**WHEREAS**, the City of Madeira Beach Comprehensive Plan contains a Capital Improvements Element with level-of-service standards for the planning horizon of the Comprehensive Plan; and the Board of Commissioners of the City has submitted those portions of the Comprehensive Plan to the Pinellas County MPO ("Forward Pinellas") in Forward Pinellas' capacity as the Pinellas Planning Council, in accordance with the requirements of Forward Pinellas' *Countywide Rules*; and

**WHEREAS**, the Florida Department of Economic Opportunity, by letter dated January 8, 2021, reviewed the level-of-service standards and offered no objections, recommendations, or comments in its statutorily-required Report regarding the City's level-of-service standards; and

**WHEREAS**, the Board of Commissioners of the City must expand the capacity of its improved municipal culture and recreation and public safety facilities and services to maintain the City of Madeira Beach Comprehensive Plan's current level-of-service standards if land development and redevelopment construction is to be accommodated without decreasing the quality of life of the City's citizens and visitors; and

**WHEREAS**, the Board of Commissioners of the City finds that this capacity expansion is necessary to protect the health, safety, morals, convenience, order, prosperity, and general welfare of the City's citizens and visitors and is consistent with the City's Comprehensive Plan; and

**WHEREAS**, the Board of Commissioners of the City finds that collecting proportionate-share development fees is a preferred method of ensuring the availability of improved municipal culture and recreation and public safety facilities and services necessary to accommodate land development and redevelopment construction; and

**WHEREAS**, the Board of Commissioners of the City finds that land development and redevelopment construction that increases building area will create demand for additional improved municipal culture and recreation and public safety facilities and services; and

**WHEREAS**, the Board of Commissioners of the City finds that the proportionate-share development fees established by this Ordinance are derived from, based upon, and do not exceed the proportionate share of the costs of providing additional improved municipal culture and recreation and public safety facilities and services necessitated by the land development and redevelopment construction on which the fees are levied; and

**WHEREAS**, the Board of Commissioners of the City adopts the report entitled "City of Madeira Beach Proportionate-Share Development Fees and Regulations: Culture and Recreation and Public Safety," ("Culture and Recreation and Public Safety Report") dated April 2021, and finds the Culture and Recreation and Public Safety Report provides analysis, evidentiary bases, and methodology for determining the impact of land development and redevelopment construction on the need for and costs of additional improved municipal culture and recreation and public safety facilities and services provided by the Board of Commissioners of the City.

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

**Section 1. Short Title, Authority, and Applicability:**

That the Code of Ordinances, City of Madeira Beach, Florida, is hereby amended by amending chapter 92, which said chapter is cited as "The City of Madeira Beach Proportionate-Share Development Fee Ordinance" to read as follows:

**Section 92-1. Intent. [No changes.]**

**Section 92-2. Purpose.** The purpose of this chapter is to regulate the development, redevelopment, and use of land to assure that land development, redevelopment, and use bears a proportionate share of the cost necessary to provide improved municipal culture and recreation, mobility, and public safety facilities and services within the municipal boundaries of the City consistent with the level-of-service standards adopted in the City of Madeira Beach Comprehensive Plan.

**Sections 92-3. through 92-9. [No changes.]**

**Section 92-10. Definitions.** The following phrases, terms, or words, when used in this Chapter have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

[\* \* \*]

“Improved municipal culture and recreation facilities and services” means the land, capital equipment, capital facilities, and other improvements necessary to deliver the City’s culture and recreation services.

“Improved municipal public safety facilities and services” means the land, capital equipment, capital facilities, and other improvements necessary to deliver the City’s public safety services.

[\* \* \*]

Sections 92-11 through 92-19. [No changes.]

Section 92-20. Computing the Amount of Proportionate-Share Development Fees.

(1) At the option of the applicant, the amount of the proportionate-share development fees may be determined by the following fee calculationschedule:

CULTURE AND RECREATION FEE=VALUE \* BUILDING AREA (B.A.) FT<sup>2</sup>

RATIO:

(\$39.68 \* 0.299650) = \$11.89 PER FT<sup>2</sup>

MOBILITY FEE=VALUE \* BUILDING AREA (B.A.)- FT<sup>2</sup> RATIO:

(\$12.46 \* 0.120362) = \$1.50 PER FT<sup>2</sup> B.A.

