

ORDINANCE NO. 2019-20

AN AMENDMENT TO CITY OF MADEIRA BEACH CODE OF ORDINANCES; LAND DEVELOPMENT REGULATIONS; ARTICLE VII. – OFF-STREET PARKING AND LOADING, SEC. 110-953 – MAINTENANCE; SEC. 110-955. – METHODS OF PROVIDING REQUIRED PARKING; SEC. 110-956. – SHARED PARKING FACILITIES; DIVISION 2. – OFF-STREET PARKING SPACES, SEC. 110-971 – NUMBER OF SPACES; SEC. 110-973. – OFF-STREET PARKING SPACE STANDARDS, REGULAR CAR OFF-STREET PARKING LAYOUT; ADDING SEC. 110-974. VALET PARKING; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY AND; PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the City Commission finds that it is necessary from time-to-time to update the code of ordinances to provide proper regulation of changing parking standards and needs in order to ensure safety, security and compatibility with surrounding uses, and to reduce unnecessary impervious surface throughout the city.

WHEREAS, On August 12, 2019, the Planning Commission conducted the required hearing of the proposed amendment and upon receiving public input recommends approval of the amendment.

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

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

Section 1. The City of Madeira Beach Code of Ordinances, Chapter 110, Zoning, Article VII. – Off-Street Parking and Loading, **Sec 110-953 through Sec. 110-974** is hereby amended as follows (new words are underlined text, deleted words are shown as ~~strike through text~~):

Sec. 110-953. - Maintenance.

- a) *Generally.* All off-street parking areas shall be well maintained, free of potholes, debris, weeds, broken curbs and broken wheel stops, clearly striped, and with all lighting in working condition.
 - (1) Pervious concrete must be clear of debris to maintain the effectiveness of the pervious concrete. Clogging from debris prevents storm water from infiltrating through the pervious concrete and can cause flooding. Clogging occurs due to grass clippings, mulch, sand, and topsoil on the concrete.
- (b) *Exception.* Where alternative surface materials have been approved by the building official and striping is inappropriate, this requirement may be waived by the ~~building official~~ city manager or designee.

(Code 1983, § 20-602(C))

Sec. 110-955. - Methods of providing required parking.

- (a) Required off-street parking facilities shall be located on the same zoning lot as the use they are intended to serve. However, required off-street parking facilities may be on a different zoning lot as the use the parking facilities are intended to serve if the applicant for an off-site parking facility demonstrates to the city:
- (1) Practical difficulties prevent the location of the parking facilities on the same zoning lot.
 - (2) A safe, pedestrian route exists, or will be provided, for the safety of pedestrians traveling between the premises and the off-site parking facilities.
 - (3) That the parking meets all other requirements of this code.
- (b) The approval by the city of the off-site parking facility shall be provided in conjunction with development order and shall require an agreement for use of the specified parking spaces between the applicant and owner of said parking; documented as an off-site parking agreement between the city and the applicant(s) in a form acceptable to the city attorney and shall provide:
- (1) The land comprising the parking facilities shall not be disposed of or otherwise committed of except in conjunction with the sale of the premises which the parking area serves, approved site plans for both the dependent uses and the parking, so long as the facilities are required;
 - (2) The owner(s) agrees to bear the expense of recording the agreement and agrees that the agreement shall bind their heirs, successors and assigns; and the owner(s) shall agree to be responsible for the cost of any pedestrian safety devices or improvements. The written agreement shall be voided by the city if other off-street facilities are provided in accordance with these regulations.
 - (3) The use being served by the off-street parking shall be a permitted principal use in the zoning district within which the zoning lot containing such parking is located.
 - (4) The off-street parking shall not be located in an R-1 or R-2 zoning district.
 - (5) The off-street parking shall be located within 300 feet walking distance of a public entrance to the structure or land area containing the use for which such spaces are required. Special parking areas, as identified in section 110-954 may establish off-street parking anywhere within the same identified geographical area. A safe, direct, attractive, lighted and convenient pedestrian route shall be provided between the off-street parking and the use being served.
 - (6) The owner of the shared parking must demonstrate to the satisfaction of the development review staff that remaining parking is adequate to meet standard required for all uses on site, or that the spaces can be shared due to differences in peak park times.

