

---

## **Sec. 10-9. Impoundment of animals.**

- (a) *Authority.* The city manager or his designee is authorized to impound any animal found in the city under the following circumstances:
  - (1) Where such dog does not have a license tag or the owner of a wild animal allowed by this chapter does not have a state permit as required by F.S. § 372.922;
  - (2) Where such dog, cat or other animal allowed by this chapter is found running at large in violation of section 10-4;
  - (3) Where such dog, cat or other animal allowed by this chapter is found on a public beach in violation of section 10-5;
  - (4) Where such dog, cat or other animal allowed by this chapter is making excessive noise or disturbance in violation of section 10-6.
- (b) *Notice to owner.* If the owner of any dog, cat or other animal allowed by this chapter impounded by the city pursuant to this section is known, such owner shall be notified of the impoundment of the animal. Notice mailed to the last address of the owner shall be deemed sufficient notice within the meaning of this section.
- (c) *Release to owner.* Any dog, cat or other animal allowed by this chapter to be impounded may be released to the owner thereof or any person claiming the ownership of such animal if the officer in charge of such impounded animal is convinced of the validity of such claim and upon the payment of any reasonable charges that may be affixed by the impounding agency.
- (d) *Delivery to animal refuge.* If any dog, cat or other animal allowed by this chapter is not claimed by its owner or any other person, within a reasonable period of time, such animal shall, in the discretion of the city manager or his designate, be delivered to the animal refuge of the Society for the Prevention of Cruelty to Animals, to be disposed of in accordance with their policy.
- (e) *Reasonable charges.* The city manager or his designee shall be authorized to charge a reasonable fee for the time and expense of impoundment under this section.

(Code 1983, § 4-107)

## **Sec. 10-15. Backyard chickens.**

- (a) *Purpose.* The purpose of this section to is allow chickens within some urban residential neighborhoods while limiting the intensity and potential impact on neighboring.
- (b) *Applicability.* The provisions of this section shall apply to the keeping of chickens on non-waterfront properties in the R-1 and R-2 districts.
- (c) *Standards.*
  - (1) General conditions for the keeping of chickens in districts as permitted.
    - a. For the purposes of this section of the Code, the term "chicken" refers to female chickens only (i.e., hens).
    - b. Up to four chickens may be kept within an occupied single-family or duplex non-waterfront property located in the R-1 and R-2 districts.
    - c. Chickens must be kept within a coop or fence enclosure.

- 
- d. Ducks, geese, turkeys, peafowl, adult male chickens/roosters, or any other poultry or fowl are not allowed under the provisions of this section of the Code.
  - e. Chickens shall be kept for personal use only. Selling chickens, eggs, or chicken manure, or the breeding of chickens for commercial purposes is prohibited.
  - f. Chickens shall not be slaughtered on premises.
  - g. The coop and enclosure must be screened from the abutting neighbor's view, using an opaque fence meeting city code and/or a landscape screen.
- (2) Location and requirements for chicken coops and enclosures in the non-waterfront R-1 through R-2 zoning districts.
- a. Any chicken coop and fenced enclosure must be located in the rear yard. No coop or enclosure shall be allowed in any front or side yard. (Corner lots shall be excluded from the side setback restriction on the street side providing all setbacks and fencing requirements are met.)
  - b. The coop and enclosure must comply with the district setback standards for accessory structures.
  - c. The coop structure must not exceed 80 square feet in size (ten-foot by eight-foot), must be anchored and flood-vented or raised to meet local floodplain management, and Florida Building Code requirements, a building permit is required.
  - d. The coop shall be covered and ventilated, and a fenced enclosure/run is required. All fences must meet standards of the district in which they are located. The coop and enclosure must be completely secured from predators, including all openings, ventilation holes, doors and gates (fencing or roofing is required over the enclosure in addition to the coop, in order to protect the chickens from predators).
  - f. All stored feed must be kept in a rodent and predator-proof container.
  - g. The coop shall provide a minimum of three-square feet per chicken and be of sufficient size to permit free movement of the chickens. The coop may not be taller than six feet, measured from the natural grade, and must be easily accessible for cleaning and maintenance.
- (3) Health, sanitation and nuisance as applied to the keeping of chickens in the non-waterfront properties of R-1 and R-2 zoning districts.
- a. Chickens shall be kept within a coop and enclosure. No person shall release or set any chicken free from such coop or enclosure.
  - b. Chicken coops and enclosures shall be maintained in a clean and sanitary condition at all times. Chickens shall not be permitted to create a nuisance consisting of odor, noise or pests, or contribute to any other nuisance condition.
- (4) *Enforcement.*
- a. In a public health emergency declared by the city manager or the Director of the Pinellas County Health Department, including, but not limited to, an outbreak of Avian Flu or West Nile virus, the public authority may require immediate corrective action in accordance with applicable public health regulations and procedures.
  - b. No person convicted as a repeat violator of section may be permitted to, or continue to, keep chickens on their premises.

(Ord. No. 2021-05, § 2, 9-8-21)

---

## **Sec. 14-130.10. Suspension or revocation of license.**

- (a) Failure to comply with any of the requirements of this division shall subject the licensee to suspension or revocation of the license, in addition to other remedies and penalties provided by law.
- (b) Repeated incidents occurring on the residential rental property which threaten public safety including but not limited to assaults, batteries, robberies, burglaries, prostitution, sexual offenses, or narcotics possession, use or sales, or other criminal activity, shall be grounds for license revocation.
- (c) Repeated incidents of violation or continuing violation of state or local laws which violations adversely affect the rights of nearby residents to the quiet enjoyment of their property, including but not limited to violations of noise, animal control, solid waste, yard parking, storage, trash, and yard maintenance regulations constitute a public nuisance and shall be grounds for license revocation.
- (d) Prior to initiating suspension or revocation proceedings, written notice shall be delivered (via certified mail) to the owner or designated agent identified in the registration statement. The notice shall specifically identify the provision of this division which has not been complied with, or shall specifically identify the repeated or continuing incidents of violations of state or local laws, and shall state that failure to remedy the violation or further incidents of violations will result in revocation of the residential rental license for all units on the property.

(Ord. No. 2013-08, § 1, 12-10-13; Ord. No. 2015-02, §§ 7, 8, 3-10-15)

Note(s)—Former § 14-130.11. See editor's note, § 14-130.8.

## **Sec. 34-402. Pattern of nuisance activity.**

- (a) *Nuisance activity.* Nuisance activity means any activities relating to the following violations, whenever engaged in by the property owner, agent, tenant, or invitee of the property owner, agent or tenant:
  - (1) Chapter 6—Alcoholic beverages.
  - (2) Chapter 34, article II—Litter and nuisance abatement.
  - (3) Chapter 34, article III—Noise.
  - (4) Chapter 34, article IV—Junked, wrecked, abandoned property.
  - (5) F.S. § 562.111 possession of alcoholic beverages by persons under age 21 prohibited.
  - (6) F.S. § 767.12—Dangerous dogs.
  - (7) F.S. § 784.011—Assault.
  - (8) F.S. § 784.03—Battery; felony battery.
  - (9) F.S. § 784.041—Felony battery; domestic battery by strangulation.
  - (10) F.S. § 784.045—Aggravated battery.
  - (11) F.S. § 784.048(3)—Aggravated stalking.
  - (12) F.S. § 790.15(1)—Discharging firearm in public.
  - (13) F.S. § 796.06—Renting space to be used for prostitution.
  - (14) F.S. § 796.07—Prostitution.
  - (15) F.S. § 800.03—Exposure of sexual organs.

