

## ORDINANCE 2025-10

**AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 110 (ZONING), ARTICLE VI (SUPPLEMENTARY DISTRICT REGULATIONS), DIVISION 4 (ACCESSORY STRUCTURES) OF THE CITY'S LAND DEVELOPMENT REGULATIONS TO RENAME THE C-1 TOURIST COMMERCIAL ZONES TO INCLUDE JOHN'S PASS VILLAGE ACTIVITY CENTER; ADD SETBACKS FOR EACH CHARACTER DISTRICT OF JOHN'S PASS VILLAGE ACTIVITY CENTER ZONING; AND REMOVE REFERENCES TO THE C-2 ZONING DISTRICT; PROVIDING FOR CONFLICT, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Ordinance 2024-09 established the C-1, John's Pass Village Activity Center Zoning District which includes Character Districts to further define permitted uses and unique development patterns in the John's Pass Village Activity Center; and

**WHEREAS**, Chapter 110 – Zoning Article VI. - Supplementary District Regulations Division 4. Accessory Structures does not reference the Character Districts in the C-1, John's Pass Village Activity Center Zoning District; and

**WHEREAS**, Ordinance 2024-12 deleted the C-2, John's Pass Commercial Zoning District; and

**WHEREAS**, City staff has recommended changes to the Land Development Regulations to reflect the changes made by Ordinances 2024-09 and 2024-12; and

**WHEREAS**, the recommended amendments to the Land Development Regulations were presented to and reviewed by the Planning Commission at a public hearing; and

**WHEREAS**, the Planning Commission recommended approval of the proposed amendments; and

**WHEREAS**, the Board of Commissioners received input from the public at two public hearings to consider the approval of the recommended changes and the adoption of this ordinance.

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

**Section 1.** That Section 110-479 of Chapter 110 (Zoning), Article VI. (Supplementary District Regulations), Division 4. (Accessory Structures) of the Land Development Regulations of the City of Madeira Beach is hereby amended to read as follows:

**Sec. 110-479. C-1, ~~tourist commercial zones.~~ John's Pass Village Activity Center Zoning District.**

Accessory structures in John's Pass Village Activity Center are regulated by Character District:

(1) Commercial Core and Traditional Village District

- a. Accessory structures may not be located in the front or side yard and must provide the same setback as required for the principal structure.

(2) Boardwalk District

- a. Accessory structures may not be located in front yard and must provide the same setback as required for the principal structure.

(3) John's Pass Resort, Transitional, and Low Intensity Mixed Use Districts

- a. Lots not on water. Accessory structures may not be located in the front yard and must provide a five-foot side and rear setback.
- b. Lots on water. Accessory structures must provide the same setbacks as are required for the principal structure.

~~Accessory structures may not be located in front yards in C-1, tourist commercial zones.~~

- ~~(1) Lots not on water. For lots not on water in C-1, tourist commercial zones, accessory structures may be located in side yard, but must provide a five-foot minimum side setback. If the accessory structure is located in the rear yard, a~~

~~minimum of two and one-half-foot setback must be provided to allow for vegetation control.~~

~~(2) Lots on water. Accessory structures on lots on water in C-1, tourist commercial zones must provide the same setbacks as are required for the principal structure.~~

**Section 2.** That Section 110-480 of Chapter 110 (Zoning), Article VI. (Supplementary District Regulations), Division 4. (Accessory Structures) of the Land Development Regulations of the City of Madeira Beach is hereby amended to read as follows:

**Sec. 110-480. ~~C-2, John's Pass marine commercial zone.~~ Reserved.**

~~Accessory structures may not be located in front yards in the C-2, John's Pass marine commercial zone. Accessory structures in the C-2, John's Pass marine commercial zone must provide the same side and rear setbacks as are required for the principal structure.~~

**Section 3.** That Section 110-485 of Chapter 110 (Zoning), Article VI. (Supplementary District Regulations), Division 4. (Accessory Structures) of the Land Development Regulations of the City of Madeira Beach is hereby amended to read as follows:

**Sec. 110-485. Maximum size and quantity in C-1, ~~C-2~~, C-3 and C-4 ~~zones~~ Zoning Districts.**

The maximum size for an enclosed accessory structure is 8 feet wide by 12 feet long by ~~ten~~10 feet high. Properties may only have two enclosed and two open accessory structures. The total maximum size for all open accessory structures on the property is four percent of the total land area of the lot. The maximum height for an open accessory structure is 20 feet. Accessory structures for working waterfronts or marina uses, which are required by federal, or state regulations do not count towards the number of structures and may exceed the maximum size with documentation that the additional size is required to maintain compliance.

**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 \_\_\_\_\_, 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: \_\_\_\_\_