



Memorandum

Meeting Details: February 12, 2025 – Board of Commissioners Regular Meeting

Prepared For: Honorable Mayor and Board of Commissioners

From: Community Development Department

Subject: Ordinance 2025-05: Temporary shelters on residential property, 1st Reading and Public Hearing

Background:

Florida Statute 166.0335 prohibits municipalities from prohibiting one temporary shelter on residential property after the Governor issues a declaration of state of emergency.

Discussion:

Madeira Beach Land Development Regulations do not allow occupied recreational vehicles (Section 94-103) and do not provide any allowances after a state of emergency. Florida Statute 166.0335 prohibits municipalities from prohibiting the placement of one temporary shelter on residential properties after a natural emergency during which a permanent residential structure was damaged and rendered uninhabitable. The Statute includes standards for temporary shelters such as time limitations, connection to water and electricity, and that the shelter does not present a threat to health and human safety. The National Flood Insurance Program also has requirements in the floodplain for structures such as recreational vehicles, one of which being the vehicle must be fully licensed and ready for highway use.

The Planning Commission recommended approval of Ordinance 2025-05 on February 3, 2025, with the addition that the vehicle needs to be on the subject property and maintain a five-foot setback from the curb edge of a street. Staff discussed the Planning Commission’s recommendation with the City Attorney who recommended not to include the five-foot setback in the Ordinance.

Recommendation(s):

The Planning Commission recommends approval of Ordinance 2025-05 Temporary Shelters on Residential Properties with the addition that the vehicle maintains a five-foot setback from the curb edge of a street. Staff recommends approval of Ordinance 2025-05.

Fiscal Impact or Other:

N/A

Attachments:

- Ordinance 2025-05 Temporary Shelters on Residential Properties
- FS 166.0335 Temporary Shelter Provision
- NFIP Regulations Section 60.3
- MB CD 25-01 Consistency Letter
- Ordinance 2025-05 Business Impact Statement