- 
- (16) F.S. § 806.13—Criminal mischief.
  - (17) F.S. § 810.02—Burglary.
  - (18) F.S. § 810.08—Trespass in structure or conveyance.
  - (19) F.S. § 810.09—Trespass on property other than structure or conveyance.
  - (20) F.S. § 812.014—Theft.
  - (21) F.S. § 812.019—Dealing in stolen property.
  - (22) F.S. § 812.13—Robbery.
  - (23) F.S. § 812.173—Convenience business security.
  - (24) F.S. § 823.01—Nuisances.
  - (25) F.S. § 825.102(3)—Abuse, aggravated abuse and neglect of an elderly person or disabled adult.
  - (26) F.S. § 827.03—Abuse, aggravated abuse, and neglect of child.
  - (27) F.S. § 828.12—Cruelty to animals.
  - (28) F.S. § 843.02—Resisting officer without violence.
  - (29) F.S. § 843.20—Harassment of a participant of a neighborhood crime watch program.
  - (30) F.S. § 856.011—Disorderly intoxication.
  - (31) F.S. § 856.015—Open house parties.
  - (32) F.S. § 856.021—Loitering or prowling.
  - (33) F.S. § 856.022—Loitering or prowling in close proximity to children.
  - (34) F.S. ch. 874—Criminal gang enforcement and prevention.
  - (35) F.S. § 877.03—Breach of the peace; disorderly conduct.
  - (36) F.S. ch. 893—Any offense under the Florida Comprehensive Drug Abuse Prevention & Control Act.
  - (37) F.S. § 914.22—Tampering with or harassing a witness, victim, or informant.
  - (38) Any violation contained within F.S. § 948.06.
  - (39) Any other offense under state or federal law that is punishable by a term of imprisonment exceeding one year.
  - (40) Failure to correct code violations on or before the date specified in the notice of violation issued in accordance with section 2-375 of this Code.
- (b) *Pattern of nuisance activity.* Real property shall be deemed to exhibit a pattern of nuisance activity if:
- (1) The sheriff's department has responded to three or more nuisance activities at the property within 45 days; or
  - (2) The sheriff's department has responded to seven or more nuisance activities at the property within six months; or
  - (3) The sheriff's department has responded to five or more nuisance activities at a commercial retail business or alcoholic beverage establishment within 30 days or 20 or more nuisance activities at the said properties within six months; or

- 
- (4) Failure to correct code violations by the time ordered by the special magistrate in any order entered pursuant to section 2-376 of this Code; or
  - (5) As otherwise provided by this Code.
- (c) *Construction and application.* Pattern of nuisance activity shall not be construed to include:
- (1) A nuisance activity where the property owner, agent, tenant, or invitee of the property owner, agent or tenant is the victim of a crime;
  - (2) A nuisance activity that does not arise from the conduct of the property owner, agent, tenant, or invitee of the property owner, agent or tenant; or
  - (3) A complaint or call for service to which the police department responded and determined that no violation was committed.
- (d) *Separate occurrences.* For purposes of this article, each day that the sheriff's department responds to a nuisance activity at the property shall be a separate occurrence.
- (Ord. No. 2012-09, § 2, 10-23-12; Ord. No. 2014-04, § 1, 7-8-14)

### **Sec. 34-504. Application for registration.**

Application for registration of a vacation rental shall be made to the city clerk or his or her designee and shall be set forth at a minimum:

- (1) The legal description of the property offered for rent (i.e., address, lot, block and subdivision name).
- (2) Name, address and phone number of owner of said property;
- (3) Name, address and emergency contact phone number of responsible party for said property, which shall be a 24-hour, seven days a week contact number.
- (4) That the phone number for responsible party will be answered 24 hours a day, seven days a week by the responsible party;
- (5) Acknowledgement by owner of the following:
  - a. That all vehicles associated with the vacation rental must be parked in compliance with the Code of Ordinances.
  - b. That it shall be unlawful to allow or make any noise or sound that exceeds the limits set forth in chapter 34, article III, noise;
  - c. That the owner shall comply with all applicable city, county, state and federal laws, rules, regulations, ordinances and statutes.
  - d. That no solid waste container shall be located at the curb for pickup before 6:00 p.m. the day prior to pick up, and solid waste container shall be removed before midnight of the day of pickup.
  - e. That, whoever, without being authorized, licensed, or invited, willfully enters or remains in any structure or conveyance or a property, or, having been authorized, licensed, or invited, is warned by the owner or lessee, to depart the property and refuses to do so, commits the offense of trespass in a structure or conveyance;
  - f. That other properties are not jointly shared commodities and should not be considered available for use by transient occupants of the property subject of the application; and
- (6) Proof of owner's current ownership of the property;

- 
- (7) Proof of registration with the state department of revenue for sales tax collection and county tourist development tax; and proof taxes have been paid prior to February 28, 2006 and all subsequent taxes have been paid.
  - (8) Proof of licensure with the state department of business and professional regulation for a transient public lodging establishment was obtained prior to February 28, 2006 and maintained continuously since acquiring it.
  - (9) Business tax receipt from the city was obtained prior to February 28, 2006 and maintained continuously since acquiring it.
  - (10) Proof of general liability insurance.
  - (11) Proof of passing building and fire inspections.
  - (12) The owner's sworn acknowledgement that he or she has received a copy of this section, has reviewed it and understands its requirements; and

Submission of an incomplete registration application form shall result in rejection of the application.

(Ord. No. 2015-13, § 1, 11-10-15)

### **Sec. 34-506. Responsible party required.**

Whenever any property is required to be registered under this division, the owner shall appoint a natural person who resides within 25 miles of the vacation rental property to serve as the responsible party for service of notices, are specified herein and notices given to the responsible party shall be sufficient to satisfy any requirement of notice to the owner. An initial responsible party shall be designated and name submitted with the application for registration and the city clerk or his or her designee shall thereafter be notified of any change of responsible party within 15 days of such change. Further, it is the affirmative duty of the responsible party to:

- (1) Inform all guests, in writing, prior to occupancy of the property of the applicable city ordinances concerning noise, vehicle parking, garbage and common area usage with a copy of the applicable city ordinances printed in the English language and posted prominently near the main entrance of the establishment;
- (2) Maintain all properties under their control in compliance with the occupancy limits, as specified in the Florida Building Code and the Code of Ordinances as determined by the building official or his designee;
- (3) See that the provisions of this division are complied with and promptly address any violations of this division or any violations of law which may come to the attention of the responsible party;
- (4) Be available with authority to address and coordinate solutions to problems with the rental of the property 24 hours a day, seven days a week;
- (5) Be situated close enough to the property as to be able to, and shall, respond to emergency calls within two hours of notification;
- (6) Keep available a register of all guests, which shall be open to inspection by authorized personnel of the city at all times; and
- (7) Maintain the entire property free of garbage and litter, provided however, that this subsection shall not prohibit the storage of garbage and litter in authorized receptacles for collection.

(Ord. No. 2015-13, § 1, 11-10-15)

---

## **Sec. 42-23. Permit cancellation or revocation.**

The city manager may cancel any special event if use of the property in any way conflicts with federal state, or local laws; if the event or activities thereof discredit the city; or if the event applicant is in default. The city manager or his designee shall have the authority to revoke a special event permit issued pursuant to this article upon violation of the standards for issuance or conditions for issuance prescribed in this article. During the event, the sheriff's office shall have the authority to order a ceasing of the event, should the continuance of such event contribute to public disorder or endanger life or property or should he find that the application was fraudulent in any manner. City officials may revoke any/all special event permits when conditions become a public nuisance due to, but not limited to noise, smoke, fumes or additional fire hazards, including a "burn ban" issued by the state or Pinellas County.

(Ord. No. 1103, § 2, 2-13-07)

## **Sec. 98-37. Protection of environmentally sensitive areas.**

- (a) *Purpose.* It is the purpose of this section to provide a buffer adjacent to wetlands to further protect water quality and quantity and associated wildlife from adjacent development impacts. Such impacts include siltration, eutrophication, noise, artificial light and human and domestic animal intrusion. These buffers will also provide preservation of upland wildlife habitat.
- (b) *Upland setback requirements.* Upland setback requirements shall be as follows:
  - (1) Setbacks required from wetlands are as follows:
    - a. Isolated wetlands. Creeks, channels, ditches, canals and other waterways which are not designated as preservation land use areas and are connected with waters of the state as defined in the Florida Administrative Code: 15 feet outside the top of a bank of contiguous wetlands, whichever is greater.
    - b. All other wetlands: 30 feet.
  - (2) No environmental setback shall be required landward of a seawall constructed on or prior to the effective date of the ordinance from which this section is derived.
  - (3) The setbacks must be shown on a site plan and must be preserved during site development.
  - (4) Removal of vegetation within the required setback is discouraged and may be restricted or prohibited by the city to protect water quality.
  - (5) No filling, excavating or placing of permanent structures or other impervious surfaces shall be allowed within a required setback.

