



**THE CITY OF MADEIRA BEACH, FLORIDA
PUBLIC NOTICE**

**LOCAL PLANNING AGENCY/
PLANNING COMMISSION**

The Planning Commission, serving as the Local Planning Agency of the City of Madeira Beach, Florida will meet at the Madeira Beach Patricia Shontz Commission Chambers located at 300 Municipal Drive, Madeira Beach, FL 33708, to conduct Public Hearings on the following City business.

6:00 PM

MONDAY, MARCH 12, 2018

COMMISSION CHAMBERS

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. APPROVAL OF THE MINUTES – January 8, 2018**
- IV. NEW BUSINESS**

A. TO AMEND SEC. 110-93 -

INTENT CONCERNING NONCONFORMING PROPERTY, STRUCURE AND USES, TO PROVIDE CHANGES AND EXPANSIONS TO STRUCTURES WITH SETBACK ENCROACHMENT WITH RESTRICTIONS BASED ON PERFORMANCE BASED MEASURES

B. BOARD OF CITY COMMISSIONER REFERRAL

THE BOARD OF COMMISSIONERS HAS REFERRED THE FOLLOWING DOCUMENTS TO THE PLANNING COMMISSION FOR REVIEW

- ORDINANCE 2014-07, amending the Madeira Beach Town Center Special Area Plan
- ORDINANCE 2014-08, amending the Madeira Beach Code of Ordinances, Subpart B, Land Development Regulations provisions addressing Density/Intensity Averaging and Zoning provisions addressing the establishment and requiring the use of a PD district
- ORDINANCE 2014-09, amending the Madeira beach Comprehensive Plan, Future land use Element to include density as a measure in the Mixed use, adding Resort Facilities High category reducing restrictions for Temporary Lodging uses, removing standards for Planned Redevelopment and deferring to Countywide Plan Rules for implementation
- DEVELOPMENT AGREEMENT dated March 6, 2017, regulating the Madeira Beach Town Center Planned Development

- V. PLANNING COMMISSION DISCUSSION**
- VI. OLD BUSINESS – N/A**
- VII. NEXT MEETING : APRIL 9, 2018**

VIII. ADJOURNMENT

Any person who decides to appeal any decision of Planning Commission serving as the Local Planning Agency with respect to any matter considered at this meeting will need a record of the proceedings and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The law does not require the City Clerk to transcribe verbatim minutes; therefore, the applicant must make the necessary arrangements with a private reporter or private reporting firm and bear the resulting expense. In accordance with the Americans with Disability Act and F.S. 286.26; any person with a disability requiring reasonable accommodation in order to participate in this meeting should call (727) 391-9951 or fax a written request to (727) 399-1131.

POSTED MARCH 2, 2018



**LOCAL PLANNING AGENCY/
PLANNING COMMISSION MEETING**
March 12, 2018

I. CALL TO ORDER



**LOCAL PLANNING AGENCY/
PLANNING COMMISSION MEETING**
March 12, 2018

II. ROLL CALL



**LOCAL PLANNING AGENCY/
PLANNING COMMISSION MEETING**
March 12, 2018

III. APPROVAL OF THE MINUTES – JANUARY 8, 2018



THE CITY OF MADEIRA BEACH, FLORIDA
PUBLIC NOTICE

LOCAL PLANNING AGENCY
PLANNING COMMISSION
MINUTES

The Planning Commission, serving as the Local Planning Agency of the City of Madeira Beach, Florida will meet at the City of Madeira Beach Patricia Shontz Commission Chambers located at 300 Municipal Drive, Madeira Beach, FL 33708, to conduct Public Hearings on the following City business.

6:00 P.M.

MONDAY, JANUARY 8, 2018

COMMISSION CHAMBERS

I. **CALL TO ORDER** The meeting was called to order at 6:02pm by Chairman Mike Noble

II. **ROLL CALL**

Commissioner Mary Ann Hearn (Present)
Commissioner Michael Wyckoff (Absent)
Commissioner Gerri Clyatt (Present)
Commissioner Dennis Carr (Absent)

1st Vice-Chair Robin Biloski (Present)
Chairman Mike Noble (Present)

Staff Representatives:

Linda Portal, Planning & Zoning Director
Ralf Brookes, City Attorney
Gwen Sinkfield, Acting Clerk

III. **APPROVAL OF THE MINUTES – OCTOBER 2, 2017**

Commissioner Biloski provided a motion to approve minutes for October 2, 2017.

Commissioner Wyckoff provided the second to the motion. The vote was 6-0 with all members voting "aye".

IV. **NEW BUSINESS**

A. **To Consider A Special Exception Use**

For Property Located At 325 140th Ave E

Commissioner Wyckoff provided a motion to recommend approval for
Special Exception Use

Commissioner Rappa provided the second to the motion. The vote was 6-0 with all members voting "aye".

B. **Request a Text Change To Code Of Ordinances**

Land Development Regulations Division 3
Section 110-447

Commissioner Wyckoff provided a motion to recommend adopting amendment for text change to
Code of Ordinances and Multi-Family Commercial

Commissioner Rappa provided the second to the motion. The vote was 6-0 with all members voting "aye".

V. PLANNING COMMISSION DISCUSSION - None

VI. OLD BUSINESS - None

VII. REPORTS

- ACTING CITY MANAGER – None
- CITY ATTORNEY – Ralf Brookes introduced himself to the Planning Commission Board
- PLANNING AND ZONING DIRECTOR - Planning and Zoning Director discussed the calendar for the Planning Commission meetings. Commissioner Biloski discussed cell phone towers the Planning and Zoning Director, Linda mentioned she will follow up with more information. Commissioner Noble discussed voting for a 2nd Chairman. Zoning Director suggested to vote in a 2nd Chair at the next meeting.

VIII. NEXT MEETING – February 12, 2018 at 6:00PM (Tentatively)

IX. ADJOURNMENT - Meeting adjourned at 7:08 PM

Date Approved: February 12, 2018

Respectfully submitted:

Mike Noble, Chairman

Date

Gwen Sinkfield, Assistant to Planning/Zoning

Date



**LOCAL PLANNING AGENCY/
PLANNING COMMISSION MEETING**
March 12, 2018

IV. NEW BUSINESS

- A. TO AMEND SEC. 110-93 INTENT CONCERNING NONCONFORMING PROPERTY, STRUCTURE AND USES, TO PROVIDE CHANGES AND EXPANSIONS TO STRUCTURES WITH SETBACK ENCROACHMENT WITH RESTRICTIONS BASED ON PERFORMANCE BASED MEASURES
- B. BOARD OF CITY COMMISSIONER REFERRAL THE BOARD OF COMMISSIONERS HAS REFERRED THE FOLLOWING DOCUMENTS TO THE PLANNING COMMISSION FOR REVIEW
- Ordinance 2014-07
 - Ordinance 2014-08
 - Ordinance 2014-09
 - Development Agreement dated March 6, 2017, regulating the Madeira Beach Town Center Planned Development

TCH 2018-03
Amendment to Land Development Regulations
Staff Report and Recommendation
March 12, 2018

Petitioner/Property Owner: Planning Commission

Area of Impact: City wide

Category of Regulations: Nonconforming structures

Nature of Request:

Amend Sec. 110-93. - Intent concerning nonconforming property, structures and uses, to provide changes and expansions to structures with setback encroachments with restrictions based on performance based measures.

Staff Recommendation:

Staff Recommends approval of TCH 2018-01 as proposed.

Explanation:

Throughout the city older homes are encroaching into setbacks that were apparently adopted after construction or were ineffectively administered by County officials. In some neighborhoods the encroachments are so prevalent as to create a consistent pattern of violation and character of development. These homes cannot be altered or expanded in any way that increases the nonconformity either 2 or 3 dimensionally even if that alteration would be in character with surrounding properties and the neighborhood in general. The City would benefit from policy allowing the approval and improvement on a case-by-case basis where the improvement would have no negative impact.

Proposed Amendment:

Sec. 110-93. - Intent concerning nonconforming property, structures and uses.

It is the intent of the land development regulations that these nonconformities shall be considered to be incompatible with the permitted uses within the city districts. Such nonconformities shall not be enlarged or extended in any respect.

(1) Nonconforming lots.

- a. *Use of single, nonconforming lots for residential districts.* Notwithstanding the maximum density requirements of the comprehensive plan, in residential districts, the single-family and customary accessory structures may be erected, reconstructed, occupied and used on separate nonconforming lots of record which are not in continuous frontage with other lots in the same ownership in accord with other requirements applying in the separate districts.
- b. *Use of single, nonconforming lots for nonresidential uses.* In other than residential districts, a nonconforming lot of record which is not in continuous frontage with other lots in the same

- d. Routine repairs and maintenance of nonconforming structures, fixtures, wiring and plumbing, or the repair or replacement of non-load bearing walls shall be permitted.
 - e. Owners of nonconforming residential structures in an R-1 or R-2 zoning district that wish to elevate their existing structure with the lowest habitable floor at or above base flood elevation shall be exempt from the setback provisions of article V of this chapter regarding district regulations, so long as the structure remains within the existing footprint.
 - f. In recognition of the narrow lot dimensions and the preexisting development patterns in some older neighborhoods, the following exceptions can be considered by the Planning Commission for approval for lots of 50 ft in width or less:
 - 1. Legal nonconforming residential structures in an R-2 or R-3 zoning district with side yard encroachments may extend along the line of the existing encroachment without increasing the depth of the encroachment into the setback as long as a minimum of 3 feet of setback from the structural wall is retained on one side of the house and a minimum of 5 ft of clearance remains on the other side of the house (no permanent improvement of any kind, including mechanical equipment or storage units may exist or be placed or installed in the 5 ft clearance along the entire side of the structure nor can the area be obstructed by landscaping that prevents access across/through the clear area, although the area may be fenced as long as it is accessible by way of a gate). The required clearance area is not a reduction of setback but a minimum clear path of access between the front and rear yard. Furthermore, extensions along an existing encroachment line can be approved only if the neighbor on the extending encroached side indicates support for the extension by notarized statement. Nothing in this provision can be used to approve the creation of a new nonconformity.
 - 2. Legal nonconforming uses and structures in an R-1, R-2 or R-3 zoning districts with a front or rear yard setback encroachment may extend the encroachment to an average of that encroachment on lots adjoining and facing it.
 - 3. Additions of a second floor to legal nonconforming structures in the R-1, R-2 and R-3 districts is permitted as long as the extension/addition does not create any new encroachment, does not violate the height restrictions, provides a minimum of 18" clearance between any building element and the property line, and does not increase the depth into any existing encroachment. Approval of such additions require the neighbor on the side or facing property where the encroachment is proposed to be heightened to indicate by notarized statement their support for the addition.
- (4) *Nonconforming characteristics of use.* Nonconforming characteristics of use which may include, but not limited to inadequate parking and loading facilities, inappropriate landscaping, lighting, emissions, etc., may continue to operate but shall not be expanded, altered, changed or relocated in such a manner as to increase the degree of nonconformity.

**Board of City Commissioner Referral
To the Planning Commission
March 12, 2018**

Nature of Referral:

Review

Explanation:

The Board of City Commissioners has referred the following documents to the Planning Commission for review:

ORDINANCE 2014-07, amending the Madeira Beach Town Center Special Area Plan, see attached.

ORDINANCE 2014-08, amending the Madeira Beach Code of Ordinances, Subpart B, Land Development Regulations provisions addressing Density/Intensity Averaging and Zoning provisions addressing the establishment and requiring the use of a PD district, see attached.

ORDINANCE 2014-09, amending the Madeira Beach Comprehensive Plan, Future land use Element to include density as a measure in the Mixed Use, adding Resort Facilities High category reducing restrictions for Temporary Lodging uses, removing standards for Planned Redevelopment and deferring to Countywide Plan Rules for implementation, see attached.

DEVELOPMENT AGREEMENT dated March 6, 2017, regulating the Madeira Beach Town Center Planned Development, see attached.

Ordinance 2014-07

ORDINANCE 2014-07

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, PROVIDING FOR AMENDMENT OF THE MADEIRA BEACH TOWN CENTER - SPECIAL AREA PLAN; PROVIDING FOR THE REVISION OF CHAPTER 2 - REGULATORY PLAN AND GUIDELINES WITH RESPECT TO THE DEVELOPMENT STANDARDS GOVERNING THE DENSITY/INTENSITY CALCULATIONS FOR TEMPORARY LODGING AND MIXED USES; PROVIDING FOR THE REVISION OF CHAPTER 3 - IMPLEMENTATION WITH RESPECT TO THE STRATEGIES TO PROMOTE REDEVELOPMENT; PROVIDING FOR THE REVISION OF APPENDIX B - INFRASTRUCTURE ANALYSIS TO UPDATE AND REVISE THE INFRASTRUCTURE IMPACTS CORRESPONDENT WITH CURRENT DATA AND THE PROPOSED REVISIONS TO CHAPTERS 2 AND 3 REFERENCED ABOVE; PROVIDING FOR TRANSMITTAL OF THE MADEIRA BEACH TOWN CENTER - SPECIAL AREA PLAN, AS AMENDED, FOR REVIEW PURSUANT TO THE COUNTYWIDE PLAN AND RULES; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

WHEREAS, The City amended its comprehensive plan in 2007 to include provision for the Planned Redevelopment - Mixed Use (PR-MU) land use plan category in the text of the Future Land Use Element of the Comprehensive Plan; and

WHEREAS, The Madeira Beach Town Center Special Area Plan was adopted pursuant to Ordinance 1151 on September 21, 2009 which plan placed the PR-MU plan category on the Future Land Use Map; and established plan objectives, regulatory provisions and recommendations for implementation; and

WHEREAS, The objective of the Town Center Plan is to encourage the improvement and revitalization of this important business, residential, tourist and public focal point within the City; and

WHEREAS, The Town Center Special Area Plan is divided into five sub-districts, including Beachfront, Causeway, Commercial Core, Peninsula, and Transition districts, comprising a total of approximately 80 acres; and

WHEREAS, The Town Center Special Area Plan sets forth specific development standards governing density and intensity for each sub-district within the Town Center Plan; and

WHEREAS, The Town Center Special Area Plan calls for a progress assessment five years from the effective date of approval of the Countywide Plan Map amendment, which five year period has now transpired; and

WHEREAS, The City has reviewed those standards in consideration of the objectives of the plan, the progress that has been made to date in the implementation of the plan, and the need and opportunity to address redevelopment in certain portions of the plan area; and

WHEREAS, Based on that review, the City has determined that it is necessary and appropriate to revise and refine the application of certain of the standards as they apply to the Commercial Core and a portion of the Causeway districts of the plan area; and

WHEREAS, The Town Center Plan, Chapter 3 - Implementation, identifies the intent to create a new zoning district designed to be used within the Causeway and Commercial Core districts that would require mixed use development and allow greater temporary lodging densities and intensities than any current zoning districts, and

WHEREAS, The amendment to the Town Center Plan is designed specifically to address the objective of accommodating additional temporary lodging use in the Commercial Core and portions of the Causeway districts; and

WHEREAS, Chapter 3, Implementation further expresses the intent that the PD planned development zoning district and review process should be required for all proposed development and redevelopment within the Town Center Area; and

WHEREAS, An assessment of the potential additional impact of development resulting from this amendment has determined that the City's infrastructure capacity is adequate to accommodate such impact.

NOW, THEREFORE, be it ordained by the Board of Commissioners of the City of Madeira Beach, Florida:

SECTION 1. That the City of Madeira Beach does hereby amend the Madeira Beach Town Center Special Area Plan, Chapter 2, Development Standards, pg. 32, Table 1 - Development Standards, to add the following footnote number 1.

¹The development standards for a Temporary Lodging Use in the Commercial Core and C-3 and C-4 zoning districts of the Causeway districts may be increased consistent with the standards set forth in the Resort Facilities High (RFH) plan category when part of a zoning amendment utilizing the Planned Development (PD) zoning district.

SECTION 2. That the City of Madeira Beach does hereby amend the Madeira Beach Town Center Special Area Plan, Chapter 2, Development Standards, pgs. 32 and 33, Calculating Proportionate Share and Mixed Uses, as follows:

Within the Beachfront, **Causeway**, Peninsula, and Transitions districts, and any portion of the Causeway district other than that zoned C-3 and C-4, when mixed uses are proposed on one parcel or within one building, the combined uses shall not exceed the number of units per acre or floor area ratio (FAR) in proportion to the development site. The proposed development must identify the specific uses proposed, the maximum density or intensity of each specific use, and the proportion of the development site to be devoted to that use. The proposed development shall demonstrate that the combined uses do not exceed the units or FAR in proportion to the development site. The City will implement this requirement through existing land development regulations to ensure that mixed uses comply with the Pinellas Planning Council Countywide Plan rules as well as any new mixed use zoning districts that may be created to implement the Town Center Special Area Plan.

This requirement does not apply to proposed mixed uses within the Commercial Core district or the portions of the Causeway district zoned C-3 and C-4. Within the Commercial Core district and the portion of the Causeway district zoned C-3 and C-4, development is not ~~neecessarily~~ limited to the density or FAR in proportion to the development site, provided that the development includes two of the three types of development: permanent residential, temporary lodging, or commercial development. That is, when mixed use development is proposed as follows, the requirement to calculate the maximum density and intensity proportional to the development site is not applied:

- Permanent residential and temporary lodging, or
- Permanent residential and commercial, or
- Temporary lodging and commercial.

This provision for additive density/intensity, whereby the proportionate share formula does not apply in the Commercial Core and the C-3 and C-4 portions of the Causeway districts, shall further require rezoning through the Planned Development process and the approval of a Development Agreement pursuant to the City's process therefor.

SECTION 3. That the City of Madeira Beach does hereby amend the Madeira Beach Town Center Special Area Plan, Chapter 3, Implementation, Strategies to Promote Development, pg. 58, second paragraph, as follows:

The ability to mix uses with in the Commercial Core and the C-3 and C-4 zoning districts of the Causeway districts without being limited by the proportional calculation of maximum density and intensity for each individual use is another important strategy. This allows a proposed development to be responsive to the market and provide the mix that is most feasible without being limited by a rule. At the same time, the City is ensured that development will not overwhelm the capacity of facilities and services, both through implementation of concurrency requirements in the comprehensive plan, but also through encouraging this particular mixed use approach in a limited portion of the Town Center. Combined with the parking strategy and the public investment in streetscape improvements, the City believes redevelopment will be encouraged by the revamped approach to the Commercial Core and designated portions of the Causeway districts.

SECTION 4. That the City of Madeira Beach does hereby amend the Madeira Beach Town Center Special Plan, Appendix B, Infrastructure Analysis, as set forth in Exhibit A, attached hereto.

SECTION 5. That the City of Madeira Beach does hereby transmit these amendments to the Madeira Beach Town Center - Special Area Plan to the Pinellas Planning Council for review pursuant to the Countywide Plan Rules.

SECTION 6. **Severability.** That the provisions of this Ordinance shall be deemed severable. If any part of the Ordinance is deemed unconstitutional, it shall not affect the constitutionality of other portions of the Ordinance.

SECTION 7. **Repealer.** That all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance be hereby repealed insofar as the same affect this Ordinance.

SECTION 8. **Effective Date.** That this ordinance shall become effective in the manner provided by law.

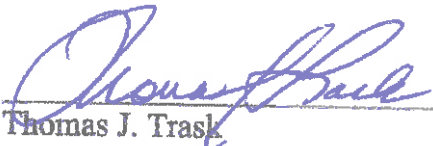
PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE
CITY OF MADEIRA BEACH, FLORIDA, THIS 12th day of November, 2014.

PUBLISHED: 10/24/2014

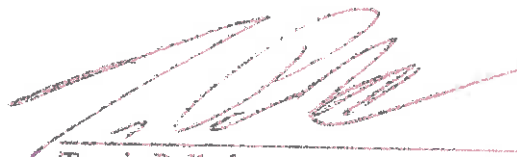
PASSED ON FIRST READING: 07/08/2014

PASSED ON SECOND READING: 11/12/2014

APPROVED AS TO FORM



Thomas J. Trask
City Attorney



Travis Palladeno
Mayor

ATTEST:



Aimee Servedio
City Clerk

Ordinance 2014-07

Ordinance No. 2014-07

**CITY OF MADEIRA BEACH, FLORIDA
LOCAL PLANNING AGENCY
AND
BOARD OF COMMISSIONERS
NOTICE OF PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN that the **LOCAL PLANNING AGENCY (THE PLANNING COMMISSION)** of the City of Madeira Beach will hold a **PUBLIC HEARING** on **Ordinance 2014-05, Ordinance 2014-06, and Ordinance 2014-07** in Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida on **MONDAY, June 23, 2014, at 7:00 p.m.**

NOTICE IS HEREBY GIVEN, the Board of Commissioners of the City of Madeira Beach will conduct the first reading of **Ordinance 2014-05, Ordinance 2014-06, and Ordinance 2014-07** at Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida on **TUESDAY, July 8, 2014 at 6:00 p.m.**

Upon the passage of Ordinance, **NOTICE IS HEREBY GIVEN**, the Board of Commissioners of the City of Madeira Beach will conduct the second and final reading of **Ordinance 2014-05, Ordinance 2014-06, and Ordinance 2014-07** at Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida on a date to be determined. Notice of such hearing will be provided as prescribed by Florida Statutory requirements and the Madeira Beach Code of Ordinances.

The titles of said Ordinances are as follows:

ORDINANCE 2014-05

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE MADEIRA BEACH COMPREHENSIVE PLAN, SECTION 3.2, FUTURE LAND USE ELEMENT, POLICY 1.1.2; PROVIDING FOR AMENDMENT OF THE RESORT FACILITIES MEDIUM (RFM) PLAN CATEGORY; PROVIDING FOR AN ADDITIONAL LAND USE CATEGORY ENTITLED RESORT FACILITIES HIGH (RFH) PURSUANT TO THE SPECIFIC PROCEDURES AND STANDARDS AS SET FORTH HEREIN AND IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR THE AMENDMENT OF THE PLANNED REDEVELOPMENT-MIXED USE (PR-MU) PLAN CATEGORY TO ACCOMMODATE INCREASED DENSITY/INTENSITY FOR TEMPORARY LODGING USE CONSISTENT WITH AND CORRESPONDING TO REVISIONS AND UPDATE OF THE TOWN CENTER SPECIAL AREA PLAN; AND AMENDING SECTION 3.2 FUTURE LAND USE ELEMENT, GOAL 2, OBJECTIVE 2.1; POLICIES 2.1.2, 2.1.3 AND 2.1.4 PROVIDING SPECIFIC AUTHORIZATION FOR THE USE OF DENSITY/INTENSITY AVERAGING, THE PROCEDURES AND STANDARDS FOR WHICH SHALL BE AS SET FORTH IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

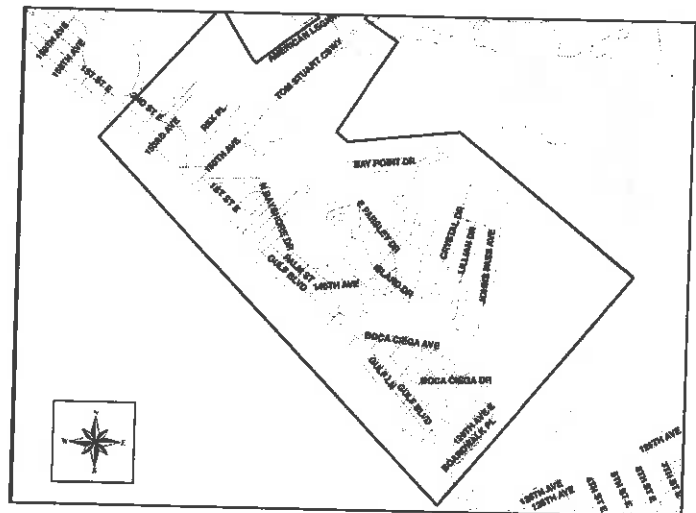
ORDINANCE 2014-06

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE MADEIRA BEACH CODE OR ORDINANCES, SUBPART B, LAND DEVELOPMENT REGULATIONS, BY AMENDING CHAPTER 82, GENERAL PROVISIONS, SEC. 82-2. DEFINITIONS TO PROVIDE FOR THE TERM "DENSITY/INTENSITY AVERAGING"; BY AMENDING CHAPTER 86, ADMINISTRATION, TO ESTABLISH A NEW ARTICLE V ENTITLED "DENSITY/INTENSITY AVERAGING" AND SETTING FORTH THE REQUISITE PROCEDURES AND STANDARDS THEREFOR; BY AMENDING CHAPTER 110, ZONING, ARTICLE V. DISTRICTS, DIVISION 1. GENERALLY, SECTION 110 - 151. ESTABLISHMENT OF DISTRICTS; PROVIDING FOR THE ADDITION OF THE PD, PLANNED DEVELOPMENT DISTRICT TO THE LIST OF ZONING DISTRICTS; AMENDING CHAPTER 110 ZONING, ARTICLE V. DISTRICTS, DIVISION 10. PD, PLANNED DEVELOPMENT, SECTION 110 - 386. PURPOSE, SECTION 110 - 387, USES PERMITTED, AND SECTION 110 - 388. APPLICATION FOR PD ZONING; PROVIDING FOR THE REQUIRED USE OF THE PD DISTRICT IN CONJUNCTION WITH THE RESORT FACILITIES HIGH PLAN CATEGORY, PROVIDING FOR TEMPORARY LODGING USE IN THE PD DISTRICT; PROVIDING FOR THE REQUIRED SUBMISSION OF A DEVELOPMENT PLAN IN CONJUNCTION AND SIMULTANEOUS WITH AN

APPLICATION FOR PD DISTRICT ZONING; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

ORDINANCE 2014-07

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, PROVIDING FOR AMENDMENT OF THE MADEIRA BEACH TOWN CENTER - SPECIAL AREA PLAN; PROVIDING FOR THE REVISION OF CHAPTER 2 - REGULATORY PLAN AND GUIDELINES WITH RESPECT TO THE DEVELOPMENT STANDARDS GOVERNING THE DENSITY/INTENSITY CALCULATIONS FOR TEMPORARY LODGING AND MIXED USES; PROVIDING FOR THE REVISION OF CHAPTER 3 - IMPLEMENTATION WITH RESPECT TO THE STRATEGIES TO PROMOTE REDEVELOPMENT; PROVIDING FOR THE REVISION OF APPENDIX B - INFRASTRUCTURE ANALYSIS TO UPDATE AND REVISE THE INFRASTRUCTURE IMPACTS CORRESPONDENT WITH CURRENT DATA AND THE PROPOSED REVISIONS TO CHAPTERS 2 AND 3 REFERENCED ABOVE; PROVIDING FOR TRANSMITTAL OF THE MADEIRA BEACH TOWN CENTER - SPECIAL AREA PLAN, AS AMENDED, FOR REVIEW PURSUANT TO THE COUNTYWIDE PLAN AND RULES; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.



Copies of the proposed Ordinances are available for inspection in the office of the City Clerk between the hours of 8 a.m. and 4:30 p.m. Monday through Friday.

All persons are hereby advised that any presentation they make to the Planning Commission or the Board of Commissioners will be encouraged to be as concise as possible and the Planning Commission and/or the Board of Commissioners may limit the time of each individual to permit maximum participation by the public at large. Any person who decides to appeal any decision of the Planning Commission or the Board of Commissioners with respect to any matter considered at these hearings will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based - per Florida Statute 286.0105

Aimee Servedio, City Clerk
City of Madeira Beach

6/08/2014

CITY OF MADEIRA BEACH, FLORIDA BOARD OF COMMISSIONERS NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN the Board of Commissioners of the City of Madeira Beach will conduct Public Hearings and Second and Final Readings of **Ordinances 2014-07, Ordinance 2014-08, and Ordinance 2014-09** at Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida on **WEDNESDAY, November 12, 2014 at 6:00 p.m.** The titles of said Ordinances are as follows:

ORDINANCE 2014-07

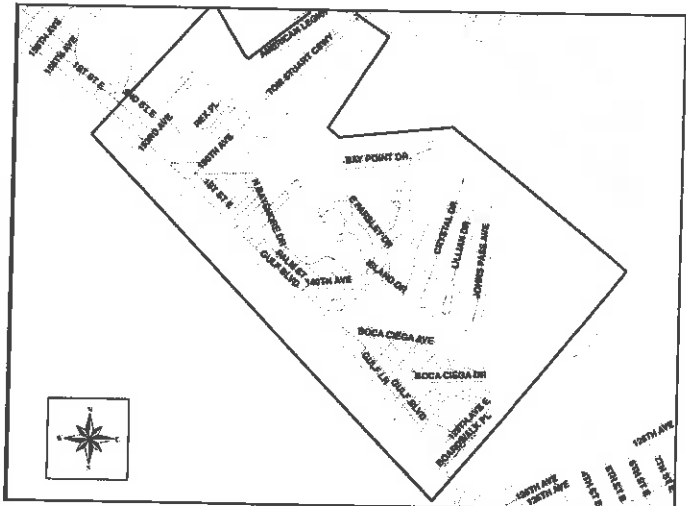
AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, PROVIDING FOR AMENDMENT OF THE MADEIRA BEACH TOWN CENTER - SPECIAL AREA PLAN; PROVIDING FOR THE REVISION OF CHAPTER 2 - REGULATORY PLAN AND GUIDELINES WITH RESPECT TO THE DEVELOPMENT STANDARDS GOVERNING THE DENSITY/INTENSITY CALCULATIONS FOR TEMPORARY LODGING AND MIXED USES; PROVIDING FOR THE REVISION OF CHAPTERS 2 AND 3 - IMPLEMENTATION WITH RESPECT TO THE STRATEGIES TO PROMOTE REDEVELOPMENT; PROVIDING FOR THE REVISION OF APPENDIX B - INFRASTRUCTURE ANALYSIS TO UPDATE AND REVISE THE INFRASTRUCTURE IMPACTS CORRESPONDENT WITH CURRENT DATA AND THE PROPOSED REVISIONS TO CHAPTER 2 REFERENCED ABOVE; PROVIDING FOR TRANSMITTAL OF THE MADEIRA BEACH TOWN CENTER - SPECIAL AREA PLAN, AS AMENDED, FOR REVIEW PURSUANT TO THE COUNTYWIDE PLAN AND RULES; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

ORDINANCE 2014-08

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE MADEIRA BEACH CODE OR ORDINANCES, SUBPART B, LAND DEVELOPMENT REGULATIONS, BY AMENDING CHAPTER 82, GENERAL PROVISIONS, SEC. 82-2. DEFINITIONS TO PROVIDE FOR THE TERM "DENSITY/INTENSITY AVERAGING"; BY AMENDING CHAPTER 86, ADMINISTRATION, TO ESTABLISH A NEW ARTICLE V ENTITLED "DENSITY/INTENSITY AVERAGING" AND SETTING FORTH THE REQUISITE PROCEDURES AND STANDARDS THEREFOR; BY AMENDING CHAPTER 110, ZONING, ARTICLE V. DISTRICTS, DIVISION 1. GENERALLY, SECTION 110 - 151. ESTABLISHMENT OF DISTRICTS; PROVIDING FOR THE ADDITION OF THE PD, PLANNED DEVELOPMENT DISTRICT TO THE LIST OF ZONING DISTRICTS; AMENDING CHAPTER 110 ZONING, ARTICLE V. DISTRICTS, DIVISION 10. PD, PLANNED DEVELOPMENT, SECTION 110 - 386. PURPOSE, SECTION 110 - 387, USES PERMITTED, AND SECTION 110 - 388. APPLICATION FOR PD ZONING; PROVIDING FOR THE REQUIRED USE OF THE PD DISTRICT IN CONJUNCTION WITH THE RESORT FACILITIES HIGH PLAN CATEGORY; PROVIDING FOR TEMPORARY LODGING USE IN THE PD DISTRICT; PROVIDING FOR THE REQUIRED SUBMISSION OF A DEVELOPMENT PLAN IN CONJUNCTION AND SIMULTANEOUS WITH AN APPLICATION FOR PD DISTRICT ZONING; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

ORDINANCE 2014-09

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE MADEIRA BEACH COMPREHENSIVE PLAN, SECTION 3.2, FUTURE LAND USE ELEMENT, POLICY 1.1.2; PROVIDING FOR AMENDMENT OF THE RESORT FACILITIES MEDIUM(RFM)PLAN CATEGORY; PROVIDING FOR AN ADDITIONAL LAND USE CATEGORY ENTITLED RESORT FACILITIES HIGH (RFH) PURSUANT TO THE SPECIFIC PROCEDURES AND STANDARDS AS SET FORTH HEREIN AND IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR THE AMENDMENT OF THE PLANNED REDEVELOPMENT-MIXED USE (PR-MU) PLAN CATEGORY TO ACCOMMODATE INCREASED DENSITY/INTENSITY FOR TEMPORARY LODGING USE CONSISTENT WITH AND CORRESPONDING TO REVISIONS AND UPDATE OF THE TOWN CENTER SPECIAL AREA PLAN; AND AMENDING SECTION 3.2 FUTURE LAND USE ELEMENT, GOAL 2, OBJECTIVE 2.1; POLICIES 2.1.2, 2.1.3 AND 2.1.4 PROVIDING SPECIFIC AUTHORIZATION FOR THE USE OF DENSITY/INTENSITY AVERAGING, THE PROCEDURES AND STANDARDS FOR WHICH SHALL BE AS SET FORTH IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.



Copies of the proposed Ordinances are available for inspection in the office of the City Clerk between the hours of 8 a.m. and 4:30 p.m. Monday through Friday.

All persons are hereby advised that any presentation they make to the Planning Commission or the Board of Commissioners will be encouraged to be as concise as possible and the Planning Commission and/or the Board of Commissioners may limit the time of each individual to permit maximum participation by the public at large. Any person who decides to appeal any decision of the Planning Commission or the Board of Commissioners with respect to any matter considered at these hearings will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based - per Florida Statute 286.0105

Aimee Servedio, City Clerk
City of Madeira Beach

10/24/2014

Appendix A – Existing Use of Land, Future Land Use Categories, and Current Zoning Categories

Existing Use of Land

Although the dominant use in the City of Madeira Beach is residential, the Town Center contains a mix of multi-family residential, commercial, and public uses, as well as recreation/open space (see Figure 2).

The beachfront along Gulf Boulevard is predominantly developed with condominium units. At the terminus of Madeira Way, there is a pavilion and a large metered parking lot to provide the public access to the gulf-front beach. A section of medium-density residential uses is located east of Madeira Way.

On the southern edge of the study area, First Street East, which runs parallel to Gulf Boulevard behind several of the commercial strip shopping centers, is also built-out, with existing uses that include single family, duplex, and multifamily residential units. There is a notable, vacant triangular-shaped area formed at the intersection of East Madeira Avenue and First Street East. Most of the non-commercial areas of First Street East are excluded from the study area.

Moving counter-clockwise, East Madeira Avenue (just outside the study area) is built-out with single family and duplex residential dwellings.

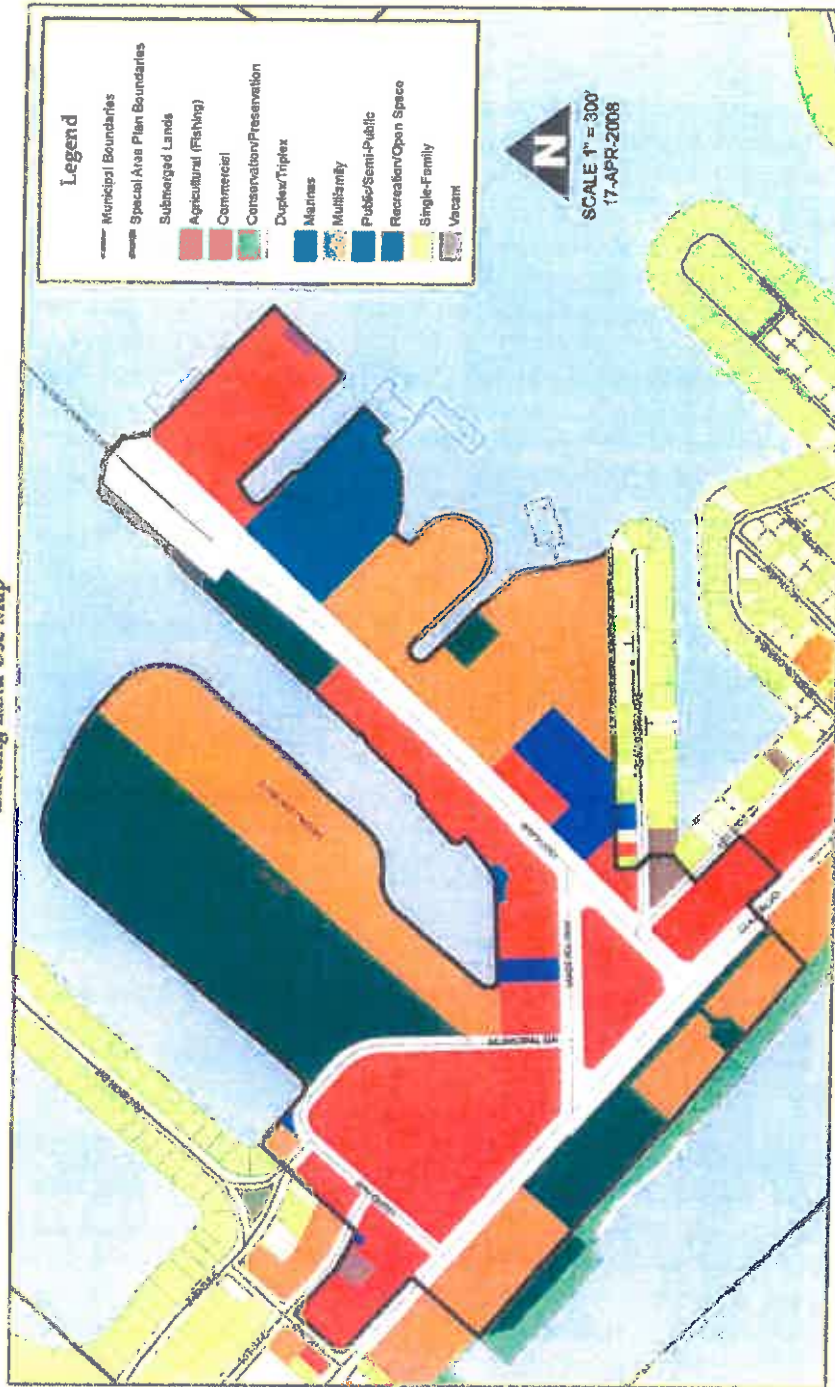
Next, in the area southeast of 150th Avenue extending along the Causeway, there are commercial, multi-family residential, public, and some marine land uses. The commercial uses in this area include motorcycle and automotive shops, marine-related retail, and a vacant restaurant. The far eastern edge of the study area includes the Municipal Marina and land occupied by the Department of Public Works. Plans are underway to redevelop the marina property by rebuilding wet slips, offering more transient slips, as well as a high and dry boat storage facility, a new public works complex, and a new ship store.

The entire heart of the study area is designated for commercial uses, which extend on both sides of Madeira Way and on the northwest side of 150th Avenue; however, a number of storefronts on Madeira Way are vacant and remain unoccupied. Most of the retail uses are tourist oriented shops, sundries, and restaurants. The far northeastern corner of the study area includes a small linear park, Madeira Beach Causeway Park.

The peninsula on which City Hall is located is divided between public uses and a large open green space/recreational area, known as the Rex Place Recreational Complex. On the remainder of the peninsula is the Madeira Beach Yacht Club, a residential condominium complex.

Commercial uses, anchored by the Winn Dixie grocery store, adjoin the southern side of 153rd Avenue with frontage on Municipal Drive. A series of professional office uses front the northern side of 153rd Avenue.

