



Memorandum

Meeting Details: August 3rd, 2026 – Planning Commission Meeting
Prepared For: Planning Commission
Staff Contact: Community Development Department – Joseph Petraglia, Planner II
Subject: ORD 2026-10 - Chapter 106, Vegetation

Background:

The City's landscaping regulations have remained largely unchanged since their adoption in the early 1980s. Staff have identified several provisions that are outdated, conflict with other sections of the City Code, have been subject to varying interpretations over time, or have proven difficult to administer and enforce consistently. In addition, evolving landscaping practices and changing site conditions have highlighted areas where the current code may no longer reflect industry standards or the City's desired development outcomes. Staff is seeking policy direction regarding potential updates to the landscaping regulations.

It is important to note that Policy 5.2.4.1 of the city's comprehensive plan states that impervious surfaces must not cover more than 70 percent of any lot, and Policy 5.2.1.2 states that alterations and repairs exceeding 25% of the structure's value should adhere to such stormwater management requirements.

This ordinance is as presented in the last Planning Commission Meeting with minor changes based on feedback from this meeting, from the city attorney, and additional staff review. All other discussed amendments are included in Ordinances 2026-11 through 2026-13.

Discussion:

Staff have identified the following key areas for consideration:

1. Residential Landscaping Requirements and Permit Closeout Delays

Current residential landscaping requirements can create challenges for homeowners attempting to obtain final inspections, close permits, or receive Certificates of Occupancy. Based on direction provided at the June 24th board of commissioners workshop meeting and public comment submitted to the city, the proposed ordinance has been revised to significantly reduce the requirement for living ground cover to satisfy minimum landscape area requirements while preserving the living ground cover requirements in landscape buffers and attempting to preserve the chapter's objectives related to aesthetics, tree canopy, and stormwater management.

2. Right-of-Way Landscaping Materials

The City's code currently does not clearly limit the types of materials that may be installed within public rights-of-way. As a result, a variety of decorative materials have been placed in these areas, creating maintenance and

operational challenges for Public Works staff. The Board may wish to consider establishing standards that limit right-of-way landscaping to approved vegetation and groundcover materials while prohibiting materials that may create maintenance, safety, or infrastructure concerns.

3. Artificial Turf and New Landscaping Materials

The current code provides limited guidance regarding the use of artificial turf and other modern landscaping materials, and provides a potential conflict with recent Florida Legislature regarding artificial turf on single-family parcels. Other municipalities, such as the city of Clearwater, have begun adopting ordinances regulating artificial turf and similar materials. Recent legislature adopted by the state has been attached.

4. Intersection Visibility

City code currently has multiple intersection visibility codes that conflict with each other, creating uncertainty for developers and staff. Existing code provisions have been reviewed, and amendments proposed to ensure landscaping requirements are consistent with sight triangles and do not create safety concerns at street intersections to preserve visibility and public safety.

5. Outdated and Conflicting Tree Regulations

Certain tree preservation, replacement, and planting requirements may be inconsistent with current landscaping standards, overlap with other sections of the City Code, or conflict with state law. Staff recommends reviewing these provisions to improve clarity, eliminate conflicts, and ensure regulations are consistent with current best practices and community objectives.

Fiscal Impact:

Any proposed amendments can be implemented using existing departmental resources. Staff anticipate that clarifying and modernizing landscaping requirements may result in minor administrative cost savings by reducing permit review issues, failed landscaping inspections, repeat inspections, and delays associated with permit closeout and certificate of occupancy issuance. No significant fiscal impact is anticipated.

Recommendation(s):

Staff recommends the Planning Commission provide a recommendation of approval to allow the ordinance to proceed to first reading at the next regularly scheduled Board of Commissioners meeting.

Attachments/Corresponding Documents:

- ORD 2026-10, Chapter 106, Vegetation
- Chapter 125 Section 572 - Florida Statutes
- DEP Standards for Artificial Turf Effective 5.19.26
- Chapter 163 Section 045 - Florida Statutes
- ORD 2026-10, Business Impact

ORDINANCE 2026-10

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 106 (VEGETATION) OF THE CITY OF MADEIRA BEACH LAND DEVELOPMENT REGULATIONS TO REDUCE GENERAL LANDSCAPE REQUIREMENTS AND STANDARDS; TO CONSOLIDATE CONFLICTING SECTIONS; TO ADD SPECIFIC REQUIREMENTS FOR RIGHTS OF WAY; TO ADD SPECIFIC REQUIREMENTS FOR ARTIFICIAL TURF; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 106 of the City's Land Development Regulations has not undergone a comprehensive update in many years and certain provisions would benefit from clarification, modernization, and improved organization; and