(Code 1983, § 20-509(G))

## **4.0 FUTURE LAND USE ELEMENT**

GOAL 4.1: ENSURE THAT THE RESIDENTIAL/FAMILY AND BEACH COMMUNITY CHARACTER OF THE CITY OF MADEIRA BEACH IS MAINTAINED AND PROTECTED WHILE:

MAXIMIZING THE POTENTIAL FOR ECONOMIC BENEFIT RESULTING FROM THE TOURIST TRADE AND THE ENJOYMENT OF NATURAL AND MAN-MADE RESOURCES BY CITIZENS AND VISITORS;

MINIMIZING THE THREAT TO HEALTH, SAFETY, AND WELFARE POSED BY HAZARDS, NUISANCES, INCOMPATIBLE LAND USES, AND ENVIRONMENTAL DEGRADATION; MAXIMIZING LAND DEVELOPMENT THAT RESPECTS NECESSARY ECOLOGICAL FUNCTIONS AND SUITABILITY FOR URBAN DEVELOPMENT;

PRESERVING OR IMPROVING THE COMMUNITY'S NATURAL RESOURCES AND VALUABLE AMENITIES;

ENCOURAGING AN ORDERLY AND AESTHETIC MIX OF LAND USES BY ALLOWING NEW DEVELOPMENT AND REDEVELOPMENT THAT WILL ENHANCE AND PROTECT THE CITY'S EXISTING CHARACTER; AND

PROVIDING A COMPREHENSIVE PLAN THAT IS FLEXIBLE AND INCORPORATES CHANGING COMMUNITY VALUES AND ATTITUDES.

**Objective 4.1.1:**

Ensure that redevelopment and new development occurs in planned areas at the appropriate densities and intensities as indicated on, and consistent with the 6.1a Madeira Beach Future Land Use Map.

**Policy 4.1.1.1:**

The future land use plan categories identified and defined in this policy govern development within the City. These future land use plan categories are consistent with primary and secondary uses and maximum intensity standards listed in the Forward Pinellas Countywide Rules, except as specifically modified herein.

Madeira Beach Future Land Use Category	Permitted Uses	Density/Intensity Standards	Countywide Plan Map Categories
Residential Urban (RU)	<ul style="list-style-type: none"><li>• Residential</li><li>• Public Education Facilities</li><li>• Recreation/Open Space</li></ul>	<ul style="list-style-type: none"><li>• Residential 7.5 UPA</li><li>• Nonresidential FAR 0.5</li><li>• ISR 0.65</li></ul>	Residential Low Medium (RLM)
Residential Medium (RM)	<ul style="list-style-type: none"><li>• Residential</li><li>• Public Education Facilities</li><li>• Institutional****</li><li>• Vacation Rental</li><li>• Recreation/Open Space</li></ul>	<ul style="list-style-type: none"><li>• Residential 15 UPA</li><li>• Nonresidential FAR 0.5</li><li>• ISR 0.70</li></ul>	Residential Medium (RM)
Resort Facilities Medium (RFM)	<ul style="list-style-type: none"><li>• Residential</li><li>• Temporary Lodging</li><li>• Vacation Rental</li><li>• Personal Service/Office Support</li><li>• Retail Commercial</li><li>• Commercial Recreation</li><li>• Recreation/Open Space</li></ul>	<ul style="list-style-type: none"><li>• Residential and Vacation Rental 18 UPA</li><li>• Temporary Lodging 50 UPA</li><li>• Other Uses FAR 0.55</li><li>• ISR 0.85</li></ul>	Resort (R)
		<i>Alternative Temporary Lodging Use Standard*</i>	



		<ul style="list-style-type: none"> <li>• Temporary Lodging 60 UPA</li> <li>• Total FAR 2.0</li> <li>• ISR 0.85</li> </ul>	
Residential/Office/Retail (R/O/R)	<ul style="list-style-type: none"> <li>• Office</li> <li>• Personal Service/Office Support</li> <li>• Retail Commercial</li> <li>• Commercial/Business Service</li> <li>• Commercial Recreation</li> <li>• Residential</li> <li>• Vacation Rental</li> <li>• Temporary Lodging</li> <li>• Recreation/Open Space</li> </ul>	<ul style="list-style-type: none"> <li>• Residential and Vacation Rental 18 UPA</li> <li>• Temporary Lodging 40 UPA</li> <li>• Other Uses FAR 0.55</li> <li>• ISR 0.85</li> </ul>	Retail & Services (R&S)
		<i>Alternative Temporary Lodging Use Standard*</i> <ul style="list-style-type: none"> <li>• Temporary Lodging 60 UPA</li> <li>• Total FAR 1.2</li> <li>• ISR 0.85</li> </ul>	
Commercial General (CG)	<ul style="list-style-type: none"> <li>• Office</li> <li>• Personal Service/Office Support</li> <li>• Retail Commercial</li> <li>• Commercial/Business Service</li> <li>• Commercial Recreation</li> <li>• Residential</li> <li>• Vacation Rental</li> <li>• Temporary Lodging</li> <li>• Recreation/Open Space</li> <li>•</li> <li>• Storage/Warehouse/Distribution - Light</li> <li>• Institutional***</li> <li>• Transportation/Utility ***</li> <li>• Ancillary Nonresidential ***</li> </ul>	<ul style="list-style-type: none"> <li>• Residential and Vacation Rental 15 UPA</li> <li>• Temporary Lodging 40 UPA</li> <li>• Other Uses FAR 0.55</li> <li>• ISR 0.85</li> </ul>	
		<i>Alternative Temporary Lodging Use Standard*</i>	

		<ul style="list-style-type: none"> <li>• Temporary Lodging 60 UPA</li> <li>• Total FAR 1.2</li> <li>• ISR 0.85</li> </ul>	
Institutional (I)	<ul style="list-style-type: none"> <li>• Institutional</li> <li>• Residential</li> </ul>	<ul style="list-style-type: none"> <li>• Residential 10 UPA</li> <li>• FAR 0.65</li> <li>• ISR 0.70</li> </ul>	Public/Semi-Public (P/SP)
Transportation/Utility (T/U)	<ul style="list-style-type: none"> <li>• Transportation/Utility</li> </ul>	<ul style="list-style-type: none"> <li>• FAR 0.70</li> <li>• ISR 0.70</li> </ul>	
Recreation/Open Space (R/OS)	<ul style="list-style-type: none"> <li>• Recreation/Open Space</li> </ul>	<ul style="list-style-type: none"> <li>• FAR 0.25</li> <li>• ISR 0.60</li> </ul>	Recreation/Open Space (R/OS)
Preservation (P)	<ul style="list-style-type: none"> <li>• Preservation</li> <li>• Water Supply</li> </ul>	<ul style="list-style-type: none"> <li>• Preservation FAR 0.1</li> <li>• Water Supply FAR 0.25</li> <li>• Preservation ISR 0.20</li> <li>• Water Supply ISR 0.50</li> </ul>	Preservation (P)
Planned Redevelopment-Mixed Use (PR-MU)	<ul style="list-style-type: none"> <li>• Residential</li> <li>• Temporary Lodging</li> <li>• Vacation Rental</li> <li>• Retail Commercial</li> <li>• Commercial Recreation</li> <li>• Business Office and Financial Services</li> <li>• Restaurants</li> <li>• Office Use</li> <li>• Personal Service/Office Support Use</li> </ul>	See Madeira Beach Town Center Special Area Plan	Activity Center (AC)
Resort Facilities High (RFH)**	<ul style="list-style-type: none"> <li>• Temporary Lodging</li> <li>• Restaurant</li> <li>• Retail Commercial</li> <li>• Commercial Recreation</li> <li>• Personal Service/Office Support Use</li> </ul>	<i>Less than 1-acre Temporary Lodging</i> <ul style="list-style-type: none"> <li>• Temporary Lodging 75 UPA</li> <li>• Total FAR 2.0</li> <li>• ISR 0.95</li> </ul>	
		<i>Between 1-acre and 3-acres</i>	

		<i>Temporary Lodging</i> <ul style="list-style-type: none"> <li>• Temporary Lodging 100 UPA</li> <li>• Total FAR 3.0</li> <li>• ISR 0.95</li> </ul>	
		<i>Greater than three acres</i> <i>Temporary Lodging</i> <ul style="list-style-type: none"> <li>• Temporary Lodging 125 UPA</li> <li>• Total FAR 4.0</li> <li>• ISR 0.95</li> </ul>	
Activity Center	<ul style="list-style-type: none"> <li>• Residential</li> <li>• Vacation Rental</li> <li>• Temporary Lodging</li> <li>• Retail Commercial</li> <li>• Commercial Recreation</li> <li>• Business Office and financial services</li> <li>• Office Use</li> <li>• Personal Service/Office Support Use</li> </ul>	Requires an approved Special Area Plan that details UPA, FAR, and ISR	

\*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 the Countywide Rules to use the Alternative Temporary Lodging Use Standards. When using Alternative Temporary Lodging Use Standards, the Floor Area Ratio accounts for the entire project as detailed in the Countywide Rules.