City of Madeira Beach Special Area Plan Existing Land Use Map



Prepared by the Planning Council, with data provided by the Pinellas County, which is not a warranty as to its accuracy or completeness. The data is for reference only and should not be considered as a basis for any decision. While considerable effort is made to verify the information, the City of Madeira Beach does not warrant the accuracy, completeness and reliability of the information. Only the official documents should be used where

Future Land Use Categories

Figure 4 shows the Future Land Use Map (FLUM) before the amendment to apply the Special Area Plan driven Planned Redevelopment-Mixed Use (PR-MU) Future Land Use category to the Town Center. The development uses, types, patterns, densities, and intensities in place are for the most part consistent with the category regulations and standards, but they do not promote redevelopment that would result in a better mix of uses. By applying the PR-MU category to the Town Center, as governed by this Special Area Plan, an improved mixed of uses should occur, as well as more appealing and appropriate buildings and public areas through the application of additional design standards. This Special Area Plan also includes the implementation of incentives to encourage redevelopment and economic development within the Town Center.

Land Use Category on the FLUM	Acres
Open Space	16.6
Institutional	6.6
Resort Facilities Medium	22.9
Commercial General	30.0
Residential/Office/Retail	0.8
Transportation/Utility	3.2
TOTAL	80.1

Existing Zoning

There is consistency between the existing zoning categories and the future land use categories. There is also consistency between the actual development and the existing zoning in terms of uses allowable. However, some densities and non-residential intensities may be nonconforming. It is useful to describe the existing zoning as part of the discussion of the existing situation. As the redevelopment plan is implemented, it is also useful to recognize that nonconforming situations will not impede the redevelopment process. The following discussion and table of standards further explains the current situation.

The land within the study area falls under four zoning categories: C-3 (Retail Commercial), C-4 (Marine Commercial), R-3 (Medium Density Multi-Family Residential) and P-SP (Public, Semi-Public) (see Figure 3).

Zoning Categories	Acres
R-3	29.0
C-4	9.1
C-3	24.6
P/SP	17.3
TOTAL	80.0

Overall, the City's existing zoning districts closely follow the current land use pattern. One exception is that Archibald Park is currently zoned R-3. Also the current Public Works building is in the C-4 Marine Commercial zone.

Lot and Building Standards for Current Zoning Categories

Zoning Category	Min. Lot Size (sq. ft.)	Max. Height (stories above parking)	Max. Height (above BFE¹)	Floor Area Ratio
C-3	4,000	*2-3	40	0.8
C-4	4,000	2	30	0.55***
P-SP	†	†	†	0.25 – 0.7
R-3	4,000**	3	40	0.8

*Two stories for commercial uses, three stories for residential uses

**4,000 sq. ft. for single family, or 3,000 sq. ft. per unit for duplex, 2,420 sq. ft. per unit for multifamily, 5,000 sq. ft. for restaurants

*** 0.55 floor area ratio for commercial, 0.65 for institutional, 0.70 for transportation/utility

†Lot and building standards for P-SP are established by the City's Board of Commissioners on a per-site basis.

The C-3 Retail Commercial district is the City's primary retail zoning district. It allows a full range of urban services and promotes a high degree of accessibility. Among the primary retail and personal service uses permitted are business offices and financial services, multi-family dwellings, temporary lodging units, and restaurants. Retail uses must be on lots of at least 4,000 square feet, and commercial structures are limited to no more than two stories (above parking). Residential units in C-3 zones may be built to three stories (above parking) in height.

The C-4 Marine Commercial allows for marinas, commercial docks, boat repairs and sales facilities, restaurants, commercial fishing activities, retail offices and personal service uses, and temporary lodging units. It allows marine and boat storage uses as accessory uses. It requires a minimum lot size of 4,000 square feet and building heights of no more than two stories (over parking) or 30 feet above base flood elevation, whichever is more restrictive.

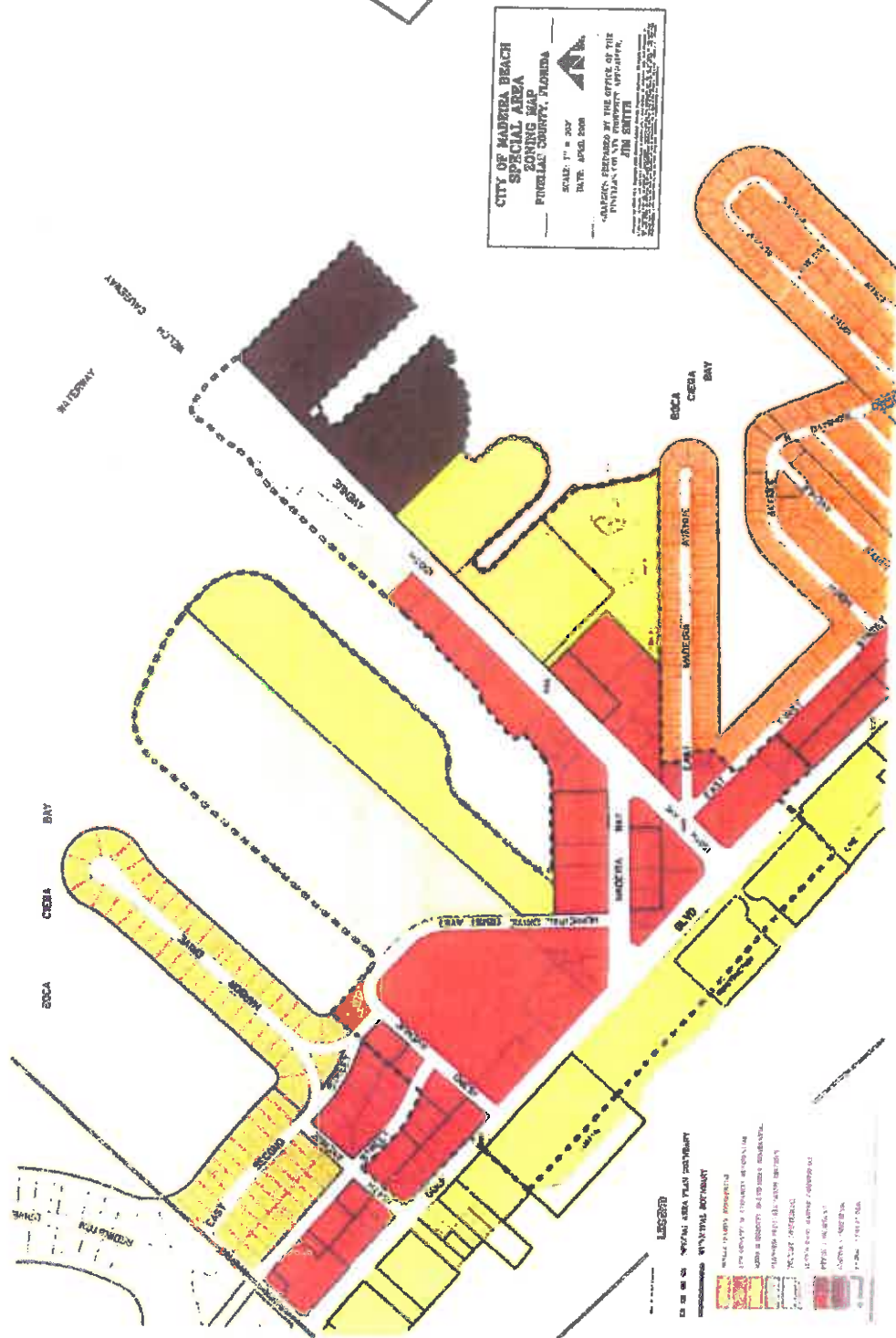
¹ BFE -- base flood elevation

The City has three zoning districts that allow multi-family housing: R-2, Low-Density Multi-Family Residential, R-3, Medium Density Multi-Family Residential and C-3 Retail Commercial. The R-2 district, while not located in the study area, has a maximum floor area ratio (FAR) of 0.80, with an effective building height limit of 30 feet above base flood elevation (two stories above parking). The R-3 and C-3 districts, meanwhile, have a maximum FAR of 0.80, with a building height limit of 40 feet above base flood elevation (or three stories above parking), for multi-family and temporary lodging units.

Developments seeking greater height must be submitted under the Planned Development (PD) zoning process, which allows for greater flexibility in the layout of the project site in exchange for more extensive review and the obligation to contribute to public capital improvement projects. The use of the PD process, while providing for flexibility in site design, does not allow a project to exceed the standards set by the Countywide Plan rules of the PPC. While the PD zoning district is available, no properties within the Town Center have this zoning designation at the present time.

The P-SP Public, Semi-Public zoning district is intended to provide for the development and maintenance of public and semi-public facilities, including public buildings, parks and other public facilities.

Existing Zoning Map





Appendix B – Infrastructure Analysis – Updated 6/13/2014

Impact of Town Center Redevelopment on Public Facilities and Facility Capacities

The primary means of ensuring that public facilities are available with the capacity needed to serve the development is the concurrency management provisions in the Madeira Beach Comprehensive Plan and land development regulations. However, an analysis is provided herein to demonstrate that the proposed and recommended redevelopment consistent with this Special Area Plan will not create impacts beyond the availability and capacity of required public facilities. Also, any amendments to this Special Area Plan must address any potential increases in impacts on public facilities as compared to the City's adopted level of service standard and the available capacity of the affected facilities.

The analysis includes examining the proposed distribution of land uses and their build-out intensities. The current land use categories on the Future Land Use Map for the Town Center include:



MADEIRA BEACH TOWN CENTER SPECIAL AREA PLAN

Comparison of Current and Proposed Land Use Densities and Intensities

Current Future Land Use Category	Acres	Standards ¹		FAR ³
		Density ² (Perm.)	Density (Temp.)	
Recreation / Open Space	16.6	0	0	0.25
Institutional	6.6	0-10	0	0.65
Resort Facilities Medium	22.9	0-18	Varies	Varies
Commercial General	30.0	0-15	0-75 0-60	0.55 – 0.65 .055
Residential/Office/Retail	0.8	0-18	0-45	0.40
Transportation/Utility	3.2	0	0	0.7
TOTAL	80.1			

PR-MU Land Use Category Districts				
Beachfront	8.4	0-15	0-30	0.55
Causeway	23.3	0-15	0-60 ⁴	0.55
Commercial Core	20.0	0-15	0-60 ⁴	1.2
Peninsula	25.2	0-15	0-15	0.30
Transition	3.1	0-15	0-60	0.55
TOTAL	80.0			

As described earlier in this Special Area Plan, in the calculation of mixed uses in the Beachfront, Causeway, Peninsula, and Transition districts, the combined uses cannot exceed the number of units per acre or FAR in proportion to the development site. This provision does not apply in Commercial Core or areas zoned C-3 or C-4 within the Causeway District.

It is important to note that the maximum allowable development in any category – residential, temporary lodging, or nonresidential – has not typically occurred. Past development has not resulted in the maximum number of residential dwellings that was possible according to the land use category and zoning district for a site. The same is true of nonresidential



MADEIRA BEACH TOWN CENTER SPECIAL AREA PLAN

development. Fewer total square feet of development have been built than the maximum number of square feet of development possible according to the land use category and zoning district for a site.

Two things are expected to change this situation. A recent rule change in the *Countywide Rules* establishes densities for temporary lodging units. Along with the adoption of the Special Area Plan, the ability to mix uses within the Commercial Core and areas zoned C-3 or C-4 within the Causeway District without applying the calculation regarding proportion to the amount of the site in each use will encourage development and redevelopment. While such a change could have the potential for significant increases in development, other factors will continue to limit the amount of development. For example, height limits and impervious surface coverage standards both serve to place a limit on the amount of development possible on a site. What does change as a result of removing the requirement for proportional development is that mixed uses are much more likely in combinations that are responsive to market demands. Further, the evaluation of development for compliance with concurrency management requirements may limit total development, depending on the impacts expected and the operating levels of service at the time of development review.

The Comprehensive Plan as a whole has been based on maximum potential impacts from allowable development. When the maximum allowable development does not occur, there is available capacity for such facilities as services as water, sewer, and roads, as discussed above. Further, there is no net increase in development in the Town Center.

However, to further explain the likely impacts, a comparison of allowable development is provided.



MADEIRA BEACH TOWN CENTER SPECIAL AREA PLAN

Development Potential from Current Future Land Use Plan Categories.⁵

Current Land Use Category on the FLUM	Acres	Permanent Residential (units)	Temp. Lodging (units)	Non- residential (square feet)
Recreation / Open Space	17.5	0	0	0
Institutional	6.6	66	0	186,872
Resort Facilities Medium	22.9	412	1,718	648,391
Commercial General	30.0	450	1,800	718,740
Residential/Office/Retail	0.6	14	36	13,949
Transportation/Utility	3.2	0	0	0
TOTAL	80.1	943	3,554	1,567,942

The development potential is for either permanent residential units, or temporary lodging units, or commercial/office development. If a combination of uses is developed, each use is allowed in proportion to the portion of the development site devoted to that use. The above description of maximum development potential has not been adjusted for the potential reductions in development due to provision of parking, stormwater facilities, site amenities, or response to market demands, all of which reduce the potential maximum. The trend in development has been to develop approximately 75% of the maximum possible. This is an average across all land uses and does not necessarily apply to an individual site.



MADEIRA BEACH TOWN CENTER SPECIAL AREA PLAN

Development Potential from Proposed Town Center Plan⁶

Town Center Districts	Acres	Permanent Residential (units)	Temp. Lodging (units)	Non-residential (square feet)
Beachfront	8.4	126	252	201,247
Causeway	23.3	350	1,398 ⁶	558,221
Commercial Core	20.0	300	1,200 ⁶	1,045,440
Peninsula	25.2	378	378	329,314
Transition	3.1	47	186	74,270
TOTAL	80.0	1,200	3,414⁶	2,208,492

Development Potential Differences⁶

Current Land Use Category	Permanent Residential (units)	Temp. Lodging (units)	Non-residential (square feet)
On the FLUM	943	3,554	1,567,942
Town Center Districts	1,200	3,414 ⁶	2,208,495
TOTAL DIFFERENCE	257	-140⁶	640,550

The difference in maximum development potential in the Town Center planning area is a 27% increase in permanent residential units, a 4% decrease in temporary lodging units, and a 41% increase in non-residential square footage.

To better understand the actual impact of the plan amendment, the current use of the land and the probability of redevelopment must be further examined.

Approximately 3.68 acres of the Beachfront District is a park which was deeded to the City by the National Park Service. The City of Madeira



MADEIRA BEACH TOWN CENTER SPECIAL AREA PLAN

Beach Charter, Section 1.7 "Limitation on exercise of powers" requires a referendum vote of the electors of the City prior to the sale or any real property possessed by the City. Due to public ownership of 3.68 acres of land, there are approximately 55 permanent residential units and 110 temporary lodging units which will not be developed as a result of this future land use map amendment.

Looking at the Peninsula District, 19.78 acres of public property provides facilities for the Gulf Beaches Public Library, City Hall, Madeira Beach Fire and Recreation Department. These facilities total 23,761 square feet of development. The Trustees of the Internal Improvement Fund of the State of Florida (Instrument No. 22473 (617-52) granted this parcel of land to the City in 1960. Under this agreement, the City cannot sell or lease any part of the property for any private use or purpose. The land can only be used for public purposes. There is redevelopment potential in the Peninsula District for additional public facilities and services. The area however will not be converted to any other use. This 19.78 acre site will not realize any loss of temporary lodging units or gain of permanent residential units as a result of this plan amendment. Due to public ownership of 19.78 acres of land, there are approximately 296 permanent residential units and 296 temporary lodging units which will not be developed as a result of the future land use map amendment.

There are two publicly owned parcels of land in the Causeway District. The Madeira Beach Causeway Park is 1.53 acres in size. The land was acquired through the Florida Communities Trust Fund. There is a recorded deed-restriction on the property permitting only public passive recreational use.

The public works / municipal marina complex is approximately 5.74 acres. The structures on the City's property total 9452 square feet. As established in the City of Madeira Beach Charter a referendum vote of the electors is required prior to the sale of any real property possessed by the City. Plans are underway to redevelopment the property for use of the municipal marina. There will be no opportunity for the development of temporary lodging or permanent dwelling units on this site.

Due to public ownership of 7.27 acres of land in the Causeway District, there are approximately 115 permanent residential units and 436 temporary lodging units which will not be developed in the future.



MADEIRA BEACH TOWN CENTER SPECIAL AREA PLAN

In summary, the public ownership of property in Town Center will eliminate up to 466 permanent residential units from development or redevelopment in the future.

The current future land use map anticipated the development of 3554 temporary lodging units. Looking at the Beachfront District, there are a total of 204 residential condominium units, 160 units in Ocean Sands and 44 units in the Sereno. In other words, 4.72 acres were built as permanent residential units rather than 354 temporary lodging units. Similarly in the Peninsula District, the Madeira Beach Yacht Club was built as 284 permanent units on 5.42 acres rather than 406 temporary lodging units. Each of these condominium developments are owned by individual unit owners. The only way to redevelop or change the use of the development is to gain agreement from all owners or for one entity to purchase all units to control the entire project. Although the "Development Potential Differences" from current to proposed shows a loss of temporary lodging units, in actuality the current future land use map overstated the development potential of temporary lodging units by at least 760 units.

Potable Water

The projections for potable water use indicate a continued decrease in water use within the next years. Data from Pinellas County Comprehensive Plan, Potable Water Supply, Wastewater, and Reuse Element, January 2013, the provider of potable water service to the City of Madeira Beach, shows that the level of service for potable water continues to decline. In 2012, it was estimated to be 119 gallons per capita per day (gpcpd), and is forecast to be 115 gpcpd in 2025. This is due in part to use of reclaimed water, conservation efforts, and restrictions from the Southwest Florida Water Management District. In a recent amendment to the Madeira Beach Comprehensive Plan additional policies were adopted to ensure coordination between the City and Pinellas County Utilities regarding availability of potable water. However, it is further estimated that redevelopment within the Town Center will result in an increased demand for water over the planning period. Water demand is expected to be an additional 217,054 gallons per day.



MADEIRA BEACH TOWN CENTER SPECIAL AREA PLAN

Unit quantity and type		2012 Level- of-service	Potable water demand
257 permanent dwelling units	2.64 Persons / household ⁸	119 gpcpd	80,739 gallons/day
640,550 non- residential sq. footage		0.23 gal/sq ft	147,327 gals/day
-140 temporary lodging units (342 sq ft / unit) ⁶		0.23 gal/sq ft	-11,012 gals/day ⁶
		TOTAL POTABLE WATER DEMAND	217,054 gals/day

The City of Madeira Beach receives all potable water supplies, treatment, and distribution from Pinellas County Utilities. Through an interlocal agreement and master water supply contract, Tampa Bay Water, the regional water supply authority, provides all the potable water needed by its six member governments, including Pinellas County Utilities as an operational entity within Pinellas County. Through the agreement and contract, "Tampa Bay Water is obligated to meet the current and future water needs of its member governments". In order to meet these needs, Tampa Bay Water owns and operates water supply facilities including wellfields, surface water withdrawals, a seawater desalination facility, treatment facilities, storage facilities such as the off-stream reservoir, pumping stations, and transmission mains." (*Regional Water Supply Plan*, page 8)

No proportional capacities are calculated for individual retail water customers by either Tampa Bay Water, the Southwest Florida Water Management District (SWFWMD), or Pinellas County Utilities. As a result, projection of demand is not made separately for Madeira Beach. Madeira Beach's potable water demand is included in the aggregate demand data and projections for Pinellas County Utilities, the potable water service provider. The water demand data provided in the SWFWMD *Regional Water Supply Plan* is the best available data. The population projections used by the SWFWMD are essentially the same as the county projections that include seasonal and tourist data.



MADEIRA BEACH TOWN CENTER SPECIAL AREA PLAN

As discussed earlier, the public ownership of property in Town Center will eliminate up to 466 permanent residential units from development or redevelopment in the future. For purposes of calculating impact, the number of permanent dwelling units is reduced from +257 to -209. The potable water demand is -50,966 gallons per day for permanent dwelling units thus lessening the demand to 166,088 gallons per day. This should be considered a worst case scenario.

This Special Area Plan serves as a long range redevelopment plan for Town Center. The redevelopment projects may take 10 years or more to complete. The trend is toward reduced water use. Over time, the use of reclaimed water, conservation efforts, and restrictions from the Southwest Florida Water Management District may further reduce the potable water demand.

Wastewater Treatment

The City receives wastewater collection and treatment services from Pinellas County Utilities. The Pinellas County Comprehensive Plan contains information to show that total plan capacity is determined to be adequate for build out conditions throughout the county. However, it is further estimated that redevelopment within the Town Center will result in an increased generation of sewerage over the planning period. Sewerage generated is expected to be 90% of potable water demand equating to an additional 149,479 gallons per day. The existing South Cross Bayou Wastewater Treatment Plant has a design capacity of 33 million gallons. It is operating at approximately 65% of capacity or 21.42 million gallons per day⁹. The potential increase of 149,479 gallons per day from this future land use map amendment represents an increase of 0.45 percent, well within the capacity of the treatment plant.

Transportation

The Town Center Special Area Plan is designed to increase pedestrian and bicycle connections, safety, and use. By increasing the mix of uses to include temporary lodging units, residential, and commercial within the Town Center, there is expected to be some reduction in the dependence on vehicle trips. This is often referred to as a "capture" of vehicle trips from within a mixed-use area. The result is less vehicle trips than from other less compact areas with stand-alone uses that must each be accessed from a personal vehicle over greater distances.



MADEIRA BEACH TOWN CENTER SPECIAL AREA PLAN

Transportation Comparison			
Current Future Land Use Category	Acres	Vehicle Trips Trip Rate /Acre ¹⁰	Trips
Recreation / Open Space	16.6	4.3	71
Institutional	6.6	192	1,267
Resort Facilities Medium	22.9	178	4,076
Commercial General	30.0	487	14,610
Residential/Office/Retail	0.8	339	271
Transportation/Utility	3.2	18	58
TOTAL	80.1		20,354
Proposed PR-MU Land Use Category Districts			
Beachfront	8.4	331	2,780
Causeway	23.3	178	4,147 ⁶
Commercial Core	20.0	487	9,740 ⁶
Peninsula	25.2	192	4,838
Transition	3.1	487	1,510
TOTAL	80.0		23,015

Differences in Trips Per Day Per Acre	
Current Land Use Category on the FLUM	Total Number of Vehicle Trips
Town Center Districts	20,354
TOTAL DIFFERENCE (expected new daily vehicle trips)	23,015⁶ 2,661⁶

The difference in the expected number of trips shown in this table is insignificant. However, it is not possible to forecast the specific mix of uses, timing of redevelopment and the change in the distribution of traffic among transit, vehicle trips, pedestrian, and bicycle use during this comprehensive planning stage. Even though this analysis indicates that the expected impacts will be insignificant, the City will continue to rely on



MADEIRA BEACH TOWN CENTER SPECIAL AREA PLAN

provisions in its comprehensive plan and land development regulations to ensure maintenance of the adopted level of service.

Further, the comprehensive plan requires a transportation analysis where access by development is requested to a road that is the jurisdiction of the State of Florida and there can be no issuance of development orders until the FDOT has completed a review. Additionally, the City will continue to rely on traffic analysis and concurrency management provisions contained in the comprehensive plan and land development regulations to evaluate potential impacts during redevelopment. This will ensure that an individual development or redevelopment proposal does not reduce the required level of service for the facilities subject to concurrency.

Recreation

The 21% increase in the number of residential units expected as a result of the adoption of this Special Area Plan is not expected to lower the existing recreation level of service. The level of service standard for the City is 6.5 acres of recreation and open space per 1000 residents. There are 29.6 acres of land comprised of several parks with beach access to the Gulf of Mexico, Rex Place and Madeira Beach Causeway Park. Additionally, there is 22.4 acres of land designated Preservation. This is the City's beach, specifically the area west of the coastal construction line. In total, the open space and preservation areas of the community can accommodate a population of 8000, according to the current level of service standard.

Stormwater Management

The City requires compliance with the adopted stormwater management level of service and will implement the limitations on impervious surfaces according to the standards included in this Special Area Plan and administered by the land development regulations. Through redevelopment as outlined in this Plan, drainage on sites developed prior to the current standards will be improved, as much of the current development in the Town Square exceeds the current and proposed standards. This will include the reduction of impervious surfaces, an increase in landscaping to retain and filter stormwater, and the inclusion of stormwater detention and retention facilities that area designed to remove the pollutants found in stormwater and to reduce potential flooding in the area through the reduction of the volume of stormwater leaving the site during heavy storm events.

Coastal High Hazard Area

The 257 permanent residential dwelling units cited as the "Development Potential Differences" from current to proposed will not become a reality due to the amount of land under public ownership and the specific conditions established for each of those parcels of land. There are 38 acres of land under public ownership which will not be developed with permanent residential uses. This will eliminate up to 466 permanent residential units from development or redevelopment in the future.

ADDENDUM TO APPENDIX B - INFRASTRUCTURE ANALYSIS

Introduction

This Addendum to Appendix B is prepared in concert with and support of Ordinance 2014-07.

Background

Appendix B was prepared and included as part of the Town Center Special Area Plan adopted by Ordinance 1151 in 2009. Its basic purpose and approach was to compare the hypothetical maximum development potential under the then current Future Land Use Plan categories with the proposed Planned Redevelopment-Mixed Use (PR-MU) plan category and its five character sub-districts. Based on this comparison of maximum potential development, the impacts on and capacity of the City's infrastructure - including water, waste water, transportation, recreation, stormwater management, and the considerations related to the coastal high hazard area - were evaluated.

While this provided a useful foundation for attempting to understand how the proposed Town Center Special Area Plan differed from the plan in place in 2009, the issue to be addressed in this Addendum is how the amendments proposed in Ordinance 2014-07 change the development potential from what was approved and has been in place for the last five years..

Summary Description of Proposed Changes

There are two proposed changes to the Town Center Special Area Plan as follows:

1. To allow for consideration of the higher density/intensity standards for temporary lodging use consistent with the standards for Resort Facilities

High (RFH), subject to rezoning using the PD, Planned Development zoning district, in the Commercial Core and enumerated portions of the Causeway districts only.

2. To allow for "additive" density/intensity; i.e., to allow a combination of residential, temporary lodging and commercial use without requiring each separate use to be calculated in proportion to the percentage of parcel area it occupies for the purpose of determining permitted density/intensity, subject again to such property being rezoned under the PD, Planned Development zoning district, which provision is a change only in the enumerated portions of the Causeway District.

Summary Assessment of Proposed Changes

Based on the amendments to the Town Center Special Area Plan in Ordinance 2014-07, changes to the estimated maximum overall development potential and their relationship to the identified infrastructure facilities are not significant.

Specifically, the small amount of privately owned acreage in the C-3 and C-4 zoning districts of the Causeway District (approximately 6.02 acres) to which the "additive" density/intensity applies; and the limited number of parcels in either the Commercial Core or Causeway districts that have the potential to be redeveloped at the higher density/intensity for temporary lodging use (both because of their current use and their size), is very limited; and any corresponding increase to the impact on the City's infrastructure would be correspondingly small.

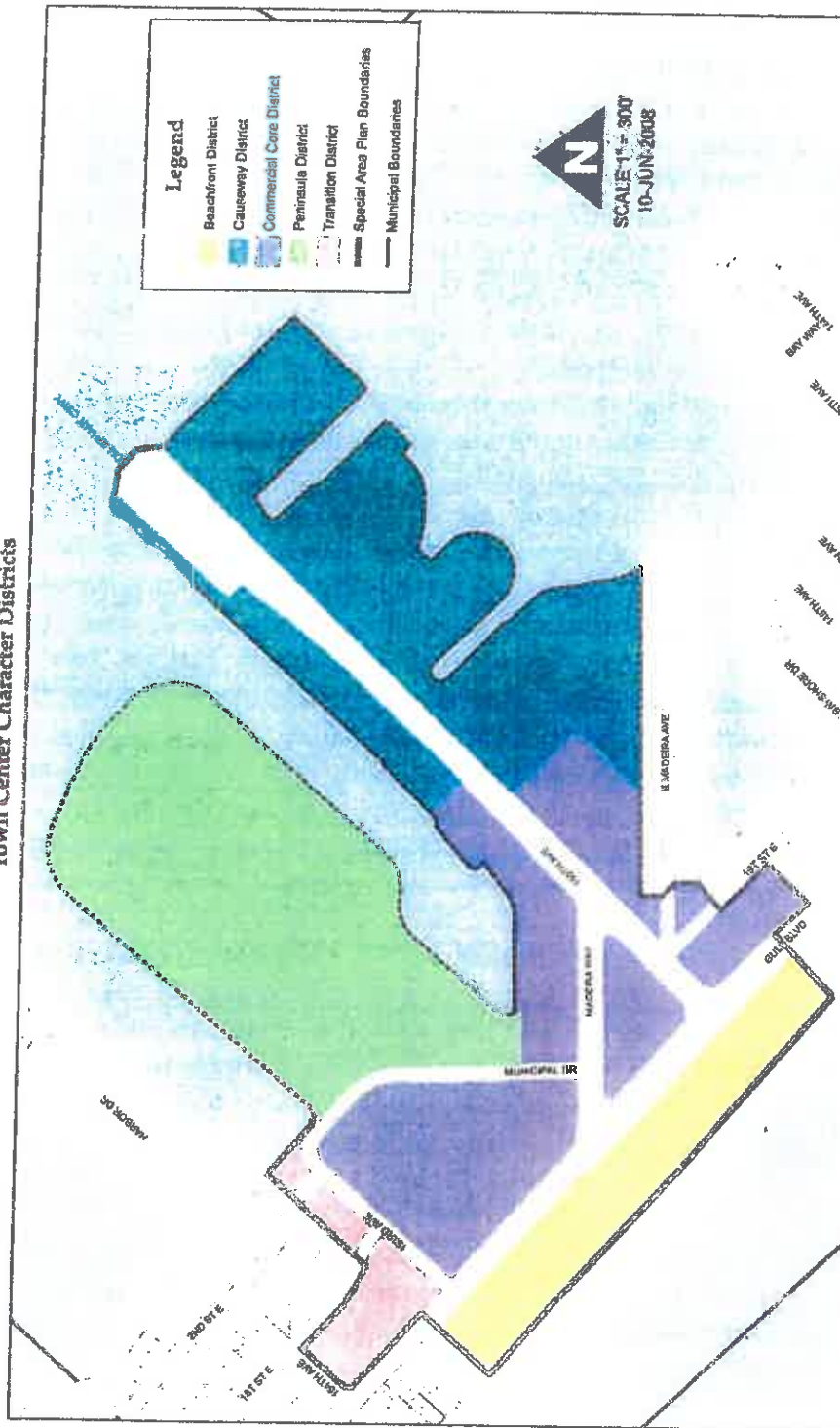
In addition, it is important to note that either of the two types of amendment to the Town Center Special Area Plan provided for in Ordinance 2014-07 would require public hearings, rezoning using the PD, Planned Development process, and a Development Agreement, providing ample opportunity to assess and limit each project relative to its infrastructure impacts and assuring that the City's required level of service be maintained consistent with the concurrency management requirements of the Plan and Code.

In brief, while there is no absolute means of projecting and quantifying the specific impacts that the changes provided for in Ordinance 2014-07 may yield, it is reasonable to conclude they will not exceed the capacity of the City's infrastructure, based on the previous assessment of maximum development potential, and that there is a definitive process in place to assure that they cannot and will not be allowed to do so.

Endnotes:

1. Madeira Beach Comprehensive Plan, May 2008.
2. Densities are expressed as units per acre.
3. FAR means floor area ratio.
4. The amendments to the Commercial Core and the C-3 and C-4 zoning districts of the Causeway districts in Ordinance 2014-07 will permit consideration of the higher density/intensity standards for temporary lodging use as provided for in the Resort Facilities High (RFH) plan category of the Comprehensive Plan.
5. The information in this table represents the adopted Future Land Use Map categories and acreage in place prior to the adoption of the Town Center Plan.
6. The information in these tables represent the Planned Redevelopment-Mixed Use Future Land Category and associated Districts, and acreage in place as originally adopted in the Town Center Plan; except where noted in relationship to the number of temporary lodging units. The number so noted could increase, based on the number of temporary lodging units and their corresponding impacts, as a function of the provision for increased density/intensity for temporary lodging use in the Commercial Core and enumerated portion of the Causeway districts pursuant to Ordinance 2014-07.
- ~~7. These numbers have the potential to increase the number of temporary lodging units based on the provision for increased density/intensity for temporary lodging use in the Commercial Core and a portion of the Causeway districts pursuant to Ordinance 2014-07.~~
8. U.S. Census Bureau, American Community Survey, 5-Year Estimates, March 2014.
9. Pinellas County Ordinance No 13-36, Section 134-258. Level of Service Conditions — for Utilities, Recreation/Open Space, Stormwater, Roadways and Mass Transit, December 2013.
10. Countywide Plan Rules, Pinellas Planning Council, February 3, 2014.

City of Madeira Beach Special Area Plan Town Center Character Districts



Prepared by the Pinellas Planning Council with data provided by the Pinellas County Information Systems Department and the City of Madeira Beach. The data contained herein is offered "as is", with no claim or warranty as to its accuracy or completeness. The data is for reference only and should not be considered to be of any legal or financial consequence. While considerable effort is made to verify the information, due to its volume and highly dynamic nature, any data errors or omissions should be noted where they occur.

Tampa Bay Times

Published Daily

St. Petersburg, Pinellas County, Florida

STATE OF FLORIDA
COUNTY OF Pinellas

} S.S.

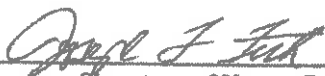
Before the undersigned authority personally appeared **B. Harr** who on oath says that he/she is **Legal Clerk** of the **Tampa Bay Times** a daily newspaper published at St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a **Legal Notice** in the matter **RE: MADEIRA BEACH LOCAL PLANNING AGENCY & COMMISSIONERS PUBLIC HEARINGS** was published in said newspaper in the issues of **Local & State**, 6/8/2014.

Affiant further says the said **Tampa Bay Times** is a newspaper published at St. Petersburg, in said Pinellas County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas County, Florida, each day and has been entered as second class mail matter at the post office in St. Petersburg, in said Pinellas County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he /she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



Signature of Affiant

Sworn to and subscribed before me
this 9th day of June A.D.2014



Signature of Notary Public

Personally known X or produced identification

Type of identification produced _____



JOSEPH F. FISH
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF118052
Expires 6/23/2018

**CITY OF MADEIRA BEACH, FLORIDA
LOCAL PLANNING AGENCY
AND
BOARD OF COMMISSIONERS
NOTICE OF PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN that the LOCAL PLANNING AGENCY (THE PLANNING COMMISSION) of the City of Madeira Beach will hold a PUBLIC HEARING on Ordinance 2014-05, Ordinance 2014-06, and Ordinance 2014-07 in Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida on MONDAY, June 23, 2014, at 7:00 p.m.

NOTICE IS HEREBY GIVEN, the Board of Commissioners of the City of Madeira Beach will conduct the first reading of Ordinance 2014-05, Ordinance 2014-06, and Ordinance 2014-07 at Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida on TUESDAY, July 8, 2014 at 6:00 p.m.

Upon the passage of Ordinances, NOTICE IS HEREBY GIVEN, the Board of Commissioners of the City of Madeira Beach will conduct the second and final reading of Ordinance 2014-05, Ordinance 2014-06, and Ordinance 2014-07 at Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida on a date to be determined. Notice of such hearing will be provided as prescribed by Florida Statutory requirements and the Madeira Beach Code of Ordinances.

The titles of said Ordinances are as follows:

ORDINANCE 2014-05

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE MADEIRA BEACH COMPREHENSIVE PLAN, SECTION 3.2, FUTURE LAND USE ELEMENT, POLICY 1.1.2; PROVIDING FOR AMENDMENT OF THE RESORT FACILITIES MEDIUM (RFM) PLAN CATEGORY; PROVIDING FOR AN ADDITIONAL LAND USE CATEGORY ENTITLED RESORT FACILITIES HIGH (RFH) PURSUANT TO THE SPECIFIC PROCEDURES AND STANDARDS AS SET FORTH HEREIN AND IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR THE AMENDMENT OF THE PLANNED REDEVELOPMENT-MIXED USE (PR-MU) PLAN CATEGORY TO ACCOMMODATE INCREASED DENSITY/INTENSITY FOR TEMPORARY LODGING USE CONSISTENT WITH AND CORRESPONDING TO REVISIONS AND UPDATE OF THE TOWN CENTER SPECIAL AREA PLAN; AND AMENDING SECTION 3.2 FUTURE LAND USE ELEMENT, GOAL 2, OBJECTIVE 2.1; POLICIES 2.1.2, 2.1.3 AND 2.1.4 PROVIDING SPECIFIC AUTHORIZATION FOR THE USE OF DENSITY/INTENSITY AVERAGING, THE PROCEDURES AND STANDARDS FOR WHICH SHALL BE AS SET FORTH IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

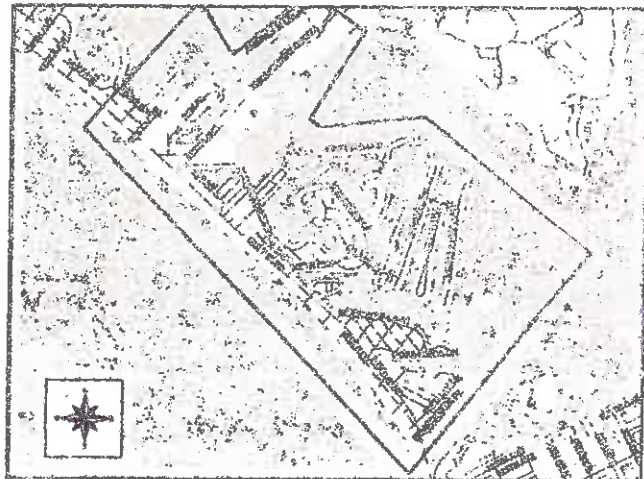
ORDINANCE 2014-06

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE MADEIRA BEACH CODE OR ORDINANCES, SUBPART B, LAND DEVELOPMENT REGULATIONS, BY AMENDING CHAPTER 82, GENERAL PROVISIONS, SEC. 82-2, DEFINITIONS TO PROVIDE FOR THE TERM "DENSITY/INTENSITY AVERAGING"; BY AMENDING CHAPTER 86, ADMINISTRATION, TO ESTABLISH A NEW ARTICLE V ENTITLED "DENSITY/INTENSITY AVERAGING" AND SETTING FORTH THE REQUISITE PROCEDURES AND STANDARDS THEREFOR; BY AMENDING CHAPTER 110, ZONING, ARTICLE V, DISTRICTS, DIVISION 1, GENERALLY, SECTION 110 - 151, ESTABLISHMENT OF DISTRICTS; PROVIDING FOR THE ADDITION OF THE PD, PLANNED DEVELOPMENT DISTRICT TO THE LIST OF ZONING DISTRICTS; AMENDING CHAPTER 110 ZONING, ARTICLE V, DISTRICTS, DIVISION 10, PD, PLANNED DEVELOPMENT, SECTION 110 - 386, PURPOSE, SECTION 110 - 387, USES PERMITTED, AND SECTION 110 - 388, APPLICATION FOR PD ZONING; PROVIDING FOR THE REQUIRED USE OF THE PD DISTRICT IN CONJUNCTION WITH THE RESORT FACILITIES HIGH PLAN CATEGORY, PROVIDING FOR TEMPORARY LODGING USE IN THE PD DISTRICT; PROVIDING FOR THE REQUIRED SUBMISSION OF A DEVELOPMENT PLAN IN CONJUNCTION AND SIMULTANEOUS WITH AN

APPLICATION FOR PD DISTRICT ZONING; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

ORDINANCE 2014-07

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, PROVIDING FOR AMENDMENT OF THE MADEIRA BEACH TOWN CENTER - SPECIAL AREA PLAN; PROVIDING FOR THE REVISION OF CHAPTER 2 - REGULATORY PLAN AND GUIDELINES WITH RESPECT TO THE DEVELOPMENT STANDARDS GOVERNING THE DENSITY/INTENSITY CALCULATIONS FOR TEMPORARY LODGING AND MIXED USES; PROVIDING FOR THE REVISION OF CHAPTER 3 - IMPLEMENTATION WITH RESPECT TO THE STRATEGIES TO PROMOTE REDEVELOPMENT; PROVIDING FOR THE REVISION OF APPENDIX B - INFRASTRUCTURE ANALYSIS TO UPDATE AND REVISE THE INFRASTRUCTURE IMPACTS CORRESPONDENT WITH CURRENT DATA AND THE PROPOSED REVISIONS TO CHAPTERS 2 AND 3 REFERENCED ABOVE; PROVIDING FOR TRANSMITTAL OF THE MADEIRA BEACH TOWN CENTER - SPECIAL AREA PLAN, AS AMENDED, FOR REVIEW PURSUANT TO THE COUNTYWIDE PLAN AND RULES; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.



