



Memorandum

Meeting Details: August 3rd, 2026 – Planning Commission
Prepared For: Planning Commission
Staff Contact: Community Development Department – Joseph Petraglia, Planner II
Subject: Ordinance 2026-13, Chapter 82, Definitions Related to Chapter 106

Background/ Discussion:

As part of ORD 2026-10 through ORD 2026-12, staff recommends deleting conflicting definitions or definitions that are used to regulate code established elsewhere, and staff recommends adding definitions for terms used but not defined.

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 2026-13, Chapter 82, Definitions Related to Chapter 106
- ORD 2026-13, Business Impact Statement

ORDINANCE 2026-13

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING SECTION 82-2 (DEFINITIONS) OF CHAPTER 82 (GENERAL PROVISIONS) OF THE CITY'S LAND DEVELOPMENT REGULATIONS TO ADD DEFINITIONS FOR ARTIFICIAL TURF AND SHRUBS, DELETING THE DEFINITIONS OF CROSS VISIBILITY AREA, LANDSCAPING AND NATIVE AND REVISING THE DEFINITION OF TREES; PROVIDING FOR CONFLICT, CODIFICATION AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has determined that certain definitions contained in the Land Development Regulations are outdated, inconsistent with current regulatory standards, or no longer necessary; and

WHEREAS, the proposed amendments update, clarify, and remove definitions to improve consistency throughout the Land Development Regulations and support the administration of related development standards;

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

Section 1. The following definitions are hereby added to Section 82-2 of the Land Development Regulations of the City of Madeira Beach and shall read as follows:

Artificial turf means a manufactured synthetic product designed to simulate the appearance of natural grass and installed as ground cover.

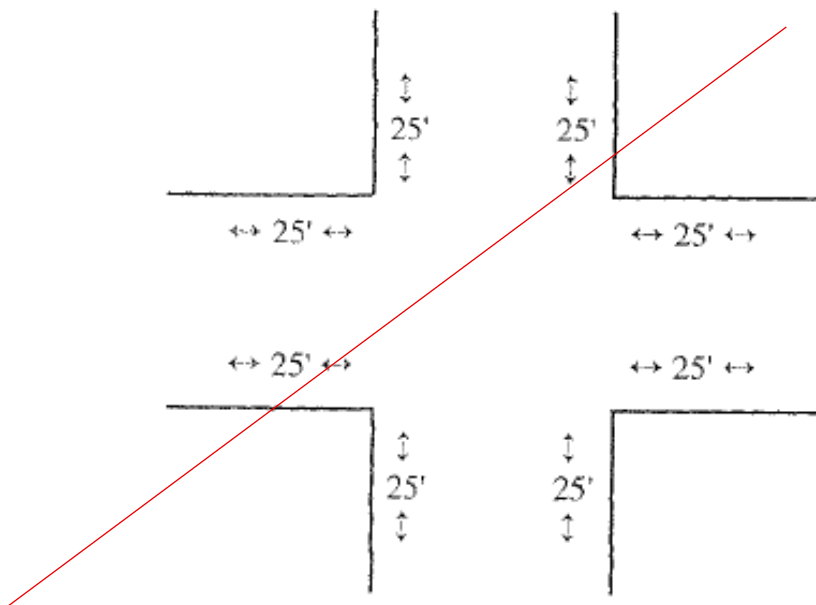
Shrubs means self-supporting, woody, non-deciduous plant species which are cultivated and selected to provide a physical and visual barrier, and which normally grow to a height of two feet to nine feet, including hedges.

Section 2. The following definition is hereby amended in Section 82-2 of the Land Development Regulations of the City of Madeira Beach and shall read as follows:

~~Trees means self-supporting, woody plants, which normally grow to a minimum height of 15 feet, have trunks which can be maintained with over five feet of clear wood and have an average mature crown spread of at least 15 feet.~~

Section 3. The following definitions are hereby deleted from Section 82-2 of the Land Development Regulations of the City of Madeira Beach as follows:

~~Cross-visibility area means the area of property located at the corner formed by the intersection of two or more public streets with two sides of a triangular area being 25 feet in length along the abutting public street, measured from their point of intersection, and the third side being a line connecting the ends of the other two sides. In areas where this scenario cannot be achieved, the distance will be determined by the city manager or his designee.~~



~~Landscaping means and shall consist of any of the following combinations of grass or ground cover and shrubs, vines, hedges, trees, or palms. Other material such as rocks, pebbles, sand or decorating fence may be used to satisfy the landscaping requirements west of Gulf Boulevard.~~

~~Native means trees and other vegetation that is indigenous to Central or North Florida.~~

Section 4. 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 5. Ordinances or parts of ordinances in conflict herewith to the extent that such conflict exists are hereby repealed.

Section 6. 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 7. The Codifier shall codify the substantive amendments to the Code of Ordinances of the City of Madeira Beach contained in Sections 1, 2 and 3 of this Ordinance as provided for therein and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 8. 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: _____

Business Impact Estimate

Proposed ordinance's title/reference:

ORDINANCE 2026-13

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING SECTION 82-2 (DEFINITIONS) OF CHAPTER 82 (GENERAL PROVISIONS) OF THE CITY'S LAND DEVELOPMENT REGULATIONS TO ADD DEFINITIONS FOR ARTIFICIAL TURF AND SHRUBS, DELETING THE DEFINITIONS OF CROSS VISIBILITY AREA, LANDSCAPING AND NATIVE AND REVISING THE DEFINITION OF TREES; PROVIDING FOR CONFLICT, CODIFICATION AND SEVERABILITY; 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
 - e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

¹ 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 and add definitions for terms used but not defined.

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