WHEREAS, City staff has identified landscaping regulations that are outdated, duplicative, unnecessarily burdensome, or difficult to administer, and has recommended amendments to improve clarity, consistency, and ease of administration while maintaining the City's landscaping objectives; and

WHEREAS, section 125.572, Florida Statutes, establishes limitations on local government regulation of synthetic turf, and these amendments are intended to ensure the City's regulations are consistent with applicable state law; and

WHEREAS, the Florida Department of Environmental Protection has published guidance regarding the installation, drainage, and maintenance of synthetic turf to protect water quality and stormwater systems, and these amendments incorporate standards consistent with such guidance; and

WHEREAS, the proposed amendments also update tree planting, preservation, replacement, irrigation, rights-of-way landscaping, and other landscaping standards to reflect current best practices and improve long-term maintenance of landscaping throughout the City; and

WHEREAS, section 163.045, Florida Statutes, limits local regulation of the removal, pruning, and trimming of trees on certain residential properties and these amendments are intended to ensure the City's regulations remain consistent with state law.

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

Section 1. That Article II (Landscaping) and Article III (Trees) of Chapter 106 (Vegetation) of the City of Madeira Beach Land Development Regulations shall be amended to read as follows:

ARTICLE II. LANDSCAPING

Sec. 106-31. Purpose.

- (a) This article is intended to ensure that all developments or areas proposed to be developed in the city provide a portion of such area devoted to landscape beautification and natural plant growth.
- (b) It is intended that the implementation of this article accomplish the following objectives:
 - (1) Ensure that all new developments ~~have a portion of the area landscaped with ground cover and shrubs or~~ preserve adequate open space and provide trees and landscaping to enhance the appearance and environmental quality of the city.
 - (2) Ensure that all new developments have a portion of the land area remain permeable to allow for the retention and treatment of the ten-year, 60-minute stormwater runoff.
 - (3) Maximize protection from beach erosion by the planting of sea oats and the development of natural dunes.
 - (4) Promote vehicular and pedestrian safety by clearly delineating and buffering off-street vehicular use areas.
 - (5) Create a transitional interface between incompatible land uses by providing buffering and screening.
 - (6) Promote energy conservation by maximizing the cooling and shading effect of trees.

Sec. 106-32. General landscape requirements.

- (a) ~~Minimum requirements for landscaping must consist of a combination of~~ Grass, or ground cover, and shrubs, vines, hedges, trees, or palms. ~~Other material such as rocks, pebbles, sand or decorating fence, artificial turf meeting Sec. 106-37, shell, decorative stone, or other similar non-invasive pervious landscape materials~~ may be used to satisfy the landscaping requirements west of Gulf Boulevard of this chapter except as otherwise provided herein. ~~Concrete, asphalt paving, pavers of any kind, including pervious pavers, or pebbles any of the foregoing materials placed on an impervious surface or used for driveways or parking, will not satisfy landscaping requirements in any location.~~ Mulch may only be used underneath ground cover, accent plants, shrubs and trees, provided the ground cover, accent plants, shrubs and trees or a combination thereof are planted and maintained at a cumulative ratio of at least one shrub or tree, planted within the mulch per each ten square feet of organic mulched area but shall not otherwise be used as a substitute for required landscaped area.
- (b) When trees are required to meet the landscape requirements, such trees shall meet the same minimum standards as required of replacement trees a minimum of 50 percent of the trees shall be native species or hybrids or cultivars of native species.
- (c) ~~Hedges shall be planted and maintained so as to form a continuous, unbroken, solid visual screen. Spacing of plants shall be no more than 30 inches on center, depending on the species.~~

Sec. 106-33. Residential single-family, townhouse, duplex and triplex.

- (a) ~~All new s~~Single-family, townhouses, duplexes and triplexes ~~residential developments~~ shall include a minimum of 25 percent of the net land area as landscape area, which will include native and/or nonnative "introduced" trees and vegetation. ~~The minimum number of trees will be as~~ New construction and substantial improvements of the primary structure shall provide the minimum number of trees prescribed below in subsection 106-72(a). For townhouses, the minimum number of required trees shall be determined based on the aggregate net land area. The required trees shall be distributed so that each townhouse lot contains and maintains at least one required tree, unless the individual lot area requires a greater number.

<u>Net Land Area (in Square Feet)</u>	<u>Minimum Number of Trees</u>
<u>3,500— 6,000</u>	<u>2</u>
<u>6,001— 7,500</u>	<u>3</u>
<u>7,501—10,000</u>	<u>4</u>
<u>10,001—16,000</u>	<u>6</u>
<u>Over 16,000</u>	<u>8</u>

- ~~(b) No residential lot, excluding the area covered by the principal structure, will be covered by more than 40 percent impervious surface.~~

Sec. 106-34. Residential multifamily or commercial non-residential.