Copies of the proposed Ordinances are available for inspection in the office of the City Clerk between the hours of 8 a.m. and 4:30 p.m. Monday through Friday.

All persons are hereby advised that any presentation they make to the Planning Commission or the Board of Commissioners will be encouraged to be as concise as possible and the Planning Commission and/or the Board of Commissioners may limit the time of each individual to permit maximum participation by the public at large. Any person who decides to appeal any decision of the Planning Commission or the Board of Commissioners with respect to any matter considered at these hearings will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based - per Florida Statute 286.0105

Aimee Servedio, City Clerk
City of Madeira Beach

6/09/2014

172674-01

Tampa Bay Times
Published Daily

STATE OF FLORIDA } ss
COUNTY OF Pinellas County

Before the undersigned authority personally appeared **Amy Robison** who on oath says that he/she is **Legal Clerk** of the **Tampa Bay Times** a daily newspaper published at St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter **RE: MADEIRA BEACH HEARIN** was published on **Tampa Bay Times: 10/24/14**. in said newspaper in the issues of **St Pete Times Beaches**

Affiant further says the said **Tampa Bay Times** is a newspaper published in St. Petersburg, in said Pinellas County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas County, Florida, each day and has been entered as a second class mail matter at the post office in St. Petersburg, in said Pinellas County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further say that he/she neither paid not promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper

Amy Robison

Signature of Affiant

Sworn to and subscribed before me this 10/24/2014.

Joseph F. Fish

Signature of Notary Public

Personally known ☒ or produced identification

Type of identification produced _____



JOSEPH F. FISH
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF116952
Expires 6/23/2018

CITY OF MADEIRA BEACH, FLORIDA BOARD OF COMMISSIONERS NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, the Board of Commissioners of the City of Madeira Beach will conduct Public Hearings and Second and Final Readings of Ordinance 2014-07, Ordinance 2014-08, and Ordinance 2014-09 at Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida on WEDNESDAY, November 12, 2014 at 6:00 p.m. The titles of said Ordinances are as follows:

ORDINANCE 2014-07

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, PROVIDING FOR AMENDMENT OF THE MADEIRA BEACH TOWN CENTER - SPECIAL AREA PLAN; PROVIDING FOR THE REVISION OF CHAPTER 2 - REGULATORY PLAN AND GUIDELINES WITH RESPECT TO THE DEVELOPMENT STANDARDS GOVERNING THE DENSITY/INTENSITY CALCULATIONS FOR TEMPORARY LODGING AND MIXED USES; PROVIDING FOR THE REVISION OF CHAPTERS 2 AND 3 - IMPLEMENTATION WITH RESPECT TO THE STRATEGIES TO PROMOTE REDEVELOPMENT; PROVIDING FOR THE REVISION OF APPENDIX B - INFRASTRUCTURE ANALYSIS TO UPDATE AND REVISE THE INFRASTRUCTURE IMPACTS CORRESPONDENT WITH CURRENT DATA AND THE PROPOSED REVISIONS TO CHAPTER 2 REFERENCED ABOVE; PROVIDING FOR TRANSMITTAL OF THE MADEIRA BEACH TOWN CENTER - SPECIAL AREA PLAN, AS AMENDED, FOR REVIEW PURSUANT TO THE COUNTYWIDE PLAN AND RULES; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

ORDINANCE 2014-09

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE MADEIRA BEACH CODE OR ORDINANCES, SUBPART B, LAND DEVELOPMENT REGULATIONS, BY AMENDING CHAPTER 82, GENERAL PROVISIONS, SEC. 82-2. DEFINITIONS TO PROVIDE FOR THE TERM "DENSITY/INTENSITY AVERAGING"; BY AMENDING CHAPTER 86, ADMINISTRATION, TO ESTABLISH A NEW ARTICLE V ENTITLED "DENSITY/INTENSITY AVERAGING" AND SETTING FORTH THE REQUISITE PROCEDURES AND STANDARDS THEREFOR; BY AMENDING CHAPTER 110, ZONING, ARTICLE V. DISTRICTS, DIVISION 1. GENERALLY, SECTION 110 - 151. ESTABLISHMENT OF DISTRICTS; PROVIDING FOR THE ADDITION OF THE PD, PLANNED DEVELOPMENT DISTRICT TO THE LIST OF ZONING DISTRICTS; AMENDING CHAPTER 110 ZONING, ARTICLE V. DISTRICTS, DIVISION 10. PD, PLANNED DEVELOPMENT, SECTION 110 - 386. PURPOSE, SECTION 110 - 387, USES PERMITTED, AND SECTION 110 - 388. APPLICATION FOR PD ZONING; PROVIDING FOR THE REQUIRED USE OF THE PD DISTRICT IN CONJUNCTION WITH THE RESORT FACILITIES HIGH PLAN CATEGORY; PROVIDING FOR TEMPORARY LODGING USE IN THE PD DISTRICT; PROVIDING FOR THE REQUIRED SUBMISSION OF A DEVELOPMENT PLAN IN CONJUNCTION AND SIMULTANEOUS WITH AN APPLICATION FOR PD DISTRICT ZONING; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

ORDINANCE 2014-08

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE MADEIRA BEACH COMPREHENSIVE PLAN, SECTION 3.2, FUTURE LAND USE ELEMENT, POLICY 1.1.2; PROVIDING FOR AMENDMENT OF THE RESORT FACILITIES MEDIUM (RFM) PLAN CATEGORY; PROVIDING FOR AN ADDITIONAL LAND USE CATEGORY ENTITLED RESORT FACILITIES HIGH (RFH) PURSUANT TO THE SPECIFIC PROCEDURES AND STANDARDS AS SET FORTH HEREIN AND IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR THE AMENDMENT OF THE PLANNED REDEVELOPMENT-MIXED USE (PR-MU) PLAN CATEGORY TO ACCOMMODATE INCREASED DENSITY/INTENSITY FOR TEMPORARY LODGING USE CONSISTENT WITH AND CORRESPONDING TO REVISIONS AND UPDATE OF THE TOWN CENTER SPECIAL AREA PLAN; AND AMENDING SECTION 3.2 FUTURE LAND USE ELEMENT, GOAL 2, OBJECTIVE 2.1; POLICIES 2.1.2, 2.1.3 AND 2.1.4 PROVIDING SPECIFIC AUTHORIZATION FOR THE USE OF DENSITY/INTENSITY AVERAGING, THE PROCEDURES AND STANDARDS FOR WHICH SHALL BE AS SET FORTH IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.



Copies of the proposed Ordinances are available for inspection in the office of the City Clerk between the hours of 8 a.m. and 4:30 p.m. Monday through Friday.

All persons are hereby advised that any presentation they make to the the Board of Commissioners will be encouraged to be as concise as possible and the Board of Commissioners may limit the time of each individual to permit maximum participation by the public at large. Any person who decides to appeal any decision of the Board of Commissioners with respect to any matter considered at these hearings will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based - per Florida Statute 286.0105

Almee Servedio, City Clerk
City of Madeira Beach

10/24/2014



Appendix B – Infrastructure Analysis – Updated 6/13/2014

Impact of Town Center Redevelopment on Public Facilities and Facility Capacities

The primary means of ensuring that public facilities are available with the capacity needed to serve the development is the concurrency management provisions in the Madeira Beach Comprehensive Plan and land development regulations. However, an analysis is provided herein to demonstrate that the proposed and recommended redevelopment consistent with this Special Area Plan will not create impacts beyond the availability and capacity of required public facilities. Also, any amendments to this Special Area Plan must address any potential increases in impacts on public facilities as compared to the City's adopted level of service standard and the available capacity of the affected facilities.

The analysis includes examining the proposed distribution of land uses and their build-out intensities. The current land use categories on the Future Land Use Map for the Town Center include:



MADEIRA BEACH TOWN CENTER SPECIAL AREA PLAN

Comparison of Current and Proposed Land Use Densities and Intensities

Current Future Land Use Category	Acres	Standards ¹		FAR ³
		Density ² (Perm.)	Density (Temp.)	
Recreation / Open Space	16.6	0	0	0.25
Institutional	6.6	0-10	0	0.65
Resort Facilities Medium	22.9	0-18	Varies	Varies
Commercial General	30.0	0-15	0-75 0-60	0.55 – 0.65 .055
Residential/Office/Retail	0.8	0-18	0-45	0.40
Transportation/Utility	3.2	0	0	0.7
TOTAL	80.1			

PR-MU Land Use Category Districts				
Beachfront	8.4	0-15	0-30	0.55
Causeway	23.3	0-15	0-60 ⁴	0.55
Commercial Core	20.0	0-15	0-60 ⁴	1.2
Peninsula	25.2	0-15	0-15	0.30
Transition	3.1	0-15	0-60	0.55
TOTAL	80.0			

As described earlier in this Special Area Plan, in the calculation of mixed uses in the Beachfront, Causeway, Peninsula, and Transition districts, the combined uses cannot exceed the number of units per acre or FAR in proportion to the development site. This provision does not apply in Commercial Core or areas zoned C-3 or C-4 within the Causeway District.

It is important to note that the maximum allowable development in any category – residential, temporary lodging, or nonresidential – has not typically occurred. Past development has not resulted in the maximum number of residential dwellings that was possible according to the land use category and zoning district for a site. The same is true of nonresidential



MADEIRA BEACH TOWN CENTER SPECIAL AREA PLAN

development. Fewer total square feet of development have been built than the maximum number of square feet of development possible according to the land use category and zoning district for a site.

Two things are expected to change this situation. A recent rule change in the *Countywide Rules* establishes densities for temporary lodging units. Along with the adoption of the Special Area Plan, the ability to mix uses within the Commercial Core and areas zoned C-3 or C-4 within the Causeway District without applying the calculation regarding proportion to the amount of the site in each use will encourage development and redevelopment. While such a change could have the potential for significant increases in development, other factors will continue to limit the amount of development. For example, height limits and impervious surface coverage standards both serve to place a limit on the amount of development possible on a site. What does change as a result of removing the requirement for proportional development is that mixed uses are much more likely in combinations that are responsive to market demands. Further, the evaluation of development for compliance with concurrency management requirements may limit total development, depending on the impacts expected and the operating levels of service at the time of development review.

The Comprehensive Plan as a whole has been based on maximum potential impacts from allowable development. When the maximum allowable development does not occur, there is available capacity for such facilities as services as water, sewer, and roads, as discussed above. Further, there is no net increase in development in the Town Center.

However, to further explain the likely impacts, a comparison of allowable development is provided.



MADEIRA BEACH TOWN CENTER SPECIAL AREA PLAN

Development Potential from Current Future Land Use Plan Categories.⁵

Current Land Use Category on the FLUM	Acres	Permanent Residential (units)	Temp. Lodging (units)	Non- residential (square feet)
Recreation / Open Space	17.5	0	0	0
Institutional	6.6	66	0	186,872
Resort Facilities Medium	22.9	412	1,718	648,391
Commercial General	30.0	450	1,800	718,740
Residential/Office/Retail	0.6	14	36	13,949
Transportation/Utility	3.2	0	0	0
TOTAL	80.1	943	3,554	1,567,942

The development potential is for either permanent residential units, or temporary lodging units, or commercial/office development. If a combination of uses is developed, each use is allowed in proportion to the portion of the development site devoted to that use. The above description of maximum development potential has not been adjusted for the potential reductions in development due to provision of parking, stormwater facilities, site amenities, or response to market demands, all of which reduce the potential maximum. The trend in development has been to develop approximately 75% of the maximum possible. This is an average across all land uses and does not necessarily apply to an individual site.



MADEIRA BEACH TOWN CENTER SPECIAL AREA PLAN

Development Potential from Proposed Town Center Plan⁶

Town Center Districts	Acres	Permanent Residential (units)	Temp. Lodging (units)	Non-residential (square feet)
Beachfront	8.4	126	252	201,247
Causeway	23.3	350	1,398 ⁶	558,221
Commercial Core	20.0	300	1,200 ⁶	1,045,440
Peninsula	25.2	378	378	329,314
Transition	3.1	47	186	74,270
TOTAL	80.0	1,200	3,414⁶	2,208,492

Development Potential Differences⁶

Current Land Use Category On the FLUM	Permanent Residential (units)	Temp. Lodging (units)	Non-residential (square feet)
Current Land Use Category On the FLUM	943	3,554	1,567,942
Town Center Districts	1,200	3,414 ⁶	2,208,495
TOTAL DIFFERENCE	257	-140⁶	640,550

The difference in maximum development potential in the Town Center planning area is a 27% increase in permanent residential units, a 4% decrease in temporary lodging units, and a 41% increase in non-residential square footage.

To better understand the actual impact of the plan amendment, the current use of the land and the probability of redevelopment must be further examined.

Approximately 3.68 acres of the Beachfront District is a park which was deeded to the City by the National Park Service. The City of Madeira



MADEIRA BEACH TOWN CENTER SPECIAL AREA PLAN

Beach Charter, Section 1.7 "Limitation on exercise of powers" requires a referendum vote of the electors of the City prior to the sale or any real property possessed by the City. Due to public ownership of 3.68 acres of land, there are approximately 55 permanent residential units and 110 temporary lodging units which will not be developed as a result of this future land use map amendment.

Looking at the Peninsula District, 19.78 acres of public property provides facilities for the Gulf Beaches Public Library, City Hall, Madeira Beach Fire and Recreation Department. These facilities total 23,761 square feet of development. The Trustees of the Internal Improvement Fund of the State of Florida (Instrument No. 22473 (617-52) granted this parcel of land to the City in 1960. Under this agreement, the City cannot sell or lease any part of the property for any private use or purpose. The land can only be used for public purposes. There is redevelopment potential in the Peninsula District for additional public facilities and services. The area however will not be converted to any other use. This 19.78 acre site will not realize any loss of temporary lodging units or gain of permanent residential units as a result of this plan amendment. Due to public ownership of 19.78 acres of land, there are approximately 296 permanent residential units and 296 temporary lodging units which will not be developed as a result of the future land use map amendment.

There are two publicly owned parcels of land in the Causeway District. The Madeira Beach Causeway Park is 1.53 acres in size. The land was acquired through the Florida Communities Trust Fund. There is a recorded deed-restriction on the property permitting only public passive recreational use.

The public works / municipal marina complex is approximately 5.74 acres. The structures on the City's property total 9452 square feet. As established in the City of Madeira Beach Charter a referendum vote of the electors is required prior to the sale of any real property possessed by the City. Plans are underway to redevelopment the property for use of the municipal marina. There will be no opportunity for the development of temporary lodging or permanent dwelling units on this site.

Due to public ownership of 7.27 acres of land in the Causeway District, there are approximately 115 permanent residential units and 436 temporary lodging units which will not be developed in the future.



MADEIRA BEACH TOWN CENTER SPECIAL AREA PLAN

In summary, the public ownership of property in Town Center will eliminate up to 466 permanent residential units from development or redevelopment in the future.

The current future land use map anticipated the development of 3554 temporary lodging units. Looking at the Beachfront District, there are a total of 204 residential condominium units, 160 units in Ocean Sands and 44 units in the Sereno. In other words, 4.72 acres were built as permanent residential units rather than 354 temporary lodging units. Similarly in the Peninsula District, the Madeira Beach Yacht Club was built as 284 permanent units on 5.42 acres rather than 406 temporary lodging units. Each of these condominium developments are owned by individual unit owners. The only way to redevelop or change the use of the development is to gain agreement from all owners or for one entity to purchase all units to control the entire project. Although the "Development Potential Differences" from current to proposed shows a loss of temporary lodging units, in actuality the current future land use map overstated the development potential of temporary lodging units by at least 760 units.

Potable Water

The projections for potable water use indicate a continued decrease in water use within the next years. Data from Pinellas County Comprehensive Plan, Potable Water Supply, Wastewater, and Reuse Element, January 2013, the provider of potable water service to the City of Madeira Beach, shows that the level of service for potable water continues to decline. In 2012, it was estimated to be 119 gallons per capita per day (gpcpd), and is forecast to be 115 gpcpd in 2025. This is due in part to use of reclaimed water, conservation efforts, and restrictions from the Southwest Florida Water Management District. In a recent amendment to the Madeira Beach Comprehensive Plan additional policies were adopted to ensure coordination between the City and Pinellas County Utilities regarding availability of potable water. However, it is further estimated that redevelopment within the Town Center will result in an increased demand for water over the planning period. Water demand is expected to be an additional 217,054 gallons per day.



MADEIRA BEACH TOWN CENTER SPECIAL AREA PLAN

Unit quantity and type		2012 Level-of-service	Potable water demand
257 permanent dwelling units	2.64 Persons / household ⁸	119 gpcpd	80,739 gallons/day
640,550 non-residential sq. footage		0.23 gal/sq ft	147,327 gals/day
-140 temporary lodging units (342 sq ft / unit) ⁶		0.23 gal/sq ft	-11,012 gals/day ⁶
		TOTAL POTABLE WATER DEMAND	217,054 gals/day

The City of Madeira Beach receives all potable water supplies, treatment, and distribution from Pinellas County Utilities. Through an interlocal agreement and master water supply contract, Tampa Bay Water, the regional water supply authority, provides all the potable water needed by its six member governments, including Pinellas County Utilities as an operational entity within Pinellas County. Through the agreement and contract, "Tampa Bay Water is obligated to meet the current and future water needs of its member governments". In order to meet these needs, Tampa Bay Water owns and operates water supply facilities including wellfields, surface water withdrawals, a seawater desalination facility, treatment facilities, storage facilities such as the off-stream reservoir, pumping stations, and transmission mains." (*Regional Water Supply Plan*, page 8)

No proportional capacities are calculated for individual retail water customers by either Tampa Bay Water, the Southwest Florida Water Management District (SWFWMD), or Pinellas County Utilities. As a result, projection of demand is not made separately for Madeira Beach. Madeira Beach's potable water demand is included in the aggregate demand data and projections for Pinellas County Utilities, the potable water service provider. The water demand data provided in the SWFWMD *Regional Water Supply Plan* is the best available data. The population projections used by the SWFWMD are essentially the same as the county projections that include seasonal and tourist data.



MADEIRA BEACH TOWN CENTER SPECIAL AREA PLAN

As discussed earlier, the public ownership of property in Town Center will eliminate up to 466 permanent residential units from development or redevelopment in the future. For purposes of calculating impact, the number of permanent dwelling units is reduced from +257 to -209. The potable water demand is -50,966 gallons per day for permanent dwelling units thus lessening the demand to 166,088 gallons per day. This should be considered a worst case scenario.

This Special Area Plan serves as a long range redevelopment plan for Town Center. The redevelopment projects may take 10 years or more to complete. The trend is toward reduced water use. Over time, the use of reclaimed water, conservation efforts, and restrictions from the Southwest Florida Water Management District may further reduce the potable water demand.

Wastewater Treatment

The City receives wastewater collection and treatment services from Pinellas County Utilities. The Pinellas County Comprehensive Plan contains information to show that total plan capacity is determined to be adequate for build out conditions throughout the county. However, it is further estimated that redevelopment within the Town Center will result in an increased generation of sewerage over the planning period. Sewerage generated is expected to be 90% of potable water demand equating to an additional 149,479 gallons per day. The existing South Cross Bayou Wastewater Treatment Plant has a design capacity of 33 million gallons. It is operating at approximately 65% of capacity or 21.42 million gallons per day⁹. The potential increase of 149,479 gallons per day from this future land use map amendment represents an increase of 0.45 percent, well within the capacity of the treatment plant.

Transportation

The Town Center Special Area Plan is designed to increase pedestrian and bicycle connections, safety, and use. By increasing the mix of uses to include temporary lodging units, residential, and commercial within the Town Center, there is expected to be some reduction in the dependence on vehicle trips. This is often referred to as a "capture" of vehicle trips from within a mixed-use area. The result is less vehicle trips than from other less compact areas with stand-alone uses that must each be accessed from a personal vehicle over greater distances.



MADEIRA BEACH TOWN CENTER SPECIAL AREA PLAN

Transportation Comparison			
Current Future Land Use Category	Acres	Vehicle Trips Trip Rate /Acre ¹⁰	Trips
Recreation / Open Space	16.6	4.3	71
Institutional	6.6	192	1,267
Resort Facilities Medium	22.9	178	4,076
Commercial General	30.0	487	14,610
Residential/Office/Retail	0.8	339	271
Transportation/Utility	3.2	18	58
TOTAL	80.1		20,354
Proposed PR-MU Land Use Category Districts			
Beachfront	8.4	331	2,780
Causeway	23.3	178	4,147 ⁶
Commercial Core	20.0	487	9,740 ⁶
Peninsula	25.2	192	4,838
Transition	3.1	487	1,510
TOTAL	80.0		23,015

Differences in Trips Per Day Per Acre	
Current Land Use Category on the FLUM	Total Number of Vehicle Trips
Town Center Districts	20,354
TOTAL DIFFERENCE (expected new daily vehicle trips)	23,015 ⁶
	2,661 ⁶

The difference in the expected number of trips shown in this table is insignificant. However, it is not possible to forecast the specific mix of uses, timing of redevelopment and the change in the distribution of traffic among transit, vehicle trips, pedestrian, and bicycle use during this comprehensive planning stage. Even though this analysis indicates that the expected impacts will be insignificant, the City will continue to rely on



MADEIRA BEACH TOWN CENTER SPECIAL AREA PLAN

provisions in its comprehensive plan and land development regulations to ensure maintenance of the adopted level of service.

Further, the comprehensive plan requires a transportation analysis where access by development is requested to a road that is the jurisdiction of the State of Florida and there can be no issuance of development orders until the FDOT has completed a review. Additionally, the City will continue to rely on traffic analysis and concurrency management provisions contained in the comprehensive plan and land development regulations to evaluate potential impacts during redevelopment. This will ensure that an individual development or redevelopment proposal does not reduce the required level of service for the facilities subject to concurrency.

Recreation

The 21% increase in the number of residential units expected as a result of the adoption of this Special Area Plan is not expected to lower the existing recreation level of service. The level of service standard for the City is 6.5 acres of recreation and open space per 1000 residents. There are 29.6 acres of land comprised of several parks with beach access to the Gulf of Mexico, Rex Place and Madeira Beach Causeway Park. Additionally, there is 22.4 acres of land designated Preservation. This is the City's beach, specifically the area west of the coastal construction line. In total, the open space and preservation areas of the community can accommodate a population of 8000, according to the current level of service standard.

Stormwater Management

The City requires compliance with the adopted stormwater management level of service and will implement the limitations on impervious surfaces according to the standards included in this Special Area Plan and administered by the land development regulations. Through redevelopment as outlined in this Plan, drainage on sites developed prior to the current standards will be improved, as much of the current development in the Town Square exceeds the current and proposed standards. This will include the reduction of impervious surfaces, an increase in landscaping to retain and filter stormwater, and the inclusion of stormwater detention and retention facilities that area designed to remove the pollutants found in stormwater and to reduce potential flooding in the area through the reduction of the volume of stormwater leaving the site during heavy storm events.

Coastal High Hazard Area

The 257 permanent residential dwelling units cited as the "Development Potential Differences" from current to proposed will not become a reality due to the amount of land under public ownership and the specific conditions established for each of those parcels of land. There are 38 acres of land under public ownership which will not be developed with permanent residential uses. This will eliminate up to 466 permanent residential units from development or redevelopment in the future.

ADDENDUM TO APPENDIX B - INFRASTRUCTURE ANALYSIS

Introduction

This Addendum to Appendix B is prepared in concert with and support of Ordinance 2014-07.

Background

Appendix B was prepared and included as part of the Town Center Special Area Plan adopted by Ordinance 1151 in 2009. Its basic purpose and approach was to compare the hypothetical maximum development potential under the then current Future Land Use Plan categories with the proposed Planned Redevelopment-Mixed Use (PR-MU) plan category and its five character sub-districts. Based on this comparison of maximum potential development, the impacts on and capacity of the City's infrastructure - including water, waste water, transportation, recreation, stormwater management, and the considerations related to the coastal high hazard area - were evaluated.

While this provided a useful foundation for attempting to understand how the proposed Town Center Special Area Plan differed from the plan in place in 2009, the issue to be addressed in this Addendum is how the amendments proposed in Ordinance 2014-07 change the development potential from what was approved and has been in place for the last five years..

Summary Description of Proposed Changes

There are two proposed changes to the Town Center Special Area Plan as follows:

1. To allow for consideration of the higher density/intensity standards for temporary lodging use consistent with the standards for Resort Facilities

High (RFH), subject to rezoning using the PD, Planned Development zoning district, in the Commercial Core and enumerated portions of the Causeway districts only.

2. To allow for "additive" density/intensity; i.e., to allow a combination of residential, temporary lodging and commercial use without requiring each separate use to be calculated in proportion to the percentage of parcel area it occupies for the purpose of determining permitted density/intensity, subject again to such property being rezoned under the PD, Planned Development zoning district, which provision is a change only in the enumerated portions of the Causeway District.

Summary Assessment of Proposed Changes

Based on the amendments to the Town Center Special Area Plan in Ordinance 2014-07, changes to the estimated maximum overall development potential and their relationship to the identified infrastructure facilities are not significant.

Specifically, the small amount of privately owned acreage in the C-3 and C-4 zoning districts of the Causeway District (approximately 6.02 acres) to which the "additive" density/intensity applies; and the limited number of parcels in either the Commercial Core or Causeway districts that have the potential to be redeveloped at the higher density/intensity for temporary lodging use (both because of their current use and their size), is very limited; and any corresponding increase to the impact on the City's infrastructure would be correspondingly small.

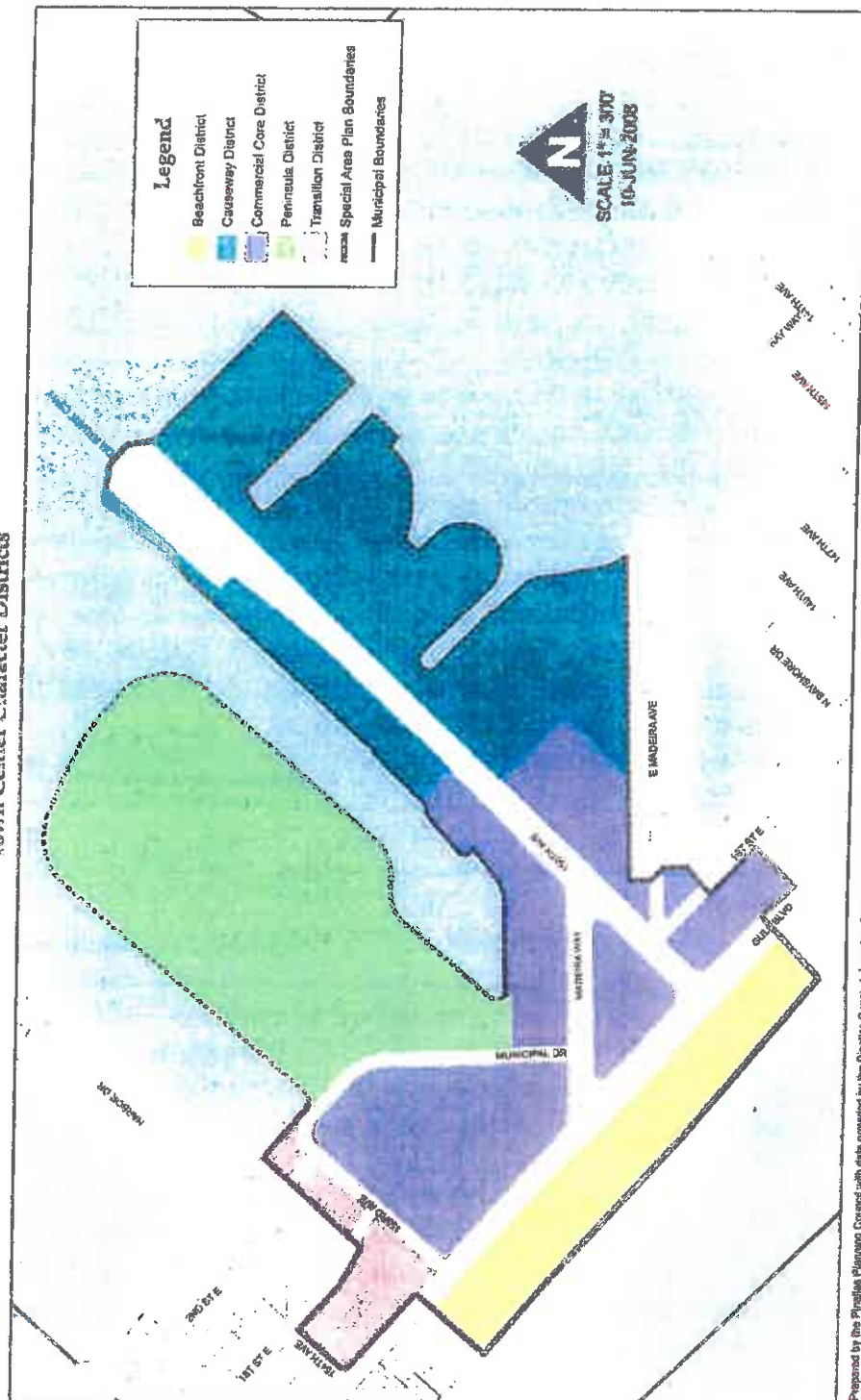
In addition, it is important to note that either of the two types of amendment to the Town Center Special Area Plan provided for in Ordinance 2014-07 would require public hearings, rezoning using the PD, Planned Development process, and a Development Agreement, providing ample opportunity to assess and limit each project relative to its infrastructure impacts and assuring that the City's required level of service be maintained consistent with the concurrency management requirements of the Plan and Code.

In brief, while there is no absolute means of projecting and quantifying the specific impacts that the changes provided for in Ordinance 2014-07 may yield, it is reasonable to conclude they will not exceed the capacity of the City's infrastructure, based on the previous assessment of maximum development potential, and that there is a definitive process in place to assure that they cannot and will not be allowed to do so.

Endnotes:

1. Madeira Beach Comprehensive Plan, May 2008.
2. Densities are expressed as units per acre.
3. FAR means floor area ratio.
4. The amendments to the Commercial Core and the C-3 and C-4 zoning districts of the Causeway districts in Ordinance 2014-07 will permit consideration of the higher density/intensity standards for temporary lodging use as provided for in the Resort Facilities High (RFH) plan category of the Comprehensive Plan.
5. The information in this table represents the adopted Future Land Use Map categories and acreage in place prior to the adoption of the Town Center Plan.
6. The information in these tables represent the Planned Redevelopment-Mixed Use Future Land Category and associated Districts, and acreage in place as originally adopted in the Town Center Plan; except where noted in relationship to the number of temporary lodging units. The number so noted could increase, based on the number of temporary lodging units and their corresponding impacts, as a function of the provision for increased density/intensity for temporary lodging use in the Commercial Core and enumerated portion of the Causeway districts pursuant to Ordinance 2014-07.
- ~~7. These numbers have the potential to increase the number of temporary lodging units based on the provision for increased density/intensity for temporary lodging use in the Commercial Core and a portion of the Causeway districts pursuant to Ordinance 2014-07.~~
8. U.S. Census Bureau, American Community Survey, 5-Year Estimates, March 2014.
9. Pinellas County Ordinance No 13-36, Section 134-258. Level of Service Conditions - for Utilities, Recreation/Open Space, Stormwater, Roadways and Mass Transit, December 2013.
10. Countywide Plan Rules, Pinellas Planning Council, February 3, 2014.

City of Madeira Beach Special Area Plan Town Center Character Districts



Prepared by the Pinellas Planning Council with data provided by the Pinellas County Information Systems Department and the City of Madeira Beach. The data contained herein is shown "as is", with no warranty as to its accuracy or completeness. The data is for reference only and should not be used for any other purpose. Users are responsible for verifying the information, its accuracy, and its currency. Users are responsible for obtaining any necessary permissions to use the data.

Appendix A – Existing Use of Land, Future Land Use Categories, and Current Zoning Categories

Existing Use of Land

Although the dominant use in the City of Madeira Beach is residential, the Town Center contains a mix of multi-family residential, commercial, and public uses, as well as recreation/open space (see Figure 2).

The beachfront along Gulf Boulevard is predominantly developed with condominium units. At the terminus of Madeira Way, there is a pavilion and a large metered parking lot to provide the public access to the gulf-front beach. A section of medium-density residential uses is located east of Madeira Way.

On the southern edge of the study area, First Street East, which runs parallel to Gulf Boulevard behind several of the commercial strip shopping centers, is also built-out, with existing uses that include single family, duplex, and multifamily residential units. There is a notable, vacant triangular-shaped area formed at the intersection of East Madeira Avenue and First Street East. Most of the non-commercial areas of First Street East are excluded from the study area.

Moving counter-clockwise, East Madeira Avenue (just outside the study area) is built-out with single family and duplex residential dwellings.

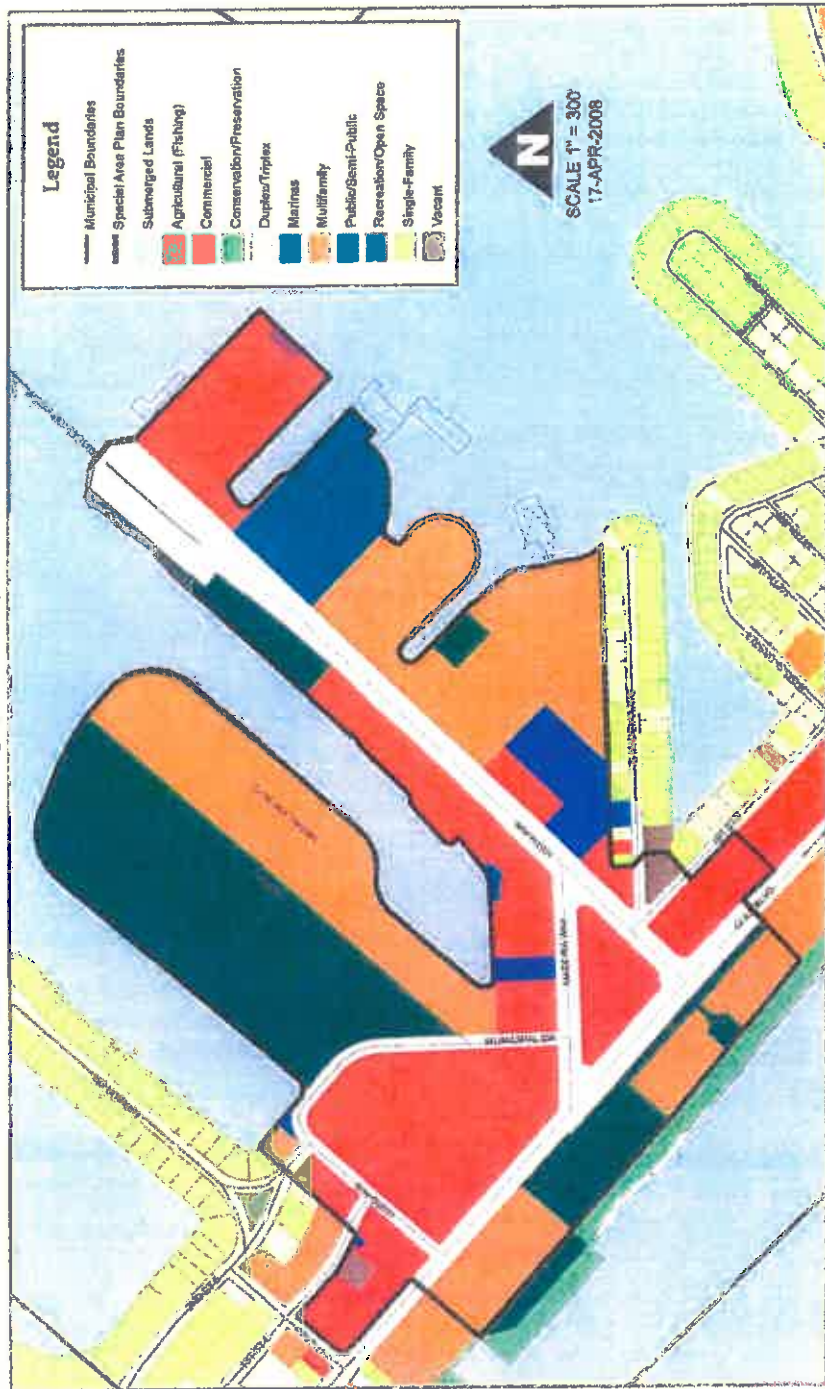
Next, in the area southeast of 150th Avenue extending along the Causeway, there are commercial, multi-family residential, public, and some marine land uses. The commercial uses in this area include motorcycle and automotive shops, marine-related retail, and a vacant restaurant. The far eastern edge of the study area includes the Municipal Marina and land occupied by the Department of Public Works. Plans are underway to redevelop the marina property by rebuilding wet slips, offering more transient slips, as well as a high and dry boat storage facility, a new public works complex, and a new ship store.

The entire heart of the study area is designated for commercial uses, which extend on both sides of Madeira Way and on the northwest side of 150th Avenue; however, a number of storefronts on Madeira Way are vacant and remain unoccupied. Most of the retail uses are tourist oriented shops, sundries, and restaurants. The far northeastern corner of the study area includes a small linear park, Madeira Beach Causeway Park.

The peninsula on which City Hall is located is divided between public uses and a large open green space/recreational area, known as the Rex Place Recreational Complex. On the remainder of the peninsula is the Madeira Beach Yacht Club, a residential condominium complex.

Commercial uses, anchored by the Winn Dixie grocery store, adjoin the southern side of 153rd Avenue with frontage on Municipal Drive. A series of professional office uses front the northern side of 153rd Avenue.

City of Madeira Beach Special Area Plan Existing Land Use Map



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Future Land Use Categories

Figure 4 shows the Future Land Use Map (FLUM) before the amendment to apply the Special Area Plan driven Planned Redevelopment-Mixed Use (PR-MU) Future Land Use category to the Town Center. The development uses, types, patterns, densities, and intensities in place are for the most part consistent with the category regulations and standards, but they do not promote redevelopment that would result in a better mix of uses. By applying the PR-MU category to the Town Center, as governed by this Special Area Plan, an improved mixed of uses should occur, as well as more appealing and appropriate buildings and public areas through the application of additional design standards. This Special Area Plan also includes the implementation of incentives to encourage redevelopment and economic development within the Town Center.