PUBLIC SAFETY FEE=VALUE / BUILDING AREA (B.A.) FT<sup>2</sup>:

(\$5,292,709/8,871,213 FT<sup>2</sup> ) = \$0.60 PER FT<sup>2</sup>

(2) The proportionate-share development fees provided in subsection (1) of this section include administrative expenses and will be implemented in accordance with this Proportionate-Share Development Fee Implementation Schedule, discounting fees for several fiscal years, until the full current calculated fee rate is reached.

PROPORTIONATE-SHARE DEVELOPMENT FEE IMPLEMENTATION SCHEDULE

<u>MUNICIPAL FACILITIES CATEGORY OR CLASS</u>	<u>FULL CURRENT CALCULATED FEE RATE</u>	<u>DISCOUNT PERCENTAGE (%) IMPLEMENTATION BY FISCAL YEAR</u>							
		<u>70%</u>	<u>60%</u>	<u>50%</u>	<u>40%</u>	<u>30%</u>	<u>20%</u>	<u>10%</u>	<u>0%</u>
		<u>04/1/22</u>	<u>10/1/22</u>	<u>10/1/23</u>	<u>10/1/24</u>	<u>10/1/25</u>	<u>10/1/26</u>	<u>10/1/27</u>	<u>10/1/28</u>
<u>Culture &amp; Recreation</u>	<u>\$11.89/ sq. ft. Building Area (B.A.)</u>	<u>\$3.57/ sq. ft. B.A.</u>	<u>\$4.76/ sq. ft. B.A.</u>	<u>\$5.94/ sq. ft. B.A.</u>	<u>\$7.13/ sq. ft. B.A.</u>	<u>\$8.23/ sq. ft. B.A.</u>	<u>\$9.52/ sq. ft. B.A.</u>	<u>\$10.70/ sq. ft. B.A.</u>	<u>\$11.89/ sq. ft. B.A.</u>

<u>Mobility</u>	<u>\$1.50/ sq. ft.</u> <u>B.A.</u>	<u>\$0.45/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$0.60/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$0.75/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$0.90/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$1.05/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$1.20/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$1.35/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$1.50/</u> <u>sq. ft.</u> <u>B.A.</u>
<u>Public Safety</u>	<u>\$0.60/ sq. ft.</u> <u>B.A.</u>	<u>\$0.18/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$0.24/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$0.30/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$0.36/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$0.42/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$0.48/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$0.54/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$0.60/</u> <u>sq. ft.</u> <u>B.A.</u>
<u>TOTAL</u>	<u>\$13.99/ sq.</u> <u>ft. B.A.</u>	<u>\$4.20/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$5.60/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$6.99/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$8.39/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$9.70/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$11.20</u> <u>/ sq. ft.</u> <u>B.A.</u>	<u>\$12.59/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$13.99/</u> <u>sq. ft.</u> <u>B.A.</u>

(3) In conjunction with the municipal budget process and review of the Capital Improvements Element and Capital Improvements Plan, the City will regularly review the proportionate-share development fees and implementation schedule and update as necessary to ensure the proportionate-share development fees are based on the most recent localized data.

**Section 92-21. Independent fee calculation.** If an applicant opts not to have the proportionate-share development fees determined according to Section 92-20, then the applicant must prepare and submit to the Administrator an independent fee calculation study for the land development activity requiring a building permit. The documentation submitted with the independent fee calculation study must show the basis upon which the independent fee calculation was made. The Administrator will consider the documentation submitted by the applicant but is not required to accept such documentation the Administrator reasonably deems to be inaccurate or not reliable and can require the applicant to submit additional or different documentation for consideration. If an acceptable independent fee calculation study is not submitted, the applicant must pay proportionate-share development fees based upon the schedule in Section 92-20. If an acceptable independent fee calculation study and documentation is submitted, the Administrator may adjust the fee to that appropriate to the particular development. Determinations made by the Administrator pursuant to this section may be appealed as provided in Section 92-60 et seq. of this chapter.

**Sections 92-22 through 92-24. [No Changes.]**

**Section 92-25. Payment of fees.** The applicant must pay the proportionate-share development fees required by this chapter to the Administrator prior to the issuance of a building permit.

**Section 92-26. Deposit into trust fund.** All funds collected will be properly identified by proportionate-share development fee improved municipal culture and recreation, mobility, and public safety facilities and services accounts and promptly transferred for deposit in the appropriate Trust Fund to be held in separate accounts as determined in sections 92-35 through 92-38 of this chapter and used solely for the purposes specified in this chapter.