(Ord. No. 1099, § 1(Exh. A), 11-28-06)

Editor's note— Ord. No. 1099, § 1(Exh. A), adopted November 28, 2006, redesignated the former § 110-954 as § 110-955, and subsequently amended § 110-955 in its entirety to read as

herein set out. Formerly, § 110-954 pertained to methods of required parking, and derived from the Code of 1983, § 20-602(D).

DIVISION 2. - OFF-STREET PARKING SPACES

Sec. 110-971. - Number of spaces.

- (a) Except as specified in section 110-954, the number of required off-street parking spaces shall be as set forth in this section. The required number of parking spaces for those uses not specifically listed in the following schedule shall be determined by the community development director on the basis of similarity of its parking space requirements with one or more of the uses listed or on the basis of substantive data from a recognized authority (e.g., the Institute of Transportation Engineers).

TABLE OF REQUIRED PARKING SPACES

Use Categories		Spaces Per Unit of Measure
		(GFA=Gross Floor Area)
CHILD CARE CENTER	1.0	per 2 employees, plus 1.0 per 30 children
Cultural Facilities	1.0	per 1,000 square feet GFA
COMMUNICATION FACILITIES		
—Radio and television studios <u>Telecommunication Facilities</u>	1.0	per 1,000 square feet GFA
—Radio and television transmitting and receiving facilities	1.0	per employee
—Telecommunication towers	1.0	per employee
Community Recreational Uses	3.0	per 2,000 square feet GFA
Place Of Assembly	1.0	per 6 seats, whether fixed or not fixed
RESIDENTIAL USES		
Single family	2.0	per dwelling unit
Two family	2.0	per dwelling unit
— Multifamily:		
—Efficiency	1.25	per dwelling unit
—One bedroom unit	1.5	per dwelling unit
—Two or more bedroom unit	2.0	per dwelling unit

Group home or congregate living facility	1.0	per 5 beds, plus 1.0 per employee
Boat slips for rental	1.0	per rental boat slip
RETAIL-Retail and Services	3.0 1.0	per 2,000-300 square feet GFA, including outdoor area used
RESTAURANTS		
Sit down restaurant, bar, lounge, night-club	1.0	per 4 seats, plus 1.0 space for each 2 employees. Open entertainment space is 1.0 space per 60 square feet.
Drive-thru		100 feet of queuing area per drive-in
Take-out only	3.0	per 12,000 square feet GFA
SERVICES	3.0	per 1,000 square feet GFA
Tourist Lodging Facilities	1.0	per room/suite per 1 bed, 2 bed or sleeping units plus 1.0 space for 3 or more bedrooms and 1 space for each 5 units or portion thereof
SCHOOLS		
Technical	0.75	per student, plus 1.0 per staff member
Elementary/junior high and Child Care	1.6-1.0	per classroom plus 1.0 per teacher
Senior high-High School and Colleges	0.5-3.0	per student, plus 1.0 per staff member 1,000 square feet, plus 1.0 per staff member
Colleges	0.75	per student, plus 1.0 per staff member
MARINA OR COMMERCIAL DOCKS		
Boat slips for rental	1.0	per rental boat slip
Boat slips/live aboard	1.5	per boat slip
High and dry slips	1.0	per 4 boat slips or fraction thereof
Boat slips/non-live aboard	0.5	per boat slip
Boat launching facilities	20.0	double long, plus 3 normal per boat ramp
BOATS		
Charter	3.0	per boat
Party	1.0	per 4 passengers
Boat rentals	1.0	per watercraft