\*\*RFH must only be used as an Alternative Temporary Lodging Use Standard in the PR-MU as detailed in the Madeira Beach Town Center Special Area Plan. A rezone to PD and accompanying Development Agreement are required to use the RFH Category. The Development Agreement must follow all required standards in the Countywide Rules to use the Alternative Temporary Lodging Use Standards. When using Alternative Temporary Lodging Use Standards, the Floor Area Ratio accounts for the entire project as detailed in the Countywide Rules.

\*\*\*Permitted Uses Subject to Acreage Thresholds Uses Subject to Five Acre Maximum - Institutional; Transportation/Utility; Ancillary Nonresidential

\*\*\*\*Uses Subject to Five Acre Maximum - Institutional (except Public Educational Facilities which are not subject to this threshold, pursuant to the provisions of Section 6.5.4.2 in the Countywide Rules).

**Policy 4.1.1.2:**

---

Zoning districts that define specific uses and development densities and intensities implementing these future land use plan categories are included within the City of Madeira Beach land development regulations.

**Objective 4.1.2:**

New development and redevelopment is managed by implementing and enforcing of the land development regulations consistent with this Comprehensive Plan.

**Policy 4.1.2.1:**

The land development regulations contain administrative provisions:

- For the division of lots, the use of land, the protection of environmentally sensitive lands, and flood hazard safety;
- That implement guidelines for the administration of those future land use plan categories adopted by the City of Madeira Beach;
- Ensuring that applications for development approval are subject to site plan review, except for single-family, duplex, and triplex dwelling units;
- Ensuring that all development is consistent with regulations adopted by the State of Florida, Pinellas County, and other agencies with jurisdictional responsibilities for coastal construction, as amended;
- Ensuring that minimum criteria established by the Southwest Florida Water Management District and other governmental agencies with jurisdictional responsibilities for drainage and stormwater management, as amended; and
- Ensuring that all development is consistent with local and state regulations adopted to participate in the National Flood Insurance Program.

**Policy 4.1.2.2:**

The land development regulations contain design provisions:

- Ensuring compliance with the stormwater requirements of the Southwest Florida Water Management District, for the permitted use of either vegetated swales in conjunction with retention ponds or sand filtration and catchment systems where space prohibits the use of retention ponds;
- For drainage and stormwater management, open space, safe and convenient on-site traffic flow, parking, and signage;
- Ensuring the compatibility of adjacent land uses and providing for adequate and appropriate buffering;
- Encouraging the use of native vegetation in the landscaping of multifamily and commercial developments;
- Designed to direct water flows along natural drainage courses and through natural terrain;
- Requiring new development stormwater runoff is routed to protect neighboring property and minimize ecological damage. Compliance with this requirement must be demonstrated by the developer during site plan review; and
- Promoting land development that highlights scenic amenities and ensures public access to the waterfront.

---

**Policy 4.1.2.3:**

The land development regulations contain stormwater management provisions:

- Ensuring that surface cover vegetation loss during construction is minimized and/or replaced to reduce erosion and flooding;
- To provide that the developer/owner of any new development or redevelopment site is responsible for the on-site management of stormwater runoff in a manner so that post-development runoff rates, volumes, and pollutant loads are minimized and do not exceed pre-development conditions;
- To provide that impervious surfaces are minimized;
- To provide that future drainage outfalls associated with either new development or redevelopment are designed to prevent, to the extent practicable, the direct discharge of runoff into the Intracoastal Waterway or the Gulf of Mexico; and
- To provide that roadways, pipe systems, and stormwater management systems are designed to avoid the alteration of vital habitat areas and minimize interference with surface water or groundwater flow.

**Policy 4.1.2.4:**

The land development regulations contain provisions for development of innovative techniques aimed at preserving the access to and views of the beach by residents of and visitors to this community.

**Policy 4.1.2.5:**

The City will comply with all county, state, and federal regulations governing hurricane evacuation, provision of public beach access, provision of infrastructure in the Coastal Storm Area, regulation of stormwater drainage, protection of wetland vegetation, and protection of species with special status.

**Objective 4.1.3:**

Because Madeira Beach lies within the Coastal Storm Area, the City will limit public expenditures that support development, except restoration or enhancement of natural resources, maintenance or repair of existing infrastructure, or facilities determined by the Board of Commissioners to be an overriding benefit to the City.

**Policy 4.1.3.1:**

The Coastal High Hazard Area is recognized as that portion of the community below the elevation of the category 1 storm surge line as established by the Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model. However, the Coastal High Hazard Area defined by the Forward Pinellas Countywide Rules and defined by this Comprehensive Plan and in Policy 4.1.3.2 as the Coastal Storm Area is the regulatory standard for the City and is indicated on the 6.1e Madeira Beach Coastal High Hazard Area Map.

**Policy 4.1.3.2:**

The Coastal Storm Area as the area that includes the following:

the Coastal High Hazard Area, the Tom Stuart Causeway and land areas connected to the mainland of Pinellas County by the causeway, any area surrounded by the CHHA or by the CHHA and a body of water, and all areas located within the Velocity Zone, or Zone V, as designated by the Federal Emergency Management Agency.

---

**Policy 4.1.3.3:**

The Coastal Storm Area as indicated on the 6.1e Madeira Beach Coastal High Hazard Area Map of this Comprehensive Plan, is consistent with the Forward Pinellas Countywide Rules, and is the area within the City where coastal development regulations apply.

**Policy 4.1.3.4:**

The City will not support or finance new local transportation corridors that would encourage further growth or higher permanent population densities within the Coastal Storm Area beyond that anticipated in this Comprehensive Plan, although existing corridors may be maintained or improved as necessary to protect the health, safety, and welfare of the community.

**Policy 4.1.3.5:**

The City will not support sewer and water line extensions or expansions that would encourage further growth or higher permanent population densities within the Coastal Storm Area, except as anticipated within this Comprehensive Plan.

**Policy 4.1.3.6:**

Recognizing that the community is located primarily within the Coastal Storm Area and the 100-year floodplain, the City will strictly enforce all appropriate federal, state, and local coastal construction codes, coastal setback requirements, the Coastal Construction Control Line, facility siting restrictions, and floodplain management regulations.

**Policy 4.1.3.7:**

Special care facilities, such as hospitals and nursing homes, are prohibited in the Coastal Storm Area. Assisted living facilities are discouraged in the Coastal Storm Area unless adequate provisions for safe and efficient evacuation and shelter are ensured.

**Objective 4.1.4:**

Due to its location in the Coastal Storm Area, the City will not increase permanent densities above those established in this Comprehensive Plan, as indicated by with the 6.1a Madeira Beach Future Land Use Map.

**Policy 4.1.4.1:**

Maintain or reduce allowable permanent density in the Coastal Storm Area, consistent with the 6.1a Madeira Beach Future Land Use Map.

**Policy 4.1.4.2:**

Continue to implement growth management standards limiting development to currently planned densities and intensities within the Coastal Storm Area, consistent with the 6.1a Madeira Beach Future Land Use Map.

**Policy 4.1.4.3:**

Continue to seek opportunities for public land acquisition and management for recreation, conservation, and preservation areas within the Coastal Storm Area.

**Policy 4.1.4.4:**

Review federal and state development projects proposed within the City, and support those that are consistent with this Comprehensive Plan.

**Objective 4.1.5:**

---

Ensure that new development and redevelopment occurs in accordance with the adopted 6.1a Madeira Beach Future Land Use Map.

**Policy 4.1.5.1:**

Maintain a population level based upon the availability, accessibility, and adequacy of existing and planned public facilities and services, including coordination of development with the availability of water supply.

**Policy 4.1.5.2:**

Provide public and semi-public facilities and services to commercial land uses in accordance with the demand for such facilities and uses generated by existing and new residential development and redevelopment.

**Policy 4.1.5.3:**

Ensure the scale of proposed development is appropriate to the level of accessibility with more intensive development located in those areas with higher accessibility.

**Policy 4.1.5.4:**

Ensure development and redevelopment maximize scenic amenities and cultural facilities and provide for public access.

**Policy 4.1.5.5:**

Promote pedestrian-oriented areas within concentrated development and activity areas.

**Policy 4.1.5.6:**

Reduce conflicts between traffic movement and Intracoastal Waterway bridge openings.