- ~~(a) All new r~~Residential multifamily (excluding triplex), non-residential or commercial developments will and off-street parking areas not contained within a building, including standalone parking lots, shall require a minimum of ten percent of the net land area as landscape areas. Such landscape areas shall be exclusive of perimeter landscape buffers that are required around vehicular use areas. All perimeter landscaping provided in excess of that required may be counted as part of this interior requirement. There shall be a minimum of one tree for each 4,000 square feet or fraction thereof of required landscape net land area in addition to any trees required within perimeter landscape buffers.
- ~~(b) The lot, excluding the area covered by the principal structure, will be covered by no more than 70 percent impervious surface.~~

Sec. 106-35. Perimeter landscaping ~~for residential multifamily or commercial~~.

The perimeter landscaping for residential multifamily (excluding triplex), or commercial non-residential, including standalone parking lots shall be as follows:

- (1) The exterior of all vehicular use areas shall be landscaped with a buffer strip which is at least five feet in width. Such buffer strips shall include one tree for each 35 linear feet, or fraction thereof, of perimeter. These trees may be planted in clusters or groupings and not necessarily in an equidistant row planting. If palms are used, they shall consist of no more than 50 percent of the total tree requirement for this section. Hedges or other durable landscape barriers shall be installed in such a manner as to screen the vehicular use area from the public right-of-way, if applicable.
- (2) When paved ground surfaces are adjacent to properties zoned exclusively for residential use, all land between the paved surface and the property line shall be landscaped. The landscaping shall include a buffer strip of at least five feet in width adjacent to the abutting property, containing a hedge or other durable screen of landscaping at least five feet in height.
- (3) All required buffer strips must contain hedges or other durable landscape barriers planted and maintained to form a continuous, unbroken, solid visual screen. Spacing of plants shall be no more than 30 inches on center, depending on the species, and shall be at least five feet in height or the maximum height permitted pursuant to Chapter 110, Article VI, Division 3, whichever is less. Trees or palms having a average mature crown spread of less than 15 feet may be grouped so as to create the equivalent of 15-foot spread. All required trees, other than palms, shall be a minimum of

~~eight feet in height at time of planting. If palms are used, they shall consist of no more than 50 percent of the total tree requirement and shall have a minimum of ten feet of clear wood at planting.~~

- ~~(4) Nonliving landscape materials permitted elsewhere in this chapter such as crushed shall not satisfy the vegetation requirements of required landscape buffers which must be maintained as green area.~~

Sec. 106-36. Public rights-of-way. Xeriscape requirements.

The exposed ground surface within public rights-of-way maintained by an adjoining property owner shall meet the general landscape requirements, excluding areas of walkways, sidewalks, or driveways.

Artificial turf and other surfaces or structures that may be burdensome or costly to remove or install may be permitted within public rights-of-way only upon approval by the Public Works Director. Such surfaces installed within a public right-of-way shall be subject to removal by the city at any time, without prior notice, and all costs of removal and restoration shall be the sole responsibility of the adjoining property owner.

Shrubs, hedges, and mulch shall be prohibited within public rights-of-way unless expressly authorized by the Public Works Director. The Public Works Director may authorize boulders or similar landscape elements to be installed within public rights-of-way for the purpose of preventing unauthorized vehicle parking, provided they do not obstruct drainage, utilities, sight visibility, pedestrian access, or maintenance activities.

Any irrigation system installed shall be at least one foot away from the curb or abutting street paving.

~~The xeriscape design principle of plant selection and placement based upon function, water requirements and suitable environmental exposure of plant materials shall be used in all vehicular use areas. In addition, the following xeriscape techniques shall be required:~~

- ~~(1) Fifty percent of the plants used in all vehicular use area landscape designs shall be drought tolerant and located in groupings according to water requirements.~~
- ~~(2) Seventy-five percent of the plants used in all vehicular use area landscape designs shall be a combination of native and drought tolerant.~~
- ~~(3) All plantings shall be grouped in zones according to water requirements and shall be irrigated in zones separating high water use lawn area from drought tolerant zones.~~
- ~~(4) All irrigation systems shall be automatic with cycling capacity and shall be designed to avoid irrigation of unplanted surfaces.~~

Sec. 106-37. Artificial turf. Xeriscaping maintenance and enforcement.

- (a) All artificial turf must comply with established building permit procedures and shall be inspected by the city, except when installed within the footprint of a

building such as on a balcony and that one installation of 100 square feet or less is allowed on a lot provided all other requirements of this code are met, and the surface is counted toward the property's total impervious surface ratio (ISR).