Land Use Category on the FLUM	Acres
Open Space	16.6
Institutional	6.6
Resort Facilities Medium	22.9
Commercial General	30.0
Residential/Office/Retail	0.8
Transportation/Utility	3.2

TOTAL 80.1

**CITY OF MADISON
SPECIAL USE PLAN SUBDISTRICT**

SCALE: 1" = 1/4 MILE
DATE: APRIL, 2001

GRAPHICS PROVIDED BY
PETERSON CONSULTING, INC.
1000 E. MOUNTAIN VIEW
MADISON, WI 53704

LEGEND

10000 SPECIAL USE PLAN SUBDISTRICT
10000 MUNICIPAL DISTRICT

10000 AGRICULTURAL
10000 COMMERCIAL
10000 INDUSTRIAL
10000 RESIDENTIAL
10000 OPEN SPACE
10000 UTILITIES
10000 TRANSPORTATION

Map Labels:
Hwy 100, Hwy 108, Hwy 109, Hwy 110, Hwy 111, Hwy 112, Hwy 113, Hwy 114, Hwy 115, Hwy 116, Hwy 117, Hwy 118, Hwy 119, Hwy 120, Hwy 121, Hwy 122, Hwy 123, Hwy 124, Hwy 125, Hwy 126, Hwy 127, Hwy 128, Hwy 129, Hwy 130, Hwy 131, Hwy 132, Hwy 133, Hwy 134, Hwy 135, Hwy 136, Hwy 137, Hwy 138, Hwy 139, Hwy 140, Hwy 141, Hwy 142, Hwy 143, Hwy 144, Hwy 145, Hwy 146, Hwy 147, Hwy 148, Hwy 149, Hwy 150, Hwy 151, Hwy 152, Hwy 153, Hwy 154, Hwy 155, Hwy 156, Hwy 157, Hwy 158, Hwy 159, Hwy 160, Hwy 161, Hwy 162, Hwy 163, Hwy 164, Hwy 165, Hwy 166, Hwy 167, Hwy 168, Hwy 169, Hwy 170, Hwy 171, Hwy 172, Hwy 173, Hwy 174, Hwy 175, Hwy 176, Hwy 177, Hwy 178, Hwy 179, Hwy 180, Hwy 181, Hwy 182, Hwy 183, Hwy 184, Hwy 185, Hwy 186, Hwy 187, Hwy 188, Hwy 189, Hwy 190, Hwy 191, Hwy 192, Hwy 193, Hwy 194, Hwy 195, Hwy 196, Hwy 197, Hwy 198, Hwy 199, Hwy 200, Hwy 201, Hwy 202, Hwy 203, Hwy 204, Hwy 205, Hwy 206, Hwy 207, Hwy 208, Hwy 209, Hwy 210, Hwy 211, Hwy 212, Hwy 213, Hwy 214, Hwy 215, Hwy 216, Hwy 217, 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Existing Zoning

There is consistency between the existing zoning categories and the future land use categories. There is also consistency between the actual development and the existing zoning in terms of uses allowable. However, some densities and non-residential intensities may be nonconforming. It is useful to describe the existing zoning as part of the discussion of the existing situation. As the redevelopment plan is implemented, it is also useful to recognize that nonconforming situations will not impede the redevelopment process. The following discussion and table of standards further explains the current situation.

The land within the study area falls under four zoning categories: C-3 (Retail Commercial), C-4 (Marine Commercial), R-3 (Medium Density Multi-Family Residential) and P-SP (Public, Semi-Public) (see Figure 3).

Zoning Categories	Acres
R-3	29.0
C-4	9.1
C-3	24.6
P/SP	17.3
TOTAL	80.0

Overall, the City's existing zoning districts closely follow the current land use pattern. One exception is that Archibald Park is currently zoned R-3. Also the current Public Works building is in the C-4 Marine Commercial zone.

Lot and Building Standards for Current Zoning Categories				
Zoning Category	Min. Lot Size (sq. ft.)	Max. Height (stories above parking)	Max. Height (above BFE ¹)	Floor Area Ratio
C-3	4,000	*2-3	40	0.8
C-4	4,000	2	30	0.55***
P-SP	†	†	†	0.25 – 0.7
R-3	4,000**	3	40	0.8

*Two stories for commercial uses, three stories for residential uses

**4,000 sq. ft. for single family, or 3,000 sq. ft. per unit for duplex, 2,420 sq. ft. per unit for multifamily, 5,000 sq. ft. for restaurants

*** 0.55 floor area ratio for commercial, 0.65 for institutional, 0.70 for transportation/utility

†Lot and building standards for P-SP are established by the City's Board of Commissioners on a per-site basis.

The C-3 Retail Commercial district is the City's primary retail zoning district. It allows a full range of urban services and promotes a high degree of accessibility. Among the primary retail and personal service uses permitted are business offices and financial services, multi-family dwellings, temporary lodging units, and restaurants. Retail uses must be on lots of at least 4,000 square feet, and commercial structures are limited to no more than two stories (above parking). Residential units in C-3 zones may be built to three stories (above parking) in height.

The C-4 Marine Commercial allows for marinas, commercial docks, boat repairs and sales facilities, restaurants, commercial fishing activities, retail offices and personal service uses, and temporary lodging units. It allows marine and boat storage uses as accessory uses. It requires a minimum lot size of 4,000 square feet and building heights of no more than two stories (over parking) or 30 feet above base flood elevation, whichever is more restrictive.

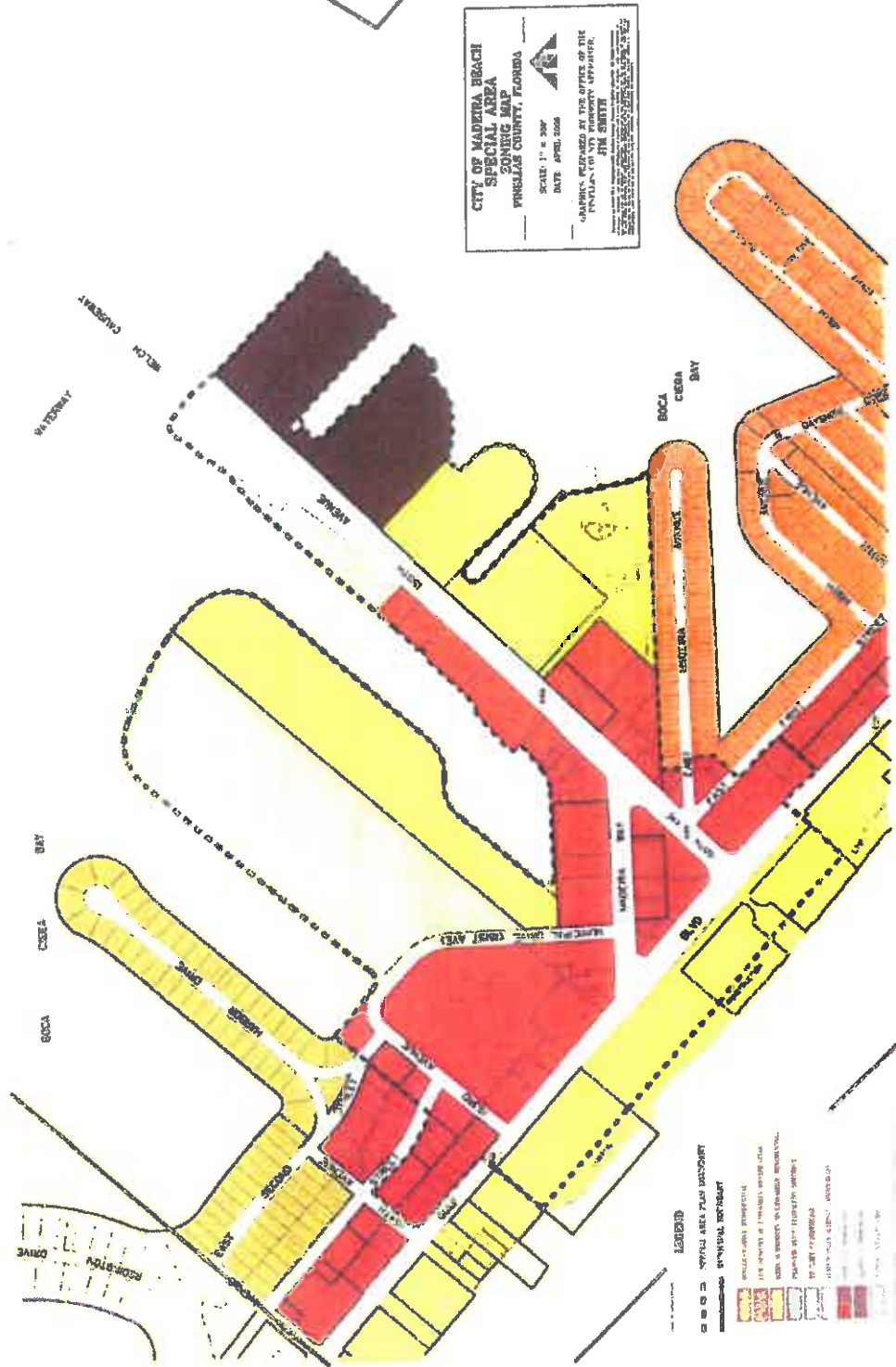
¹ BFE – base flood elevation

The City has three zoning districts that allow multi-family housing: R-2, Low-Density Multi-Family Residential, R-3, Medium Density Multi-Family Residential and C-3 Retail Commercial. The R-2 district, while not located in the study area, has a maximum floor area ratio (FAR) of 0.80, with an effective building height limit of 30 feet above base flood elevation (two stories above parking). The R-3 and C-3 districts, meanwhile, have a maximum FAR of 0.80, with a building height limit of 40 feet above base flood elevation (or three stories above parking), for multi-family and temporary lodging units.

Developments seeking greater height must be submitted under the Planned Development (PD) zoning process, which allows for greater flexibility in the layout of the project site in exchange for more extensive review and the obligation to contribute to public capital improvement projects. The use of the PD process, while providing for flexibility in site design, does not allow a project to exceed the standards set by the Countywide Plan rules of the PPC. While the PD zoning district is available, no properties within the Town Center have this zoning designation at the present time.

The P-SP Public, Semi-Public zoning district is intended to provide for the development and maintenance of public and semi-public facilities, including public buildings, parks and other public facilities.

Existing Zoning Map



Ordinance 2014-08

Planning Commission Recommended Revisions in Blue (pages 4 and 6).
Pinellas Planning Council Staff Recommendations Relating to Consistency with Pinellas Countywide
Plan Rules in Green (page 3).

ORDINANCE 2014-08

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE MADEIRA BEACH CODE OF ORDINANCES, SUBPART B, LAND DEVELOPMENT REGULATIONS, BY AMENDING CHAPTER 82, GENERAL PROVISIONS, SEC. 82-2. DEFINITIONS TO PROVIDE FOR THE TERM "DENSITY/INTENSITY AVERAGING"; BY AMENDING CHAPTER 86, ADMINISTRATION, TO ESTABLISH A NEW ARTICLE V ENTITLED "DENSITY/INTENSITY AVERAGING" AND SETTING FORTH THE REQUISITE PROCEDURES AND STANDARDS THEREFOR; BY AMENDING CHAPTER 110, ZONING, ARTICLE V. DISTRICTS, DIVISION 1. GENERALLY, SECTION 110 - 151. ESTABLISHMENT OF DISTRICTS; PROVIDING FOR THE ADDITION OF THE PD, PLANNED DEVELOPMENT DISTRICT TO THE LIST OF ZONING DISTRICTS; AMENDING CHAPTER 110 ZONING, ARTICLE V. DISTRICTS, DIVISION 10. PD, PLANNED DEVELOPMENT, SECTION 110 - 386. PURPOSE, SECTION 110 - 387, USES PERMITTED, AND SECTION 110 - 388. APPLICATION FOR PD ZONING; PROVIDING FOR THE REQUIRED USE OF THE PD DISTRICT IN CONJUNCTION WITH THE RESORT FACILITIES HIGH PLAN CATEGORY, PROVIDING FOR TEMPORARY LODGING USE IN THE PD DISTRICT; PROVIDING FOR THE REQUIRED SUBMISSION OF A DEVELOPMENT PLAN IN CONJUNCTION AND SIMULTANEOUS WITH AN APPLICATION FOR PD DISTRICT ZONING; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

WHEREAS, The City of Madeira Beach Comprehensive Plan and Town Center Special Area Plan address the need and desire to facilitate revitalization and infill development through the use of innovative planning and regulatory tools; and

WHEREAS, One of the tools that has the potential to assist in the redevelopment process is a provision for density/intensity averaging that can help overcome obstacles to developing small, fragmented parcels with distinct plan or zoning designations; and

WHEREAS, The City of Madeira Beach Comprehensive Plan and Town Center Special Area Plan have been amended to establish provision for a new Resort Facilities High Plan (RFH) category; and

WHEREAS, It is both necessary and desirable to establish a zoning district in the Code of Ordinances that corresponds to and applies the Resort Facilities High (RFH) plan category; and

WHEREAS, The Town Center Special Area Plan has been amended to recognize and accommodate the development standards of the Resort Facilities High (RFH) plan category for temporary lodging use, and provision for additive density/intensity in certain of the Town Center sub-districts; and

WHEREAS, The Town Center Special Area Plan requires the use of the PD Planned Development zoning district to employ either the Resort Facilities High (RFH) development standards for temporary lodging use or the additive density/intensity for mixed use; and

WHEREAS, The City has previously established provision for a PD, Planned Development zoning district that is well thought-out and provides considerable opportunity for citizen input and Commission guidance in the use of the PD zoning district; and

WHEREAS, The PD, Planned Development zoning district is ideally suited to guide any future use and application of the Resort Facilities High (RFH) plan category, and for unique development opportunities in the Planned Redevelopment-Mixed Use (PR-MU) category; and

WHEREAS, Minor revision to the current list of zoning districts and the purpose, permitted uses and application process for the PD Planned Development zoning district are required in order to provide for utilization of the PD zoning district in conjunction with the RFH and PR-MU plan categories; and

WHEREAS, The City of Madeira Beach, in order to establish the appropriate and requisite relationship between its Comprehensive Plan and Town Center Special Area Plan, and the Land Development Regulations that govern the specific procedures and

standards therefor, desires to amend the City's Code of Ordinances, Subpart B, Land Development Regulations, as set forth herein.

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

SECTION 1. That the Madeira Beach Code of Ordinances, Subpart B, Land Development Regulations, Chapter 82 General Provisions, Section 82-2 Definitions, be amended to add and define the term "Density/Intensity Averaging" as follows:

Density/Intensity Averaging means the aggregation of the otherwise permitted density and/or intensity of a parcel or parcels of land in a non-uniform or consolidated manner on a portion of such contiguous parcel(s) in accordance with Article V of Chapter 86, Administration of the Code of Ordinances.

SECTION 2. That the Madeira Beach Code of Ordinances, Subpart B, Land Development Regulations, Chapter 86, Administration, be amended to add a new Article V, Density/Intensity Averaging to read as follows:

ARTICLE V. DENSITY / INTENSITY AVERAGING

Sec. 86.151. Applicability

Density/intensity averaging is permitted between all future land use map categories except that density/intensity averaging shall not be averaged within Preservation and Recreation/Open Space plan categories be permitted:

- (1) To or within the Preservation or Recreation/Open Space plan categories;
- (2) To or from submerged land; or
- (3) From outside the coastal high hazard area into the coastal high hazard area.

The entire area under consideration must be viewed as one project and must be under an approved site plan or a unity of title. The total dwelling or temporary lodging unit count, floor area ratio, and impervious surface ratio shall not exceed what is otherwise allowed based on the Future Land Use Map category and zoning district for the total area under consideration.

Sec. 86.152. Application Requirements

The applicant(s) shall submit the following information:

- (1) A letter of request for a Density/Intensity Averaging Agreement from the applicant(s) specifically identifying:

- a. Name(s) of applicants with their addresses, phone numbers, and other relevant contact information
 - b. Name of the proposed project
 - c. Location of the proposed project
 - d. Site plan for all parcels of land included in the request
 - e. Proposed density and intensity of the development project which would result from approval of a Density/Intensity Averaging Agreement
- (2) A notarized letter from each property owner whose land is subject to the proposed Density/Intensity Averaging Agreement; concurring with the application request.
 - (3) Proof of ownership of each parcel of land included in the density/intensity averaging request.
 - (4) A legal description and net acreage for each parcel of land included in the density/intensity averaging request.
 - (5) A non-refundable application fee, as listed in the Madeira Beach Fees and Collection Procedure Manual, Article III, Community Development "Special Agreement(s)" or as otherwise established by the City from time to time.

Sec. 86.153. Reimbursement of expenses

The City ~~may~~ shall require the applicant to reimburse the City for any direct costs incurred as a function of reviewing and ~~approving~~ processing a Density/Intensity Averaging Agreement as follows:

- (1) The applicant shall provide for reimbursement of all expenses incurred by the City, deemed necessary by the City Manager or his/her designee, to review and process the Density/Intensity Averaging Agreement. Expenses may include, but are not limited to any costs for advertising, as well as for technical, engineering, planning, landscaping, surveying, legal or architectural services required for the City's review.
- (2) Within 30 days of the date of receipt of any invoice for the cost of such services, the applicant shall reimburse the City. Failure by the applicant to make such reimbursement when due shall delay the recording of the approved Density/Intensity Averaging Agreement until paid.

Sec. 86.154. Determination and Approval by the City Manager

Density/intensity averaging may be permitted after review and consideration by staff and approval of the City Manager, subject to the following stipulations:

- (1) No density/intensity averaging shall be permitted which results in the use characteristics being inconsistent with the uses permitted in the applicable Future Land Use Map category or zoning district designation of the City.
- (2) Aggregation within contiguous property(ies) in the same Future Land Use Map category shall not exceed the maximum density/intensity allowed in that category. Contiguous shall include abutting, as well as, functionally abutting, parcels; such as those parcels separated by a right of way.
- (3) Aggregation within contiguous property(ies) in different Future Land Use Map categories shall not exceed the maximum density/intensity allowed in the combination of applicable categories, provided that the subject area does not exceed a maximum area of five (5) acres.
- (4) Mixed uses shall not exceed, in combination, the respective number of dwelling or temporary lodging units per acre, floor area ratio, or impervious surface ratio permitted, when allocated in their respective proportion to the total lot area; except where otherwise specifically provided for in the Town Center Special Area Plan.
- (5) Aggregation of density/intensity as described in this Section shall require the property(ies) to be subject to site plan review and approval by the City. A Density/Intensity Averaging Agreement outlining the specific provisions for each project utilizing density/intensity averaging shall be executed by the property owners and the City. The Density/Intensity Averaging Agreement shall be recorded in the public records with the Clerk of the Circuit Court for Pinellas County, and a record copy of same filed with the Pinellas Planning Council.

SECTION 3. That the Madeira Beach Code of Ordinances, Subpart B, Land Development Regulations, Chapter 110, Zoning, Article V. Districts, Division 1. Generally, Section 110-151. Establishment of Districts be hereby amended as follows:

Sec. 110 - 151. Establishment of Districts.

For the purpose of protecting, promoting and improving the public health, safety, morals and general welfare of the community, the city is hereby divided into the following types of districts:

- R-1 Single-Family Residential
- R-2 Low Density Multifamily Residential
- R-3 Medium Density Multifamily Residential
- C-1 Tourist Commercial
- C-2 John's Pass Marine Commercial
- C-3 Retail Commercial
- C-4 Marine Commercial
- P-SP Public-Semi Public

PD Planned Development

SECTION 4. That the Madeira Beach Code of Ordinances, Subpart B, Land Development Regulations, Chapter 110, Zoning, Article V. Districts, Division 10, PD, Planned Development, Section 110-386. Purpose, Section 110-387. Uses permitted, and Section 110-388. Application for PD zoning, be hereby amended as follows:

Sec. 110 - 386. Purpose of Planned Development (PD) District.

The PD district is intended to accommodate integrated and well-designed developments ~~that contain two or more structures~~ in accordance with approved development plans. The district is intended to offer flexibility of design and to encourage imaginative, functional, high-quality land planning development for those uses consistent with the applicable Future Land Use Plan category and mixed uses, and multiple buildings, which ~~is~~ are compatible with adjacent and nearby lands and activities.

In particular the PD district is intended, and shall be required, to be used in conjunction with any Resort Facilities High plan category; and for any project in the Town Center Special Area Plan that proposes to utilize the additive density/intensity provided for in the Commercial Core and the enumerated portions of the Causeway sub-districts.

Sec. 110 - 387. Uses permitted.

No specific list of uses permitted is established for the PD district. Land proposed for development under the PD district may contain a mixture of temporary lodging, residential, commercial, recreational and other uses, as permitted by the Future Land Use Map designation on the site.

Sec. 110 - 388. Application for PD zoning.

Applicants seeking to rezone lands to the PD district shall ~~make two submittals submit, simultaneous with the application for rezoning, the site development plan that accompanies and is the basis for the rezoning application.~~ The applicant shall apply for a rezoning to the property and pay the application fee for a zoning change. ~~After completion of the review by the local planning agency, the applicant shall submit a development plan~~ and pay the fee associated with the accompanying site development plan review process. The site development plan shall include all items required under the provisions of Article II, Site Plans and further address all information required by this division.

SECTION 5. Severability. That the provisions of this Ordinance shall be deemed severable. If any part of the Ordinance is deemed unconstitutional, it shall not affect the constitutionality of other portions of the Ordinance.

SECTION 6. Repealer. That all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance be hereby repealed insofar as the same affect this Ordinance.

SECTION 7. Effective Date. That this Ordinance shall be in full force and effect upon adoption in the manner provided by law.

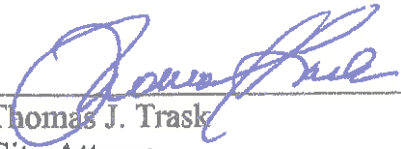
PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE
CITY OF MADEIRA BEACH, FLORIDA, THIS 12th day of November, 2014.

PUBLISHED: 10/24/2014

PASSED ON FIRST READING: 07/08/2014

PASSED ON SECOND READING: 11/12/2014

APPROVED AS TO FORM



Thomas J. Trask
City Attorney



Travis Palladeno
Mayor

ATTEST:



Aimée Servedio
City Clerk

Ordinance 2014-08

**CITY OF MADEIRA BEACH, FLORIDA
LOCAL PLANNING AGENCY
AND
BOARD OF COMMISSIONERS
NOTICE OF PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN that the **LOCAL PLANNING AGENCY (THE PLANNING COMMISSION)** of the City of Madeira Beach will hold a **PUBLIC HEARING** on **Ordinance 2014-05, Ordinance 2014-06, and Ordinance 2014-07** in Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida on **MONDAY, June 23, 2014, at 7:00 p.m.**

NOTICE IS HEREBY GIVEN, the Board of Commissioners of the City of Madeira Beach will conduct the first reading of **Ordinance 2014-05, Ordinance 2014-06, and Ordinance 2014-07** at Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida on **TUESDAY, July 8, 2014 at 6:00 p.m.**

Upon the passage of Ordinance, **NOTICE IS HEREBY GIVEN**, the Board of Commissioners of the City of Madeira Beach will conduct the second and final reading of **Ordinance 2014-05, Ordinance 2014-06, and Ordinance 2014-07** at Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida on a date to be determined. Notice of such hearing will be provided as prescribed by Florida Statutory requirements and the Madeira Beach Code of Ordinances.

The titles of said Ordinances are as follows:

ORDINANCE 2014-05

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE MADEIRA BEACH COMPREHENSIVE PLAN, SECTION 3.2, FUTURE LAND USE ELEMENT, POLICY 1.1.2; PROVIDING FOR AMENDMENT OF THE RESORT FACILITIES MEDIUM (RFM) PLAN CATEGORY; PROVIDING FOR AN ADDITIONAL LAND USE CATEGORY ENTITLED RESORT FACILITIES HIGH (RFH) PURSUANT TO THE SPECIFIC PROCEDURES AND STANDARDS AS SET FORTH HEREIN AND IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR THE AMENDMENT OF THE PLANNED REDEVELOPMENT-MIXED USE (PR-MU) PLAN CATEGORY TO ACCOMMODATE INCREASED DENSITY/INTENSITY FOR TEMPORARY LODGING USE CONSISTENT WITH AND CORRESPONDING TO REVISIONS AND UPDATE OF THE TOWN CENTER SPECIAL AREA PLAN; AND AMENDING SECTION 3.2 FUTURE LAND USE ELEMENT, GOAL 2, OBJECTIVE 2.1; POLICIES 2.1.2, 2.1.3 AND 2.1.4 PROVIDING SPECIFIC AUTHORIZATION FOR THE USE OF DENSITY/INTENSITY AVERAGING, THE PROCEDURES AND STANDARDS FOR WHICH SHALL BE AS SET FORTH IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

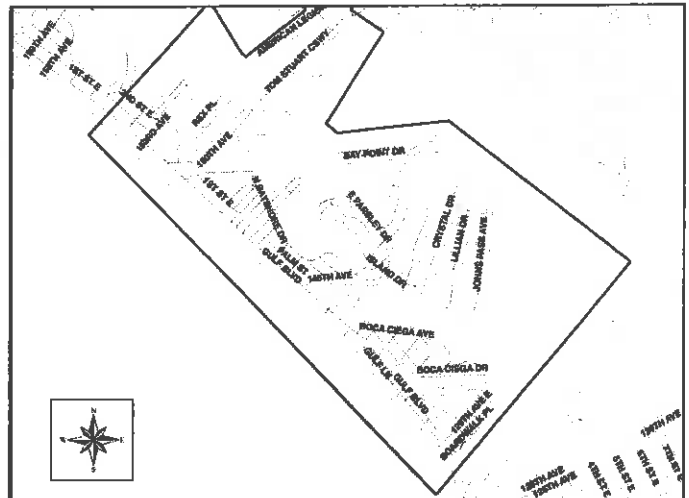
ORDINANCE 2014-06

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE MADEIRA BEACH CODE OR ORDINANCES, SUBPART B, LAND DEVELOPMENT REGULATIONS, BY AMENDING CHAPTER 82, GENERAL PROVISIONS, SEC. 82-2, DEFINITIONS TO PROVIDE FOR THE TERM "DENSITY/INTENSITY AVERAGING"; BY AMENDING CHAPTER 86, ADMINISTRATION, TO ESTABLISH A NEW ARTICLE V ENTITLED "DENSITY/INTENSITY AVERAGING" AND SETTING FORTH THE REQUISITE PROCEDURES AND STANDARDS THEREFOR; BY AMENDING CHAPTER 110, ZONING, ARTICLE V. DISTRICTS, DIVISION 1. GENERALLY, SECTION 110 - 151. ESTABLISHMENT OF DISTRICTS; PROVIDING FOR THE ADDITION OF THE PD, PLANNED DEVELOPMENT DISTRICT TO THE LIST OF ZONING DISTRICTS; AMENDING CHAPTER 110 ZONING, ARTICLE V. DISTRICTS, DIVISION 10. PD, PLANNED DEVELOPMENT, SECTION 110 - 386. PURPOSE, SECTION 110 - 387, USES PERMITTED, AND SECTION 110 - 388. APPLICATION FOR PD ZONING; PROVIDING FOR THE REQUIRED USE OF THE PD DISTRICT IN CONJUNCTION WITH THE RESORT FACILITIES HIGH PLAN CATEGORY, PROVIDING FOR TEMPORARY LODGING USE IN THE PD DISTRICT; PROVIDING FOR THE REQUIRED SUBMISSION OF A DEVELOPMENT PLAN IN CONJUNCTION AND SIMULTANEOUS WITH AN

APPLICATION FOR PD DISTRICT ZONING; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

ORDINANCE 2014-07

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, PROVIDING FOR AMENDMENT OF THE MADEIRA BEACH TOWN CENTER - SPECIAL AREA PLAN; PROVIDING FOR THE REVISION OF CHAPTER 2 - REGULATORY PLAN AND GUIDELINES WITH RESPECT TO THE DEVELOPMENT STANDARDS GOVERNING THE DENSITY/INTENSITY CALCULATIONS FOR TEMPORARY LODGING AND MIXED USES; PROVIDING FOR THE REVISION OF CHAPTER 3 - IMPLEMENTATION WITH RESPECT TO THE STRATEGIES TO PROMOTE REDEVELOPMENT; PROVIDING FOR THE REVISION OF APPENDIX B - INFRASTRUCTURE ANALYSIS TO UPDATE AND REVISE THE INFRASTRUCTURE IMPACTS CORRESPONDENT WITH CURRENT DATA AND THE PROPOSED REVISIONS TO CHAPTERS 2 AND 3 REFERENCED ABOVE; PROVIDING FOR TRANSMITTAL OF THE MADEIRA BEACH TOWN CENTER - SPECIAL AREA PLAN, AS AMENDED, FOR REVIEW PURSUANT TO THE COUNTYWIDE PLAN AND RULES; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.



Copies of the proposed Ordinances are available for inspection in the office of the City Clerk between the hours of 8 a.m. and 4:30 p.m. Monday through Friday.

All persons are hereby advised that any presentation they make to the Planning Commission or the Board of Commissioners will be encouraged to be as concise as possible and the Planning Commission and/or the Board of Commissioners may limit the time of each individual to permit maximum participation by the public at large. Any person who decides to appeal any decision of the Planning Commission or the Board of Commissioners with respect to any matter considered at these hearings will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based - per Florida Statute 286.0105

Aimee Servedio, City Clerk
City of Madeira Beach

6/08/2014

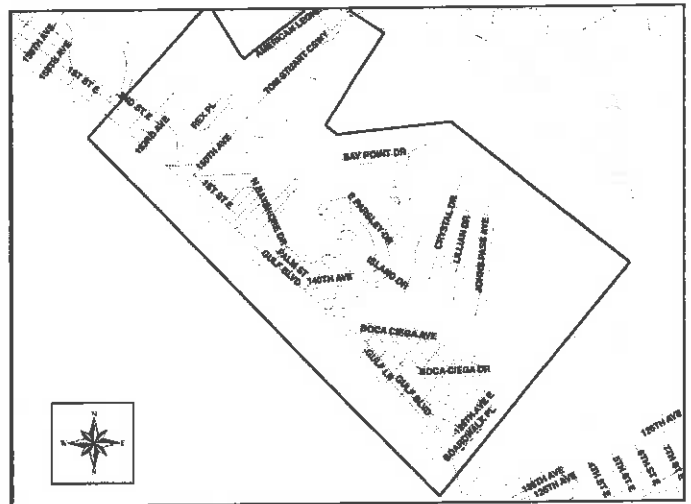
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ORDINANCE 2014-09

ORDINANCE 2014-07

ORDINANCE 2014-08

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE MADEIRA BEACH COMPREHENSIVE PLAN, SECTION 3.2, FUTURE LAND USE ELEMENT, POLICY 1.1.2; PROVIDING FOR AMENDMENT OF THE RESORT FACILITIES MEDIUM(RFM) PLAN CATEGORY; PROVIDING FOR AN ADDITIONAL LAND USE CATEGORY ENTITLED RESORT FACILITIES HIGH (RFH) PURSUANT TO THE SPECIFIC PROCEDURES AND STANDARDS AS SET FORTH HEREIN AND IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR THE AMENDMENT OF THE PLANNED REDEVELOPMENT-MIXED USE (PR-MU) PLAN CATEGORY TO ACCOMMODATE INCREASED DENSITY/INTENSITY FOR TEMPORARY LODGING USE CONSISTENT WITH AND CORRESPONDING TO REVISIONS AND UPDATE OF THE TOWN CENTER SPECIAL AREA PLAN; AND AMENDING SECTION 3.2 FUTURE LAND USE ELEMENT, GOAL 2, OBJECTIVE 2.1; POLICIES 2.1.2, 2.1.3 AND 2.1.4 PROVIDING SPECIFIC AUTHORIZATION FOR THE USE OF DENSITY/INTENSITY AVERAGING, THE PROCEDURES AND STANDARDS FOR WHICH SHALL BE AS SET FORTH IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.



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27433-1

Tampa Bay Times

Published Daily

St. Petersburg, Pinellas County, Florida

STATE OF FLORIDA
COUNTY OF Pinellas

} S.S.

Before the undersigned authority personally appeared **B. Harr** who on oath says that he/she is **Legal Clerk** of the **Tampa Bay Times** a daily newspaper published at St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a **Legal Notice** in the matter **RE: MADEIRA BEACH LOCAL PLANNING AGENCY & COMMISSIONERS PUBLIC HEARINGS** was published in said newspaper in the issues of **Local & State**, 6/8/2014.

Affiant further says the said **Tampa Bay Times** is a newspaper published at St. Petersburg, in said Pinellas County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas County, Florida, each day and has been entered as second class mail matter at the post office in St. Petersburg, in said Pinellas County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he /she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



Signature of Affiant

Sworn to and subscribed before me
this 9th day of June A.D.2014



Signature of Notary Public

Personally known X or produced indentification

Type of indentification produced _____



JOSEPH F. FISH
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF118062
Expires 6/23/2018

**CITY OF MADEIRA BEACH, FLORIDA
LOCAL PLANNING AGENCY
AND
BOARD OF COMMISSIONERS
NOTICE OF PUBLIC HEARINGS**

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Aimee Servedio, City Clerk
City of Madeira Beach

8/08/2014

172674-01

Tampa Bay Times
Published Daily

STATE OF FLORIDA)
COUNTY OF Pinellas County ss

Before the undersigned authority personally appeared **Amy Robison** who on oath says that he/she is **Legal Clerk** of the **Tampa Bay Times** a daily newspaper published at St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter **RE: MADEIRA BEACH HEARIN** was published on **Tampa Bay Times: 10/24/14**. in said newspaper in the issues of **St Pete Times Beaches**

Affiant further says the said **Tampa Bay Times** is a newspaper published in St. Petersburg, in said Pinellas County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas County, Florida, each day and has been entered as a second class mail matter at the post office in St. Petersburg, in said Pinellas County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further say that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper

Amy Robison

Signature of Affiant

Sworn to and subscribed before me this 10/24/2014.

Joseph F. Fish

Signature of Notary Public

Personally known ☒ or produced identification

Type of identification produced _____



JOSEPH F. FISH
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF116052
Expires 6/23/2018

CITY OF MADEIRA BEACH, FLORIDA BOARD OF COMMISSIONERS NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, the Board of Commissioners of the City of Madeira Beach will conduct Public Hearings and Second and Final Readings of Ordinance 2014-07, Ordinance 2014-08, and Ordinance 2014-09 at Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida on WEDNESDAY, November 12, 2014 at 6:00 p.m. The titles of said Ordinances are as follows:

ORDINANCE 2014-07

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, PROVIDING FOR AMENDMENT OF THE MADEIRA BEACH TOWN CENTER - SPECIAL AREA PLAN; PROVIDING FOR THE REVISION OF CHAPTER 2 - REGULATORY PLAN AND GUIDELINES WITH RESPECT TO THE DEVELOPMENT STANDARDS GOVERNING THE DENSITY/INTENSITY CALCULATIONS FOR TEMPORARY LODGING AND MIXED USES; PROVIDING FOR THE REVISION OF CHAPTERS 2 AND 3 - IMPLEMENTATION WITH RESPECT TO THE STRATEGIES TO PROMOTE REDEVELOPMENT; PROVIDING FOR THE REVISION OF APPENDIX B - INFRASTRUCTURE ANALYSIS TO UPDATE AND REVISE THE INFRASTRUCTURE IMPACTS CORRESPONDENT WITH CURRENT DATA AND THE PROPOSED REVISIONS TO CHAPTER 2 REFERENCED ABOVE; PROVIDING FOR TRANSMITTAL OF THE MADEIRA BEACH TOWN CENTER - SPECIAL AREA PLAN, AS AMENDED, FOR REVIEW PURSUANT TO THE COUNTYWIDE PLAN AND RULES; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

ORDINANCE 2014-09

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE MADEIRA BEACH CODE OR ORDINANCES, SUBPART B, LAND DEVELOPMENT REGULATIONS, BY AMENDING CHAPTER 82, GENERAL PROVISIONS, SEC. 82-2. DEFINITIONS TO PROVIDE FOR THE TERM "DENSITY/INTENSITY AVERAGING"; BY AMENDING CHAPTER 88, ADMINISTRATION, TO ESTABLISH A NEW ARTICLE V ENTITLED "DENSITY/INTENSITY AVERAGING" AND SETTING FORTH THE REQUISITE PROCEDURES AND STANDARDS THEREFOR; BY AMENDING CHAPTER 110, ZONING, ARTICLE V. DISTRICTS, DIVISION 1. GENERALLY, SECTION 110 - 151. ESTABLISHMENT OF DISTRICTS; PROVIDING FOR THE ADDITION OF THE PD, PLANNED DEVELOPMENT DISTRICT TO THE LIST OF ZONING DISTRICTS; AMENDING CHAPTER 110 ZONING, ARTICLE V. DISTRICTS, DIVISION 10. PD, PLANNED DEVELOPMENT, SECTION 110 - 366. PURPOSE, SECTION 110 - 367, USES PERMITTED, AND SECTION 110 - 368. APPLICATION FOR PD ZONING; PROVIDING FOR THE REQUIRED USE OF THE PD DISTRICT IN CONJUNCTION WITH THE RESORT FACILITIES HIGH PLAN CATEGORY, PROVIDING FOR TEMPORARY LODGING USE IN THE PD DISTRICT; PROVIDING FOR THE REQUIRED SUBMISSION OF A DEVELOPMENT PLAN IN CONJUNCTION AND SIMULTANEOUS WITH AN APPLICATION FOR PD DISTRICT ZONING; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

ORDINANCE 2014-08

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE MADEIRA BEACH COMPREHENSIVE PLAN, SECTION 3.2, FUTURE LAND USE ELEMENT, POLICY 1.1.2; PROVIDING FOR AMENDMENT OF THE RESORT FACILITIES MEDIUM (RFM) PLAN CATEGORY; PROVIDING FOR AN ADDITIONAL LAND USE CATEGORY ENTITLED RESORT FACILITIES HIGH (RFH) PURSUANT TO THE SPECIFIC PROCEDURES AND STANDARDS AS SET FORTH HEREIN AND IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR THE AMENDMENT OF THE PLANNED REDEVELOPMENT-MIXED USE (PR-MU) PLAN CATEGORY TO ACCOMMODATE INCREASED DENSITY/INTENSITY FOR TEMPORARY LODGING USE CONSISTENT WITH AND CORRESPONDING TO REVISIONS AND UPDATE OF THE TOWN CENTER SPECIAL AREA PLAN; AND AMENDING SECTION 3.2 FUTURE LAND USE ELEMENT, GOAL 2, OBJECTIVE 2.1; POLICIES 2.1.2, 2.1.3 AND 2.1.4 PROVIDING SPECIFIC AUTHORIZATION FOR THE USE OF DENSITY/INTENSITY AVERAGING, THE PROCEDURES AND STANDARDS FOR WHICH SHALL BE AS SET FORTH IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.



Copies of the proposed Ordinances are available for inspection in the office of the City Clerk between the hours of 8 a.m. and 4:30 p.m. Monday through Friday.