**Sections 92-27 through 92-34. [No changes.]**

**Section 92-35. Proportionate-share development fee trust funds established.** There is hereby established one (1) Improved Municipal Culture and Recreation Proportionate-Share Development Fee Trust Fund account, one (1) Improved Municipal Mobility Proportionate-Share Development Fee Trust Fund account, and one (1) Improved Public Safety Proportionate-Share Development Fee Trust Fund account for the Proportionate-Share Development Fee Service Area provided in Section 92-30 of this chapter.

**Sections 92-36 through 92-39. [No changes.]**

**Section 92-40. Use of trust funds for capital improvements.** Funds collected from proportionate-share development fees must be used solely for the purposes of acquiring or making capital improvements to the respective improved municipal culture and recreation, mobility, and public safety facilities and services under the jurisdiction of the City, Pinellas County, or the State of Florida.

**Sections 92-41 through 92-42. [No changes.]**

**Section 92-43. Use of trust funds for reimbursement.** In the event a developer enters into a development agreement with the City to construct, contribute, or fund capital improvements to the respective improved municipal culture and recreation, mobility, and public safety facilities and services, such that the amount of the credit created by such construction, contribution, or funding is in excess of the proportionate-share development fee otherwise due, the developer will be reimbursed for such excess construction, contribution, or funding from proportionate-share development fees paid by other development located in the service area benefited by such improvements.

**Section 92-44. Annual report on use of trust funds.** At least once each fiscal year the Administrator will present the Board of Commissioners a report detailing the amount of proportionate-share development fees collected, encumbered, and used, and a proposed capital improvement program for the respective improved municipal culture and recreation, mobility, and public safety facilities and services, assigning funds, including any accrued interest, from the proportionate-share development fee Trust Fund to specific improved municipal mobility facilities and services projects and related expenses. Monies, including any accrued interest, not assigned in any fiscal year will be retained in the respective Trust Fund until the next fiscal year except as provided by the refund provisions of this chapter.

**Sections 92-45 through 92-51. [No changes.]**

**Section 92-52. Application for refund of fees paid.** Funds not encumbered or expended by the end of the calendar quarter immediately following seven (7) years from the date the proportionate-share development fees ~~was~~ were paid will, upon receipt of a complete application for refund, be refunded to feepayer, provided the feepayer submits the application for the refund to the Administrator within one (1) year of the expiration of seven-year



period or the publication of the notice of eligibility for a refund, whichever is later. Refunds will be made to the feepayer within 60 calendar days after the Administrator determines there is sufficient proof of the claim for a refund.

**Sections 92-53 through 92-66. [No changes.]**

**Section 92-67. Basis for adjustment.** The ~~basis~~bases for computing any adjustment in the fee schedule ~~is~~are the Reports entitled *City of Madeira Beach Proportionate-Share Development Fees and Regulations: Culture and Recreation and Public Safety* and *City of Madeira Beach Proportionate-Share Development Fees and Regulations: Mobility*, as adjusted from time to time to reflect a change in the level-of-service standards for improved municipal culture and recreation, mobility, and public safety facilities and services.

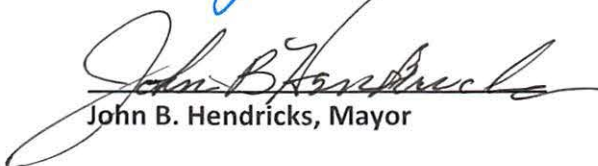
**Section 92-68 through 92-79. [No changes.]**

**Section 2. Severability:** The provisions of this ordinance shall be deemed severable. If any part of the ordinance is deemed unconstitutional, it shall not affect the constitutionality of the other portions of the ordinance.

**Section 3. Conflict:** All ordinances or parts of ordinances in conflict with the provision of this ordinance be hereby repealed insofar as the same affect this Ordinance.

**Section 4. Effective date:** Pursuant to Section 163.31801, Florida Statutes, this Ordinance is effective upon adoption and 90 days after the City provided notice of this Ordinance.

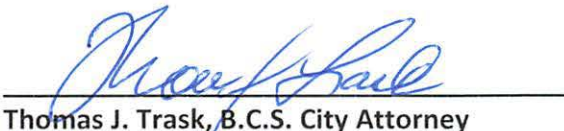
PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THIS 30 day of June, 2021.

