



# Memorandum

**Meeting Details:** August 3<sup>rd</sup>, 2026 – Planning Commission  
**Prepared For:** Planning Commission  
**Staff Contact:** Community Development Department – Joseph Petraglia, Planner II  
**Subject:** Ordinance 2026-12, Repealing Section 110-670 – Landscaping green area

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## **Background/ Discussion:**

As part of ORD 2026-10 and ORD 2026-13, staff recommends consolidating all landscape requirements into Chapter 106.

## **Fiscal Impact:**

None 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:**

- Ordinance 2026-12, Repealing Section 110-670 – Landscaping green area
- ORD 2026-12, Business Impact Statement

## ORDINANCE 2026-12

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 110 (ZONING), ARTICLE VI (SUPPLEMENTARY DISTRICT REGULATIONS), DIVISION 10 (SPECIFIC DEVELOPMENT STANDARDS), SUBDIVISION II (C-1, C-2, C-3, C-4, C-5, R-2 AND R-3 DISTRICTS) OF THE CITY'S LAND DEVELOPMENT REGULATIONS TO REPEAL SECTION 110-670; PROVIDING FOR CONFLICT, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Ordinance 2026-13 comprehensively revises and consolidates the City's landscaping regulations within Chapter 106 of the Land Development Regulations; and

**WHEREAS**, the landscaping provisions currently contained in Section 110-670 are superseded by Ordinance No. 2026-13 and are no longer necessary within Chapter 110.;

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

**Section 1.** That Section 110-670 of Chapter 110 (Zoning), Article VI (Supplementary District Regulations), Division 10 (Specific Development Standards), Subdivision II (C-1, C-2, C-3, C-4, C-5, R-2 and R-3 Districts) of the Land Development Regulations of the City of Madeira Beach is hereby repealed as follows:

**Sec. 110-670. Repealed. Landscaping/green area.**

- ~~(a) One of the purposes of the development controls is to encourage the provision of adequate landscaping/green area in R-3 zones west of Gulf Boulevard. A minimum of ten percent of that portion of the lot located east of the county coastal construction control line as established by the state shall be designated for and maintained as landscaped green area in side and front yards.~~
- ~~(b) In R-3 zones west of Gulf Boulevard, the green area in side yards shall provide a clear "view area" between three feet and ten feet in height; i.e. bushes or shrubs shall not exceed three feet in height and trees shall be trimmed below ten feet in height. Such landscaped areas may include passive recreation facilities provided, however, that the "view area" is not obstructed.~~
- ~~(c) In all zones except R-1, all off-street parking areas not contained within the building structure shall have a minimum of ten percent landscaped green area.~~

~~(d) All landscaped areas shall be provided with an adequate water supply.~~

**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 \_\_\_\_\_, 2025.**

\_\_\_\_\_  
Anne-Marie Brooks, Mayor

**ATTEST:**

\_\_\_\_\_  
Clara VanBlargan, MMC, MSM, City Clerk

**APPROVED AS TO FORM:**

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Thomas J. Trask, City Attorney

PASSED ON FIRST READING:

\_\_\_\_\_

PUBLISHED:

\_\_\_\_\_

PASSED ON SECOND READING:

\_\_\_\_\_

# **Business Impact Estimate**

Proposed ordinance's title/reference:

## **ORDINANCE 2026-12**

**AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 110 (ZONING), ARTICLE VI (SUPPLEMENTARY DISTRICT REGULATIONS), DIVISION 10 (SPECIFIC DEVELOPMENT STANDARDS), SUBDIVISION II (C-1, C-2, C-3, C-4, C-5, R-2 AND R-3 DISTRICTS) OF THE CITY'S LAND DEVELOPMENT REGULATIONS TO REPEAL SECTION 110-670; PROVIDING FOR CONFLICT, SEVERABILITY AND 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 law<sup>1</sup> 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
  - e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

<sup>1</sup> See Section 166.041(4)(c), Florida Statutes.

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 delete conflicting regulations.

**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:**

This ordinance alone is not expected to impact any businesses.

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

N/A