**Policy 4.1.5.7:**

Minimize existing and potential traffic hazards by coordinating land use and traffic circulation decisions.

**Objective 4.1.6:**

Assist property owners in the identification, preservation, and protection of historical and architecturally significant archaeological sites, housing, and structures as they are identified.

**Policy 4.1.6.1:**

Assist property owners in identifying historically significant archaeological sites, housing, and structures by providing referral to the appropriate governmental agency(ies).

**Policy 4.1.6.2:**

Refer property owners of historically significant archaeological sites, housing, and structures to Pinellas County for assistance in applying for and utilizing state and federal assistance programs.

**Policy 4.1.6.3:**

Through the site plan review process, ensure that all new development/and redevelopment occurring in the area of known historically significant archaeological sites, housing, and structures is consistent with protection measures recommended by the Florida Department of State.

**Objective 4.1.7:**

---

Maintain the integrity and quality of life, as exhibited by the continuation of the city's beach community, family-oriented, residential character in residential neighborhoods.

**Policy 4.1.7.1:**

Encourage a balanced land use mix providing for a variety of housing styles, densities, and access to services and open space.

**Policy 4.1.7.2:**

Encourage residential developments designed to meet the housing needs of varying income level households.

**Policy 4.1.7.3:**

Ensure that existing residential land uses are protected from the encroachment of incompatible activities; likewise, protect other land uses from the encroachment of incompatible residential activities.

**Policy 4.1.7.4:**

Future land development patterns must recognize and support the preservation of residential neighborhoods.

**Policy 4.1.7.5:**

Enforce provisions requiring residential land uses be located and designed to protect life and property from natural and manmade hazards such as flooding, excessive traffic, subsidence, noxious odors, noise, and deterioration of structures.

**Policy 4.1.7.6:**

Residential land uses must be compatible with the type and scale of surrounding land uses.

**Policy 4.1.7.7:**

Require buffering and open space in residential land uses, as appropriate.

**Policy 4.1.7.8:**

Enforce procedures that enhance the quality of existing housing stock and neighborhoods and promote the revitalization of older areas where conditions warrant.

**Objective 4.1.8:**

Commercial and mixed-use development compatible with environmental and economic resources must be planned consistent with this Comprehensive Plan, 6.1a Madeira Beach Future Land Use Map the land development regulations, and be in keeping with the needs and character of the community and its surrounding area.

**Policy 4.1.8.1:**

Enforce requirements that encourage mixed-use development within the Residential/Office/Retail future land use plan category and discourage single-use developments.

**Policy 4.1.8.2:**

Ensure that within any mixed-use development proper separation and buffering is required and maintained between residential and nonresidential land uses and is installed when a change of use or increase in intensity occurs.

**Policy 4.1.8.3:**



---

Promote commercial development in areas where a projected demand for those uses exists, where the use is compatible with the surrounding area, and where existing or programmed facilities will not be overburdened, by matching planned commercial land uses to the projected demand for such commercial uses.

**Policy 4.1.8.4:**

Commercial land uses must be located to ensure compatibility with the type and scale of surrounding land uses and where existing or programmed public facilities are not diminished below the adopted level-of-service.

**Policy 4.1.8.5:**

Commercial facilities must be located to serve residential land uses without disrupting neighborhood quality of life.

**Policy 4.1.8.6:**

Commercial development west of Gulf Boulevard is limited to only those uses associated with seasonal tourist accommodations, excluding general retail uses.

**Policy 4.1.8.7:**

Encourage tourist-related development and redevelopment to reflect the city's beach community character.

**Policy 4.1.8.8:**

Enforce requirements that tourist accommodations, at a density appropriate for each zoning district, are located in the Residential/Office/Retail, Resort Facilities Medium, and Resort Facilities High future land use plan categories.

**Policy 4.1.8.9:**

Prevent development of seasonal tourist facilities within the Resort Facilities Medium and Resort Facilities High future land use plan categories from circumventing the residential density limitations established by this Comprehensive Plan.

**Policy 4.1.8.10:**

Ancillary commercial uses may be incorporated into the Resort Facilities Medium and Resort Facilities High future land use plan categories.

**Policy 4.1.8.11:**

Ensure that commercial developments separate pedestrian and vehicular traffic and provide adequate off-street parking and loading areas.

**Policy 4.1.8.12:**

In cooperation with the Florida Department of Transportation and Pinellas County, regulate to the fullest extent direct access to, and control the number and location of curb cuts along, existing and planned local streets and county and state roads.

**Policy 4.1.8.13:**

Encourage the concentration or clustering of commercial development.

**Objective 4.1.9:**

Redevelopment that is designed and constructed as orderly, planned, mixed-use development featuring pedestrian friendly design and protection of the natural environment.

---

**Policy 4.1.9.1:**

Redevelopment is encouraged in the following areas:

- The area of 137th Avenue Circle, east of Gulf Boulevard.
- The Madeira Way Redevelopment Area—the area formed by Gulf Boulevard, 153rd Avenue, Madeira Way, and 150th Avenue to the Tom Stuart Causeway Bridge.

**Policy 4.1.9.2:**

Redevelopment is encouraged in those areas zoned R-1 and R-2 where the existing density exceeds that permitted on the 6.1a Madeira Beach Future Land Use Map.

**Policy 4.1.9.3:**

Enforce provisions that encourage redevelopment and revitalization through the use of the Residential/Office/Retail future land use plan category.

**Policy 4.1.9.4:**

In order to ensure the continued maintenance of its beach residential character, address opportunities and incentives for the rehabilitation and revitalization of existing residential structures, including encouraging National Flood Insurance Program (NFIP)-compliant residential construction.

**Policy 4.1.9.5:**

Encourage new development and redevelopment that is feasible within the financial limitations and administrative constraints associated with the increased need for public facilities and services.

**Policy 4.1.9.6:**

Recognize John's Pass Village for its unique opportunities for commerce, employment, housing, and tourism and encourage redevelopment and revitalization, and assist in maintaining the beach community theme.

**Policy 4.1.9.7:**

(Reserved)

**Policy 4.1.9.8:**

Redevelopment within the area adjacent to John's Pass Village and east of Pelican Lane must be in character with the overall design theme of the area.

**Policy 4.1.9.9:**

Allow zero lot line, cluster, or other nontraditional lot layout or site design for redevelopment and revitalization of John's Pass Village.

**Objective 4.1.10:**

Maintain city entranceways and roadways in cooperation with the Florida Department of Transportation and Pinellas County.

**Policy 4.1.10.1:**

City entranceway areas will include mixed uses that support water-related activities and reflect the city's beach community character.

**Policy 4.1.10.2:**

---

As part of a beautification effort, cooperate with service providers and Pinellas County to establish a plan for the eventual burial of all utility lines.

**Policy 4.1.10.3:**

Coordinate with the Florida Department of Transportation to install landscaped medians within the Gulf Boulevard right-of-way.

**Objective 4.1.11:**

Existing land uses, lots, and structures that are inconsistent with this Comprehensive Plan are nonconforming.

**Policy 4.1.11.1:**

Those commercial and residential land uses, lots, and structures existing on the effective date of this Comprehensive Plan, that were conforming prior to adoption and are nonconforming, are allowed to continue provided that the land use, lot, or structure complies with the land development regulations.

**Policy 4.1.11.2**

Enforce regulations for reestablishing uses after an involuntary loss.

**Policy 4.1.11.3:**

Enforce regulations for buffering incompatible or nonconforming land uses or structures.

**Objective 4.1.12:**

All development orders and permits for new development and redevelopment activities may be issued only if public facilities necessary to meet the level-of-service standards adopted pursuant to this Comprehensive Plan are available concurrent with the impacts of the development.

**Policy 4.1.12.1:**

Ensure that all new development and redevelopment does not result in a reduction of the level-of-service standards established and adopted by this Comprehensive Plan.

**Policy 4.1.12.2:**

The development of residential and commercial land must be timed and staged in conjunction with the provision of supporting community facilities consistent with the adopted levels of service contained in the Capital Improvements Element of this Comprehensive Plan.

**Policy 4.1.12.3:**

Public facilities and utilities must be located to maximize the efficiency of services provided, minimize their cost, and minimize their impacts on the natural environment.

**Policy 4.1.12.4:**

Public and other essential services and facilities including public utilities that serve the health, safety, or welfare of the general public are allowed in all future land use plan categories, excluding areas designated Preservation.

**Objective 4.1.13:**

Continue to ensure the availability of suitable land for utility facilities necessary to support proposed new development and redevelopment.