(b) Artificial turf is prohibited from being installed:

- (1) Within any drainage facility, stormwater pond, or drainage feature required as part of an approved stormwater management system;
- (2) In a manner that restricts access to a septic tank;
- (3) Closer than ten feet to the mean high-water line along waterbodies, including canals, except immediately landward of, or on top of a seawall;
- (4) Within required perimeter landscape buffers; or
- (5) Within tree drip lines, unless a certified arborist, using site specific information and best professional judgment, certifies that installation within that drip line would not be harmful to the tree.

(c) Artificial turf may be counted toward minimum landscape area requirements and shall not be counted toward impervious surface ratio (ISR) calculations only when the applicant demonstrates that the installation:

- (1) Be green in color;
- (2) Be free of intentionally added PFAS and heavy metals;
- (3) Utilize permeable backing and a pervious base designed for positive drainage; and
- (4) Be supported by manufacturer specifications or other documentation demonstrating permeability of at least 10 inches per hour for all layers.
- (5) Be installed in accordance with the manufacturer's specifications and installation requirements. Prior to permit closeout, the city may require certification from a licensed engineer, landscape architect, architect, or contractor that the installation complies with the manufacturer's specifications and this section.

(d) Artificial turf shall not adversely impact drainage onto adjacent properties, alter the permitted stormwater management system, or otherwise render the site non-compliant with Chapter 98, Article II or state water quality standards.

- ~~(a) All property owners and residents utilizing xeriscape techniques shall be responsible for the continued maintenance of all landscaped areas.~~
- ~~(b) All xeriscape landscaping areas shall present a healthy and neat appearance free of refuse and debris.~~
- ~~(c) All landscape areas which die from lack of maintenance, disease or other natural occurrence, shall be relandscaped.~~
- ~~(d) Failure to take corrective action as required by this section shall constitute a violation of the Code and the property owner/resident shall be responsible for~~

~~any costs or damages and any costs and expenses related to property clearance or the maintenance of any xeriscape landscaping.~~

Sec. 106-38. Maintenance and protection of landscaping.

- (a) The property owner shall be responsible for the maintenance of all landscaped area which shall be maintained in good condition so as to present healthy, neat and orderly appearance free of refuse, debris and leaves, in conformance with section 106-32 regarding general landscape requirements. Landscaped areas shall be provided with and maintained using an adequate water supply, including irrigation where necessary to sustain healthy plant material.
- (b) Paving, treating or covering minimum required landscape areas in a way that renders it impervious or otherwise contrary to the intent or purpose of this code is prohibited.
- (c) All landscape areas and required trees which die from lack of maintenance, disease, or other cause shall be replaced or restored in accordance with this chapter.
- (d) Mulch, shell, rock, gravel, and other loose landscape materials shall be adequately contained and maintained to prevent erosion, displacement, or discharge into the municipal separate storm sewer system, drainage facilities, public rights-of-way, sidewalks, and streets.
- (e) The property owner shall be responsible for maintaining all landscaping within the intersection visibility triangle, in conformance with section 110-423 to provide unobstructed visibility.
- (f) Failure to take corrective action as required by this section shall constitute a violation of the Code and the property owner/resident shall be responsible for any costs or damages and any costs and expenses related to property clearance or the maintenance of any landscaping.

~~Sec. 106-39. Site distance restrictions at intersections.~~

~~When an access way intersects a public right-of-way or other access way, or when the subject property abuts the intersection of two or more public right-of-ways, all landscaping within the triangular areas described as [or] referred to as the "cross-visibility area," shall provide unobstructed cross-visibility at a level between 36 inches and eight feet. Trees and plant material trimmed in such a manner that cross visibility is not hindered will be allowed, provided they are located so as not to create a traffic hazard, as determined by the city. The site distance restrictions shall be determined by city building official.~~

~~Sec. 106-40. Screening of backflow preventers.~~

~~Backflow preventers shall be screened by dense evergreen shrubbery a minimum of 30 inches in height, planted two feet on center. Such shrubbery shall be planted far enough away from the unit so as to provide a minimum of a three-foot cleared area on two sides of the unit for maintenance purposes.~~

Sec. 106-~~39~~41. Existing plant material.

In the instances where healthy plant material exists on a site prior to its development, in part or in whole, ~~for purposes of vehicular use areas,~~ the ~~city manager~~ Community Development Director or designee may adjust the application of the requirements of this ~~article~~ chapter to allow credit for such plant material (excluding sick or damaged trees, or any trees ~~listed as an undesirable and invasive species included in the prohibited species tree list~~), provided that the ~~city manager~~ Community Development Director or designee finds such adjustment is in keeping with and will preserve the intent of this article.