Jetski, paddle boats, etc.	1.0	per 2 watercraft
Private, Social, Recreation Or Fraternal Clubs	1.0	per 6 seats
RECREATION AREAS ASSOCIATED WITH PRIVATE FACILITIES		
<u>Community Recreational Uses</u>	<u>3.0</u>	<u>per 2,000 square feet GFA</u>
<u>Golf Course/Putt-Putt</u>	<u>2.0</u>	<u>Per hole of golf</u>
Tennis courts	1.0	per court
Pool area	1.0	per 200 square feet of pool and deck area
Boat slips/non-live aboard	1.0	per 1 boat slip
<u>Residential Use</u>	<u>2.0</u>	<u>per dwelling unit</u>
<u>Efficiency</u>	<u>1.25</u>	<u>per dwelling unit</u>
<u>Group home or congregate living facility</u>	<u>1.0</u>	<u>per 5 beds, plus 1.0 per employee</u>

(b) The required number of offstreet parking spaces shall be offset, if applicable, by credits as set forth in this subsection.

- (1) *Bicycle*. There shall be a credit of one parking space for every bicycle stall provided, up to a total of three credits.
- (2) *Boating*. There shall be a credit of one parking space for every on-site customer boat slip provided.

Visitor (or customer) boat slips will relieve motor vehicle parking on a 1:1 ratio. Slips must be reserved as patron parking in order to qualify for a parking credit.

- (3) *Motorcycle/scooter*. Motorcycle and scooter parking may substitute for required parking spaces for nonresidential uses. Existing parking may be converted to take advantage of this provision. Motorcycle and scooter parking may substitute for up to four automobile spaces or five percent of the required parking spaces, whichever is less. Motorcycle and scooter parking spaces shall measure at least four feet in width by eight feet in length.
- (4) *Hotel Buildings with Mixed Use*. Full hotel required parking must be met with 50% of required parking for ancillary use.

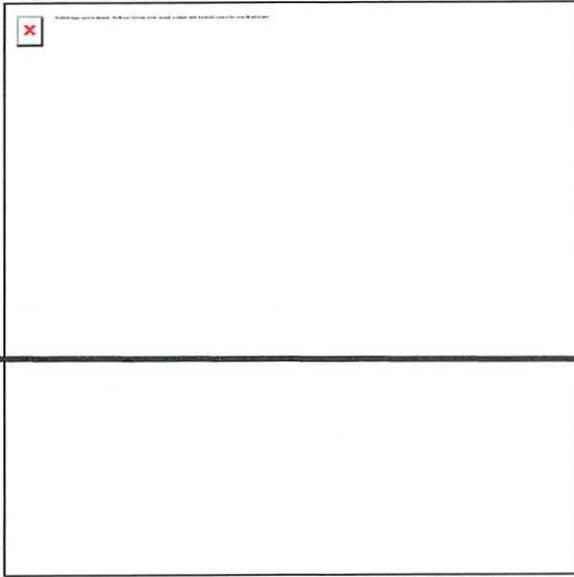
(Code 1983, § 20-602(E); Ord. No. 959, § 1, 10-14-03; Ord. No. 1099, § 1(Exh. A), 11-28-06)

Sec. 110-973. - Off-street parking space standards, regular car off-street parking layout.