**Policy 4.1.13.1:**

---

Ensure that adequate land is available for the maintenance of those public utility facilities provided by the city needed to accommodate proposed new development and redevelopment.

**Policy 4.1.13.2:**

Cooperate with those public utilities providing service to the community to ensure that adequate land is available for those facilities that support proposed new development and redevelopment.

**Policy 4.1.13.3:**

Consistent with state law, new electric substations are permissible in all future land use plan categories in the city, excluding areas designated Preservation.

**Objective 4.1.14:**

Support efforts that facilitate coordination of planning between the City and the School Board for the location and development of public educational facilities.

**Policy 4.1.14.1:**

Implement the provisions of the approved Interlocal Agreement with the School Board of Pinellas County regarding coordination of land use and public school facilities planning.

**Policy 4.1.14.2:**

Public educational facilities of the School Board are an allowable use in the following future land use plan categories:

Residential Urban

Residential Medium

Institutional

**Objective 4.1.15:**

In accordance with Chapter 171, Florida Statutes, annex appropriate adjacent unincorporated areas provided that landowner(s) of such areas request annexation and the revenues and costs of annexation will not burden existing city residents.

**Policy 4.1.15.1:**

Evaluate proposed annexations for compatibility to ensure that growth resulting from future annexations does not have an adverse effect on the character of the community.

**Policy 4.1.15.2:**

Evaluate proposed annexations for compliance with adopted level-of-service standards to ensure that growth resulting from future annexations does not have an adverse impact on the availability of services and facilities to existing and future residents.

**Objective 4.1.16:**

Achieve open space protection, in part, through the enforcement of view corridors along Gulf Boulevard. The land development regulations will provide standards to implement this objective.

**Policy 4.1.16.1:**

Enforce regulations that preserve view corridors by keeping designated areas clear of buildings, accessory structures, and structured parking.

**Policy 4.1.16.2:**

---

Enforce regulations that further maintain open space and view corridors with increased landscaping to reduce impervious surfaces and pedestrian access as one means of reducing the need for parking. Ensure pedestrian access between Gulf Boulevard and the Gulf of Mexico, in part, through the provision of pedestrian access easements. The land development regulations will ensure protection of a clear visibility area between three to ten feet (3' to 10') high.

**Objective 4.1.17:**

Recognize private property rights pursuant to Sections 70.001 and 70.51, Florida Statutes.

**Policy 4.1.17.1:**

Prepare and adopt, as necessary, procedures for the appeal process outlined in the Bert J. Harris, Jr. Private Property Rights Protection Act and the Florida Land Use and Environmental Dispute Resolution Act.

GOAL 4.2: TO COMPLY WITH CHAPTER 88-464, LAWS OF FLORIDA, AS AMENDED, BY PARTICIPATING IN THE COUNTYWIDE PLANNING PROCESS THROUGH REPRESENTATION ON AND COORDINATION WITH FORWARD PINELLAS, TO ENSURE CONSISTENCY BETWEEN THE CITY OF MADEIRA BEACH COMPREHENSIVE PLAN AND THE UPDATED COUNTYWIDE PLAN FOR PINELLAS COUNTY AND COUNTYWIDE RULES.

**Objective 4.2.1:**

Consistency of the Future Land Use Element of this Comprehensive Plan with the Countywide Plan Map and the Countywide Rules Concerning the Administration of the Countywide Rules, as amended.

**Policy 4.2.1.1:**

Per Chapter 88-464, Laws of Florida, as amended, the city land development regulations contain density and intensity standards and other standards consistent with the Rules Concerning the Administration of the Countywide Rules, as amended, including criteria and standards for nomenclature, continuum of plan classifications and categories, use and locational characteristics, map delineation, other standards, and special rules.

**Policy 4.2.1.2:**

Consistent with the foregoing policies, the City has and will maintain appropriate regulatory mechanisms to implement development agreements.

**Policy 4.2.1.3:**

Provisions for development agreements encourage new development and redevelopment consistent with this Comprehensive Plan, particularly to facilitate viable tourist-related facilities.

**Policy 4.2.1.4:**

Develop and maintain appropriate procedures and standards to govern development agreements in the land development regulations.

(Ord. No. 2023-15, § 1, 7-12-23; 2023-22, § 1, 12-13-23)

## **8.0 CONSERVATION AND COASTAL MANAGEMENT ELEMENT**

GOAL 8.1: TO ENSURE THE HIGHEST ENVIRONMENTAL QUALITY POSSIBLE, THE CITY OF MADEIRA BEACH WILL CONSERVE, PROTECT, AND APPROPRIATELY MANAGE ITS AIR, AQUATIC, WETLAND, AND TERRESTRIAL RESOURCES.

**Objective 8.1.1:**

Protect the quality and quantity of surface and groundwater.

---

**Policy 8.1.1.1:**

Implement an educational program for residential and commercial consumers to discourage waste and conserve water.

**Policy 8.1.1.2:**

Continue to enforce the comprehensive water shortage plan and enforce the provisions set forth by the Southwest Florida Water Management District.

**Policy 8.1.1.3:**

Continue to upgrade the drainage system and through the land development regulations, implement stormwater treatment for water quality.

**Policy 8.1.1.4:**

Protect water storage and quality enhancement functions of wetlands and floodplain areas through land acquisition, if feasible, enforcement of laws, and the application of land and water management practices that provide for compatible uses.

**Objective 8.1.2:**

Strictly enforce regulations for development within the 100-year floodplain, as established by the federal government.

**Policy 8.1.2.1:**

The land development regulations will continue to require that runoff rates, volumes, and pollutant loads for new development and redevelopment do not exceed predevelopment conditions.

**Policy 8.1.2.2:**

Recognizing that the community is located within the 100-year floodplain, the City will continue to strictly enforce all appropriate federal, state, and regional coastal construction codes and coastal setback regulations.

**Policy 8.1.2.3:**

Protect the natural functions of the 100-year floodplain so that flood- carrying and flood-storage capacities are maintained.

**Policy 8.1.2.4:**

Strictly enforce the floodplain management provisions contained in the land development regulations to preserve hydrologically significant wetlands and other natural floodplain features.

**Policy 8.1.2.5:**

The land development regulations contain provisions that, at a minimum, protect natural drainage features found within the city as follows:

The flood-carrying and flood storage capacity of the 100-year floodplain will be maintained;

Development along Boca Ciega Bay and the Gulf of Mexico must maintain adequate setbacks to protect any existing areas of natural coastal/marine habitat;

The prevention of erosion, retardation of runoff and protection of natural functions and values of the floodplain will be considered while promoting public usage; and

---

Development or redevelopment proposals must be consistent with the performance standards regulating development within designated floodplains.

**Objective 8.1.3:**

Conserve or improve wetlands, aquatic resources, and wildlife population and habitat to maintain their environmental and recreational value.

**Policy 8.1.3.1:**

Identify shorelines and islands on 6.1a Madeira Beach Future Land Use Map.

**Policy 8.1.3.2:**

Designate all existing marine wetlands Preservation land 6.1a Madeira Beach Future Land Use Map on Map LU-4.

**Policy 8.1.3.3:**

Projects (e.g., marinas, causeways, or dredging) that could inhibit tidal circulation must include measures to maintain or improve tidal circulation and flushing.

**Policy 8.1.3.4:**

Any project that produces changes in tidal circulation patterns may be approved only after sufficient hydrographic information is provided to allow an accurate evaluation of the possible impacts of the project.

**Policy 8.1.3.5:**

Existing wetlands must be conserved and protected from physical and hydrological alterations.

**Policy 8.1.3.6:**

Marine wetlands, barrier island property containing numerous vegetative communities, and/or shoreline locations with limited habitat diversity are considered priorities for environmental land acquisition.

**Policy 8.1.3.7:**

(Reserved) [Cf. Policy 8.1.5.12]

**Policy 8.1.3.8:**

Protect, maintain, and where feasible, restore aquatic seagrass beds through public acquisition, preservation, and restoration of adjacent lands and shorelines.

**Policy 8.1.3.9:**

Notify adjacent jurisdictions that share wetlands of its protection plans and solicit comments pertaining to any proposed action.

**Objective 8.1.4:**

Conserve, appropriately use, and protect native vegetation.

**Policy 8.1.4.1:**

Require all new development and redevelopment include landscaping in accordance with standards contained in the land development regulations.

**Policy 8.1.4.2:**

Native vegetation will continue to receive priority in landscaping requirements.