Sec. 106-4~~0~~2. Sea oats/sand dunes.

The removal or relocation of sea oats or sand dunes on any property landward of the county coastal construction control line will be coordinated with the ~~building and zoning~~ Community Development ~~d~~Director or their designee prior to the start of work.

Secs. 106-4~~1~~3—106-6~~1~~0. Reserved.

ARTICLE III. TREES

Sec. 106-6~~2~~4. Purpose.

The purpose of this article is to protect the environment and appearance of the city by controlling the removal of existing trees and mangroves.

Sec. 106-6~~3~~2. ~~Native and Florida-friendly~~ Permitted species.

~~Species native to the Madeira Beach area include, but are not limited to:~~

- (1) Native pines—Pinus spp.;
- (2) Native oaks—Quercus spp.;
- (3) Hickories and pecans—Carya spp.;
- (4) Bald and pond cypresses—Taxodium spp.;
- (5) Southern red cedar—Juniperus silicicola;
- (6) Hollies—Ilex spp.;
- (7) Sweetbay—Magnolia virginiana;
- (8) Southern magnolia—Magnolia grandiflora;
- (9) Sweetgum—Liquidambar styraciflua;
- (10) Red maple—Acer rubrum;
- (11) Black Cherry—Prunus serotina;
- (12) Carolina cherry laurel—Prunus caroliniana;
- (13) Persimmon—Diospyros virginiana;
- (14) Black gum—Nyssa sylvatica;

- (15) Loblolly bay—*Gordonia lasianthus*;
- (16) Wax myrtle (bayberry)—*Myrica cerifera*;
- (17) Willows—*Salix* spp.;
- (18) Elderberry—*Sambucus simpsonii*;
- (19) Slatbrush—*Baccharis* spp.;
- (20) Cabbage (sabal) palm—*Sabal palmetto*.
- (21) All species of palm trees;
- (22) In addition to the 21 named species, any other species that are listed as "Florida Native" or "~~Okay~~" having a drought tolerance rating of Medium or higher on the University of Florida IFAS Extension "Florida Friendly Plant List," as updated from time to time.

~~Sec. 106-63. Nonnative "introduced" species.~~

~~Nonnative "introduced" species included, but not limited to:~~

- ~~(1) Camphor—*Cinnamomum camphora*;~~
- ~~(2) Citrus—*Citrus* spp.;~~
- ~~(3) Eucalyptus—*Eucalyptus* spp.;~~
- ~~(4) Silk oak—*Grevillea robusta*;~~
- ~~(5) Jacaranda—*Jacaranda acutifolia*;~~
- ~~(6) Jerusalem thorn—*Parkinsonia aculeata*;~~
- ~~(7) Ear tree—*Enterolobium cyclocarpum*;~~
- ~~(8) Fig tree—*Ficus* spp.~~

~~Sec. 106-64. Prohibited trees; exotic species, and permit exemptions.~~

~~A permit is not required for the removal of the following trees and replacement (using species native to the city) is encouraged:~~

The following species shall not receive landscape credit, shall not be planted within the city, and shall not require replacement pursuant to this chapter:

- (1) Punk (cajeput) tree—*Malaleuca quinquenervia leu-codendron*;
- (2) Brazilian pepper—*Schinus terebin thefolius*;
- (3) Australian pine—*Casuarina* spp.;
- (4) Chinaberry (*Melia azedarach*);
- (5) Ear tree (*Enterolobium cyclocarpum*);
- (6) Eucalyptus (*Eucalyptus* spp.);
- (7) Silk Oak (*Grevillea robusta*).

Sec. 106-65. Prohibited acts.

It shall be unlawful to remove, cut down, damage, poison or in any other manner destroy or cause to be destroyed any trees or mangroves, except in accordance with the provisions of this article.

Sec. 106-66. Emergencies.

In case of emergencies involving natural disasters such as, but not limited to, hurricane, windstorm, flood, freeze or natural disasters, the city manager may allow a reasonable time for the removal and for replacement of damaged trees to meet the requirements of sections 106-71 and 106-72.

Sec. 106-67. County tree regulations not applicable.

County tree regulations shall not be applicable to real estate within the city limits of the city.

Sec. 106-68. Protective barrier requirements; protection during construction.