All persons are hereby advised that any presentation they make to the the Board of Commissioners will be encouraged to be as concise as possible and the Board of Commissioners may limit the time of each individual to permit maximum participation by the public at large. Any person who decides to appeal any decision of the Board of Commissioners with respect to any matter considered at these hearings will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based - per Florida Statute 286.0105

Aimee Servedio, City Clerk
City of Madeira Beach

10/24/2014

Ordinance 2014-09

ORDINANCE 2014-09

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE MADEIRA BEACH COMPREHENSIVE PLAN, SECTION 3.2, FUTURE LAND USE ELEMENT, POLICY 1.1.2; PROVIDING FOR AMENDMENT OF THE RESORT FACILITIES MEDIUM (RFM) PLAN CATEGORY; PROVIDING FOR AN ADDITIONAL LAND USE CATEGORY ENTITLED RESORT FACILITIES HIGH (RFH) PURSUANT TO THE SPECIFIC PROCEDURES AND STANDARDS AS SET FORTH HEREIN AND IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR THE AMENDMENT OF THE PLANNED REDEVELOPMENT-MIXED USE (PR-MU) PLAN CATEGORY TO ACCOMMODATE INCREASED DENSITY/INTENSITY FOR TEMPORARY LODGING USE CONSISTENT WITH AND CORRESPONDING TO REVISIONS AND UPDATE OF THE TOWN CENTER SPECIAL AREA PLAN; AND AMENDING SECTION 3.2 FUTURE LAND USE ELEMENT, GOAL 2, OBJECTIVE 2.1; POLICIES 2.1.2, 2.1.3 AND 2.1.4 PROVIDING SPECIFIC AUTHORIZATION FOR THE USE OF DENSITY/INTENSITY AVERAGING, THE PROCEDURES AND STANDARDS FOR WHICH SHALL BE AS SET FORTH IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

WHEREAS, The City of Madeira Beach Comprehensive Plan recognizes the importance of tourism and tourist-related facilities to the economy of the community; and

WHEREAS, It is essential to the tourism industry that attractive and viable temporary lodging accommodations be available; and

WHEREAS, It is increasingly difficult in a largely built-out community to provide sufficient land area to accommodate modern and economically-viable temporary lodging facilities; and

WHEREAS, The Pinellas Planning Council and Board of County Commissioners, in its capacity as the Countywide Planning Authority, prepared an analysis of the

densities necessary and appropriate to reasonably accommodate temporary lodging uses; and

WHEREAS, As a result of said analysis, the Countywide Plan Rules were amended to establish policies and standards to guide the development and redevelopment of temporary lodging uses; and

WHEREAS, An additional means of furthering the economic redevelopment objectives of the City is to enable a planning tool that will allow for density/intensity averaging to help overcome the inherent limitations of redevelopment in a largely built-out environment; and

WHEREAS, The City of Madeira Beach, in order to facilitate temporary lodging uses and facilitate redevelopment consistent with the Countywide Plan Rules, desires to amend the Future Land Use Element of the Comprehensive Plan.

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

SECTION 1. That the Madeira Beach Comprehensive Plan, Future Land Use Element, Policy 1.1.2 be hereby amended as follows:

Policy 1.1.2:

The City of Madeira Beach hereby adopts those land use categories identified and defined in this policy as those which shall govern mixed-use development within the community pursuant to Rule 9J-5.006(3)(c)7, Florida Administrative Code. These land use categories shall be consistent with primary and secondary uses and maximum density and intensity standards listed in the Pinellas Planning Council *Countywide Plan Rules*, except as specifically modified herein.

MIXED USE:

- Resort Facilities Medium (RFM), with a residential density of 0 to 18 units per acre and temporary lodging with maximum density and intensity standards as shown in the table below, and a with an approximate percentage distribution of 70 to 100 percent residential, 0 to 20 percent nonresidential, and 0 to 10 percent "other". RFM shall not include residential equivalent uses.

Temporary Lodging Density and Intensity Standards for the RFM land use plan category are as follows, subject to the specific standards to be set forth in a Development Agreement as provided for in the City's land development regulations.

Land Area	Units per Acre	FAR	ISR
Less than 1 acre	45	1.0	0.85
Between one acre and three acres	60	1.5	0.85
Greater than three acres	75	2.0	0.85

- Resort Facilities High (RFH), with a residential density of 0 to 15 dwelling units per acre and temporary lodging with maximum density and intensity standards as shown in the table below, with an approximate percentage distribution of 70 to 100 percent temporary lodging use, 0 to 20 percent tourist-related commercial, and 0 to 10 percent residential. RFH shall not include residential equivalent uses.

All applications for the Resort Facilities High plan category shall require corresponding rezoning to the PD, Planned Development zoning district pursuant to the procedures and requirements of the PD district set forth in the City's land development regulations.

Temporary Lodging Density and Intensity Standards for the RFH land use plan category are as follows, subject to the specific standards to be set forth in a Development Agreement as provided for in the City's land development regulations.

<u>Land Area</u>	<u>Units per Acre</u>	<u>FAR</u>	<u>ISR</u>
<u>Less than 1 acre</u>	<u>75</u>	<u>2.0</u>	<u>0.95</u>
<u>Between one acre and three acres</u>	<u>100</u>	<u>3.0</u>	<u>0.95</u>
<u>Greater than three acres</u>	<u>125</u>	<u>4.0</u>	<u>0.95</u>

- Residential/Office/Retail (R/O/R), with a residential density of 0 to 18 units per acre and a temporary lodging density of up to 45 units per acre with a maximum FAR of 1.0 and an ISR of 0.85 and a percentage distribution of 30 to 50 percent residential, 30 to 60 percent nonresidential, and a 0 to 20 percent "other". R/O/R shall not include residential equivalent, research / development, and light manufacturing/assembly uses.

PLANNED REDEVELOPMENT

- Planned Redevelopment - Mixed Use (PR-MU) - The purpose of this category is to depict those areas that are developed with a collection of temporary lodging, residential, office, and commercial uses, along corridors, adjacent to neighborhoods or within distinct areas that are interrelated and complimentary.

This category should facilitate infill and redevelopment of these areas to create a desirable mix of non-residential and residential uses by promoting aesthetically pleasing, safe environments, and buildings that are compatible with the area's character, uses, and transportation facilities.

The uses, development standards, density/intensity standards, and locational characteristics associated with this category must be set forth in a ~~special-area plan,~~

- ~~• shall generally be a minimum of ten (10) acres in size,~~
- ~~• must include residential with office, and/or commercial uses, along corridors, adjacent to neighborhoods or within distinct areas that are interrelated and complimentary, and~~
- ~~• shall be of countywide significance.~~

~~The following uses shall not exceed the respective acreage threshold designated for such uses. Any such use, alone or when added to existing contiguous like use(s), which exceeds the designated threshold shall require a plan map amendment that shall include such use and all contiguous like uses:~~

- ~~• Ancillary Non-Residential; Transportation/Utility Use Shall not exceed a maximum area of three (3) acres.~~
- ~~• Institutional Use (except Public Educational Facilities which are not subject to this threshold) Shall not exceed a maximum area of five (5) acres.~~

~~The Special Area Plan must be approved by the Board of Commissioners. The Special Area Plan (any any substantive changes to an approved special area plan) shall be subject to review by and approval of the Countywide Planning Authority upon recommendation of the Pinellas Planning Council pursuant to the applicable Countywide Plan Rules. While eEach Special Area Plan shall establish the density, intensity, and mix of permitted uses, the maximum density and intensity permitted in any MU designated area hall be a permanent density of 15 residential units per acre, a tourist dwelling density of 60 units per acre, and a maximum floor area ratio (FAR) of 3.50.~~

~~In recognition of current development and the protection of the City's park holdings, the Town Center Mixed Use area (Approximately 75 acres) shall include a minimum of:~~

- ~~• 10 percent permanent residential;~~
- ~~• 20 percent open space area;~~
- ~~• 5 percent government services, and~~
- ~~• 10 percent condominiums which serve both permanent and transient residents.~~

~~The future development sites, greater than two acres in size, in the Town Center Mixed Use area shall be developed with ground floor retail, office or restaurant and either permanent or transient dwelling use.~~

~~The Special Area Plan and~~ shall include, at a minimum, information addressing the following: requirements for special area plans or their equivalent as set forth in the Countywide Plan Rules.

~~A. Plan Issues and Objectives~~

- ~~1. Existing land use and related characteristics of the area;~~
- ~~2. Issues to be addressed by the plan; and~~
- ~~3. Plan objectives in relationship to the City's Comprehensive Plan and Pinellas By Design.~~

~~B. Plan Composition~~

- ~~1. Permitted uses and any differentiation by location;~~
- ~~2. Density/intensity standards for permitted uses;~~
- ~~3. Design guidelines, if any, appropriate to the plan;~~
- ~~4. Affordable housing provisions, if any, appropriate to the plan;~~
- ~~5. Mixed use provisions, if any, appropriate to the plan;~~
- ~~6. Special provision for mobility and circulation, including mass transit, access management, parking, pedestrians, and bicycles;~~
- ~~7. Identification of and reference to land development regulations that implement the plan;~~
- ~~8. Public and/or private improvements, contributions and/or incentives, if any, appropriate to the plan; and~~
- ~~9. The local government plan approval process.~~

~~C. Plan Impacts~~

- ~~1. Identification of water, sewer, and stormwater drainage impacts that may be anticipated based on the plan~~
- ~~2. Identification of overall system capacities; and~~
- ~~3. An analysis of the difference between these anticipated impacts on the systems as compared to the impacts based on the current Countywide Plan Map designations.~~

SECTION 2. That the Madeira Beach Comprehensive Plan, Future Land Use Element, Policies 1.8.8, 1.8.9 and 1.8.10 be hereby amended as follows:

Policy 1.8.8:

The City shall enforce provisions whereby tourist accommodations, at a density appropriate for each zoning district, are located in the Residential/Office/Retail ~~and~~, Resort Facilities Medium, and Resort Facilities High land use plan categories.

Policy 1.8.9:

Development of seasonal tourist facilities within the Resort Facilities Medium and Resort Facilities High land use plan categoryies shall not be used as a means to circumvent the residential density limitations established by this comprehensive plan.

Policy 1.8.10:

Ancillary commercial uses may be incorporated into the Resort Facilities Medium and Resort Facilities High land use plan categoryies.

SECTION 3. That the Madeira Beach Comprehensive Plan, Future Land Use Element, Goal 2, Objective 2.1, Policies 2.1.2, 2.1.3, and 2.1.4 be hereby amended as follows:

Policy 2.1.2:

Consistent with the foregoing policies, the City shall consider and develop the appropriate regulatory mechanisms to implement provisions for density/intensity averaging and development agreements.

Policy 2.1.3:

Such provisions for density/intensity averaging and development agreements shall be promulgated for the purpose of encouraging development/redevelopment consistent with the Comprehensive Plan, the Town Center Special Area Plan and in particular to facilitate viable tourist-related facilities.

Policy 2.1.4:

The City shall develop the procedures and standards it determines appropriate to govern density/intensity averaging and development agreements in the City's land development regulations.

SECTION 4. Severability. That the provisions of this Ordinance shall be deemed severable. If any part of the Ordinance is deemed unconstitutional, it shall not affect the constitutionality of other portions of the Ordinance.

SECTION 5. Repealer. That all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance be hereby repealed insofar as the same affect this Ordinance.

SECTION 6. Effective Date. The effective date of this Ordinance and plan amendment shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete; or alternatively, if timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE
CITY OF MADEIRA BEACH, FLORIDA, THIS 12th day of November, 2014.

PUBLISHED: 10/24/2014

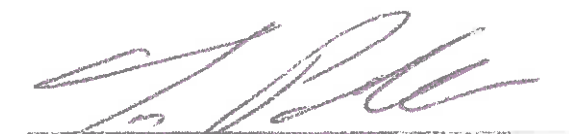
PASSED ON FIRST READING: 07/08/2014

PASSED ON SECOND READING: 11/12/2014

APPROVED AS TO FORM



Thomas J. Trask
City Attorney



Travis Palladeno
Mayor

ATTEST:



Aimee Servedio
City Clerk

Ordinance 2014-09

Ordinance 2014-09

**CITY OF MADEIRA BEACH, FLORIDA
LOCAL PLANNING AGENCY
AND
BOARD OF COMMISSIONERS
NOTICE OF PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN that the **LOCAL PLANNING AGENCY (THE PLANNING COMMISSION)** of the City of Madeira Beach will hold a **PUBLIC HEARING** on **Ordinance 2014-05, Ordinance 2014-06, and Ordinance 2014-07** in Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida on **MONDAY, June 23, 2014, at 7:00 p.m.**

NOTICE IS HEREBY GIVEN, the Board of Commissioners of the City of Madeira Beach will conduct the first reading of **Ordinance 2014-05, Ordinance 2014-06, and Ordinance 2014-07** at Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida on **TUESDAY, July 8, 2014 at 6:00 p.m.**

Upon the passage of Ordinance, **NOTICE IS HEREBY GIVEN**, the Board of Commissioners of the City of Madeira Beach will conduct the second and final reading of **Ordinance 2014-05, Ordinance 2014-06, and Ordinance 2014-07** at Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida on a date to be determined. Notice of such hearing will be provided as prescribed by Florida Statutory requirements and the Madeira Beach Code of Ordinances.

The titles of said Ordinances are as follows:

ORDINANCE 2014-05

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE MADEIRA BEACH COMPREHENSIVE PLAN, SECTION 3.2, FUTURE LAND USE ELEMENT, POLICY 1.1.2; PROVIDING FOR AMENDMENT OF THE RESORT FACILITIES MEDIUM (RFM) PLAN CATEGORY; PROVIDING FOR AN ADDITIONAL LAND USE CATEGORY ENTITLED RESORT FACILITIES HIGH (RFH) PURSUANT TO THE SPECIFIC PROCEDURES AND STANDARDS AS SET FORTH HEREIN AND IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR THE AMENDMENT OF THE PLANNED REDEVELOPMENT-MIXED USE (PR-MU) PLAN CATEGORY TO ACCOMMODATE INCREASED DENSITY/INTENSITY FOR TEMPORARY LODGING USE CONSISTENT WITH AND CORRESPONDING TO REVISIONS AND UPDATE OF THE TOWN CENTER SPECIAL AREA PLAN; AND AMENDING SECTION 3.2 FUTURE LAND USE ELEMENT, GOAL 2, OBJECTIVE 2.1; POLICIES 2.1.2, 2.1.3 AND 2.1.4 PROVIDING SPECIFIC AUTHORIZATION FOR THE USE OF DENSITY/INTENSITY AVERAGING, THE PROCEDURES AND STANDARDS FOR WHICH SHALL BE AS SET FORTH IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

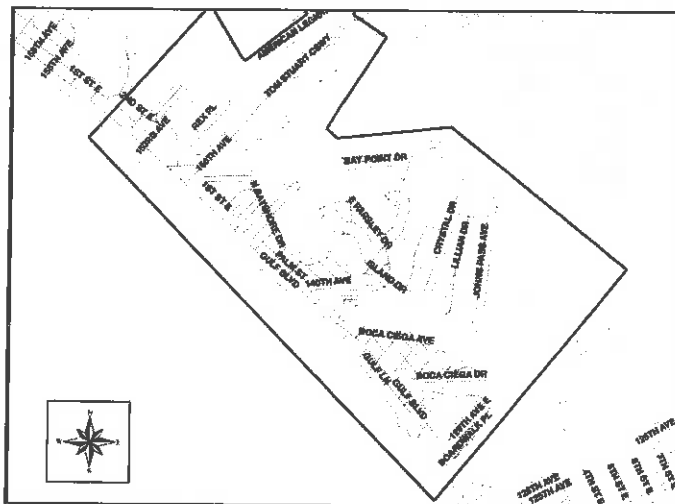
ORDINANCE 2014-06

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE MADEIRA BEACH CODE OR ORDINANCES, SUBPART B, LAND DEVELOPMENT REGULATIONS, BY AMENDING CHAPTER 82, GENERAL PROVISIONS, SEC. 82-2. DEFINITIONS TO PROVIDE FOR THE TERM "DENSITY/INTENSITY AVERAGING"; BY AMENDING CHAPTER 86, ADMINISTRATION, TO ESTABLISH A NEW ARTICLE V ENTITLED "DENSITY/INTENSITY AVERAGING" AND SETTING FORTH THE REQUISITE PROCEDURES AND STANDARDS THEREFOR; BY AMENDING CHAPTER 110, ZONING, ARTICLE V. DISTRICTS, DIVISION 1. GENERALLY, SECTION 110 - 151. ESTABLISHMENT OF DISTRICTS; PROVIDING FOR THE ADDITION OF THE PD, PLANNED DEVELOPMENT DISTRICT TO THE LIST OF ZONING DISTRICTS; AMENDING CHAPTER 110 ZONING, ARTICLE V. DISTRICTS, DIVISION 10. PD, PLANNED DEVELOPMENT, SECTION 110 - 386. PURPOSE, SECTION 110 - 387, USES PERMITTED, AND SECTION 110 - 388. APPLICATION FOR PD ZONING; PROVIDING FOR THE REQUIRED USE OF THE PD DISTRICT IN CONJUNCTION WITH THE RESORT FACILITIES HIGH PLAN CATEGORY, PROVIDING FOR TEMPORARY LODGING USE IN THE PD DISTRICT; PROVIDING FOR THE REQUIRED SUBMISSION OF A DEVELOPMENT PLAN IN CONJUNCTION AND SIMULTANEOUS WITH AN

APPLICATION FOR PD DISTRICT ZONING; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

ORDINANCE 2014-07

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, PROVIDING FOR AMENDMENT OF THE MADEIRA BEACH TOWN CENTER - SPECIAL AREA PLAN; PROVIDING FOR THE REVISION OF CHAPTER 2 - REGULATORY PLAN AND GUIDELINES WITH RESPECT TO THE DEVELOPMENT STANDARDS GOVERNING THE DENSITY/INTENSITY CALCULATIONS FOR TEMPORARY LODGING AND MIXED USES; PROVIDING FOR THE REVISION OF CHAPTER 3 - IMPLEMENTATION WITH RESPECT TO THE STRATEGIES TO PROMOTE REDEVELOPMENT; PROVIDING FOR THE REVISION OF APPENDIX B - INFRASTRUCTURE ANALYSIS TO UPDATE AND REVISE THE INFRASTRUCTURE IMPACTS CORRESPONDENT WITH CURRENT DATA AND THE PROPOSED REVISIONS TO CHAPTERS 2 AND 3 REFERENCED ABOVE; PROVIDING FOR TRANSMITTAL OF THE MADEIRA BEACH TOWN CENTER - SPECIAL AREA PLAN, AS AMENDED, FOR REVIEW PURSUANT TO THE COUNTYWIDE PLAN AND RULES; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.



Copies of the proposed Ordinances are available for inspection in the office of the City Clerk between the hours of 8 a.m. and 4:30 p.m. Monday through Friday.

All persons are hereby advised that any presentation they make to the Planning Commission or the Board of Commissioners will be encouraged to be as concise as possible and the Planning Commission and/or the Board of Commissioners may limit the time of each individual to permit maximum participation by the public at large. Any person who decides to appeal any decision of the Planning Commission or the Board of Commissioners with respect to any matter considered at these hearings will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based - per Florida Statute 286.0105

Aimee Servedio, City Clerk
City of Madeira Beach

6/08/2014

172674-01

CITY OF MADEIRA BEACH, FLORIDA BOARD OF COMMISSIONERS NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN the Board of Commissioners of the City of Madeira Beach will conduct Public Hearings and Second and Final Readings of **Ordinances 2014-07, Ordinance 2014-08, and Ordinance 2014-09** at Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida on **WEDNESDAY, November 12, 2014 at 6:00 p.m.** The titles of said Ordinances are as follows:

ORDINANCE 2014-07

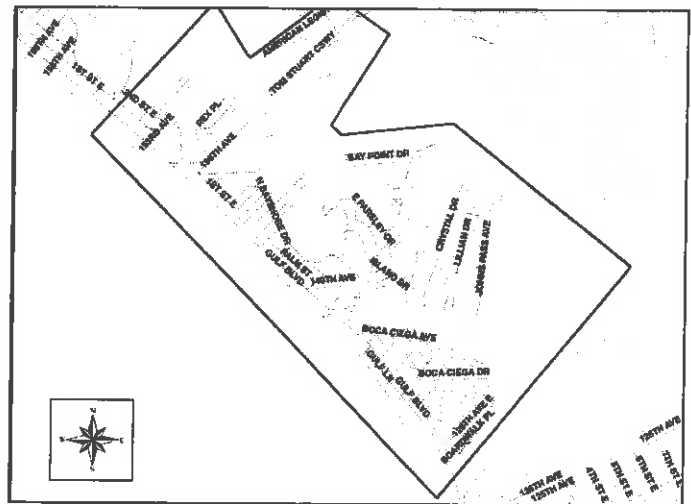
AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, PROVIDING FOR AMENDMENT OF THE MADEIRA BEACH TOWN CENTER - SPECIAL AREA PLAN; PROVIDING FOR THE REVISION OF CHAPTER 2 - REGULATORY PLAN AND GUIDELINES WITH RESPECT TO THE DEVELOPMENT STANDARDS GOVERNING THE DENSITY/INTENSITY CALCULATIONS FOR TEMPORARY LODGING AND MIXED USES; PROVIDING FOR THE REVISION OF CHAPTERS 2 AND 3 - IMPLEMENTATION WITH RESPECT TO THE STRATEGIES TO PROMOTE REDEVELOPMENT; PROVIDING FOR THE REVISION OF APPENDIX B - INFRASTRUCTURE ANALYSIS TO UPDATE AND REVISE THE INFRASTRUCTURE IMPACTS CORRESPONDENT WITH CURRENT DATA AND THE PROPOSED REVISIONS TO CHAPTER 2 REFERENCED ABOVE; PROVIDING FOR TRANSMITTAL OF THE MADEIRA BEACH TOWN CENTER - SPECIAL AREA PLAN, AS AMENDED, FOR REVIEW PURSUANT TO THE COUNTYWIDE PLAN AND RULES; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

ORDINANCE 2014-08

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE MADEIRA BEACH CODE OR ORDINANCES, SUBPART B, LAND DEVELOPMENT REGULATIONS, BY AMENDING CHAPTER 82, GENERAL PROVISIONS, SEC. 82-2. DEFINITIONS TO PROVIDE FOR THE TERM "DENSITY/INTENSITY AVERAGING"; BY AMENDING CHAPTER 86, ADMINISTRATION, TO ESTABLISH A NEW ARTICLE V ENTITLED "DENSITY/INTENSITY AVERAGING" AND SETTING FORTH THE REQUISITE PROCEDURES AND STANDARDS THEREFOR; BY AMENDING CHAPTER 110, ZONING, ARTICLE V. DISTRICTS, DIVISION 1. GENERALLY, SECTION 110 - 151. ESTABLISHMENT OF DISTRICTS; PROVIDING FOR THE ADDITION OF THE PD, PLANNED DEVELOPMENT DISTRICT TO THE LIST OF ZONING DISTRICTS; AMENDING CHAPTER 110 ZONING, ARTICLE V. DISTRICTS, DIVISION 10. PD, PLANNED DEVELOPMENT, SECTION 110 - 386. PURPOSE, SECTION 110 - 387, USES PERMITTED, AND SECTION 110 - 388. APPLICATION FOR PD ZONING; PROVIDING FOR THE REQUIRED USE OF THE PD DISTRICT IN CONJUNCTION WITH THE RESORT FACILITIES HIGH PLAN CATEGORY, PROVIDING FOR TEMPORARY LODGING USE IN THE PD DISTRICT; PROVIDING FOR THE REQUIRED SUBMISSION OF A DEVELOPMENT PLAN IN CONJUNCTION AND SIMULTANEOUS WITH AN APPLICATION FOR PD DISTRICT ZONING; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

ORDINANCE 2014-09

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE MADEIRA BEACH COMPREHENSIVE PLAN, SECTION 3.2, FUTURE LAND USE ELEMENT, POLICY 1.1.2; PROVIDING FOR AMENDMENT OF THE RESORT FACILITIES MEDIUM(RFM)PLAN CATEGORY; PROVIDING FOR AN ADDITIONAL LAND USE CATEGORY ENTITLED RESORT FACILITIES HIGH (RFH) PURSUANT TO THE SPECIFIC PROCEDURES AND STANDARDS AS SET FORTH HEREIN AND IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR THE AMENDMENT OF THE PLANNED REDEVELOPMENT-MIXED USE (PR-MU) PLAN CATEGORY TO ACCOMMODATE INCREASED DENSITY/INTENSITY FOR TEMPORARY LODGING USE CONSISTENT WITH AND CORRESPONDING TO REVISIONS AND UPDATE OF THE TOWN CENTER SPECIAL AREA PLAN; AND AMENDING SECTION 3.2 FUTURE LAND USE ELEMENT, GOAL 2, OBJECTIVE 2.1; POLICIES 2.1.2, 2.1.3 AND 2.1.4 PROVIDING SPECIFIC AUTHORIZATION FOR THE USE OF DENSITY/INTENSITY AVERAGING, THE PROCEDURES AND STANDARDS FOR WHICH SHALL BE AS SET FORTH IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.



Copies of the proposed Ordinances are available for inspection in the office of the City Clerk between the hours of 8 a.m. and 4:30 p.m. Monday through Friday.

All persons are hereby advised that any presentation they make to the Planning Commission or the Board of Commissioners will be encouraged to be as concise as possible and the Planning Commission and/or the Board of Commissioners may limit the time of each individual to permit maximum participation by the public at large. Any person who decides to appeal any decision of the Planning Commission or the Board of Commissioners with respect to any matter considered at these hearings will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based - per Florida Statute 286.0105

Aimee Servedio, City Clerk
City of Madeira Beach

10/24/2014

Tampa Bay Times

Published Daily

St. Petersburg, Pinellas County, Florida

STATE OF FLORIDA
COUNTY OF Pinellas

} S.S.

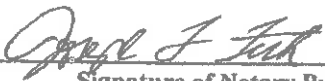
Before the undersigned authority personally appeared **B. Harr** who on oath says that he/she is Legal Clerk of the *Tampa Bay Times* a daily newspaper published at St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter **RE: MADEIRA BEACH LOCAL PLANNING AGENCY & COMMISSIONERS PUBLIC HEARINGS** was published in said newspaper in the issues of **Local & State**, 6/8/2014.

Affiant further says the said *Tampa Bay Times* is a newspaper published at St. Petersburg, in said Pinellas County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas County, Florida, each day and has been entered as second class mail matter at the post office in St. Petersburg, in said Pinellas County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he /she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



Signature of Affiant

Sworn to and subscribed before me
this 9th day of June A.D.2014



Signature of Notary Public

Personally known X or produced identification _____

Type of identification produced _____



JOSEPH F. FISH
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF118052
Expires 6/23/2018

**CITY OF MADEIRA BEACH, FLORIDA
LOCAL PLANNING AGENCY
AND
BOARD OF COMMISSIONERS
NOTICE OF PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN that the LOCAL PLANNING AGENCY (THE PLANNING COMMISSION) of the City of Madeira Beach will hold a PUBLIC HEARING on Ordinance 2014-05, Ordinance 2014-06, and Ordinance 2014-07 in Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida on MONDAY, June 23, 2014, at 7:00 p.m.

NOTICE IS HEREBY GIVEN, the Board of Commissioners of the City of Madeira Beach will conduct the first reading of Ordinance 2014-05, Ordinance 2014-06, and Ordinance 2014-07 at Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida on TUESDAY, July 8, 2014 at 6:00 p.m.

Upon the passage of Ordinance, NOTICE IS HEREBY GIVEN, the Board of Commissioners of the City of Madeira Beach will conduct the second and final reading of Ordinance 2014-05, Ordinance 2014-06, and Ordinance 2014-07 at Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida on a date to be determined. Notice of such hearing will be provided as prescribed by Florida Statutory requirements and the Madeira Beach Code of Ordinances.

The titles of said Ordinances are as follows:

ORDINANCE 2014-05

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE MADEIRA BEACH COMPREHENSIVE PLAN, SECTION 3.2, FUTURE LAND USE ELEMENT, POLICY 1.1.2; PROVIDING FOR AMENDMENT OF THE RESORT FACILITIES MEDIUM (RFM) PLAN CATEGORY; PROVIDING FOR AN ADDITIONAL LAND USE CATEGORY ENTITLED RESORT FACILITIES HIGH (RFH) PURSUANT TO THE SPECIFIC PROCEDURES AND STANDARDS AS SET FORTH HEREIN AND IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR THE AMENDMENT OF THE PLANNED REDEVELOPMENT-MIXED USE (PR-MU) PLAN CATEGORY TO ACCOMMODATE INCREASED DENSITY/INTENSITY FOR TEMPORARY LODGING USE CONSISTENT WITH AND CORRESPONDING TO REVISIONS AND UPDATE OF THE TOWN CENTER SPECIAL AREA PLAN; AND AMENDING SECTION 3.2 FUTURE LAND USE ELEMENT, GOAL 2, OBJECTIVE 2.1; POLICIES 2.1.2, 2.1.3 AND 2.1.4 PROVIDING SPECIFIC AUTHORIZATION FOR THE USE OF DENSITY/INTENSITY AVERAGING, THE PROCEDURES AND STANDARDS FOR WHICH SHALL BE AS SET FORTH IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

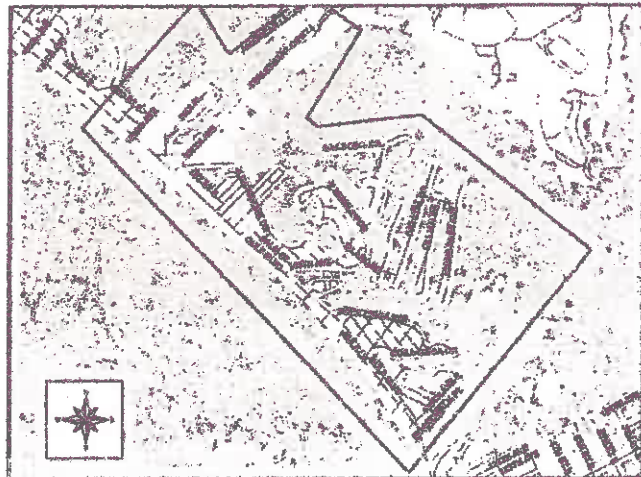
ORDINANCE 2014-06

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE MADEIRA BEACH CODE OR ORDINANCES, SUBPART B, LAND DEVELOPMENT REGULATIONS, BY AMENDING CHAPTER 82, GENERAL PROVISIONS, SEC. 82-2, DEFINITIONS TO PROVIDE FOR THE TERM "DENSITY/INTENSITY AVERAGING"; BY AMENDING CHAPTER 86, ADMINISTRATION, TO ESTABLISH A NEW ARTICLE V ENTITLED "DENSITY/INTENSITY AVERAGING" AND SETTING FORTH THE REQUISITE PROCEDURES AND STANDARDS THEREFOR; BY AMENDING CHAPTER 110, ZONING, ARTICLE V. DISTRICTS, DIVISION 1. GENERALLY, SECTION 110 - 151. ESTABLISHMENT OF DISTRICTS; PROVIDING FOR THE ADDITION OF THE PD, PLANNED DEVELOPMENT DISTRICT TO THE LIST OF ZONING DISTRICTS; AMENDING CHAPTER 110 ZONING, ARTICLE V. DISTRICTS, DIVISION 10. PD, PLANNED DEVELOPMENT, SECTION 110 - 386. PURPOSE, SECTION 110 - 387, USES PERMITTED, AND SECTION 110 - 388. APPLICATION FOR PD ZONING; PROVIDING FOR THE REQUIRED USE OF THE PD DISTRICT IN CONJUNCTION WITH THE RESORT FACILITIES HIGH PLAN CATEGORY, PROVIDING FOR TEMPORARY LODGING USE IN THE PD DISTRICT; PROVIDING FOR THE REQUIRED SUBMISSION OF A DEVELOPMENT PLAN IN CONJUNCTION AND SIMULTANEOUS WITH AN

APPLICATION FOR PD DISTRICT ZONING; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

ORDINANCE 2014-07

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, PROVIDING FOR AMENDMENT OF THE MADEIRA BEACH TOWN CENTER - SPECIAL AREA PLAN; PROVIDING FOR THE REVISION OF CHAPTER 2 - REGULATORY PLAN AND GUIDELINES WITH RESPECT TO THE DEVELOPMENT STANDARDS GOVERNING THE DENSITY/INTENSITY CALCULATIONS FOR TEMPORARY LODGING AND MIXED USES; PROVIDING FOR THE REVISION OF CHAPTER 3 - IMPLEMENTATION WITH RESPECT TO THE STRATEGIES TO PROMOTE REDEVELOPMENT; PROVIDING FOR THE REVISION OF APPENDIX B - INFRASTRUCTURE ANALYSIS TO UPDATE AND REVISE THE INFRASTRUCTURE IMPACTS CORRESPONDENT WITH CURRENT DATA AND THE PROPOSED REVISIONS TO CHAPTERS 2 AND 3 REFERENCED ABOVE; PROVIDING FOR TRANSMITTAL OF THE MADEIRA BEACH TOWN CENTER - SPECIAL AREA PLAN, AS AMENDED, FOR REVIEW PURSUANT TO THE COUNTYWIDE PLAN AND RULES; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.



Copies of the proposed Ordinances are available for inspection in the office of the City Clerk between the hours of 8 a.m. and 4:30 p.m. Monday through Friday.

All persons are hereby advised that any presentation they make to the Planning Commission or the Board of Commissioners will be encouraged to be as concise as possible and the Planning Commission and/or the Board of Commissioners may limit the time of each individual to permit maximum participation by the public at large. Any person who decides to appeal any decision of the Planning Commission or the Board of Commissioners with respect to any matter considered at these hearings will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based - per Florida Statute 286.0105

Almes Servedio, City Clerk
City of Madeira Beach

6/23/2014

172674-01

Tampa Bay Times
Published Daily

STATE OF FLORIDA) ss
COUNTY OF Pinellas County

Before the undersigned authority personally appeared Amy Robison who on oath says that he/she is Legal Clerk of the Tampa Bay Times a daily newspaper published at St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter RE: MADEIRA BEACH HEARIN was published on Tampa Bay Times: 10/24/14. in said newspaper in the issues of St Pete Times Beaches

Affiant further says the said Tampa Bay Times is a newspaper published in St. Petersburg, in said Pinellas County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas County, Florida, each day and has been entered as a second class mail matter at the post office in St. Petersburg, in said Pinellas County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further say that he/she neither paid not promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper

Amy Robison

Signature of Affiant

Sworn to and subscribed before me this 10/24/2014.

Joseph F. Fish

Signature of Notary Public

Personally known ☒ or produced identification

Type of identification produced _____



JOSEPH F. FISH
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF116052
Expires 6/23/2018

**CITY OF MADEIRA BEACH, FLORIDA
BOARD OF COMMISSIONERS
NOTICE OF PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN, the Board of Commissioners of the City of Madeira Beach will conduct Public Hearings and Second and Final Readings of Ordinance 2014-07, Ordinance 2014-08, and Ordinance 2014-09 at Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida on **WEDNESDAY, November 12, 2014 at 6:00 p.m.** The titles of said Ordinances are as follows:

ORDINANCE 2014-07

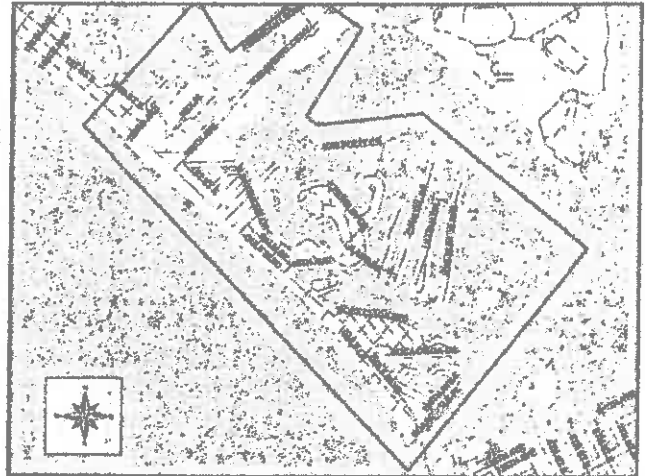
AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, PROVIDING FOR AMENDMENT OF THE MADEIRA BEACH TOWN CENTER - SPECIAL AREA PLAN; PROVIDING FOR THE REVISION OF CHAPTER 2 - REGULATORY PLAN AND GUIDELINES WITH RESPECT TO THE DEVELOPMENT STANDARDS GOVERNING THE DENSITY/INTENSITY CALCULATIONS FOR TEMPORARY LODGING AND MIXED USES; PROVIDING FOR THE REVISION OF CHAPTERS 2 AND 3 - IMPLEMENTATION WITH RESPECT TO THE STRATEGIES TO PROMOTE REDEVELOPMENT; PROVIDING FOR THE REVISION OF APPENDIX B - INFRASTRUCTURE ANALYSIS TO UPDATE AND REVISE THE INFRASTRUCTURE IMPACTS CORRESPONDENT WITH CURRENT DATA AND THE PROPOSED REVISIONS TO CHAPTER 2 REFERENCED ABOVE; PROVIDING FOR TRANSMITTAL OF THE MADEIRA BEACH TOWN CENTER - SPECIAL AREA PLAN, AS AMENDED, FOR REVIEW PURSUANT TO THE COUNTYWIDE PLAN AND RULES; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

ORDINANCE 2014-09

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE MADEIRA BEACH CODE OR ORDINANCES, SUBPART B, LAND DEVELOPMENT REGULATIONS, BY AMENDING CHAPTER 82, GENERAL PROVISIONS, SEC. 82-2. DEFINITIONS TO PROVIDE FOR THE TERM "DENSITY/INTENSITY AVERAGING"; BY AMENDING CHAPTER 88, ADMINISTRATION, TO ESTABLISH A NEW ARTICLE V ENTITLED "DENSITY/INTENSITY AVERAGING" AND SETTING FORTH THE REQUISITE PROCEDURES AND STANDARDS THEREFOR; BY AMENDING CHAPTER 110, ZONING, ARTICLE V. DISTRICTS, DIVISION 1. GENERALLY, SECTION 110 - 151. ESTABLISHMENT OF DISTRICTS; PROVIDING FOR THE ADDITION OF THE PD, PLANNED DEVELOPMENT DISTRICT TO THE LIST OF ZONING DISTRICTS; AMENDING CHAPTER 110 ZONING, ARTICLE V. DISTRICTS, DIVISION 10. PD, PLANNED DEVELOPMENT, SECTION 110 - 386. PURPOSE, SECTION 110 - 387, USES PERMITTED, AND SECTION 110 - 388. APPLICATION FOR PD ZONING; PROVIDING FOR THE REQUIRED USE OF THE PD DISTRICT IN CONJUNCTION WITH THE RESORT FACILITIES HIGH PLAN CATEGORY; PROVIDING FOR TEMPORARY LODGING USE IN THE PD DISTRICT; PROVIDING FOR THE REQUIRED SUBMISSION OF A DEVELOPMENT PLAN IN CONJUNCTION AND SIMULTANEOUS WITH AN APPLICATION FOR PD DISTRICT ZONING; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

ORDINANCE 2014-08

AN ORDINANCE OF CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE MADEIRA BEACH COMPREHENSIVE PLAN, SECTION 3.2, FUTURE LAND USE ELEMENT, POLICY 1.1.2; PROVIDING FOR AMENDMENT OF THE RESORT FACILITIES MEDIUM (RFM) PLAN CATEGORY; PROVIDING FOR AN ADDITIONAL LAND USE CATEGORY ENTITLED RESORT FACILITIES HIGH (RFH) PURSUANT TO THE SPECIFIC PROCEDURES AND STANDARDS AS SET FORTH HEREIN AND IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR THE AMENDMENT OF THE PLANNED REDEVELOPMENT-MIXED USE (PR-MU) PLAN CATEGORY TO ACCOMMODATE INCREASED DENSITY/INTENSITY FOR TEMPORARY LODGING USE CONSISTENT WITH AND CORRESPONDING TO REVISIONS AND UPDATE OF THE TOWN CENTER SPECIAL AREA PLAN; AND AMENDING SECTION 3.2 FUTURE LAND USE ELEMENT, GOAL 2, OBJECTIVE 2.1; POLICIES 2.1.2, 2.1.3 AND 2.1.4 PROVIDING SPECIFIC AUTHORIZATION FOR THE USE OF DENSITY/INTENSITY AVERAGING, THE PROCEDURES AND STANDARDS FOR WHICH SHALL BE AS SET FORTH IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.