---

**Policy 8.1.4.3:**

Encourage shorelines lacking wetland vegetation to be planted with native vegetation in order to minimize potential flood damage, stabilize the shoreline, trap sediments and other non-point source pollutants, and provide additional habitat for fish and wildlife.

**Policy 8.1.4.4:**

Continue to encourage the removal and prohibit the planting of exotic species such as punk tree (*Melaleuca* sp.), Australian pine (*Casuarina* sp.), and Brazilian pepper (*Schinus* sp.).

**Policy 8.1.4.5:**

Consider soil conditions and vegetation classifications during site plan review and when designating future land use plan categories.

**Policy 8.1.4.6:**

Recognize the limitations of development on a barrier island resulting from the effects of the Coastal High Hazard Area, 100-year floodplain, vulnerability to tropical storms, topography, and soil conditions.

**Policy 8.1.4.7:**

The land development regulations will include development review criteria for soil suitability.

**Policy 8.1.4.8:**

Pilings, not fill, must be used to elevate structures in flood prone areas.

**Policy 8.1.4.9:**

Protect the limited remaining natural resources as follows:

Recreational development must be compatible with the surrounding environment and subject to performance standards adopted in the land development regulations;

The clearing of trees and wetland vegetation is governed by the land development regulations; and

All applications for development, unless exempted in the land development regulations, are subject to site plan review.

**Objective 8.1.5:**

Redevelopment activities must ensure the protection of natural resources.

**Policy 8.1.5.1:**

Ensure through the land development regulations, that land is developed to respect necessary ecological functions and protect unique or irreplaceable natural resources.

**Policy 8.1.5.2:**

Land development regulations will provide for mixed use and other techniques that protect environmentally sensitive areas.

**Policy 8.1.5.3:**

Ensure that species of flora and fauna listed as endangered, threatened, or species of special concern, by federal law or Florida Statutes, are protected through compliance with appropriate federal and state regulations.



---

**Policy 8.1.5.4:**

Ensure that recreational development is compatible with the surrounding environment and compliant with performance standards.

**Policy 8.1.5.5:**

Clearing trees and wetland vegetation is prohibited except where necessary to avoid a hazard to the public or private property.

**Policy 8.1.5.6:**

Protect coastal vegetative communities, coastal wildlife habitats, and dune systems from the adverse effects of development.

**Policy 8.1.5.7:**

Ensure that tidal flushing and circulation patterns are not negatively impacted by development activities.

**Policy 8.1.5.8:**

(Reserved) [Cf. Policy 8.1.3.4]

**Policy 8.1.5.9:**

Ensure that natural watercourses are protected in their natural state and are exempt from alteration.

**Policy 8.1.5.10:**

The land development regulations prohibit land uses that could potentially increase point-source air and water pollution.

**Policy 8.1.5.11:**

Dredge and fill activities may be permitted only when necessary, as determined after review and comment by the appropriate governmental agencies and interested citizens, and in a manner least harmful to the surrounding environment.

**Policy 8.1.5.12:**

Continue to protect Little Bird Key and the adjacent unnamed island in their natural state by the assignment of the Preservation future land use plan category on the 6.1a Madeira Beach Future Land Use Map and implementing appropriate land development regulations.

**Policy 8.1.5.13:**

To the maximum extent possible, transportation facilities must not disrupt ecosystems or isolated significant environmental features.

**Policy 8.1.5.14:**

Enforce provisions for the control of erosion and runoff from construction sites.

**Policy 8.1.5.15:**

Promote environmental awareness through educational programs and interpretive displays at applicable points of interest, especially parks and public open spaces that contain or are adjacent to natural resources.

**Objective 8.1.6:**

---

Protect species with special status from adverse impacts due to loss of natural habitats.

**Policy 8.1.6.1:**

(Reserved) [Cf. Policy 8.1.5.3]

**Policy 8.1.6.2:**

Beach renourishment projects must protect sea turtle nesting areas by limiting construction in such areas to winter and spring months, or by collecting eggs from the nests, incubating them, and releasing the hatchlings.

**Policy 8.1.6.3:**

Continue a public information program calling for the protection of those sea turtle nesting areas located within the community.

**Policy 8.1.6.4:**

Continue to prohibit the use of bright lights on sea turtle nesting areas.

**Policy 8.1.6.5:**

All spoil islands are designated bird sanctuaries.

**Policy 8.1.6.6:**

Protect and conserve listed animal species that utilize aquatic habitats, including mangroves, marshes, and seagrass beds, through preservation, public acquisition, and restoration of coastal lands and shorelines.

**Objective 8.1.7:**

Continue involvement in monitoring the proper handling, treatment, transportation, and disposal of hazardous waste within its jurisdiction.

**Policy 8.1.7.1:**

Comply with federal, state, and county guidelines regarding accidents involving hazardous waste.

**Policy 8.1.7.2:**

Support the Pinellas County Pollution Prevention (P2) Program to regulate small generators of hazardous wastes to protect natural resources and public health.

**Policy 8.1.7.3:**

Encourage residents and local businesses to deposit household chemical waste at the Pinellas County household chemical collection center.

**Objective 8.1.8:**

Comply with all state and federal standards for air quality.

**Policy 8.1.8.1:**

Work to reduce the effects of automobile emissions pollution by:

- Land development regulations that require vegetative buffer strips between roadways and residential development; and
- Promoting alternative transportation modes such as public transportation, carpooling, walking, and bicycling.

---

**Objective 8.1.9:**

Cooperate with the State of Florida and other local jurisdictions to maintain the Boca Ciega Bay Outstanding Florida Waters designation.

**Policy 8.1.9.1:**

No new point sources are permitted to discharge from the City of Madeira Beach into Boca Ciega Bay or into ditches or canals that flow into Boca Ciega Bay, except for the correction of existing inefficient stormwater drainage, or as specifically permitted by the City.

**Policy 8.1.9.2:**

In order to reduce non-point source pollutant loadings, continue to strictly enforce stormwater management regulations, following the guidelines established in Chapter 62-25, Florida Administrative Code.

**Policy 8.1.9.3:**

To reduce non-point source pollutant loadings and improve the functioning of the city drainage system, dumping of debris of any kind (e.g., yard clippings and trimmings), into drainage ditches, canals, and stormwater control structures is prohibited.

**Policy 8.1.9.4:**

Coordinate with neighboring jurisdictions, Pinellas County, and the Tampa Bay Regional Planning Council to protect regional estuaries, providing adequate sites for water-dependent uses, preventing estuarine pollution, controlling surface water runoff, protecting living marine resources, reducing exposure to natural hazards, and ensuring public access.

**Policy 8.1.9.5:**

Natural watercourses must be maintained in their natural state and protected from alteration.

**Policy 8.1.9.6:**

Continue working with other communities and counties to implement the Surface Water Improvement Management (S.W.I.M.) Program for Tampa Bay.

**Objective 8.1.10:**

Protect and restore the community's beaches, dunes, and natural system from the impacts of development through continued enforcement of coastal construction standards.

**Policy 8.1.10.1:**

Construction seaward of the Coastal Construction Control Line is subject to permitting procedures pursuant to Florida Statutes.

**Policy 8.1.10.2:**

Encourage, through the provision of public information, the planting of native marine vegetation in front of seawalls to act as a natural buffer against damage from tides and flooding.

**Policy 8.1.10.3:**

Adopt beach management practices that regulate excavations, disturbance of native vegetation, and activities that affect the natural fluctuation of the dunes.

**Policy 8.1.10.4:**

---

Continue a program for the restoration and maintenance of the coastal dune system that include:

- Stabilization projects utilizing native vegetation; and
- An educational program emphasizing the need to protect the coastline.

**Policy 8.1.10.5:**

Continue providing adequate public access to beaches and shorelines, enforcing public access to beaches renourished at public expense, enforcing the public access requirements of the Coastal Zone Protection Act, and providing transportation or parking facilities for beach and shoreline access.

**Policy 8.1.10.6:**

Limit shoreline development that will adversely impact marine fisheries habitats through land development regulations and site plan review.

**Policy 8.1.10.7:**

Require that the replacement material for failed or damaged existing concrete seawalls along the Gulf of Mexico be rip-rap or planted native vegetation, e.g., marsh grasses and dune vegetation.

**Objective 8.1.11:**

Comply with all county, state, and federal regulations governing the protection of coastal resources.

**Policy 8.1.11.1:**

Coordinate beach management practices with the efforts of neighboring jurisdictions.