- (a) A protective barrier shall be placed around all trees scheduled to remain on the site:
 - (1) At or greater than a six-foot radius of all species of mangroves and cabbage palms;
 - (2) At or greater than the full dripline of all native pine trees;
 - (3) At or greater than two-thirds of the dripline of all other species.
- (b) Whenever a protective barrier is required under the provisions of this article, it shall remain in place until all construction activity is terminated.
- (c) Signs, building permits, wires or other attachments of any kind shall not be permitted to be attached to any tree. Guy wires designed to support trees are excluded from this prohibition.

Sec. 106-69. Tree removal—Permit required.

- (a) It shall be unlawful for any person to remove or cause to be removed any tree having a diameter at breast height of four inches or greater without first having procured a ~~no-fee~~ permit except in conjunction with the demolition, rebuild, or substantial improvement of the principal structure, or on a qualifying single-family residential property where the owner possesses documentation prepared in accordance with F.S. § 163.045.
- (b) It shall be unlawful for any person to remove or cause to be removed any mangrove, regardless of size without first having procured the required city, county and state permits.

Sec. 106-70. Same—Application.

The following information shall be provided when applying for a permit:

- (1) A site plan showing the location of all trees and mangroves, the trees proposed to be removed, existing and proposed structures, walks, driveways and parking areas and other improvements.
- (2) Where mangroves exist on the tract or lot, an aerial photograph at a scale not smaller than one inch equals 50 feet may be required in lieu of the submission requirements contained above.

Sec. 106-71. Relocation or replacement—Specifications.

- (a) ~~Species.~~ The species of the required or replacement tree shall be the same as those being requested for removal from the natural environment or shall be listed in section 106-6~~32~~.
- (b) ~~Minimum standards.~~ All required or replacement trees must have a minimum overall height of eight feet at the time of planting and be of a state department of agriculture nursery grade standard (quality) of No. 1 or better.
- (c) Trees used to satisfy landscape requirements shall have an average mature crown spread of at least 15 feet. Tree species having a lesser mature crown spread may be grouped to create the equivalent of a 15-foot crown spread. Palms may satisfy tree requirements.
- (d) A minimum of three tree species shall be used when more than ten required trees are provided.
- ~~(e)~~ (e) Waivers of replacement tree specifications. The city may waive the species or minimum standard specifications if the applicant can demonstrate that the current market conditions are such that replacement trees meeting these specifications are not readily available. Substitute trees allowed under this waiver section must have the approval of the ~~city manager's~~ Community Development Director or their designee.

Sec. 106-72. Same—Replacement trees.

- (a) ~~Residential lots. For all residential lots, a minimum number of replacement trees will be required based on the following square footage areas.~~ Any removal of trees will require replacement up to the minimum number required under sections 106-33 through 106-36. In no instance shall the tree or trees required to be replaced exceed the number of trees existing on the property at the time of granting the tree removal permit.
- (b) Existing healthy trees preserved on the site may be credited toward the minimum tree requirements of sections 106-33 through 106-36 at the following ratios:
 - 4"—10" DBH = 1 tree
 - 10"—20" DBH = 2 trees
 - Over 20" DBH = 3 trees
- (c) Dead or dying trees may be removed without replacement, provided a tree removal permit is obtained when required by this chapter and the city

determines, based on its inspection or documentation provided by a qualified professional, that corrective actions will not restore the tree and the condition was not caused by the property owner's actions or neglect.

~~Tree Replacement Requirements for Residential Zones~~

—Lot Size Square Footage (in Square Feet)	Minimum Replacements
—3,500— 6,000	2
—6,001— 7,500	3
—7,501—10,000	4
10,001—16,000	6
Over 16,000	8

- (b) ~~Nonresidential tracts. On retail commercial, tourist commercial, marine commercial, or related nonresidential zoned property, a minimum of one tree must be replaced for each permitted tree removed in excess of 25 percent of those protected trees which exist naturally on the site or no less than required under sections 106-334 through 106-356; whichever is greater.~~

Section 2. For purposes of codification of any existing section of the Madeira Beach Code herein amended, words **underlined** represent additions to original text, words **stricken** are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 3. Ordinances or parts of ordinances in conflict herewith to the extent that such conflict exists are hereby repealed.

Section 4. In the event a court of competent jurisdiction finds any part or provision of the Ordinance unconstitutional or unenforceable as a matter of law, the same shall be stricken and the remainder of the Ordinance shall continue in full force and effect.

Section 5. The Codifier shall codify the substantive amendments to the Code of Ordinances of the City of Madeira Beach contained in Section 1 of this Ordinance as provided for therein and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 6. Pursuant to Florida Statutes §166.041(4), this Ordinance shall take effect immediately upon adoption.