Copies of the proposed Ordinances are available for inspection in the office of the City Clerk between the hours of 8 a.m. and 4:30 p.m. Monday through Friday.

All persons are hereby advised that any presentation they make to the the Board of Commissioners will be encouraged to be as concise as possible and the Board of Commissioners may limit the time of each individual to permit maximum participation by the public at large. Any person who decides to appeal any decision of the Board of Commissioners with respect to any matter considered at these hearings will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based - per Florida Statute 286.0105

Almea Servedio, City Clerk
City of Madeira Beach

10/24/2014

Development Agreement

DEVELOPMENT AGREEMENT

7 THIS AGREEMENT (the "Agreement") made and entered into this 6 day of March, 2016, by and between the CITY OF MADEIRA BEACH, a municipal corporation of the State of Florida (the "City"), and MADEIRA BEACH TOWN CENTER, LLC, a Florida limited liability company (the "Developer") (together the "Parties").

RECITALS

A. The Developer is the owner or contract purchaser and developer of those certain tracts of land located within the City of Madeira Beach, Pinellas County, Florida, hereinafter referred to as the "Property" and more particularly described in Exhibit "A" attached hereto and made a part hereof as if fully set forth herein.

B. The Property, approximately 6.6 acres located within the Madeira Beach Town Center Special Area Plan - Causeway and Commercial Core Districts, has a land use designation of Planned Redevelopment - Mixed Use ("PR-MU") and zoning district designation of Planned Development ("PD").

C. The Developer desires to develop the Property consistent with the concept plan attached hereto as Exhibit "B" ("Concept Plan") and made a part hereof as if fully set forth herein.

D. The Florida Local Government Development Agreement Act, Florida Statutes §§163.3220 - 163.3243, (the "Act"), authorizes local governments to enter into development agreements with developers to encourage a stronger commitment to comprehensive and capital facilities planning, to ensure the provision of adequate public facilities for development, to encourage the efficient use of resources, to reduce the economic cost of development and to provide certainty to developers in the approval of development and assurances that they may proceed in accordance with existing laws and policies, subject to the conditions of such development agreements.

E. Such development agreements strengthen the public planning process, encourage sound capital improvements planning and financing, assist in assuring there are adequate capital facilities for the development, encourage private participation and comprehensive planning and reduce the cost of development.

F. On June 14, 2016, the Board of Commissioners of the City of Madeira Beach rezoned the Property from Retail Commercial (C-3) to PD district pursuant to Ordinance No. 2016-01 and approved a related development agreement recorded at Official Record Book 19231, Pages 1276-1324 of the Public Records of Pinellas County. In response to concerns expressed by members of the community, the Developer desires to amend the zoning designation for the Property from PD to PD to facilitate development to those standards in effect in 2009 consistent with the Concept Plan. If the Board of Commissioners of the City of Madeira Beach approves the application for rezoning from PD to PD and approves this Agreement, the ordinance approving the application for rezoning from PD to PD and the approval of this Agreement (collectively, the "2017 Actions"), shall become effective 31 days after rendition of the ordinance, and shall supersede and replace Ordinance No. 2016-01 and the development agreement recorded at Official Record Book 19231, Pages 1276-1324 of the Public Records of Pinellas County (collectively, the "June 2016 Approvals") in their entirety, subject to the following: If any litigation challenging the effectiveness or validity of the 2017 Actions or either of them is timely filed, then the effectiveness of the 2017 Actions and the superseding and replacement of the June 2016

APPROVALS, shall be deferred until three (3) business days after final disposition of such litigation, including all appeals, if any. During the period the superseding and replacement of the June 2016 Approvals is deferred, the Developer shall have the right to (1) withdraw the applications for the 2017 Actions by giving the City written notice of such withdrawal, upon which notice, the 2017 Actions shall not become effective and shall be null and void and of no effect and the June 2016 Approvals shall remain in effect; or (2) elect to terminate the deferral of the 2017 Actions by giving the City written notice of such termination, upon which notice the 2017 Actions shall become effective and the June 2016 Approvals shall thereafter be superseded and replaced immediately. Any notice required herein shall be recorded in the Public Records of Pinellas County, Florida.

G. The Concept Plan shows a mixed-use development consisting of hotel, condominium, commercial/retail and marina uses (the "Project").

H. The Developer completed a concurrency evaluation for the Project and determined that public facilities and services are sufficient to serve the Project. Accordingly, upon approval and full execution of the Agreement, the Developer shall permit the water, wastewater and reclaimed water through Pinellas County; permit the stormwater water management system through the Southwest Florida Water Management District ("SWFWMD"); permit the solid waste, recreation and open space capacity through the City of Madeira Beach; fund the transportation improvements on 150th Avenue as required by and the Florida Department of Transportation ("FDOT"); and, fund the improvements on Madeira Way pursuant to the City's concurrency requirements.

I. The detailed transportation analysis provided by the Developer to the City demonstrates the Project will not lower the transportation levels of service.

J. Certain site access improvements that are not required to satisfy concurrency requirements but which are required to provide adequate access to the Project ("Off-Site Roadway Improvements"), generally described in Exhibit "C" attached hereto and made a part hereof as if fully set forth herein, shall be designed, funded and constructed by Developer pursuant to the terms and conditions of this Agreement and approval by the City.

K. The development rights of the Project are subject to the conditions of the development rights approval as set forth below.

L. The City has determined that the Concept Plan is consistent with the City's comprehensive plan, the Madeira Beach Town Center Special Area Plan, and land development regulations as provided for herein.

M. The City and Developer acknowledge and agree that Developer intends to redevelop and construct improvements on the Property in phases and that any portion of the Property separately permitted for development and construction (which may include multiple structures) shall be considered a "Phase" or "Phase of Development" herein. Moreover, the Parties understand the Developer's intent to cause each Phase of Development within the Property to be established as a separate parcel that is able to be conveyed to and owned and developed by a successor entity ("Designated Developer")¹ as a separate legal lot. Land restrictions that relate to the Agreement, including but not limited to cross parking easements, ingress/egress easements, and public access easements must be recorded in the public records. The required easements are:

¹ Any reference in this Agreement to Developer contemplates and includes the fee simple title owners of record of the Property, a Designated Developer, and their heirs, assigns or successors in title and interest.

(1) Public use vehicular access easement from 150th Avenue to Condominium A, Condominium B, the marina and the dock master building;

(2) Public use pedestrian access easement for 10' wide sidewalk in front of Condominium A, Condominium B, the marina and the dock master building;

(3) Public use pedestrian access easements (2) to access dock from 150th Avenue sidewalk;

(4) Public use pedestrian access easement through arcade;

(5) Public use easement over entire public plaza;

(6) Public use access easement for elevated pedestrian crosswalk on north end of parcel upon which Hotel B shall be constructed.

(7) Public use access easement for use of a ferry at marina.

N. The development rights attached hereto as Exhibit "D" and made a part hereof as if fully set forth herein are hereby approved pursuant to this Agreement on the Property and as more particularly shown on the Concept Plan ("Development Rights"). The Developer shall be allowed to substitute retail space for restaurant space and restaurant space for retail space as long as the combined uses do not exceed the total permitted area of 53,000 square feet and such uses comply with the City's minimum parking requirements. In addition, short term rentals are permitted within either of the proposed condominium buildings.

O. In consideration of (i) the City's finding that public facilities and services are sufficient to serve the Project and (ii) the Developer's commitment and obligation to complete the Off-Site Roadway Improvements, the Developer shall be entitled to apply for and obtain building permits and receive certificates of occupancy for development of the Project, including any and all Phases of Development, for the Development Rights more particularly described in Exhibit D.

P. The Development Rights set forth in this Agreement approval are subject to the following conditions:

(1) Approval of the related development agreement pertaining to the site development of the Property as described and depicted in the Concept Plan.

(2) Where necessary to accommodate proposed development, the Developer shall be responsible for the removal and/or relocation of any and all existing public utilities located on the Property or within a Phase of Development, including the granting of easements located outside the building footprint as may be required. This is regardless of whether the public utilities are known at the time of site plan approval or discovered subsequent to such approval. Any required relocation will be subject to approval from the City's Public Works Department.

(3) All construction associated with the Project shall be subject to the requirements of the Florida Building Code, Madeira Beach's land development regulations, the Florida Fire Prevention Code, all other technical codes adopted by the City of Madeira Beach, and FEMA in existence at the time of building permit approval.

- (4) All on-site construction activities related to erosion control shall be applied as required by the National Pollution Discharge Elimination System, SWFWMD and the Madeira Beach Code of Ordinances.
- (5) Proof of SWFWMD Environmental Resource permit approval or exemption of the drainage requirements is required prior to a Certificate of Occupancy being issued for the first Phase of Development.
- (6) Proof of FDOT Access/Driveway permit approval for the ingress and egress to 150th Avenue (Tom Stuart Causeway - S.R. 666) is required prior to a Certificate of Occupancy being issued for the Phase of Development benefitted by such permit approval.
- (7) Proof of FDOT Drainage Connection permits required prior to a Certificate of Occupancy being issued for the Phase of Development benefitted by such permit approval.
- (8) Final approval of the City's consulting engineer of the civil and utility site plan and construction plans prior to building permits being issued for the respective Phase of Development.
- (9) Final approval of the City's Public Works Department of the plans for solid waste collection prior to building permits being issued for the respective Phase of Development.
- (10) Final approval of the Fire Chief of the site plan as it relates to fire code issues prior to building permits being issued for the respective Phase of Development.
- (11) Final approval of the Community Services Department and the City's consulting civil engineer for the site's compliance with the site plan requirements of Article II of Chapter 110 of the Land Development Code, including but not limited to Section 110.71, for the respective Phase of Development prior to issuance of a Certificate of Occupancy.
- (12) Receipt by the City, after diligent effort by the City, of the necessary permits for the construction of the Off-Site Roadway Improvements.
- (13) Final approval of the parking count which shall be dependent upon the mix of uses but no less than that which is required by the Code's minimum standards, including parking associated with the existing and proposed boat slips.
- (14) Final approval of a phasing plan by the Community Development Department. Notwithstanding, the Developer has sole discretion to modify the approved phasing plan including, but not limited to, the order of development. Such modification of the phasing plan shall not be considered an amendment to this Agreement.
- (15) The Developer may increase the number of boat slips from that which is shown on the Concept Plan so long as proper permits are secured from the county and

State, as applicable, and parking allocated to the Marina complies with the Code's minimum standards.

(16) The Developer shall be responsible for the construction of the Off-Site Roadway Improvements, prior to a Certificate of Occupancy being issued as more specifically set forth in Exhibit "E" for the Phase of Development benefitted by such Off-Site Roadway Improvements.

(17) The Developer may subdivide the Property, as it deems appropriate, consistent with the following:

(a) The proposed Project is contemplated to include multiple components including, without limitation, hotel, residential, condominium, retail, restaurant, marina, parking, and associated and ancillary uses. The Property currently consists of twenty-one (21) separate lots of record. In order to facilitate the overall development of the Property, Developer may find it appropriate to pursue lot line adjustments without re-platting pursuant to Section 86-26, City of Madeira Beach Land Development Code. Similarly, Developer may find it appropriate to pursue the division of single lots of record into two separate lots, either in connection with or separate from, Developer's lot line adjustment applications. The sale of one or more lots of record to third parties is expressly permitted under this Agreement; provided, however, for so long as this Agreement remains in effect, the Property may only be developed in accordance with this Development Agreement.

(b) As set forth in Recital [M] above, Developer anticipates the involvement of the Designated Developer, and thus, in connection with the development of the Project, and to facilitate the orderly development of the Property by one or more separate owners, Developer may find it appropriate to utilize one or more property regimes to implement the development plans, to provide for ownership of the project components, and to provide for the continued cooperative operation and maintenance of the Project. It is presently anticipated that the Project will be developed utilizing a master set of covenants, conditions, easements, and restrictions applicable to the entirety of the Property, or to separate portions of the Property, with a separate declaration of condominium utilized for the creation of each of the separate components intended to be declared to condominium ownership; provided, however, nothing in this Agreement shall preclude Developer from utilizing a master condominium, land condominium, homeowners association, or other structures to create and provide for the ownership, operation, and maintenance of the overall Project and the separate Project components.

FOR AND IN CONSIDERATION of the mutual promises made and agreed to be kept hereunder and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and in consideration of the approval of certain uses by the City and conditioned on the performance in all respects of this Agreement by each of the parties, it is hereby agreed between the parties as follows:

THE AGREEMENT BETWEEN THE PARTIES

1.0 Recitals. The foregoing recitals are true and correct and are incorporated herein by reference. All exhibits to this Agreement are incorporated by reference and deemed to be part hereof.

2.0 Authority. This Agreement is authorized by the Act and Sections 86-141 through 86-149 of the Code of Ordinances of the City of Madeira Beach.

3.0 Effective Date. This Agreement shall be effective as of the day after it is fully executed and recorded in the Public Records of Pinellas County ("Effective Date").

3.1 In the event that this Agreement is subject to termination pursuant to Paragraph 4 below or otherwise provided in the Agreement, either party may record an affidavit signed by all parties hereto or their respective successors and assigns in the Public Records of Pinellas County, Florida reflecting that such termination has occurred and that this Agreement is thereby terminated and by such affidavit, notice that the termination provisions of this Agreement have occurred. The party recording such affidavit shall send a copy of the recorded affidavit to the other party and this Agreement shall be terminated and shall be deemed void and of no further force and effect. In the event that the Developer's fee simple title is encumbered by any mortgages, liens or other rights of third persons which are not subordinated to the terms, conditions, covenants and restrictions set forth in this Agreement, said third party encumbrances shall be of no force and effect as to the provisions of this Agreement.

3.2 This Agreement shall be superior to any mortgages, liens or other rights of third Persons. Any mortgages or liens or encumbrances on the Property created contemporaneously or after the Effective Date of this Agreement shall be subject to and subordinate to the terms of this Agreement.

3.3 In the event that this Agreement is not executed by the Developer on or before 5:00p.m., on February 28, 2017, this Agreement shall be null and void and of no further force and effect and any development permissions granted pursuant hereto shall no longer be valid.

4.0 Duration of Agreement.

4.1 Commencement Date. If there is not an appeal or legal proceeding challenging this Agreement or challenging the other matters affecting the purpose, intent, or the rights of the Developer or the City to develop the Property as contemplated hereby, the Commencement Date shall be the Effective Date ("Commencement Date"). In the event that there is an appeal or legal proceeding challenging this Agreement or challenging the other matters affecting the purpose, intent, or the rights of the Developer or the City to develop the Property as contemplated hereby, the Commencement Date of this Agreement shall be extended and shall commence upon the final disposition of such litigation, including all appeals and upon all rights of appeal having expired. In the event that a Court decision materially changes any aspect of this Agreement or has made the performance of a portion of this Agreement impossible or unacceptable to one of the parties, either party may choose to terminate this Agreement within thirty (30) days of the rendering of such ruling, by providing written notice to the other party and the parties shall assist each other in returning each party to the positions and legal status that it enjoyed immediately prior to the date of the entry into this Agreement; or, alternatively, the parties shall work together to restore the material benefit if such is reasonably possible.

4.2 Termination. This Agreement shall terminate upon the earlier of the following dates: (i) as permitted by Paragraph 4.1 herein; (ii) the date on which all phases of construction of the Project are complete and issuance of a valid Certificate of Occupancy for the final Phase of Development; or (iii) fifteen (15) years from the Commencement Date. So long as there is active construction activity on the Property consistent with this Agreement, the Agreement shall be deemed effective. This time period may be extended by mutual agreement of the parties. The recordation of a valid and final Certificate of Occupancy by any party hereto or their successor in interest shall be conclusive evidence of the termination of this Agreement.

4.3 Notwithstanding anything in the Code to the contrary, the Parties agree that the Developer shall have three (3) years from the Commencement Date of the Agreement to file an application for building permit for any Phase of Development, subject to receipt of written confirmation that the City has the proper state and federal permits for the construction of the Off-Site Roadway Improvements. The City shall apply for such Off-Site Roadway Improvement permits related to the first phase of development within 90 days of receipt of notice from Developer to initiate the application process.

5.0 Third Party Rights. The Parties represent, to their respective best knowledge, that nothing herein is barred or prohibited by any other contractual agreement to which it is a party, or by any Statute or rule of any governmental agency, or any third party's rights or by the rights of contract vendees, lien holders, mortgage holders or any other party with a direct or contingent interest in the Property, whether legal or equitable. Any lienholder or mortgagee shall have the right to perform any term, covenant or condition and to remedy any default hereunder, and City shall accept such performance with the same force and effect as if furnished by Developer.

6.0 Law and Ordinance Compliance. Ordinances, policies, or procedures adopted after the Effective Date of this Agreement shall not apply to the Project except in accordance with the provisions of Section 163.3233(2), Florida Statutes (2012). Notwithstanding the foregoing, the City shall have the absolute discretion to amend and/or adopt life safety codes such as but not limited to fire codes, that may conflict with the provisions herein or may impose additional burdens on the Developer as is otherwise authorized by State Statutes or the regulations of governmental administrative agencies, provided that such life safety codes retroactively apply to all development similar to the Project in the City. The Parties agree that such codes may be adopted without any special notice to the Developer and that the Developer shall not be entitled to any special hearing relative to the adoption of such codes. Failure of this Agreement to address a particular permit, condition, term, restriction, or to require a development permission shall not relieve the Developer of the necessity of complying with the law governing said permitting requirements, conditions, terms or restrictions in any matter or thing required under existing Ordinances of the City or regulations of any other governmental agency, or any other entity having legal authority over the Property. Except as provided in this Agreement, all applicable impact fees, development review fees, building permit fees and all other fees of any type or kind shall be paid by Developer in accordance with their terms and in such amount applicable as they become due and payable.

7.0 No Estoppel. The Parties agree that prior to the approval of this Agreement by the City Commission, the City's interest in entering into this Agreement, the studies, surveys, environmental studies, consultant plans or investigations, the expenditure of substantial funds, the staff approval or recommendation relative to the proposed development and any other act in furtherance of this Agreement, shall not be used by the Developer or its successors in title in any way whatsoever as committing the City legally through a theory of equitable estoppel, action in reliance, or any other legal theory as to the approval of such proposed development in the event that this Agreement is not approved by the City Commission or for any other reason does not take effect in all material respects. The Parties

further agree that any and all action by the Developer or its representatives in negotiation of this Agreement, including all acts or expenditures in the implementation of this Agreement or submittals to other governmental bodies shall in no way be deemed to be an action in reliance giving rise to an equitable estoppel.

8.0 No Partnership or Joint Venture. The City and Developer agree that the matters contained in this Agreement shall under no circumstances constitute a joint venture, partnership or agency between them. No third party shall be deemed to have any beneficial interest in this Agreement or any expectation of benefit or property rights or any other rights of any kind arising from this Agreement.

9.0 Concept Plan. In order to avoid any adverse impacts from the development of the Property on the abutting property owners and on the residents of the City of Madeira Beach, the Parties agree that the Property will be developed in substantial conformance with the Concept Plan as such Concept Plan may be modified by the requirements of other state and county governmental agencies having jurisdiction over the development of the Property. The use of the Property after development is the reason that the City Commission exercised its legislative authority and entered into this Agreement. Except as may be authorized by the Parties hereto, any substantial deviation from the commitments made by the Parties herein shall be considered material defaults in this Agreement unless otherwise approved by the City or contemplated herein. The City of Madeira Beach shall not consent to any substantial modification unless it deems that such is in the best interest of the public and in its discretion in reaching such decision it shall be deemed to be acting in a legislative capacity and within its sole and absolute discretion taking into account the public health, safety and welfare. The following specific requirements shall also be met:

9.1 The Property shall be developed and landscaped in accordance with the Concept Plan, however, the landscaping details shall be determined during the permitting process for each phase of Development. With the exception of the landscaping located within the public access area described as "Madeira Plaza" in Exhibit "B", the landscaping within the Property shall be maintained by the Developer. The City shall maintain the landscaping within the public access area described as "Madeira Plaza" in Exhibit "B". The purpose of landscaping and the continued development and care of the landscaping on the Property is, in part, for the benefit of the abutting property owners and to screen light, noise and other possible negative aspects of the development. Such landscaping shall be provided prior to a certificate of occupancy being issued for the respective Phase of Development and, with the exception of the landscaping located within the public access area described as "Madeira Plaza", will be maintained in good and healthy conditions at all times by the Developer.

9.2 With the exception of minor modifications allowed pursuant to Section 110-396 of the Code, there shall not be any substantial deviation from the provisions of the Concept Plan unless such is approved by the City Commission of the City of Madeira Beach at a public hearing conducted for such purpose and this Agreement is modified in writing by the Parties thereto for the purpose of agreeing to such deviation.

9.3 Ingress and egress to the Property shall be as shown on the Concept Plan.

9.4 Uses, building heights, setbacks and location will be as shown on the Concept Plan. The architectural style reflected in the Concept Plan is conceptual in nature and may be modified by the Developer pursuant to the design standards in Section 110-393 of the Code.

9.5 This Agreement and the Concept Plan attached hereto specify certain minimum setbacks, building heights, sign sizes and similar dimensional requirements and agreements. No

substantial changes may be made in these agreed upon dimensional requirements except by an amendment to this Agreement which revised amendment is legislatively considered by the City Commission and agreed to by the City Commission, set forth in writing as an amendment to this Agreement and executed by the parties hereto or their successors or assigns. The Developer specifically waives and relinquishes any right to change the terms of this Agreement through any administrative or legal process, including a decision by a court of competent jurisdiction, unless agreed to by the Parties. Notwithstanding the foregoing, minor modifications to the dimensional requirements, increases in the number of permitted boat slips, and, reductions in height, density or intensity that do not exceed 40% of the permitted dimensional requirements are not contrary to the purpose and intent of this Agreement and may be included in the final site plan process without an amendment hereto so long as the minimum parking requirement is maintained. If the Developer reduces the number of hotel rooms that would otherwise be located on one floor, such reduction shall not require a reduction in the total number of floors within the structure as long as the floor being replaced provides public parking spaces within the garage.

9.6 Marina. Marina and boat slips shown on the Concept Plan may be modified as required by the state and federal permitting agencies without amendment hereto so long as the minimum parking requirement is met as defined in the City of Madeira Beach Code of Ordinances. The permitted uses and parking allocation for the Marina are as noted in Exhibit D. The Marina will not provide gas or fuel for owners of boats or other recreational facilities using the Marina. The Marina is subject of a Submerged Land Lease between the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, as Lessor, and W. Barry Loft, as Trustee of the 919 Land Trust Created U/A dated December 31, 1996, as Lessee ("Lease"). The Lease, dated March 1, 2011, and for a 10 year term, permits 43 wet slips with at least 90% of same required to be available for rent to the general public. The Developer reserves the right, subject to permits being approved by the State of Florida, to change the size and/or location of the submerged land subject to the Lease, and the use restrictions of the wet slips, as long as at least one-half of the current number of wet slips remains available for rent to the public.

9.7 Phasing Plan. The Parties acknowledge and agree that Developer intends to redevelop and construct improvements on the Property in phases. The Property may be developed in five (5) separate phases in accordance with Exhibit "E". Developer shall file an application for building permit for the first phase of development within three (3) years of the Commencement Date and shall thereafter file an application for building permit for each subsequent phase of development within three (3) years of the immediately preceding phase of development. The Developer has sole and absolute discretion to determine the order of such phased development. As set forth in Recital [M] above, the Parties understand the Developer's intent to cause each Phase of Development within the Property to be established as a separate parcel that is able to be conveyed to and owned and developed by a Designated Developer as a separate legal lot. Each phase of development shall be subject to final site plan approval and shall comply with the City's minimum parking requirements for the uses included within each such phase of development. The Developer shall construct that portion of the Off-Site Roadway Improvements which benefit the respective Phase of Development in accordance with Exhibit "E". Unless the first Phase of Development includes either of the proposed hotels, the Developer shall not be obligated to complete all of the Off-Site Roadway Improvements prior to or in conjunction with the first Phase of Development. Nothing in this Agreement shall obligate Developer to complete construction of a phase of development prior to filing an application for building permit for the next phase of development. Developer may file applications for building permit for more than one (1) phase of development at any time.

9.8 Off-Site Roadway Improvements. Certain site access improvements that are not required to satisfy transportation concurrency requirements but which are required to provide adequate access to the Project, as generally described in Exhibit "C" shall be designed, funded and constructed by Developer pursuant to the terms and conditions of this Agreement. The City shall be

responsible for permitting the roadway improvements located upon, within or across 150th Avenue and located upon, within or across Madeira Way. The City shall also be responsible for obtaining the permit from FDOT for the elevated pedestrian crosswalk located above and across Gulf Boulevard. Upon completion, the Developer shall convey the elevated pedestrian crosswalk to the City. Upon conveyance to the City, the Developer shall cause to be recorded an easement in favor of the public for that portion of the elevated pedestrian crosswalk located upon or within Developer's property. Any and all improvements required by the FDOT not otherwise described in Exhibit "C" shall not constitute an amendment to the Agreement subject to review and approval by the City Commission.

9.9 Public Access. The Concept Plan proposes areas within the Project that shall be accessible by the public as generally depicted in Exhibit "F" attached hereto and made a part hereof as if fully set forth herein. The Developer shall fund, design, permit and maintain such public access areas. Prior to completion of the phase of development upon which such public access areas are located, the Developer shall cause to be recorded an access easement in favor of the public.

9.10 Design Standard. The pedestrian sidewalk, landscaping and hardscape features shall be consistent with the Concept Plan the details of which shall be determined during the permitting process for each phase of development.

9.11 Additional Off-Site Improvements. The Developer, in coordination with the City, shall diligently pursue the following action items to enhance access to the Project and to other residential communities with access along 150th Avenue. Such action items are not required to satisfy transportation concurrency requirements nor is approval of this Agreement contingent upon approval of any such action items by the FDOT. It is understood that each such action item shall be done in coordination with the developer of the project commonly referred to as "Holiday Isle Marina" and the cost associated with each such action item shall be addressed by the respective developers by separate instrument.

(a) Developer and City shall coordinate efforts to lobby FDOT, and any other agency with regulatory authority over same, to modify the opening schedule for the Bridge on Tom Stuart Causeway to no more than twice per hour preferably at :15 and :45 past the hour.

(b) Developer and City shall coordinate efforts to lobby FDOT to prohibit any right turns from Gulf Boulevard to 150th Avenue while the traffic signal is red.

(c) Developer and City shall coordinate efforts to lobby FDOT to allow a traffic signal to be installed at Madeira Cove and 150th Avenue.

(d) Upon completion of each phase of development which requires the completion of Off-Site Roadway Improvements in accordance with Exhibit "F", Developer will retain an independent transportation engineer to complete a Traffic Signal Warrant Analysis ("Analysis") to commence in February and conclude at the end of July. If the Analysis warrants a traffic signal as established by the Manual on Uniform Traffic Control Devices (MUTCD), the Developer and City shall immediately file a signed/sealed Traffic Signal Warrant Analysis with FDOT and apply for any required FDOT permits for the design and installation of a traffic signal at Madeira Cove and 150th Avenue. The obligation to complete an Analysis hereunder shall not extend more than five years from execution of the Agreement. In the event a traffic signal is warranted, Developer shall design, fund and construct a traffic signal at Madeira Cove and 150th

Avenue. The obligation hereunder is limited to the design, funding and construction of a traffic signal at Madeira Cove and 150th Avenue and shall not extend to or require any other improvements not otherwise required in this Agreement.

10.0 Public Infrastructure. The Developer, or its successor in title, as appropriate, at its sole cost, shall design, construct and maintain, until acceptance by the City and conveyance by recordable instrument or bill of sale, as appropriate, to the City, all public infrastructure facilities and lands necessary to serve the Project which are shown on the Concept Plan, provided that said public infrastructure facilities have received construction plan approval and that all applicable review procedures have been complied with fully, inspected and accepted by the City. Public infrastructure facilities shall include those facilities to be located in rights-of-way or easement areas conveyed to the City, as shown on the approved engineering construction drawings.

10.1 Public infrastructure facilities necessary to service and that benefit a Phase of Development, in accordance with Exhibit E, shall be complete, and approved for acceptance by the City and/or the governmental agency having authority, prior to the issuance of a certificate of occupancy for the respective Phase of Development. Alternatively, the Developer, or Designated Developer, shall provide the appropriate letter of credit in a form satisfactory to the City Attorney, drawable on or through a local Pinellas County bank. Said letter of credit shall be deposited with the City to guarantee the completion of public infrastructure facilities prior to the time that certificates of occupancy are issued for the respective Phase of Development in accordance with Exhibit E and public access and facilities to serve the proposed structures are available in accordance with City regulations.

11.0 Public Facilities. The City shall cause to be provided to the boundary of the Property the following available City owned and operated facilities, to wit: infrastructure and services for fire protection, potable water and sanitary sewer to meet domestic and fire flow levels of service as required for the Project by City and other applicable regulations.

12.0 Permits. Development permits, which may need to be approved and issued, include, but are not limited to the following:

- 12.1 City of Madeira Beach building permits.
- 12.2 Southwest Florida Water Management District surface water management permit.
- 12.3 Pinellas County Utility Permit.
- 12.4 Florida Department of Transportation.
- 12.5 All other approvals or permits as required by existing governmental regulations as they now exist.

Except as set forth in this Agreement, all development permits required to be obtained by the Developer for the Project will be obtained at the sole cost of the Developer and in the event that any required development permissions issued by entities other than the City are not received, no further development of the Property shall be allowed until such time as the City and the Developer have reviewed the matter and determined whether to modify or terminate this Agreement. Permits for the Off-Site Roadway Improvements shall be obtained by the City with diligent effort; however, any permitting and design costs associated with those improvements shall be the sole cost of the Developer.

13.0 Impact fees. The City has estimated the impact fees that the Developer shall pay to the City as follows, subject to credits issued for prior development of property:

Hotel A (148 hotel units)	\$ 237,392.00
Hotel A (Restaurant/3000 sq ft)	\$ 24,615.00
Hotel A (Retail/2000 sq ft)	\$ 6,792.00
Hotel B (168 hotel units)	\$ 269,472.00
Hotel B (Restaurant/12,000 sq ft)	\$ 98,460.00
Hotel B (Retail/28,000 sq ft)	\$ 95,088.00
Hotel B (10 Condos)	\$ 12,480.00
Marina (43 slips)	\$ 35,002.00
Marina (Restaurant/1000 sq ft)	\$ 7,942.00
Marina (Retail/7000 sq ft)	\$ 23,772.00
Condo A (36 units)	\$ 44,928.00
Condo B (44 units)	\$ 54,912.00

Rough estimate of charges = \$910,855.00

In consideration for the mutual benefits provided by the design and construction of the Off-Site Roadway Improvements, specifically the improvements to 150th Avenue, Gulf Boulevard and Madeira Way as shown on the Concept Plan, and the elevated pedestrian crosswalk over Gulf Boulevard as shown subject to FDOT approval and final engineering, the City shall contribute 100% from its share of the total collected Transportation Impact fees for the construction of the Off-site Roadway Improvements ("City's Contribution"). In the event the Off-site Roadway Improvements are not paid in full by the City's share, the City will seek additional funding from alternative sources of funding and shall diligently work to secure the additional funding from Pinellas County's share of the transportation impact fee, or some other source. The Developer shall be responsible for all costs associated with the permitting and construction of the Off-Site Roadway Improvements that exceed the City's Contribution.

14.0 Recycling. The Developer and its successors-in-title will cooperate with City to encourage and promote recycling activities within the Project and such commitment will be reflected in a covenant running with the Project lands.

15.0 Annual Review. The City shall review the Project once every twelve (12) calendar months from the Commencement Date.

16.0 Recordation. Not later than fourteen (14) days after the execution of this Agreement, the City shall record this Agreement with the Clerk of the Circuit Court in Pinellas County, Florida, and a copy of the recorded Agreement shall be submitted to the Florida Department of Economic Opportunity within fourteen (14) days after the Agreement is recorded. The burdens of this Agreement shall be binding upon, and the benefits of the Agreement shall inure to, all successors and assigns in interest to the parties to this Agreement. As set forth in Recital [M] above, the Developer anticipates the involvement of a Designated Developer, and thus, any and all Designated Developer(s) are intended to be included in this provision.

17.0 Agreement as Covenant. This Agreement shall constitute a covenant running with the Property for the duration hereof and shall be binding upon the Developer and upon all persons deriving title by, through or under said Developer and upon its successors and assigns in title. The agreements contained herein shall benefit and limit all present and future owners of the Property, and the

City for the term hereof. As set forth in Recital [M] above, the Developer anticipates the involvement of a Designated Developer, and thus, any and all Designated Developer(s) are intended to be included in this provision.

18.0 Legislative Act. This Agreement is agreed to be a legislative act of the City in furtherance of its powers to regulate land use and development within its boundaries and, as such, shall be superior to the rights of existing mortgagees, lien holders or other persons with a legal or equitable interest in the Property and this Agreement and the obligations and responsibilities arising hereunder as to the Developer shall be superior to the rights of said mortgagees or lien holders and shall not be subject to foreclosure under the terms of mortgages or liens entered into or recorded prior to the execution and recordation of this Agreement. The execution of this Agreement or the consent to this Agreement by any existing mortgage holder, lien holder or other persons having an encumbrance on the Property shall be deemed to be in agreement with the matters set forth in this paragraph.

19.0 Entire Agreement. This Agreement constitutes the entire agreement and understanding between the parties and no modification hereof shall be made except by written agreement executed with the same formality as this Agreement. The parties agree that there are no outstanding agreements of any kind other than are reflected herein and, except as is otherwise specifically provided herein, for the term of the Agreement the Property shall be subject to the laws, ordinances and regulations of the City of Madeira Beach as they exist as of the date of this Agreement. Any oral agreements, agreements created by written correspondence or any other matters previously discussed or agreed upon between the parties are merged herein.

20.0 Enforcement. The parties agree that either party may seek legal and equitable remedies for the enforcement of this Agreement, provided however that neither the City nor the Developer may seek or be entitled to any monetary damages from each other as a result of any breach or default of this Agreement. In any litigation arising out of this Agreement, the prevailing party shall be entitled to recover its costs and attorney's fees at mediation, trial and through any appellate proceedings.

20.1 Except as provided above, the Parties agree that any legislative and quasi-judicial decisions, if any are required, by the City regarding the appropriate land use or other development regulations impacting the Property shall, in no event or under any conditions, give rise to a claim for monetary damages or attorney fees against the City and any claim for such damages or fees by the Developer or its successors or assigns are specifically waived.

21.0 Execution. The Developer represents and warrants that this Agreement has been executed by all persons having equitable title in the subject Property. The City represents that the officials executing this Agreement on behalf of the City have the legal authority to do so, that this Agreement has been approved in accordance with the ordinances and Charter of the City and applicable State law, that appropriate approval of this Agreement has been received in a public hearing and that the City Commission of the City of Madeira Beach has authorized the execution of this Agreement by the appropriate City officials.

22.0 Severability. In the event that any of the covenants, agreements, terms, or provisions contained in this Agreement shall be found invalid, illegal, or unenforceable in any respect by a court of competent jurisdiction, the validity of the remaining covenants, agreements, terms, or provisions contained herein shall be in no way affected, prejudiced, or disturbed thereby.

23.0 Estoppel Certificates. Within twenty (20) days after request in writing by either party or any lender, the other party will furnish a written statement in form and substance reasonably

acceptable to the requesting party, duly acknowledging the fact that (a) this Development Agreement is in full force and effect, (b) there are no uncured defaults hereunder by City or Developer, if that be the case, and (c) additional information concerning such other matters as reasonably requested. In the event that either party shall fail to deliver such estoppel certificate within such twenty (20) day period, the requesting party shall forward such request directly to the City Manager and the City Attorney or to the Developer with copies to the Developer's general counsel by certified mail, return receipt requested or by Federal Express or other delivery service in which delivery must be signed for. In the case where the Developer is the requesting party, the Developer may in its sole discretion but without obligation, appear at a public meeting and request the estoppel certificate to insure that the City Manager and staff are aware of the request and the Developer may rely on the statement of the City Manager at such public meeting or may request that the City Manager be directed by the City Commission to respond to the estoppel certificate request in a timely manner.

24.0 Venue. Venue for the enforcement of this Agreement shall be exclusively in Pinellas County, Florida.

25.0 Default. Upon default or breach of any substantive portion of this Agreement by any party, the non-defaulting party shall provide written notice via overnight, traceable delivery service of the default and opportunity to cure within sixty (60) days to the defaulting party. Upon the failure of the Developer to cure such defaults, the City shall provide notice via overnight traceable delivery service to Developer of its intent to terminate this Agreement on a date not less than sixty (60) days from the date of such notice and upon the expiration of such period, the City, unless ordered otherwise by a court of competent jurisdiction, may revoke the then existing development permits issued by it and the Developer shall have no claim for damages against the City arising from such revocation. Alternatively, the City may proceed in court to obtain any legal or equitable remedies available to it to enforce the terms of this Agreement. In the event of any default or breach of any substantive portion of this Agreement by the City, the Developer may: (i) give written notice via overnight traceable delivery service to the City of said default with an opportunity to cure within sixty (60) days of receipt of such notice. In the event City fails to cure within said time period, the Developer may thereafter proceed in a court of competent jurisdiction to institute proceedings for specific performance or to obtain any other legal or equitable remedy to cure the default of this Agreement by the City. In any litigation arising hereunder, the prevailing party shall be entitled to recover its costs and attorney's fees at mediation, trial and through any appellate proceedings.

26.0 Notices. All notices and other communications required or permitted to be given hereunder shall be in writing and shall be mailed by certified or registered mail, postage prepaid or by Federal Express, Air Borne Express or similar overnight delivery services, addressed as follows:

To the Developer:
Madeira Beach Town Center, LLC
286 107th Avenue, Suite 300
Treasure Island, FL 33706
Attn: Kevin R. Bowden, Manager

With copies to:
C. Scott Brainard, Esq.
William Karns Enterprises, Inc.
286 107th Avenue, Suite 300
Treasure Island, FL 33706

To the City:
Shane Crawford, City manager
City of Madeira Beach
300 Municipal Drive
Madeira Beach, FL 34698

With copies to:
Thomas J. Trask, Esq.
City Attorney
Trask Daigneault, LLP
1001 S. Ft. Harrison Ave., Suite 201
Clearwater, FL 33756

Notice shall be deemed to have given upon receipt or refusal.

27.0 Binding Effect. The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors and assigns in interest to the parties of this Agreement. As set forth in Recital [M] above, Developer anticipates the involvement of a Designated Developer, and thus, any and all Designated Developer(s) are intended to be included in this provision.

28.0 Third Party Beneficiaries. There are no third party beneficiaries to this Agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and their respective seals affixed as of this 28th day of February, 2017.

In the Presence of:

MADEIRA BEACH TOWN CENTER, LLC, a
Florida limited liability company

[Signature]
Print Name JERRY SANCHEZ
[Signature]
Print Name Cindy Parran

By: [Signature]
Kevin R. Bowden, Manager

STATE OF FLORIDA
COUNTY OF PINELLAS

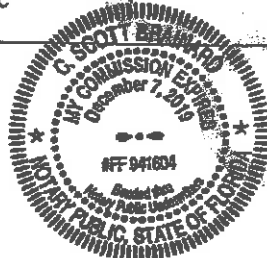
The foregoing instrument was acknowledged before me this 28th day of February, 2017 by Kevin R. Bowden, as Manager of Madeira Beach Town Center, LLC, a Florida limited liability company, on behalf of the company, who is personally known to me or who has produced _____ as identification.