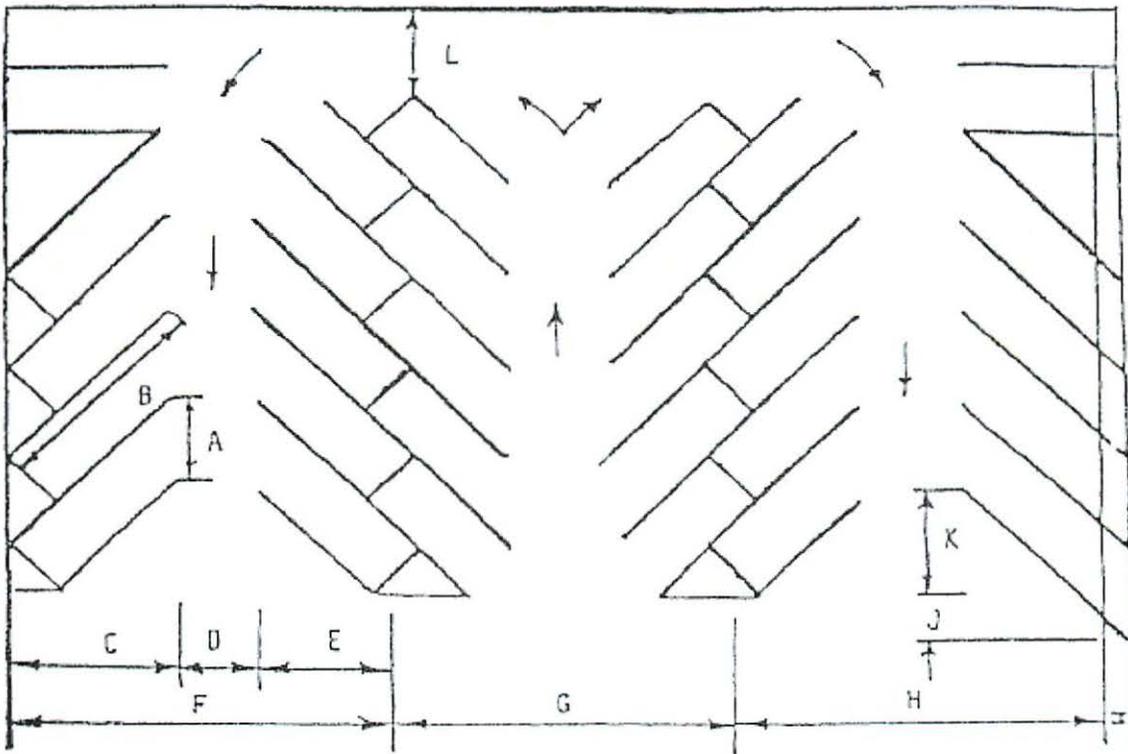
The off-street parking space standards and regular car off-street parking layout are as follows:

TABLE 1—REGULAR CAR PARKING

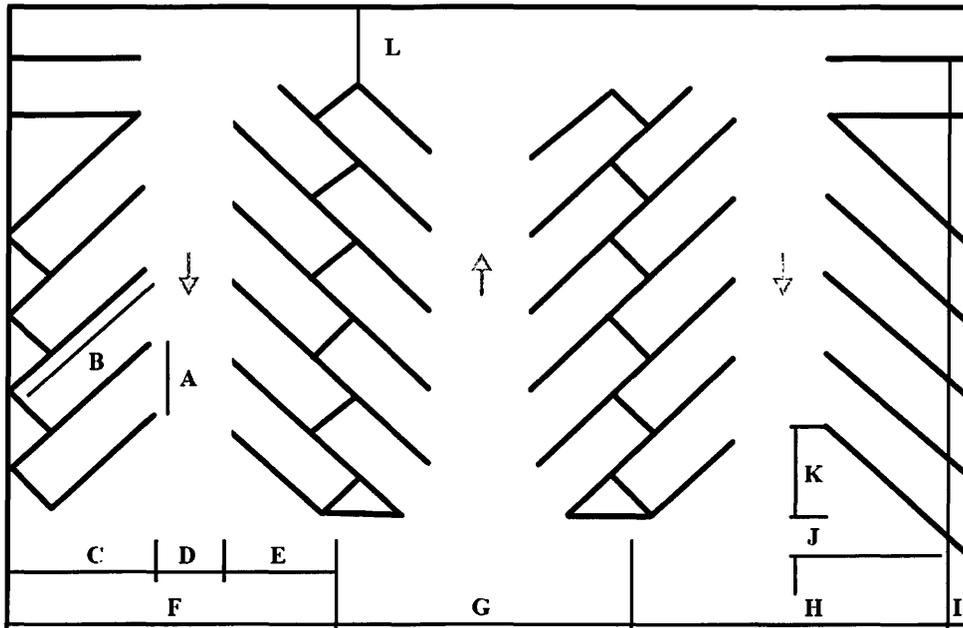
Dimension	Layout	0°	45°	60°	75°	90°
Stall width, parallel to aisle	A	9.0	12.7	10.4	9.3	9.0
Stall length of line	B	24.0	24.5	21.4	19.5	18.0
Stall depth to wall	C	9.0	17.0	18.5	19.0	18.0
Aisle width stall lines	D	12.0	12.0	16.0	22.0	24.0
Stall width, interlock	E	9.0	14.8	17.0	18.3	18.0
Module, wall to interlock	F	30.0	43.8	51.5	59.3	60.0
Module, interlocking	G	30.0	41.6	50.0	58.6	60.0
Module, interlock curb face	H	30.0	41.8	49.4	56.9	58.0
Bumper (typical)	I	0.0	1.5	1.8	2.0	2.0
Offset	J	0.0	6.3	2.7	0.5	0.0
Setback	K	24.0	11.0	8.3	5.0	0.0
Cross aisle, one-way	L	18.0	18.0	18.0	18.0	18.0
Cross aisle, two-way	—	24.0	24.0	24.0	24.0	24.0