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

Anne-Marie Brooks, Mayor

ATTEST:

Clara VanBlargan, MMC, MSM, City Clerk

APPROVED AS TO FORM:

Thomas J. Trask, City Attorney

PASSED ON FIRST READING: _____

PUBLISHED: _____

PASSED ON SECOND READING: _____

The Florida Senate

2025 Florida Statutes

Title XI COUNTY ORGANIZATION AND INTERGOVERNMENTAL RELATIONS	Chapter 125 COUNTY GOVERNMENT Entire Chapter	SECTION 572 Regulation of synthetic turf.
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125.572 Regulation of synthetic turf.—

(1) As used in this section, the term “synthetic turf” means a manufactured product that resembles natural grass and is used as a surface for landscaping and recreational areas.

(2) The Department of Environmental Protection shall adopt minimum standards for the installation of synthetic turf on single-family residential properties 1 acre or less in size. The standards must take into account material type, color, permeability, stormwater management, potable water conservation, water quality, proximity to trees and other vegetation, and other factors impacting environmental conditions of adjacent properties.

(3) Upon the Department of Environmental Protection adopting rules pursuant to subsection (4), a local government may not:

(a) Adopt or enforce any ordinance, resolution, order, rule, or policy that prohibits, or is enforced to prohibit, a property owner from installing synthetic turf that complies with Department of Environmental Protection standards adopted pursuant to this section which apply to single-family residential property.

(b) Adopt or enforce any ordinance, resolution, order, rule, or policy that regulates synthetic turf which is inconsistent with the Department of Environmental Protection standards adopted pursuant to this section which apply to single-family residential property.

(4) The Department of Environmental Protection shall adopt rules to implement this section.

History.—s. 1, ch. 2025-140.

Disclaimer: The information on this system is unverified. The journals or printed bills of the respective chambers should be consulted for official purposes.

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CHAPTER 62-308

MINIMUM STANDARDS FOR THE INSTALLATION OF SYNTHETIC TURF ON SPECIFIED PROPERTIES

62-308.100 Synthetic Turf

62-308.100 Synthetic Turf.

(1) Scope.

(a) "Synthetic turf" is defined by s. 125.572(1), F.S.

(b) Pursuant to s. 125.572, F.S., this rule establishes minimum standards for the installation of synthetic turf on single-family residential properties of 1 acre or less in size. Pursuant to s. 125.572(3), F.S., local governments may not regulate synthetic turf in a manner inconsistent with these minimum standards. This rule does not establish nor require any new department-issued permit or authorization for the installation of synthetic turf,

(c) These standards do not modify the property rights of any entity, including any fee simple interests or any less-than-fee interests, such as easements or rights of way.

(2) Material type.

(a) Synthetic turf, including backing material and infill, must not contain heavy metals or intentionally added per- and polyfluoroalkyl substances.

(b) Synthetic turf, including backing materials and infill, must be disposable under normal conditions at any Chapter 62-701, F.A.C., Florida permitted landfill.

(c) Infill material, if used, shall only be clean silica sand, rock, shell, or other natural material, except that coated silica sand may be used provided that any coating used is non-toxic and meets the requirements described in paragraphs (2)(a) and (2)(b). Rubber or any other synthetic infill material is allowed only within the footprint of playground equipment and must also meet the requirements described in paragraphs (2)(a) and (2)(b). Installation shall be designed to prevent washing away of any infill material off the residential property.

(d) Subgrade shall be composed of natural materials, such as crushed rock, or crushed concrete that meets the permeability requirements of this rule. Subgrade materials shall be washed prior to installation to prevent fines from binding.

(3) Color. Green synthetic turf shall be allowed.

(4) Permeability.

(a) Synthetic turf must be permeable and affixed to permeable backing with a pervious subgrade. A local government may establish a quantifiable standard of a maximum of 10 inches per hour for all layers.

(b) Synthetic turf must be installed over a subgrade prepared for positive drainage and evenly graded porous material.

(c) Soil beneath installed subgrade shall not be compacted to the extent that it adversely impacts percolation through the soil.

(5) Stormwater management.

(a) Installation of synthetic turf must be designed and installed to prevent pooling or an increase in the stormwater runoff volume, direction, or rates to adjacent properties and, where possible, runoff shall be directed to on-site pervious areas.

(b) Installation of synthetic turf must not alter the permitted stormwater management system as designed and shall not be installed within a swale, ditch, stormwater pond, or a stormwater pond's littoral zone.

(6) Potable water conservation.

(a) In-ground irrigation systems cannot be used to irrigate synthetic turf areas.

(b) If any in-ground system is already installed, a local government may require that irrigation heads be removed and pipe capped.

(7) Water quality.

(a) Synthetic turf shall not cause or contribute to violations of state water quality standards.