My Commission Expires:

(NOTARY SEAL)

[Signature]
Notary Public

Print Name: _____



CITY OF MADEIRA BEACH

By: [Signature]
Shane Crawford
City Manager

Attest:

[Signature]
Aimee Servadio, City Clerk
Cecily McGraw
Countersigned:

[Signature]
Travis Palladeno, Mayor

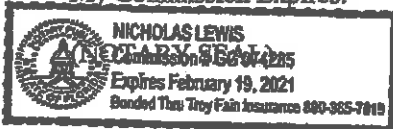
Approved as to Form:

[Signature]
Thomas J. Trask, Esq.
City Attorney

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 06 day of March, 2017 by Travis Palladeno, as Mayor of the City of Madeira Beach, Florida, who is personally known to me or who has produced _____ as identification.

My Commission Expires:



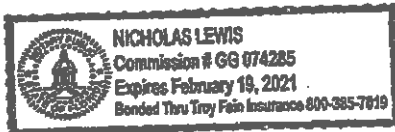
[Signature]
Notary Public
Print Name: Nicholas Lewis

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 06 day of March, 2017 by Shane Crawford as City Manager of the City of Madeira Beach, who is personally known to me or who has produced _____ as identification.

My Commission Expires:

(NOTARY SEAL)



[Signature]
Notary Public
Print Name: Nicholas Lewis

EXHIBIT A

LIST OF PROPERTY OWNERS AND PARCEL NUMBERS

1. Madeira Beach Town Center, LLC
286 - 107th Avenue, Suite 300
Treasure Island, FL 33706

Parcel Numbers:

09-31-15-54180-000-0020
09-31-15-00000-130-1600
09-31-15-00000-130-1500
09-31-15-00000-130-1700
09-31-15-00000-130-1800
09-31-15-00000-130-1900
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09-31-15-00000-140-0700
09-31-15-00000-140-0600
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09-31-15-00000-130-1000
09-31-15-00000-130-1100
09-31-15-54180-000-0013
09-31-15-54180-000-0010
09-31-15-00000-130-1200
09-31-15-00000-420-0100
09-31-15-54180-000-0012

2. Madeira Commons, Inc.
c/o Ross Realty
4401 West Kennedy Blvd., Suite 100
Tampa, FL 33609
Parcel Number: 09-31-15-00000-420-0200

MADEIRA BEACH TOWN CENTER, LLC

Legal Description of the Land

PARCEL 1A:

From the point of intersection of the South line of Government Lot 1, Section 9, Township 31 South, Range 15 East, Pinellas County, Florida (as established by Agreement recorded in Deed Book 662, Page 41, of the public records of said County), with the centerline of State Road No. 233, said road also being locally known as Welch Causeway or 150th Avenue, as a point of reference, thence South 88°04'07" West, along the South line of said Government Lot 1, a distance of 55.93 feet to an intersection with a Northwesterly right-of-way line of said Welch Causeway and the POINT OF BEGINNING; thence continue South 88°04'07" West, along the South line of said Government Lot 1, a distance of 182.83 feet; thence leaving said South line, North 01°55'53" West, 120.00 feet to an intersection with the South right-of-way of Madeira Way (an 80 foot right-of-way); thence North 88°04'07" East, along said South right-of-way of Madeira Way, 246.60 feet to a point on a curve; thence along the arc of a curve to the right, concave to the West, radius 30 feet, arc 53.76 feet, chord South 07°24'29" East, 46.85 feet to the end of said curve; thence South 46°08'32" East, 5.00 feet to an intersection with the aforementioned Northwesterly right-of-way line of said Welch Causeway; thence South 43°51'28" West, along the Northwesterly right-of-way line of said Welch Causeway, 100.07 feet to the aforementioned mentioned POINT OF BEGINNING.

PARCEL 1B:

From the point of intersection of the South line of Government Lot 1, Section 9, Township 31 South, Range 15 East, Pinellas County, Florida (as established by Agreement recorded in Deed Book 662, Page 41, of the public records of said County), with the centerline of State Road No. 233, said road also being locally known as Welch Causeway or 150th Avenue, as a point of reference, thence South 88°04'07" West, along the South line of said Government Lot 1, a distance of 313.76 feet to the POINT OF BEGINNING; thence continue South 88°04'07" West, along the South line of said Government Lot 1, a distance of 76.54 feet; thence leaving said South line, South 41°20'20" West, 31.65 feet to an intersection with the Northeasterly right-of-way of Gulf Boulevard (State Road No. 699, a 100 foot right-of-way); thence North 48°39'40" West, along said Northeasterly right-of-way of Gulf Boulevard, 161.69 feet; thence leaving said Northeasterly right-of-way of Gulf Boulevard, North 25°34'45" East, 36.32 feet to an intersection with the South right-of-way of Madeira Way (an 80 foot right-of-way); thence North 88°04'07" East, along said South right-of-way of Madeira Way, 199.20 feet; thence leaving said South right-of-way, South 01°55'53" East, 120.00 feet to the aforementioned mentioned POINT OF BEGINNING.

PARCEL 2:

That following described portion of Government Lot 1, in Section 9, Township 31 South, Range 15 East, Pinellas County, Florida, described as follows:

From the Northwest corner of Tract B, MADEIRA BEACH COMMERCIAL CENTER, recorded in Plat Book 26, page 52, of the public records of Pinellas County, Florida, as a point of reference; thence North 88°04'07" East, along the Northerly line of said tract, 169.40 feet to the POINT OF BEGINNING; thence North 01°55'59" West, 8.85 feet to an intersection with the waters of Boca Ciega Bay, said point hereinafter being referred to as Point "A" for convenience; return thence to the POINT OF BEGINNING; thence North 88°04'07" East, along the North line of said tract, 88.60 feet; thence leaving said line South 10°55'59" East, 200.00 feet to an intersection with the Northerly right-of-way line of Madeira Way (an 80 foot right-of-way); thence North 88°04'07" East, along said line 268.46 feet to an intersection with the northerly right-of-way line of State Road No. 233, also known locally as Welch Causeway or 150th Avenue; thence along right-of-way line by the following 11 courses: 1) North 62°54'59" East, 21.34 feet; 2) North 43°51'28" East, 160.76 feet to a point of curve; 3) Along the arc of a curve to the right, radius 505.00 feet, arc 68.10 feet, chord North 47°43'17" East, 68.05 feet to a point of reverse curve; 4) Along the arc of a curve to the left, radius 495.00 feet, arc 66.76 feet, chord North 47°43'17" East, 66.71 feet to a point of tangency; 5) North 43°51'28" East, 404.97 feet; 6) North 46°08'32" West, 3.00 feet; 7) North 43°51'28" East, 243.17 feet to a point of curve; 8) Along the arc of a curve to the left, radius 3772.72 feet, arc 492.10 feet, chord North 40°07'35" East, 491.76 feet to the point of reverse curve; 9) Along the arc of a curve to the right, radius 3861.72 feet, arc 81.14 feet, chord North 56°59'46" East, 81.14 feet; 10) North 52°24'07" West, 58.00 feet to a point on a curve; 11) Along the arc of a curve to the right, concave to the Southeast, radius 3919.72 feet, arc 95.95 feet, chord North 38°17'58" East, 95.95 feet; thence leaving said line North 46°08'32" West, 38.84 feet to the aforementioned waters of Boca Ciega Bay; thence Southwesterly and Westerly along said waters and binding therewith to the aforementioned Point "A"; LESS AND EXCEPT any part thereof lying within Order of Taking recorded in Official Records Book 1042, page 380, as amended by Order recorded in Official Records Book 1159, page 599, and Order recorded in Official Records Book 1691, page 544, all of the public records of Pinellas County, Florida; ALSO LESS AND EXCEPT those lands deeded to the City of Madeira Beach, Florida, a political subdivision of the State of Florida by Warranty Deed recorded in Official Records Book 11243, page 456, of the public records of Pinellas County, Florida; ALSO LESS AND EXCEPT any part thereof lying within the lands described in Order of Taking recorded in Official Records Book 4426, page 489, as amended by Supplemental Order of Taking as to Parcel 148, recorded in Official Records Book 4585, page 229, both of the public records of Pinellas County, Florida.

PARCEL ID NUMBER: 09-31-15-54180-000-0012

LEGAL DESCRIPTION

The East 75 feet of the West 150.01 feet of Tract A, Madeira Beach Commercial Center, according to the plat thereof, as recorded in Plat Book 26, Page 52, of the Public Records of Pinellas County, Florida.

PINELLAS COUNTY FL OFF. REC. BK 15590 PG 1969

PARCEL ID NO.: 09-31-15-00000-420-0100

A parcel of land being a part of Government Lot 2, in Section 9, Township 31 South, Range 19 East, Pinellas County, Florida, and being more particularly described as follows:

For a Point of Beginning, begin at the intersection of the North boundary of Government Lot 2 with the Northwesterly right-of-way line of 150th Avenue (County Road No. 17). Thence with said right-of-way line, S 43° 51' 28" West, 192.50 feet to the point of curvature of a curve, thence with said curve, concave to the right, an arc distance of 45.00 feet (said curve having a central angle of 30° 14' 50", a radius of 85.00 feet, and a tangent of 23.04 feet). Thence along a radial line, N 15° 48' 31" West, 8.00 feet. Thence with a curve concave to the right, an arc distance of 10.00 feet (said curve having a central angle of 7° 26' 28", a radius of 17.04 feet, a tangent of 5.01 feet and a chord of 5 27° 54' 42" West 9.99 feet). Thence along a radial line S 08° 22' 04" East, 8.00 feet. Thence with a curve concave to the right, an arc distance of 7.37 feet (said curve having a central angle of 04° 57' 53", a radius of 85.00 feet, a tangent of 3.68 feet, and a chord of 5 84° 56' 03" West, 7.35 feet). Thence N 02° 22' 42" West, 158.49 feet to the north boundary of Government Lot 2. Thence with said boundary, N 88° 04' 07" East 196.56 feet to the Point of Beginning.

Grantor expressly saves and excepts from this conveyance, and reserves unto itself and its successors and assigns, all oil, gas and other minerals on or under the lands herein conveyed; but Grantor, its successors and assigns, shall have no right to use any part of the surface of said land for the purpose of exploring for, mining, drilling for, producing, storing or removing the oil, gas or other minerals located in, on or under said land, and any oil and gas drilling operations shall be conducted by means of wells or

shafts, the surface locations of which are on other lands but which may be drilled into and bottomed in the property.

MADEIRA COMMONS, INC. PARCEL

PARCEL ID NUMBER: 09-31-15-00000-420-0200

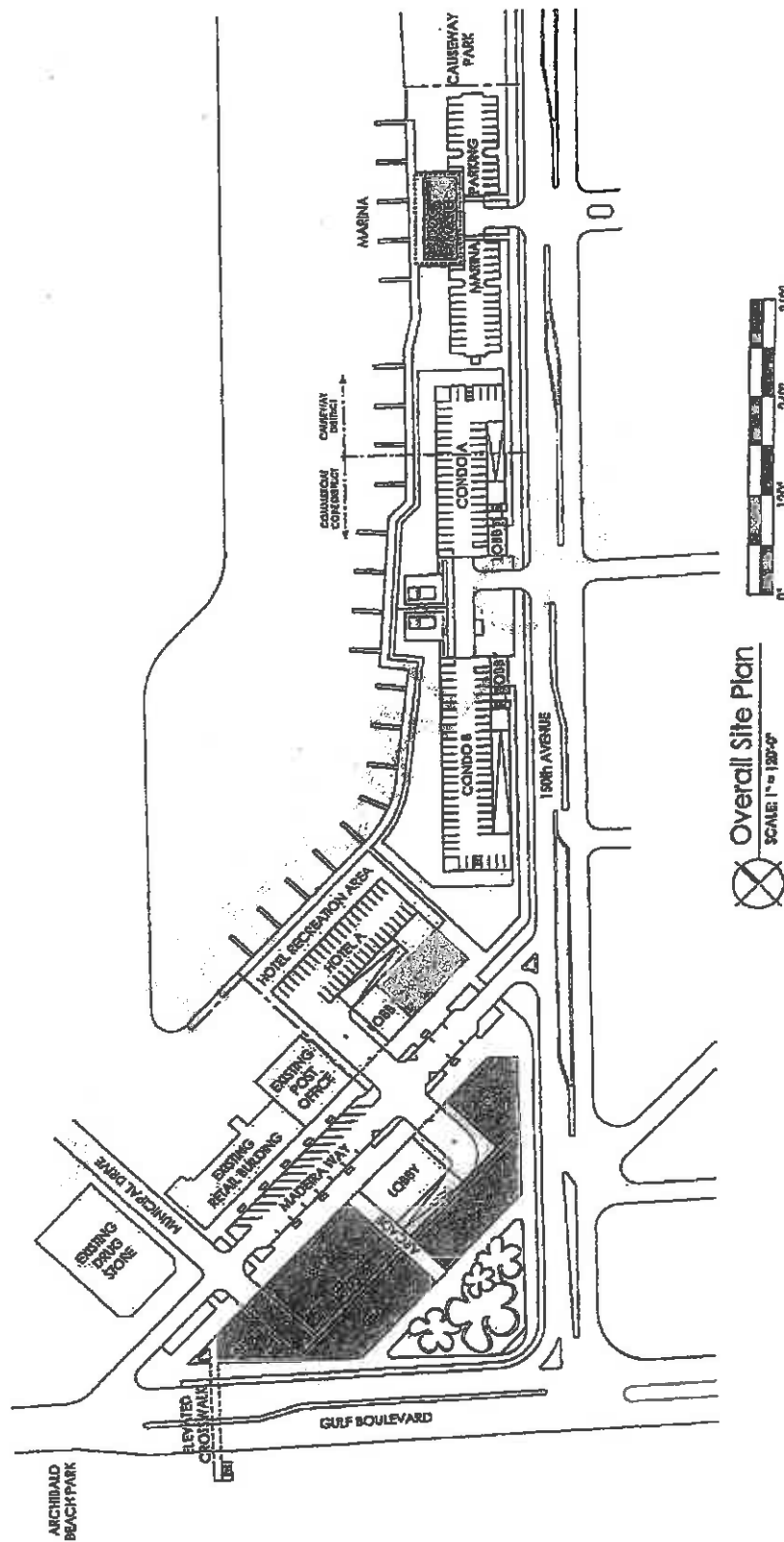
LEGAL DESCRIPTION

A tract of land is that part of Government Lot 2, Section 9, Township 31 South, Range 15 East, lying Northwesternly of State Road No. 233 extended toward Welch's Causeway and Northeastly of State Road 653 (formerly County Road 17) described as follows:

From the Northwest corner of the Southeast 1/4 of Section 9, Township 31 South, Range 15 East, run North 88°04'07" East, 144.75 feet along the North line of Government Lot 2 of said Section 9, to the Northeast right-of-way line of Gulf Boulevard (State Highway 699) for a Point of Beginning; run thence North 88°04'07" East, 289.77 feet; thence South 2°24'06" East, 173.51 feet; thence by a curve to the right, radius 87.94 feet, arc 48.84 feet, chord North 70°30'05" West, 17.70 feet; thence North 48°39'40" West, 227.70 feet to the Point of Beginning; LESS AND EXCEPT a triangular tract of land described as follows:

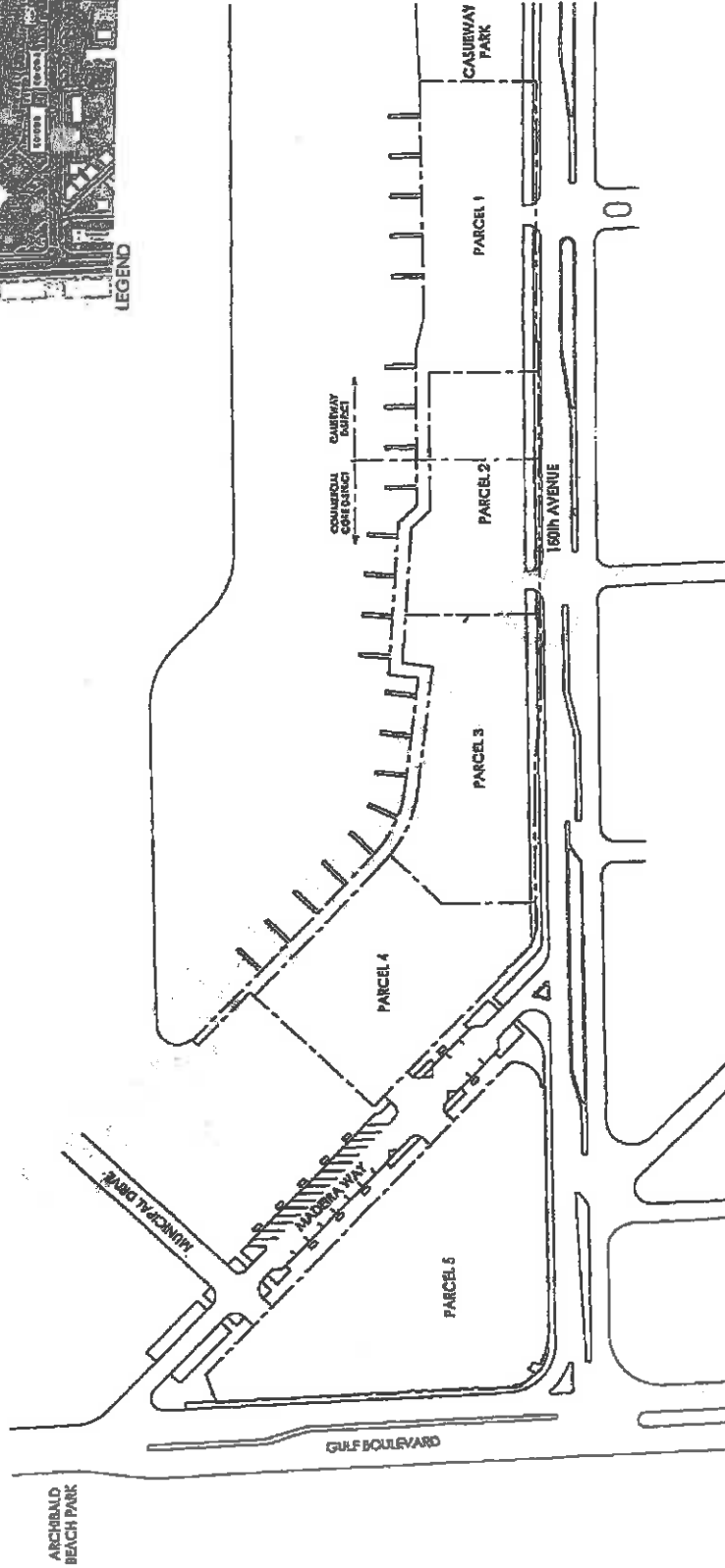
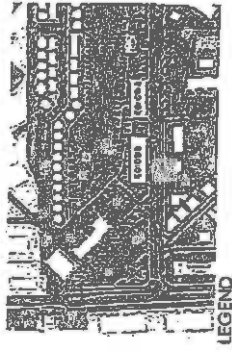
From the Northwest corner of the Southeast 1/4 of said Section 9, run North 88°04'07" East, along the North line of said Government Lot 2 to the Northeastly right-of-way line of said Gulf Boulevard (State Road 699) for a Point of Beginning; run thence North 88°04'07" East, 70.88 feet; thence South 41°29'20" West, 48.65 feet; thence North 48°39'40" West, 51.68 feet to the Point of Beginning; LESS rights-of-way for 150th Avenue and Gulf Boulevard.

EXHIBIT B



Overall Site Plan
SCALE 1" = 120'-0"

OVERALL SITE PLAN



Overall Parcel Plan

SCALE: 1" = 120'-0"



OVERALL PARCEL PLAN

Madeira Beach Town Center

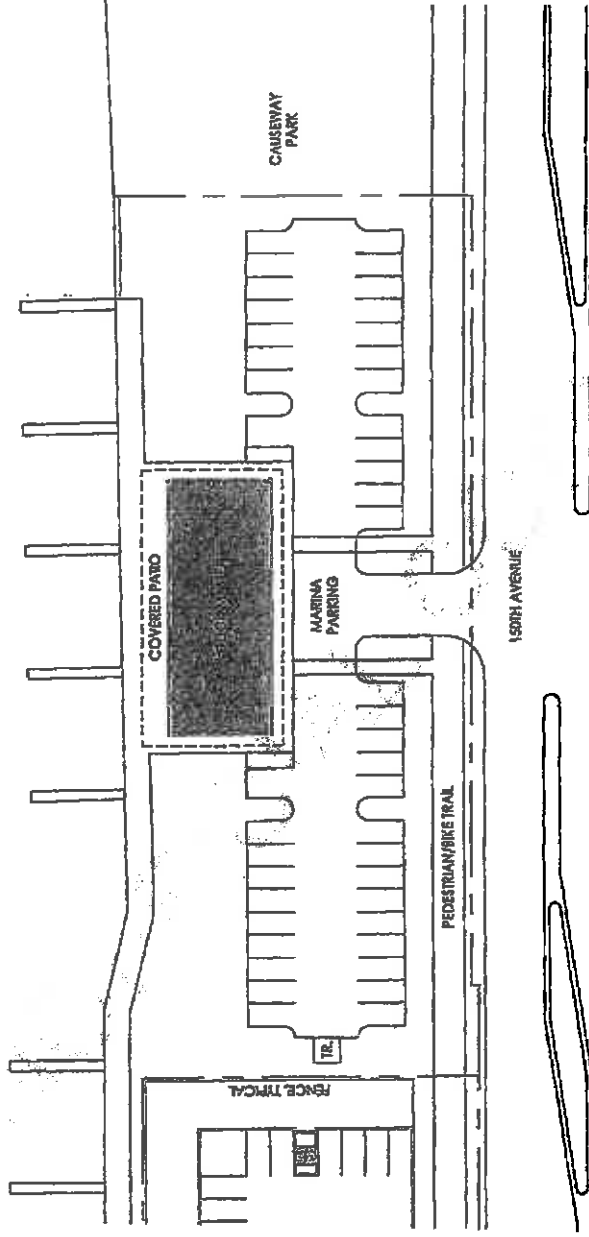
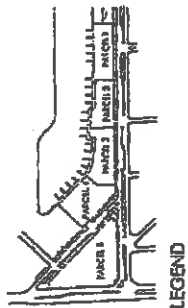
MADERA BEACH, FLORIDA

19

MARINA

8,000 S.F. COMMERCIAL
2 FLOORS
42 PARKING SPACES

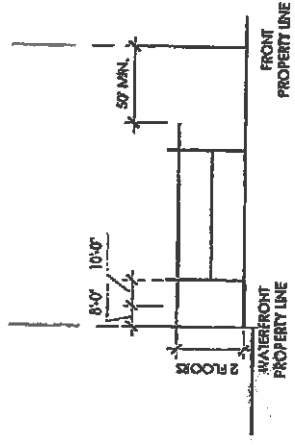
The existing 43 slip marina will be rebuilt with new seawall and docks. Serving the marina will be a one or two story Dockmaster building located on and with the new entry drive off of 150th Avenue. The Dockmaster structure may include a small café or snack stand. Adjacent to the building is a 42-space fenced parking lot. The waterfront along the marina will be publicly accessible for pedestrians.



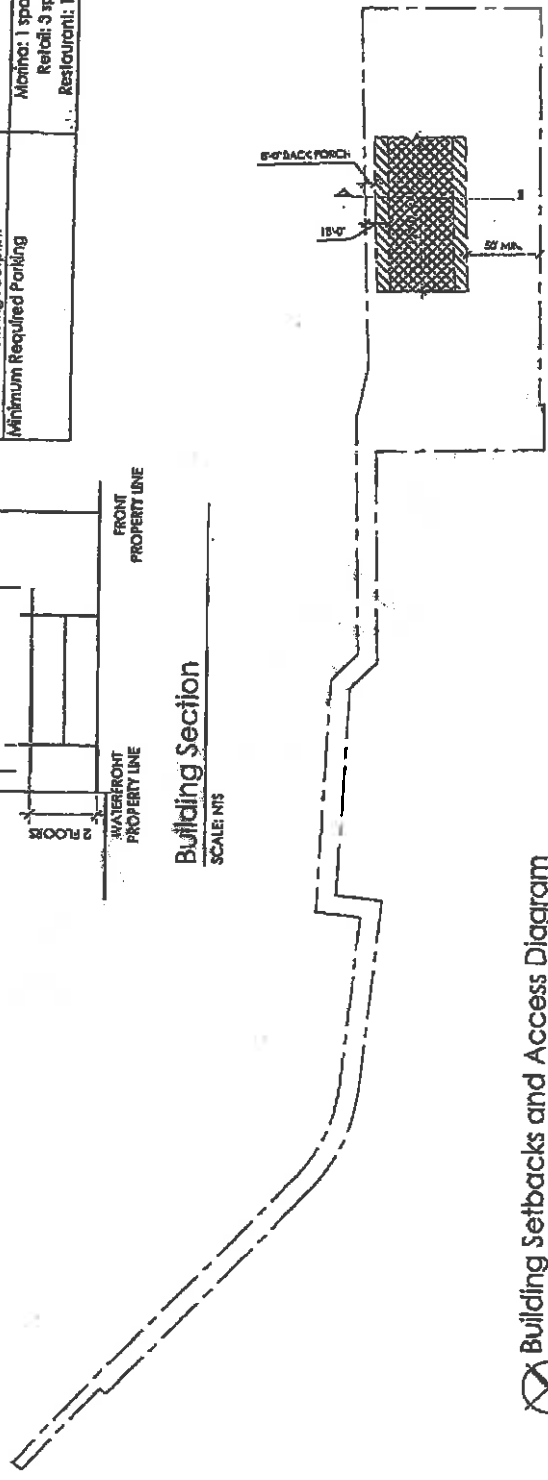
 Marina Site Plan
SCALE: 1" = 40'-0"

PARCEL 1

Site Area	60,258 s.f. (1,383 ac.)
Maximum Commercial Space	8,000 s.f.
Maximum Boat Slips	43
Maximum Building Height	30 feet
Maximum Impervious Surface Ratio	70% of site area
Maximum Building Footprint	50% of site area
Minimum Required Parking	Motorist: 1 space per 2,000 s.f. Retail: 3 spaces per 2,000 s.f. Restaurant: 1 space per 4 seats



Building Section
SCALE: NTS



Building Setbacks and Access Diagram
SCALE: 1" = 80'-0"

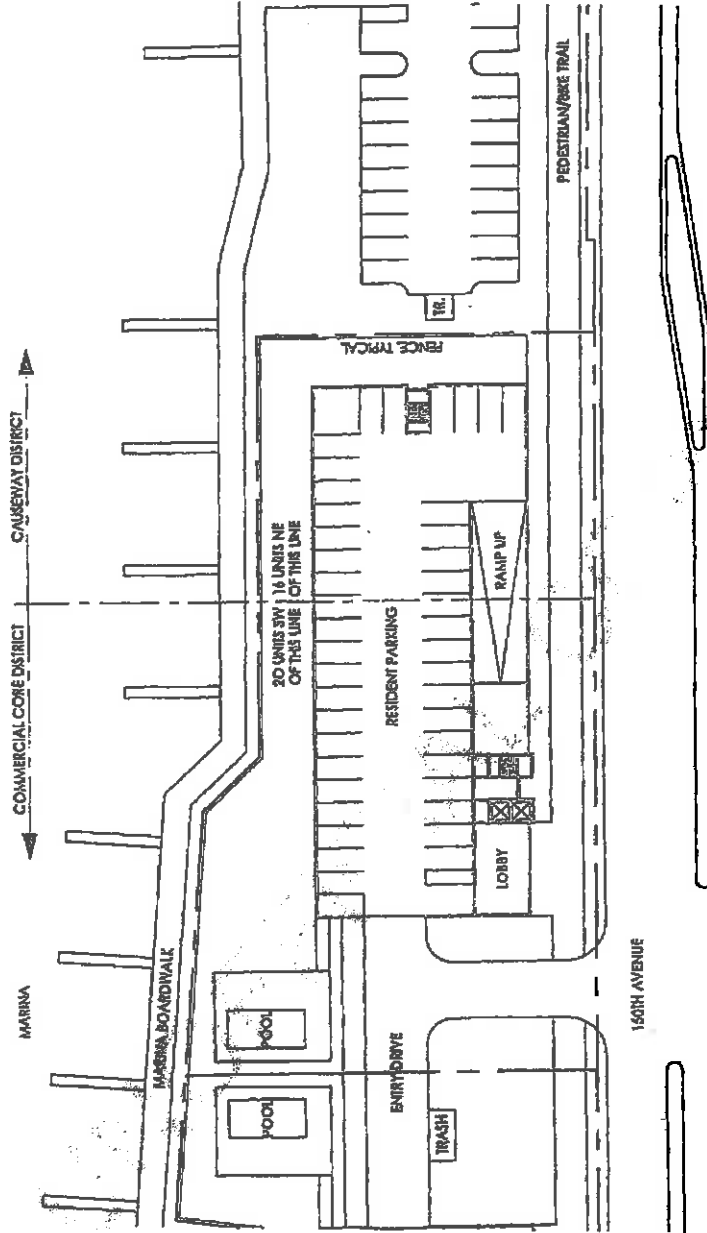
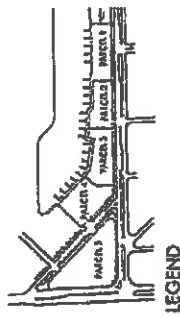
- MAXIMUM EXTENT OF BUILDING FOOTPRINT
- MAXIMUM EXTENT OF PORCH

Madeira Beach Town Center
MADEIRA BEACH, FLORIDA

CONDO A

36 CONDOMINIUM UNITS
4 FLOORS
77 PARKING SPACES

This building will house up to 36 dwelling units averaging approximately 1,000 square feet each. The building's first floor lobby faces 150th Avenue to provide a visible front door. Parking is located on the lower five floors with two spaces per unit plus a few extra for visitors. Above are four floors of units. The building is designed to take full advantage of the water views in all directions. A rear amenity area includes a swimming pool.

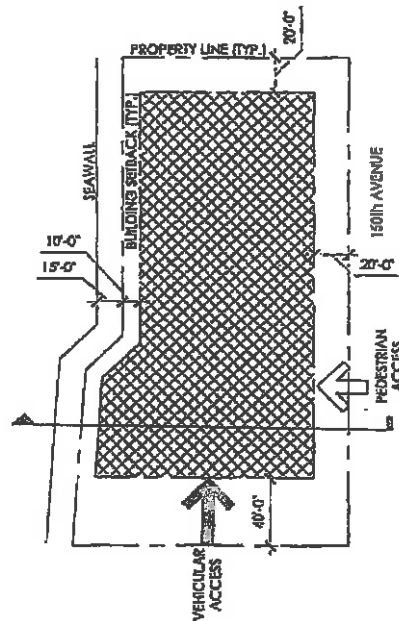


Condo A Site Plan
SCALE: 1" = 40'-0"

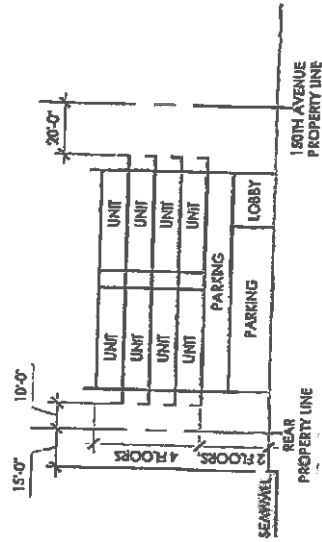
CONDO A SITE PLAN

PARCEL 2

Site Area	40,057 s.f. (0.920 ac.)
Maximum Dwelling Units	36 units
Maximum Building Height	70 feet
Maximum Impervious Surface Ratio	70% of site area
Maximum Building Footprint	50% of site area
Minimum Required Parking	Residential 2 spaces per unit



Building Setbacks and Access Diagram
SCALE: 1" = 60'-0"

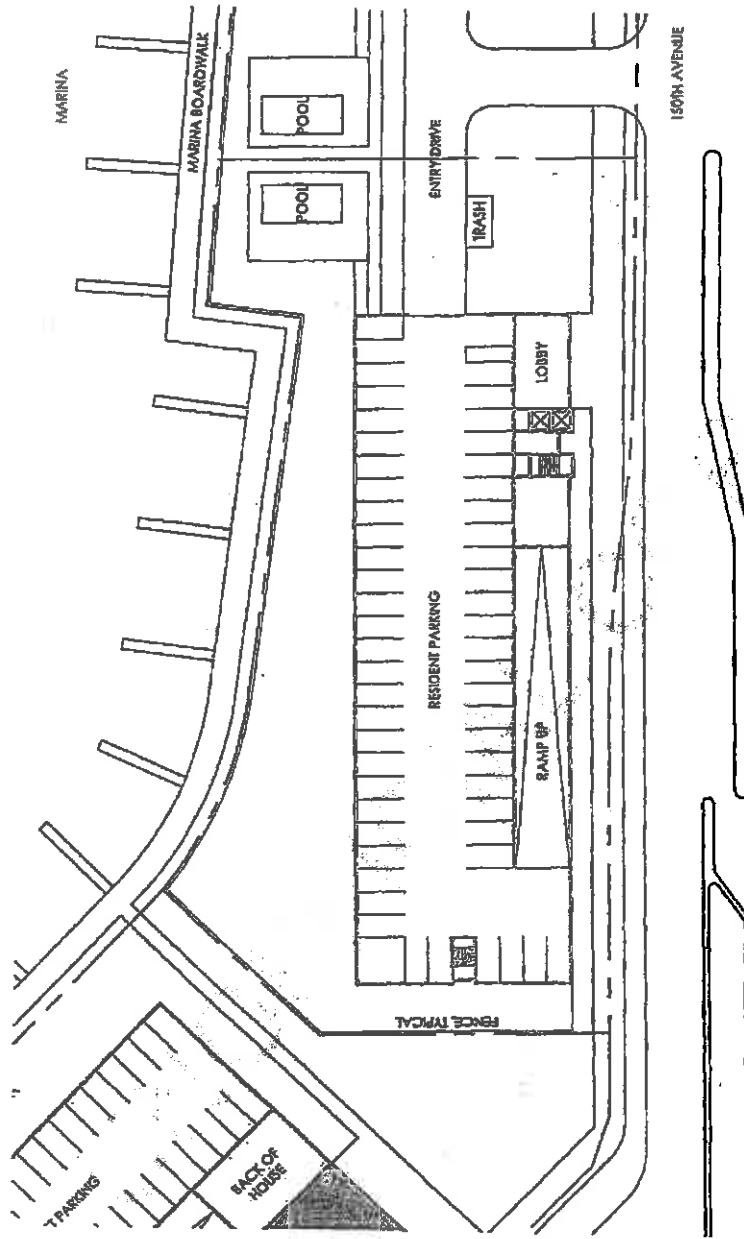
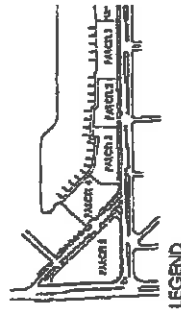


Building Section
SCALE: NTS

CONDO B

44 CONDOMINIUM UNITS
6 FLOORS
93 PARKING SPACES

This building will have up to 44 dwelling units averaging approximately 1,600 square feet each. The building's first floor lobby faces 150th Avenue to provide a visible front door. Parking is located on the lower two floors with two spaces per unit plus a few extra for visitors. Above are four floors of units. The building is designed to take full advantage of the water views in all directions. A rear antenna area includes a swimming pool.

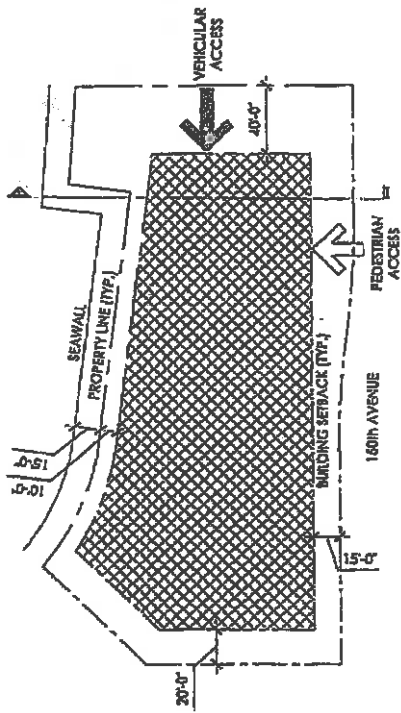


Condo B
SCALE: 1" = 40'-0"

CONDO B SITE PLAN

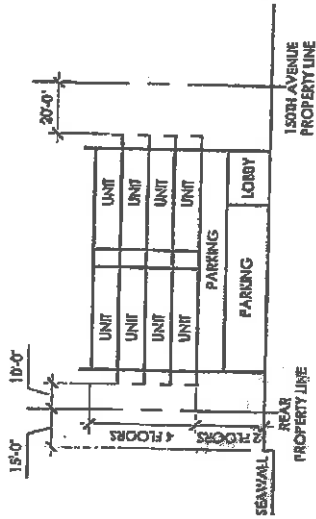
PARCEL 3

Site Area	46,791 s.f. (1.12 ac.)
Maximum Dwelling Units	44 units
Maximum Building Height	70 feet
Maximum Impervious Surface Ratio	70% of site area
Maximum Building Footprint	50% of site area
Minimum Required Parking	Residential: 2 spaces per unit



 Building Setbacks and Access Diagram
SCALE: 1" = 60'-0"

 MAXIMUM EXTENT OF BUILDING FOOTPRINT



 Building Section
SCALE: NTS

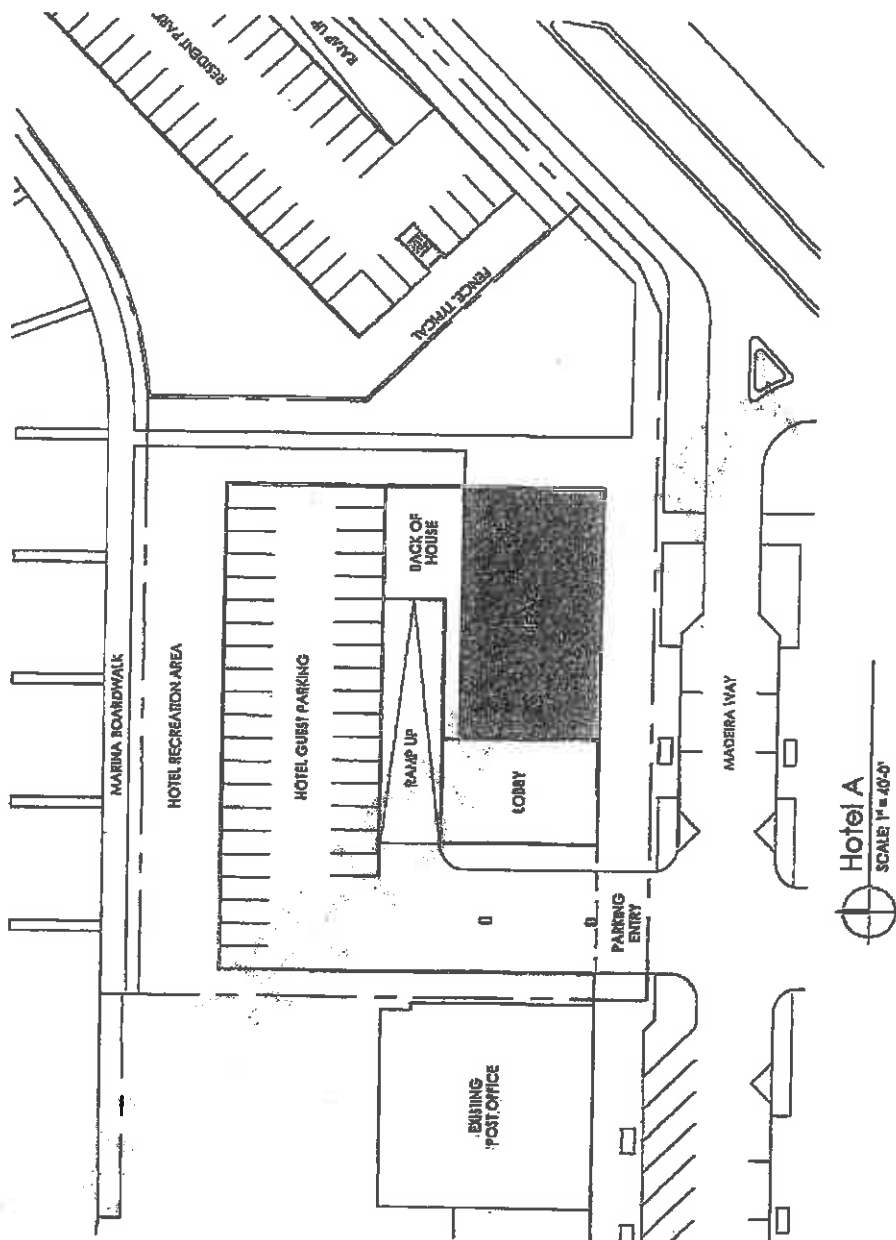
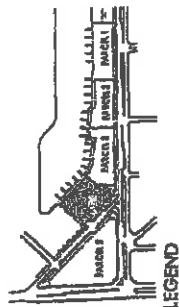
PARCEL 3 DESIGN GUIDELINES

Madeira Beach Town Center
MADERA BEACH, FLORIDA 33485

HOTEL A

148 HOTEL ROOMS
6,000 S.F. COMMERCIAL
8 FLOORS
175 PARKING SPACES

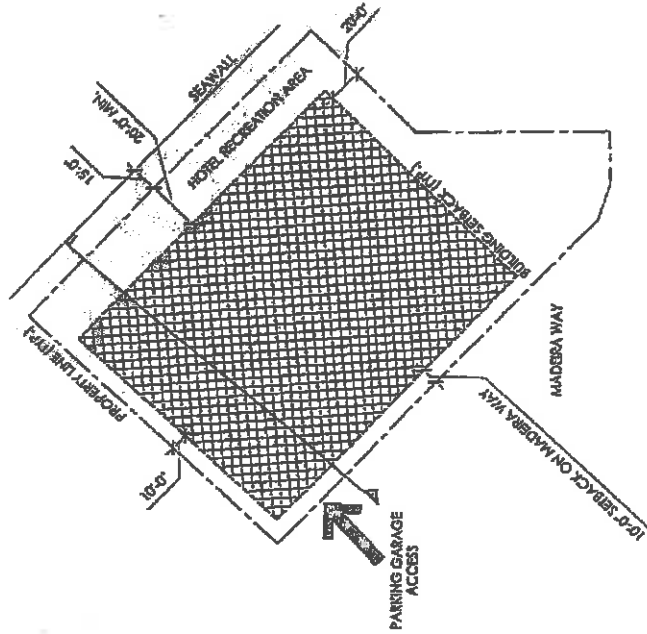
This is programmed to be a sister hotel with up to 140 rooms. The first floor of this building contains the lobby, up to 5,000 square feet of retail and restaurant space, parking and support and service spaces. Above are two additional floors of parking. The 4th floor will have hotel amenities operating on a cold terrace as well as some hotel rooms. The remainder of the hotel rooms will be on floors 4 through 8. The design of the building reinforces the pedestrian nature of Madeira Way by its close relationship to the sidewalk and ground level active uses.