  
John B. Hendricks, Mayor

ATTEST:

  
Clara VanBlargan, City Clerk

APPROVED AS TO FORM:

  
Thomas J. Trask, B.C.S. City Attorney

210630 BOC APPROVED

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**Tampa Bay Times**  
Published Daily

STATE OF FLORIDA  
COUNTY OF Pinellas, Hillsborough, Pasco,  
Hernando Citrus

} ss

Before the undersigned authority personally appeared Virginia Marshall who on oath says that he/she is Legal Advertising Representative of the Tampa Bay Times a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter RE: City of Madeira Beach - ORDINANCE NO. 2021-10 was published in Tampa Bay Times: 6/16/21 in said newspaper in the issues of Tampa Bay Times\Local B\Full Run

Affiant further says the said Tampa Bay Times is a newspaper published in Pinellas, Hillsborough, Pasco, Hernando Citrus County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas, Hillsborough, Pasco, Hernando Citrus County, Florida each day and has been entered as a second class mail matter at the post office in said Pinellas, Hillsborough, Pasco, Hernando Citrus 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 Affiant

Sworn to and subscribed before me this .06/16/2021

  
Signature of Notary Public

Personally known     X     or produced identification

Type of identification produced \_\_\_\_\_



**NOTICE OF PUBLIC  
HEARING  
CITY OF MADEIRA BEACH**

In accordance with the City of Madeira Beach Code of Ordinances, the City of Madeira Beach City Charter, and Florida Statutes §166.041(3)(a) and 163.31801:

**NOTICE IS HEREBY GIVEN**, the Board of Commissioners of the City of Madeira Beach will conduct a **Second Reading and Public Hearing** for the adoption of proposed Ordinance No. 2021-10 on Wednesday, June 30, 2021 at 5:00 p.m. The meeting will be held in the Patricia Shontz Commission Chambers located at 300 Municipal Drive, Madeira Beach, FL 33708. The title of said Ordinance is as follows:

**ORDINANCE NO. 2021-10**

**AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF MADEIRA BEACH TO AMEND CHAPTER 92, THE CITY OF MADEIRA BEACH PROPORTIONATE-SHARE DEVELOPMENT FEE ORDINANCE TO REGULATE THE USE AND DEVELOPMENT OF LAND IN THE CITY OF MADEIRA BEACH; IMPOSING A PROPORTIONATE-SHARE DEVELOPMENT FEE (IMPACT FEE) ON LAND DEVELOPMENT AND REDEVELOPMENT IN THE CITY OF MADEIRA BEACH FOR PROVIDING IMPROVED MUNICIPAL CULTURE AND RECREATION AND PUBLIC SAFETY FACILITIES AND SERVICES NECESSITATED BY SUCH LAND DEVELOPMENT AND REDEVELOPMENT; STATING THE AUTHORITY FOR ADOPTING THE ORDINANCE; MAKING LEGISLATIVE FINDINGS; AMENDING ORDINANCE SECTIONS 92-2, PURPOSE; 92-10, DEFINITIONS; 92-20, COMPUTING THE AMOUNT OF PROPORTIONATE-SHARE DEVELOPMENT FEES; 92-21, INDEPENDENT FEE CALCULATION; 92-25, PAYMENT OF FEES; 92-26, DEPOSIT INTO TRUST FUND; 92-35, PROPORTIONATE-SHARE DEVELOPMENT FEE TRUST FUNDS ESTABLISHED; 92-40, USE OF TRUST FUNDS FOR CAPITAL IMPROVEMENTS; 92-42, USE OF TRUST FUNDS FOR DEBT SERVICE; 92-43, USE OF TRUST FUNDS FOR REIMBURSEMENT; 92-44, ANNUAL REPORT ON USE OF TRUST FUNDS; 92-52, APPLICATION FOR REFUND OF FEES PAID; 92-55, EXEMPTIONS; 92-67, BASIS FOR ADJUSTMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. Copies of the proposed Ordinance are available for inspection in the City Clerk's Office between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday. If you would like more information regarding the proposed Ordinance, please contact Linda Portal, Community Development Director, at 727-391-9951, ext. 255 or 244.

The meeting will be aired on Public Access TV Spectrum Channel 640 and through the City's website.

Public comments can be submitted by email through the Public Comment form located on the front page of the City of Madeira Beach website. Comments are accepted up to three hours prior to the start of the meeting and will be read aloud during the meeting. *Please limit your comments to 400 words as the comments are limited to three minutes.*

Persons who wish to appeal any decision made by the Board of Commissioners with respect to any matter considered during a public hearing at this meeting will need a record of the proceedings, and for such 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 Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk's office no later than 48 hours prior to the meeting: (727) 391-9951, Ext. 231 or 223 or fax a written request to (727) 399-1131.

Clara VanBlargan, MMC, MSM, City Clerk