(b) Buffer zones around natural or man-made waterbodies may be established to protect against erosion and reduce pollution provided that such buffer for synthetic turf is no greater or restrictive than what is applicable to natural turf. Where no buffer zone has been established, synthetic turf shall be installed no closer than 10 feet from a natural or man-made waterbody as measured from the applicable ordinary or mean high water line except where there is a physical barrier between the synthetic turf and the waterbody (such as, but not limited to, a seawall or bulkhead).

(8) Proximity to trees and other vegetation.

(a) Installation of synthetic turf cannot compromise the health of nearby trees, including damage to tree roots, other than those

identified as a noxious weed as defined in Chapter 581, F.S.

(b) Synthetic turf shall not be installed inside tree drip lines, whether on the property or adjacent properties, unless the tree is a noxious weed as defined by Chapter 581, F.S., or unless a certified arborist, using site specific information and best professional judgment, certifies that installation within that drip line would not be harmful to the tree.

(9) Other factors impacting environmental conditions of adjacent properties.

(a) Synthetic turf shall be installed according to manufacturer's specifications.

Standards(c) If installed, synthetic turf must provide for access to the septic tank for routine pumpout.

(d) If installed, synthetic turf shall be installed landward of any dune system and shall not be used to replace any existing dune vegetation.

Rulemaking Authority 125.572 FS. Law Implemented 125.572 FS. History—New 5-19-26.

The Florida Senate

2022 Florida Statutes (Including 2022C, 2022D, 2022A, and 2023B)

Title XI COUNTY ORGANIZATION AND INTERGOVERNMENTAL RELATIONS	Chapter 163 INTERGOVERNMENTAL PROGRAMS Entire Chapter	SECTION 045 Tree pruning, trimming, or removal on residential property.
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163.045 Tree pruning, trimming, or removal on residential property.—

(1) For purposes of this section, the term:

(a) “Documentation” means an onsite assessment performed in accordance with the tree risk assessment procedures outlined in Best Management Practices - Tree Risk Assessment, Second Edition (2017) by an arborist certified by the International Society of Arboriculture (ISA) or a Florida licensed landscape architect and signed by the certified arborist or licensed landscape architect.

(b) “Residential property” means a single-family, detached building located on a lot that is actively used for single-family residential purposes and that is either a conforming use or a legally recognized nonconforming use in accordance with the local jurisdiction’s applicable land development regulations.

(2) A local government may not require a notice, application, approval, permit, fee, or mitigation for the pruning, trimming, or removal of a tree on a residential property if the property owner possesses documentation from an arborist certified by the ISA or a Florida licensed landscape architect that the tree poses an unacceptable risk to persons or property. A tree poses an unacceptable risk if removal is the only means of practically mitigating its risk below moderate, as determined by the tree risk assessment procedures outlined in Best Management Practices - Tree Risk Assessment, Second Edition (2017).

(3) A local government may not require a property owner to replant a tree that was pruned, trimmed, or removed in accordance with this section.

(4) This section does not apply to the exercise of specifically delegated authority for mangrove protection pursuant to ss. [403.9321-403.9333](#).

History.—s. 1, ch. 2019-155; s. 1, ch. 2022-121.

Disclaimer: The information on this system is unverified. The journals or printed bills of the respective chambers should be consulted for official purposes.

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Business Impact Estimate

Proposed ordinance's title/reference:

ORDINANCE 2026-10

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 106 (VEGETATION) OF THE CITY OF MADEIRA BEACH LAND DEVELOPMENT REGULATIONS TO REDUCE GENERAL LANDSCAPE REQUIREMENTS AND STANDARDS; TO CONSOLIDATE CONFLICTING SECTIONS; TO ADD SPECIFIC REQUIREMENTS FOR RIGHTS OF WAY; TO ADD SPECIFIC REQUIREMENTS FOR ARTIFICIAL TURF; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Madeira Beach is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City of Madeira Beach is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
 - a. Development orders and development permits as those terms are defined in Section 163.3164, Florida Statutes, and development agreements as authorized by the Florida Local Government Development Agreement Act under Sections 163.3220-163.3243, Florida Statutes;
 - b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party;
 - c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or

¹ See Section 166.041(4)(c), Florida Statutes.

- e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Madeira Beach hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

The purpose of the ordinance is to reduce and simplify the landscape requirements, to allow for alternative materials to qualify as landscaped area and comply with state pre-emptions.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Madeira Beach, if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City of Madeira Beach's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

It is estimated that there will be no additional costs for businesses. The regulatory costs to the city will not change.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

Any business that proposes to rebuild or alter existing landscaping would have slightly more flexibility.

4. Additional information the governing body deems useful (if any):

N/A