**Policy 8.1.11.2:**

Review the comprehensive plans of the neighboring jurisdictions and adjacent coastal counties to determine if coastal resources of the barrier islands are being managed in a consistent manner.

**Policy 8.1.11.3:**

Cooperate with the U.S. Army Corps of Engineers and Pinellas County in addressing the environmental issues associated with the maintenance of John's Pass as a navigational channel.

**Policy 8.1.11.4:**

Pursuant to Section 163.3178, Florida Statutes, the level-of-service standards for recreation/open space for the coastal planning area are identical to those for the city as a whole.

**Objective 8.1.12:**

Protect the viability of the Working Waterfronts in the community.

**Policy 8.1.12.1:**

Recognizing the importance of working waterfronts to employment, recreation, quality of life, and state and local economies, the land development regulations include guidelines for the development and redevelopment of Working Waterfronts.

**Policy 8.1.12.2:**

Coordinate with property owners and associated marine operations to encourage the continuation of water dependent activities.

**Policy 8.1.12.3:**

---

Consider guidelines for the protection of business sites located on Gulf Boulevard to encourage continuation of working waterfront uses.

GOAL 8.2: PROVIDE A SET OF GUIDELINES FOR DEVELOPMENT THAT PROTECT THE LIVES AND PROPERTY OF CITIZENS FROM THE EFFECTS OF NATURAL DISASTERS INCLUDING HIGH TIDE EVENTS, STORM SURGE, FLASH FLOODS, STORMWATER RUNOFF, AND SEA LEVEL RISE.

**Objective 8.2.1:**

Coordinate and cooperate with Pinellas County to proceed with an orderly, safe, and expeditious evacuation when an evacuation is ordered.

**Policy 8.2.1.1:**

Coordinate through the Pinellas County Metropolitan Planning Organization (MPO) with state, regional, and county agencies to ensure that major evacuation routes are adequately maintained and, when necessary, improved to facilitate an efficient and safe evacuation.

**Policy 8.2.1.2:**

Sponsor preparedness seminars to increase hurricane awareness in cooperation with the Pinellas County Department of Emergency Management and the South Pinellas County Chapter of the American Red Cross.

**Policy 8.2.1.3:**

Emergency response personnel and volunteers will coordinate pre- and post-event activities with county and state emergency response agencies in order to plan for safe and efficient evacuations and re-entries.

**Policy 8.2.1.4:**

Forward notice of proposed future land use plan amendments with potential hurricane shelter and evacuation route impacts to the Tampa Bay Regional Planning Council and the Pinellas County Emergency Management Department and consult with these agencies, if necessary and appropriate, to ascertain the amount of currently available shelter space.

**Policy 8.2.1.5:**

Use the Tampa Bay Regional Planning Council Hurricane Evacuation Study for guidance pertaining to residential future land use densities in coastal high hazard areas.

**Objective 8.2.2:**

Reduce the risk of exposure of human life and public and private property to natural disasters, through preparedness planning and implementation of hazard mitigation measures.

**Policy 8.2.2.1:**

Coordinate with the Pinellas County Department of Emergency Management to maintain and upgrade its comprehensive disaster plan to address the four (4) phases of comprehensive emergency management: preparedness, response, recovery and mitigation.

**Policy 8.2.2.2:**

The city emergency management coordinator will continue to oversee the development and revision of the city disaster plan; act as a liaison between state, regional, county, and city emergency response and planning agencies; and ensure coordination between emergency management and growth management activities.

**Policy 8.2.2.3:**

---

Review the existing coastal construction building code and the coastal construction standards embodied in the Coastal Zone Protection Act, and strictly enforce their implementation through the building inspection process.

**Policy 8.2.2.4:**

The City Commission will review all elements of the Pinellas County Comprehensive Emergency Management Plan to assure that hazard mitigation considerations are effective and implemented within its area of responsibility.

**Policy 8.2.2.4:**

Continue to cooperate with the Pinellas County Department of Emergency Management, the Town of Redington Beach, the City of Seminole, and Pinellas County to implement the adopted Hurricane Evacuation Plan.

**Objective 8.2.3:**

Development and redevelopment within the city will proceed in a manner that lessens risk to public investments and private property by utilizing policies, techniques, and practices that reduce negative impacts of flooding and sea-level rise.

**Policy 8.2.3.1:**

Current and credible sea-level rise data will be considered when evaluating future land use amendment applications.

**Policy 8.2.3.2:**

Strategies for preparing for sea-level rise, such as increasing road surface elevation standards, subsurface stabilization, stormwater management and drainage, and adjustment of bridge heights to allow for navigation, will be collectively assessed and implemented where appropriate.

**Policy 8.2.3.3:**

Collaborate with the state and Pinellas County as appropriate to develop strategies for responding to sea-level rise, including consideration of the effects of sea-level rise on potable water resources, saltwater intrusion, wastewater treatment facilities and the water table.

**Policy 8.2.3.4:**

Consider acquisition of severe repetitive loss properties that have sustained repeated flood losses for use as public open space as procurement opportunities arise, such as through the use of grants or tax deed sales.

**Policy 8.2.3.5:**

Development and redevelopment in the city will be consistent with or more stringent than the flood-resistant construction requirements in the Florida Building Code and applicable floodplain management regulations set forth in 44 C.F.R. part 60.

**Policy 8.2.3.6:**

Continue to participate in the National Flood Insurance Program Community Rating System administered by the Federal Emergency Management Agency to achieve flood insurance premium discounts for its residents.

**GOAL 8.3: EXPEDITE POST-DISASTER RECOVERY AND REDUCE THE FUTURE RISK TO HUMAN LIFE AND PUBLIC AND PRIVATE PROPERTY FROM NATURAL HAZARDS, THROUGH RECOVERY AND REDEVELOPMENT STRATEGIES.**

**Objective 8.3.1:**

---

Implement the post-disaster recovery procedures outlined in its disaster plan.

**Policy 8.3.1.1:**

The city emergency management coordinator will designate appropriate staff to perform the following tasks:

- Monitor preliminary damage reports following a disaster;
- Take necessary steps to seek financial assistance from the appropriate state and federal agencies;
- Authorize clean-up and repairs necessary to protect the public health, safety, and welfare;
- Identify areas within the community where minor, moderate, and major damage has occurred;
- Recommend to the City Commission temporary building moratoria for building activities not essential to protect health, safety, or welfare;
- Recommend to the City Commission appropriate hazard mitigation policies that should be implemented in response to the disaster; and
- Prepare a report evaluating post-disaster redevelopment response and make recommendations for necessary changes to this comprehensive plan.

**Policy 8.3.1.2:**

Review all elements of the Pinellas County Comprehensive Emergency Management Plan to assure that hazard mitigation considerations are effective and implemented within the City's area of responsibility.

**Objective 8.3.2:**

Enforce the reconstruction permitting procedures.

**Policy 8.3.2.1:**

Following a major hurricane or other disaster, the City Commission may adopt a temporary post-disaster building moratorium to allow sufficient time for damage assessment, the identification of redevelopment opportunities, and hazard mitigation policy implementation.

**Policy 8.3.2.2:**

Enforce post-disaster redevelopment procedures that will expedite permitting for minor repairs including: development plan review, engineering approval, building permitting, and require all permitting is coordinated with the appropriate agencies and is consistent with the objectives of this Comprehensive Plan.

**Policy 8.3.2.3:**

Enforce the involuntary loss provisions of the land development regulations to protect private property rights by potentially allowing replacement and reconstruction of housing units.

**Objective 8.3.3:**

Implement reconstruction and redevelopment strategies that will be used to promote hazard mitigation.

**Policy 8.3.3.1:**

---

Where financially feasible, property that has received recurring major hurricane damage (total devastation) from storm surge may be publicly acquired, or designated Preservation on the 6.1a Madeira Beach Future Land Use Map to prevent redevelopment of the property to its pre-disaster land use.

**Policy 8.3.3.2:**

Consider one or more of the following strategies in those areas that receive major or moderate damage:

- Reduction of permissible density or intensity of development in the area;
- Reconstruction according to more stringent building and construction standards; and
- Public acquisition of damaged areas.

**Policy 8.3.3.3:**

Interrelate hazard and non-hazard mitigation goals during reconstruction decision-making, including the following:

- Enhancement of local recreational and open space opportunities;
- Enhancement of local public beach access;
- Enhancement and restoration of local natural ecosystems;
- Reduction of traffic congestion, noise, and other transportation related problems; and
- Enhancement of the long-term economic vitality of the local commercial base.