HOTEL A SITE PLAN

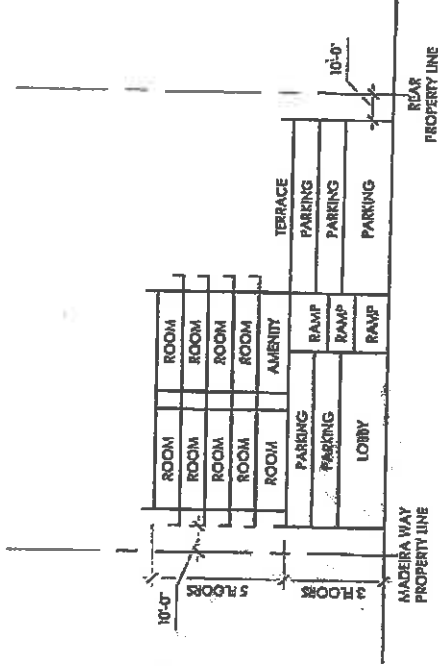
PARCEL 4

Site Area	50,066 s.f. (1,149 ac.)
Maximum Hotel Rooms	148
Maximum Commercial Space	5,000 s.f.
Maximum Building Height	90 feet
Maximum Impervious Surface Ratio	85% of site area
Maximum Building Footprint	70% of site area
Minimum Required Parking	Hotel: 1 space per room Retail: 3 spaces per 2,000 s.f. Restaurant: 1 space per 4 seats



Building Setbacks and Access Diagram
SCALE 1" = 40'-0"

MAXIMUM EXTENT OF BUILDING FOOTPRINT



Building Section
SCALE NIS

PARCEL 4 DESIGN GUIDELINES

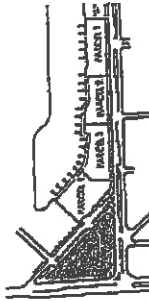
Madeira Beach Town Center

MADERA BEACH, FLORIDA

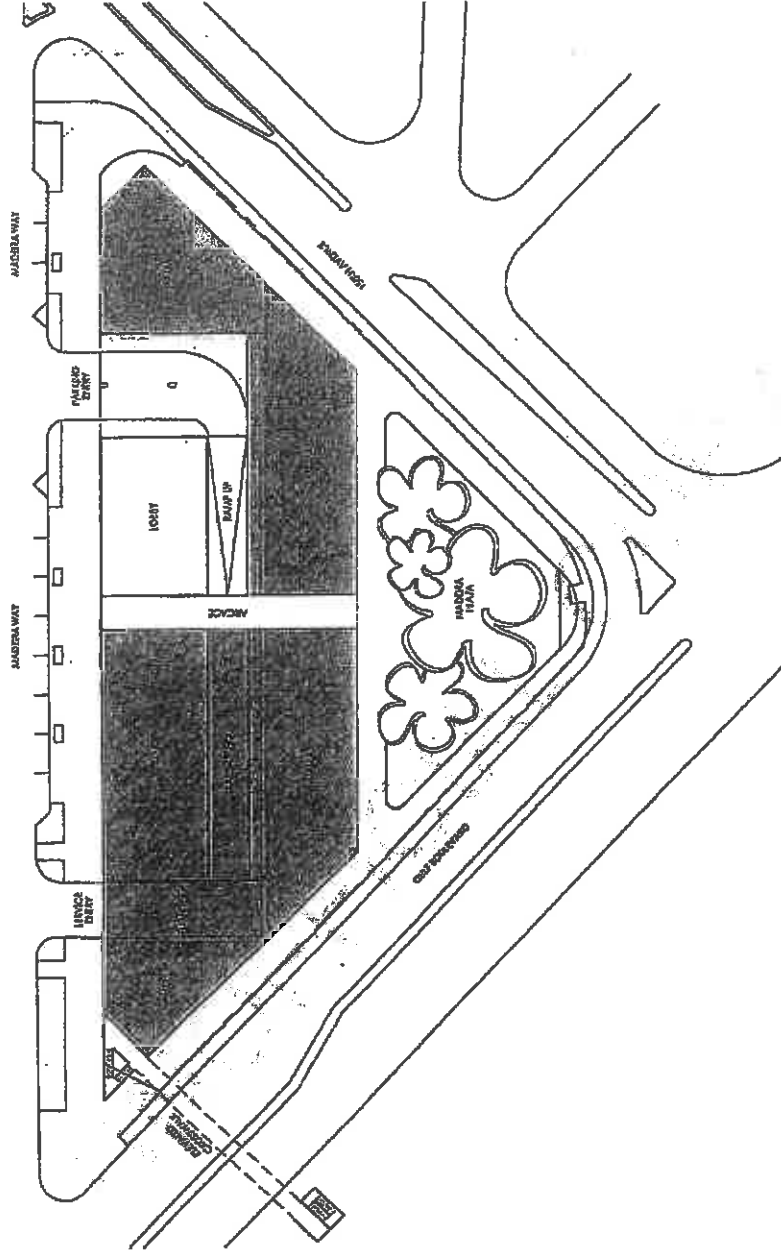
HOTEL B

148 HOTEL ROOMS
16 CONDOMINIUM UNITS
40,000 S.F. COMMERCIAL
8 FLOORS
326 PARKING SPACES

This is a true mixed-use block designed to be a recognizable landmark at the heart of Madeira Beach. It contains 40,000 square feet of retail and restaurant space on the ground floor with a full-service hotel with up to 168 rooms above or well as 16 condominium units. All sides of the first floor are lined with active uses fronting onto Madeira Way to the north and a new public plaza to the south. These two spaces are connected by a mid-block pedestrian arcade through the building. The parking garage is located on the 2nd and 3rd floor. The 4th floor is dedicated to the hotel's amenity spaces (fitness center, spa, meeting rooms, business center, etc.). These open onto a generous roof terrace with swimming pool, spa and bar. Hotel rooms are located on the 5th through 7th floors with 10 condominiums on the 8th floor. All are oriented to maximize water views.



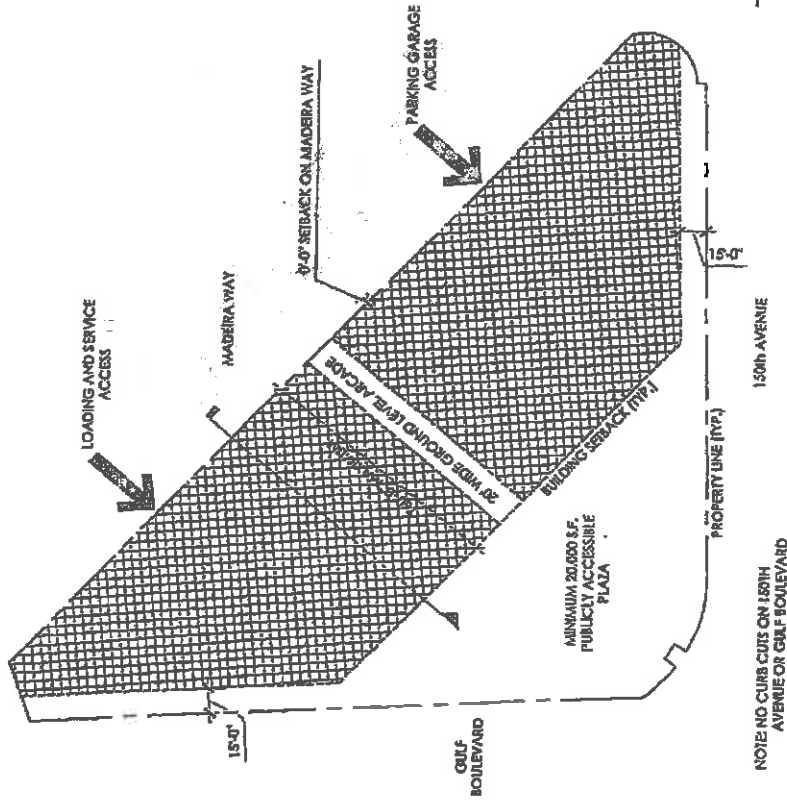
LEGEND



HOTEL B SITE PLAN

PARCEL 5

Site Area	92,511 s.f. (2.124 ac.)
Maximum Hotel Rooms	168
Maximum Commercial Space	40,000 s.f.
Maximum Building Height	99 feet
Maximum Impervious Surface Ratio	85% of site area
Minimum Building Footprint	70% of site area
Minimum Required Parking	Hotel: 1 space per room Retail: 3 spaces per 2,000 s.f. Restaurant: 1 space per 4 seats

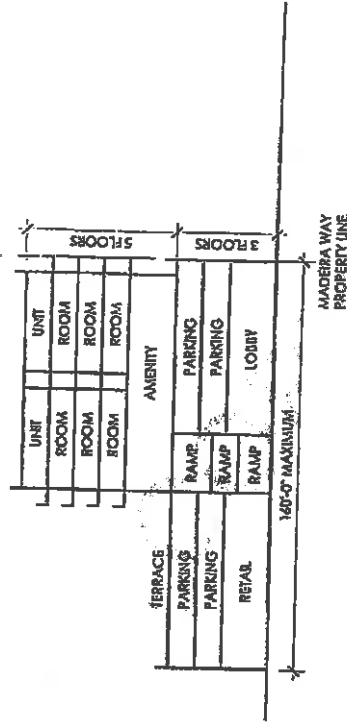


Building Setbacks and Access Diagram
SCALE 1" = 60'-0"

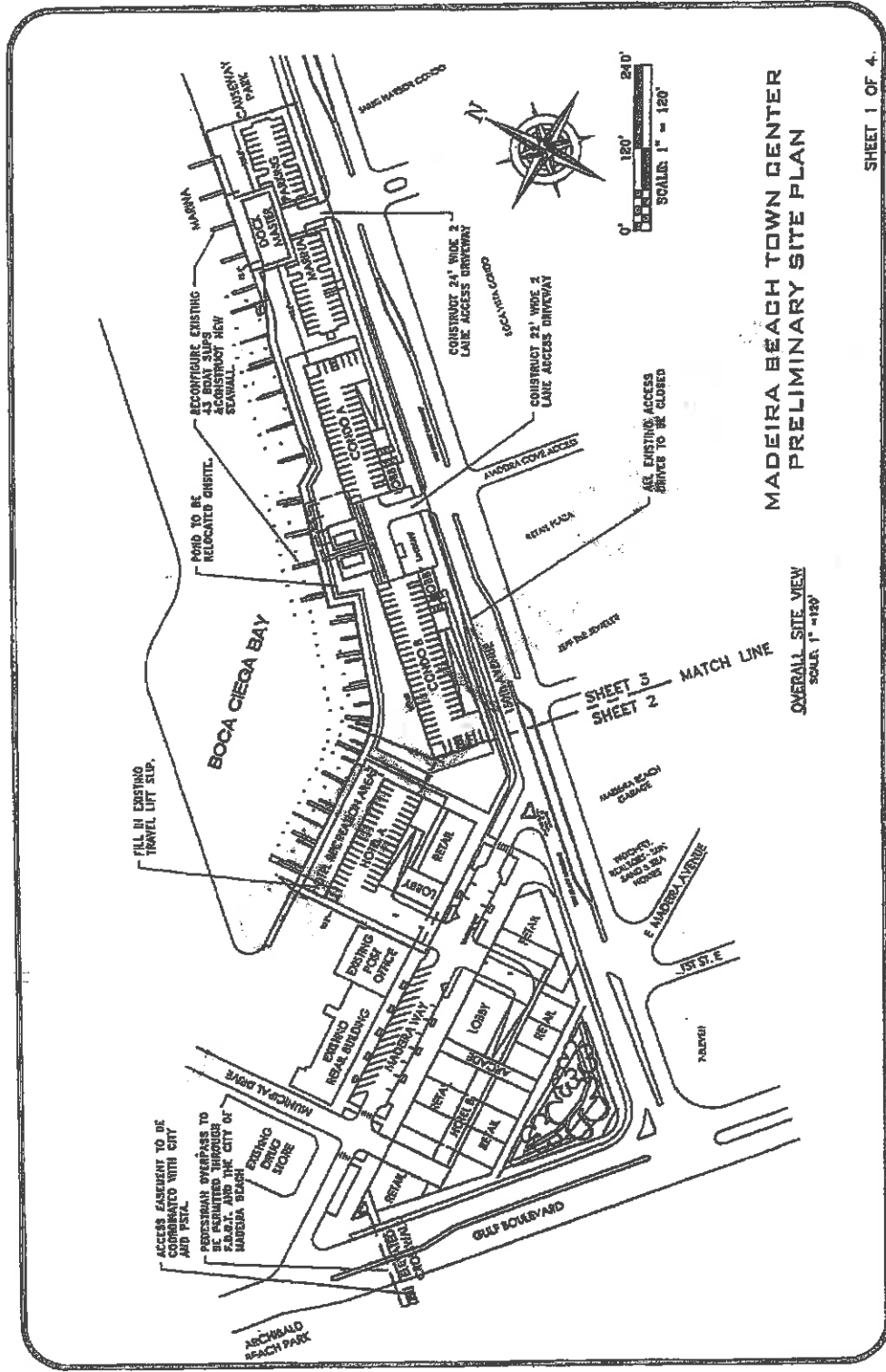
MAXIMUM EXTENT OF BUILDING FOOTPRINT

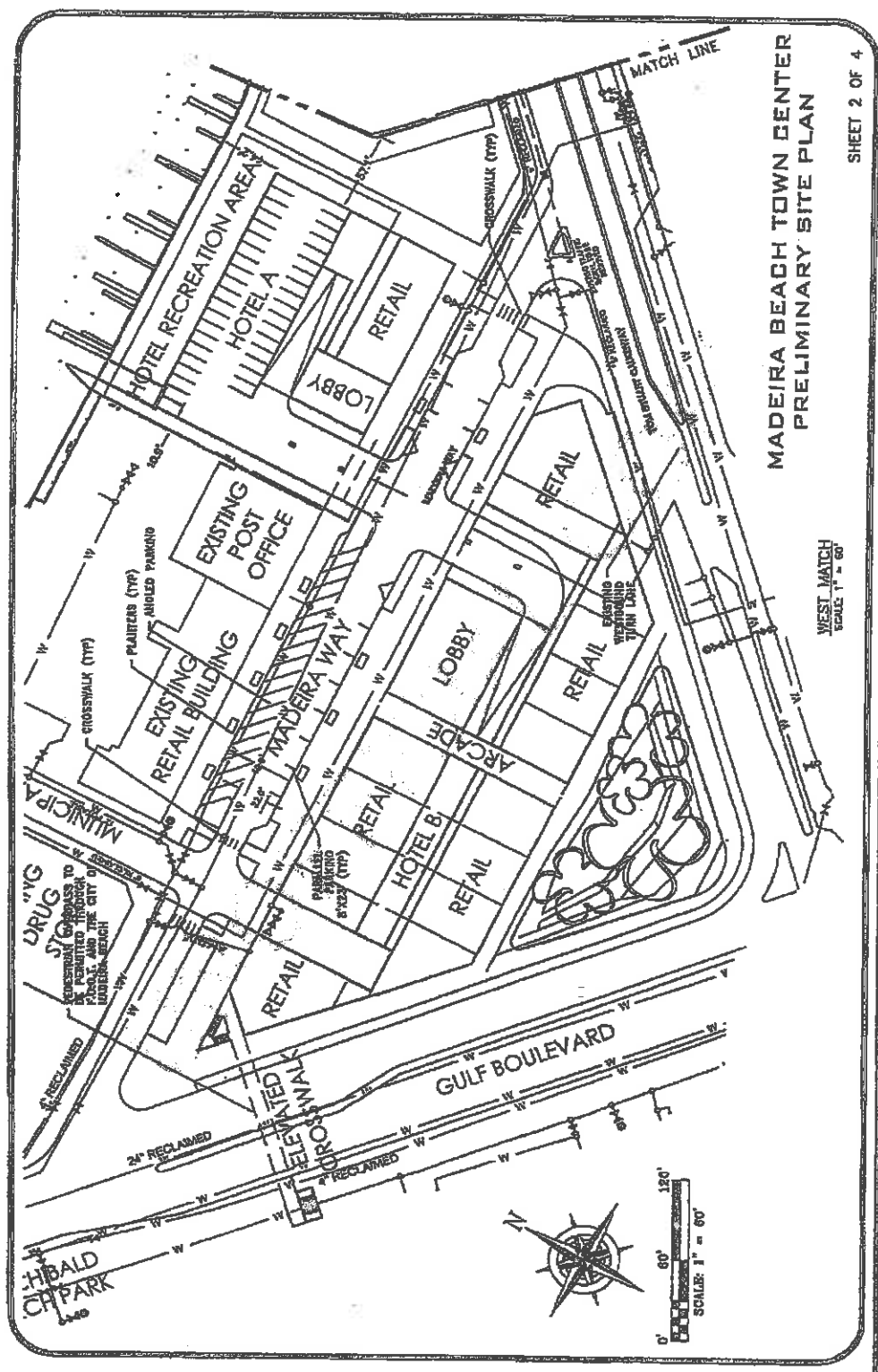
PARCEL 5 DESIGN GUIDELINES

Madeira Beach Town Center
MADEIRA BEACH, FLORIDA



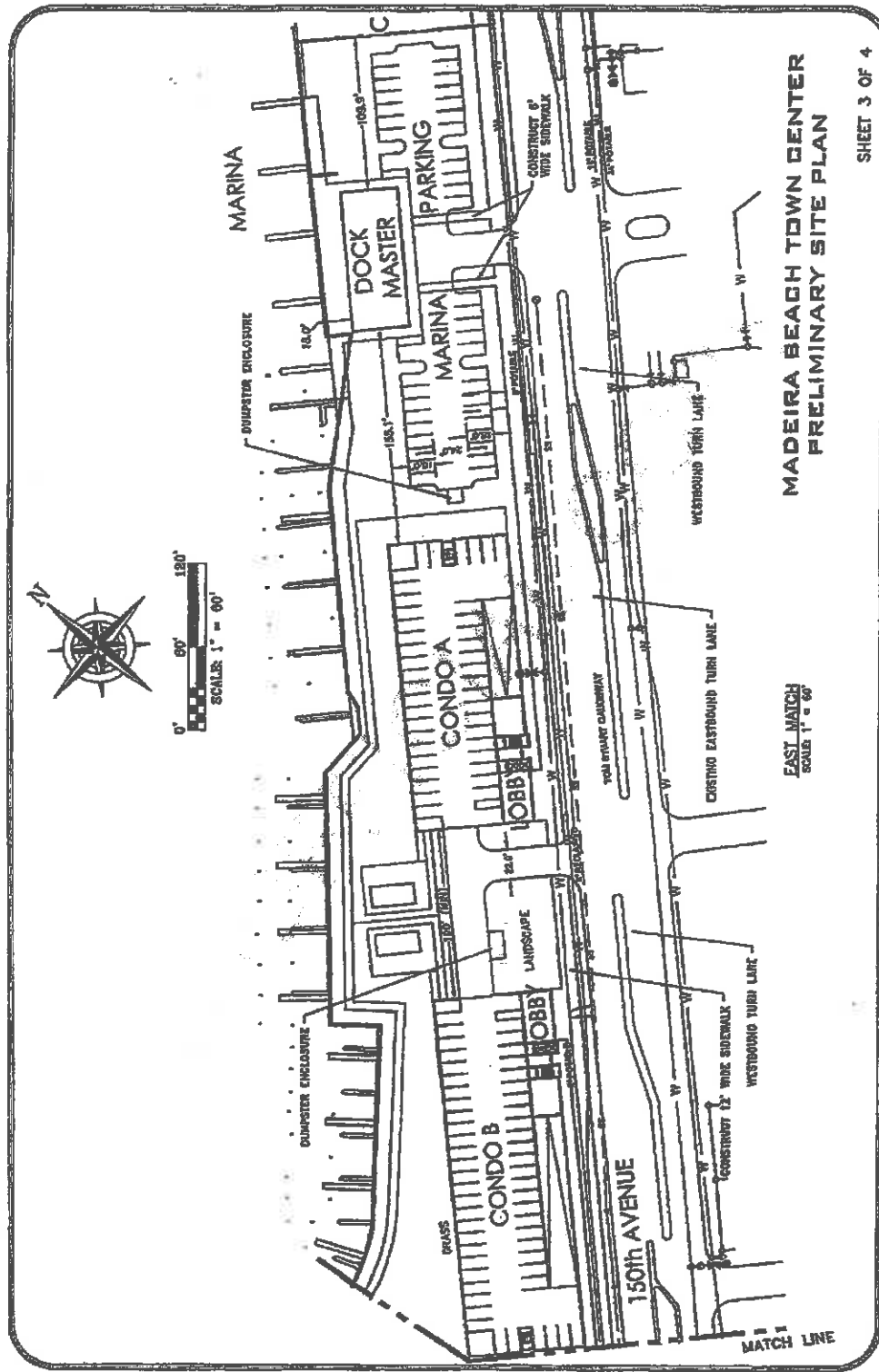
Building Section
SCALE NIS





CIVIL SITE PLAN AND DATA

MADEIRA BEACH TOWN CENTER
PRELIMINARY SITE PLAN



CIVIL SITE PLAN AND DATA

SITE DATA

HOTEL A		OVERALL PROJECT SUMMARY & SITE DATA:	EXISTING:	PROPOSED COMMERCIAL CORE DISTRICT:	PROPOSED CAUSEWAY DISTRICT:
PARKING REQUIRED:					
1 SP/ROOM = 140					
ROOMS 140			= 62,904 SF (21.7%)	120,702 SF (52.3%)	10,949 SF (17.7%)
			= 175,106 SF (59.9%)	47,410 SF (20.6%)	28,440 SF (45.9%)
RETAIL SPACE 2,000 SF			= 238,010 SF (81.4%)	168,112 SF (72.9%)	38,137 SF (63.6%)
RESTAURANT SPACE 3,000 SF			= 54,525 SF (18.6%)	62,503 SF (27.1%)	22,541 SF (36.4%)
PARKING PROVIDED: 210 SPACES				230,615 SF (5.30Ac)	61,930 SF (1.42Ac)
TOTAL REQUIRED =					

OVERALL SITE IMPERVIOUS SURFACE RATIO:

CONDO A

UNITS: 38	PARKING REQUIRED: 2 SP/UNIT = 72	TOTAL REQUIRED = 72
	PARKING PROVIDED: 77 SPACES	

CONDO B

UNITS: 44	PARKING REQUIRED: 2 SP/UNIT = 88
PARKING PROVIDED: 93 SPACES	TOTAL REQUIRED = 88

MARINA

PARKING REQUIRED:

3 SP/2,000 SF = \$

1 SP/4 SEATS =

RETAIL SPACE: 7,000 SF

RESTAURANT SPACE: 1,600 SF

PARKING PROVIDED: 42 SPACES

DOCK SLIPS: 43

TOTAL REQUIRED = 40

**MADEIRA BEACH TOWN CENTER
PRELIMINARY SITE PLAN**

EXHIBIT C

OFF-SITE ROADWAY IMPROVEMENTS

Tom Stuart Causeway (150th Avenue)/Madeira Way – Adjust traffic signal to provide for pedestrian movement and install raised median in 150th Avenue, permit right turn only into/from Madeira Way.

Tom Stuart Causeway (150th Avenue)/Median Opening at 1st Street E. – Extend the westbound left turn lane past Madeira Way to contain 150 feet of queue storage plus 185 feet of deceleration distance per FDOT Index #301 for a 45 MPH design speed.

Tom Stuart Causeway (150th Avenue) / Madeira Cove Median Opening – Construct an eastbound left turn lane into Madeira Beach Town Center access. Construct driveway with 2 exiting lanes to separate left and right turns. The eastbound left turn lane should include 50 feet of queue storage plus 185 feet of deceleration distance per FDOT Index #301. Due to distance constraints a design exception for deceleration distance may be needed from FDOT. The westbound left turn lane should contain 50 feet queue storage plus 185 feet deceleration distance per FDOT Index #301. This requires lengthening the existing left turn lane and removal of landscaping area.

Tom Stuart Causeway / Boca Vista / Marina Median Opening – Extend the westbound left turn lane to include 50 feet of queue storage plus 185 feet of deceleration distance per FDOT Index #301. This requires lengthening the existing left turn lane and removal of landscaping area. Provide eastbound left turn lane into the marina access with 50 feet of queue storage and 185 feet deceleration distance. Due to distance constraints a design exception from FDOT may be needed.

EXHIBIT D

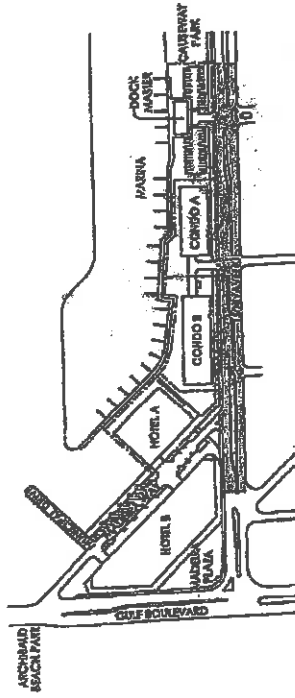
Madeira Beach Town Center
Project Data
January 4, 2017

Land Use	Parcel 1	Parcel 2	Parcel 3	Parcel 4	Parcel 5	Totals
Land Area	60,258 s.f.	40,059 s.f.	48,791 s.f.	50,066 s.f.	92,511 s.f.	291,685 s.f.
Parcel Acreage	1,383 ac.	0,920 ac.	1,120 ac.	1,149 ac.	2,124 ac.	6,696 ac.
Causeway Plan Sub-District	1,111 ac.	0,309 ac.				1,420 ac.
Commercial Core Plan Sub-District	0,272 ac.	0,611 ac.	1,120 ac.	1,149 ac.	2,124 ac.	5,276 ac.
Hotel - Density Allowed (Commercial Core)						60 rooms/ac.
Hotel - Rooms Allowed (Commercial Core)						316 rooms
Hotel - Density Proposed (Commercial Core)						59.9 rooms/ac.
Hotel - Rooms Proposed (Commercial Core)				148 rooms	168 rooms	316 rooms
Condos - Density Allowed (Commercial Core)						15 units/ac.
Condos - Units Allowed (Commercial Core)						79 units
Condos - Density Proposed (Commercial Core)						11.1 units/ac.
Condos - Units Proposed (Commercial Core)		20 units	44 units		10 units	74 units
Condos - Density Allowed (Causeway)						15 units/ac.
Condos - Units Allowed (Causeway)						21 units
Condos - Density Proposed (Causeway)						11.3 units/ac.
Condos - Units Proposed (Causeway)		16 units				16 units
Condos - Units Proposed (Total)		36 units	44 units		10 units	90 units
Retail Space (Commercial Core)				2,000 s.f.	28,000 s.f.	30,000 s.f.
Restaurant Space (Commercial Core)				3,000 s.f.	12,000 s.f.	15,000 s.f.
Commercial Area - Proposed (Commercial Core)				5,000 s.f.	40,000 s.f.	45,000 s.f.
Commercial Intensity - Allowed (Commercial Core)						1.2 FAR
Commercial Area - Allowed (Commercial Core)						275,787 s.f.
Retail Space (Causeway)	7,000 s.f.					7,000 s.f.
Restaurant Space (Causeway)	1,000 s.f.					1,000 s.f.
Commercial Area - Proposed (Causeway)	8,000 s.f.					8,000 s.f.
Commercial Density - Allowed (Causeway)						0.5500 FAR
Commercial Area - Allowed (Causeway)						34,000 s.f.
Commercial Area - Proposed (Total)						53,000 s.f.
Boat Slips - Allowed						43 slips
Boat Slips - Proposed	43 slips					43 slips
Parking - Minimum Required	40 spaces	72 spaces	88 spaces	176 spaces	324 spaces	701 spaces
Parking - Proposed	42 spaces	77 spaces	93 spaces	175 spaces	326 spaces	713 spaces

Notes

1. Parking Ratios - Residential: 2 spaces per unit / Hotel: 1 space per room / Retail: 3 spaces per 2,000 s.f. / Restaurant: 1 space per 4 seats (125 s.f.) / Marina: 1 space per 2 slips
2. In the Causeway District, 76% of the allowable density/intensity is allocated to residential use and 24% is allocated to commercial use.
3. Building Heights - Marina - 1 or 2 stories; Hotel A - 8 stories; Hotel B - 8 stories; Condo A - 6 stories; Condo B - 6 stories

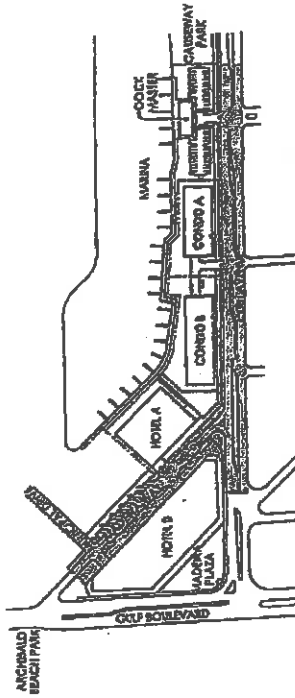
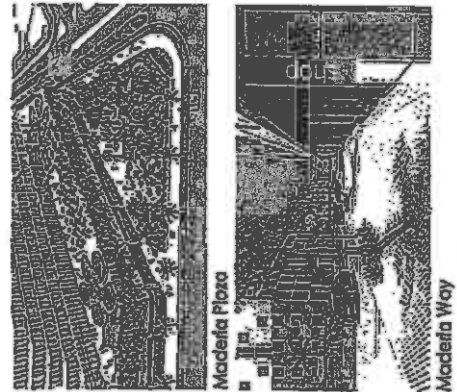
EXHIBIT E



Condominium / Marina - Phase Plan

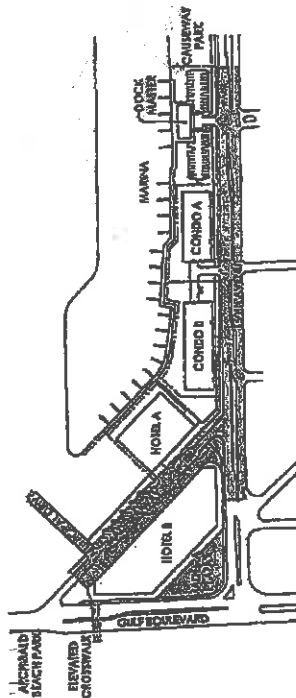
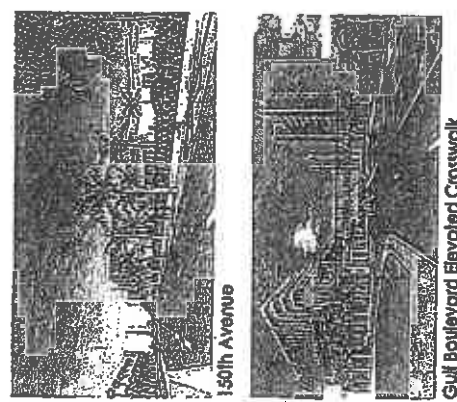
Phase Designation

 Required Improvements



Hotel A - Phase Plan

PUBLIC IMPROVEMENTS PHASING PLAN	
CONDOS/MARINA	HOTEL A
-150th Avenue	-Madera Way
	-150th Avenue
	-Madera Plaza
	-Elevated Crossing (Gulf Blvd.)

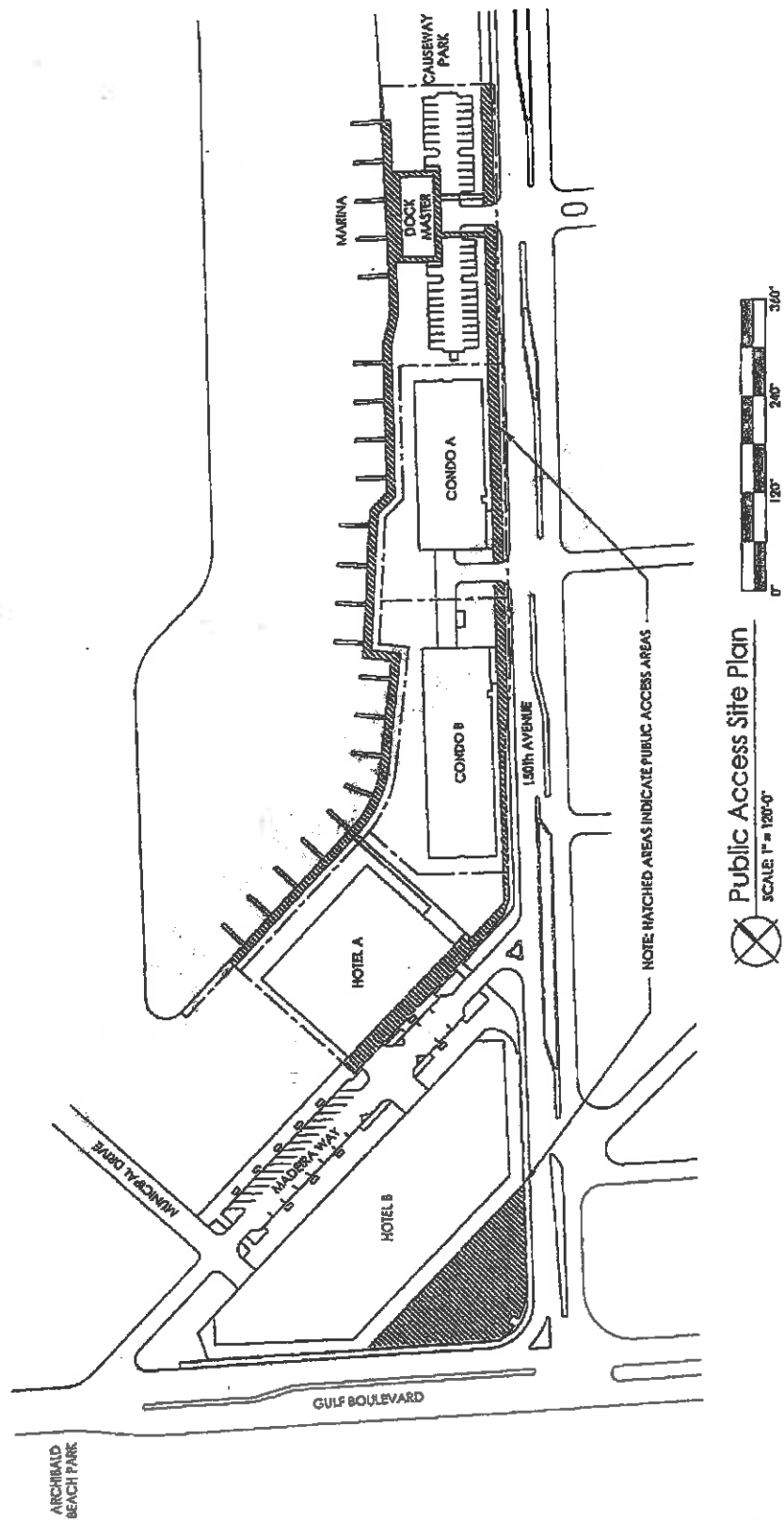


Hotel B - Phase Plan

EXHIBIT "E"

Madeira Beach Town Center
MADERA BEACH, FLORIDA

EXHIBIT F



PUBLIC ACCESS SITE PLAN



**LOCAL PLANNING AGENCY/
PLANNING COMMISSION MEETING**
March 12, 2018

v. PLANNING COMMISSION DISCUSSION



**LOCAL PLANNING AGENCY/
PLANNING COMMISSION MEETING**
March 12, 2018

vi. OLD BUSINESS – N/A



**LOCAL PLANNING AGENCY/
PLANNING COMMISSION MEETING**
March 12, 2018

vii. NEXT MEETING - APRIL 9, 2018



**LOCAL PLANNING AGENCY/
PLANNING COMMISSION MEETING**
March 12, 2018

VIII. ADJOURNMENT



**LOCAL PLANNING AGENCY/
PLANNING COMMISSION MEETING**
March 12, 2018

IX.



**LOCAL PLANNING AGENCY/
PLANNING COMMISSION MEETING**
January 8, 2018