OFF-STREET PARKING STALL LAYOUT



Off-Street Parking Stall Layout*



*Design for motorcycle and tandem parking as approved in site plan review process.

(Code 1983, § 20-602(G))

Sec. 110-974. - Compact car, valet, and tandem parking requirements and stall layout.

(1) Compact Car Requirements and Stall Layout

- (a) Parking for compact cars may be provided for up to 20 percent of the required parking and shall be located only at the outer perimeter of the parking area.
- (b) Compact car parking may be provided for only nonresidential land uses.
- (c) Compact car parking may be provided only for parking areas that have ten or more spaces.
- (d) For 90-degree compact parking the minimum stall width shall be eight feet and the minimum stall length shall be 16 feet. There need be no provision for bumper overhang for compact parking.
- (e) Compact car parking must be designated as being for the exclusive use of compact cars through the use of signs or pavement markings.
- (f) The overall design of compact car parking must be reviewed and approved by the building and zoning official.
- (g) Parking layout for eight-foot parking stalls, at various angles, are shown in Table 2.

TABLE 2—COMPACT CAR PARKING

Dimension	Layout	0°	45°	60°	75°	90°
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Stall width, parallel to aisle	A	8.0	11.3	9.2	8.3	8.0
Stall length of line	B	22.0	24.0	20.5	18.2	16.0
Stall depth to wall	C	8.0	17.0	17.8	17.6	16.0
Aisle width stall lines	D	12.0	12.0	16.0	22.0	24.0
Stall width, interlock	E	8.0	11.7	14.3	16.0	16.0
Module, wall to interlock	F	28.0	43.2	48.1	53.3	56.0
Module, interlocking	G	28.0	43.2	48.1	53.3	56.0
Module, interlock curb face	H	28.0	43.2	48.1	53.3	56.0
Bumper (typical)	I	0.0	0.0	0.0	0.0	0.0
Offset	J	0.0	5.7	2.3	0.6	0.0
Setback	K	22.0	11.3	8.0	4.1	0.0
Cross aisle, one-way	L	18.0	18.0	18.0	18.0	18.0
Cross aisle, two-way	—	24.0	24.0	24.0	24.0	24.0

(2) Valet Parking

- (a) Requirement. No person shall operate a valet parking service utilizing public property without a valid valet business license issued by the City. All valet parking services shall operate in conjunction with a permitted use. The valet parking operator shall not allow passengers to load or unload within traffic lanes or parking spaces that are open to traffic.
- (b) Exemption. Occasional valet parking service provided at a private residence or in connection with a charitable or fundraising activity are exempt from the requirements of this article, but may be subject to other restrictions.
- (c) Content of Application. The application for valet parking shall, at a minimum, contain a site plan showing the detail of the valet parking service, including, but not limited to, size, shape, and location of the valet parking area, the size, shape, location and support of any signage including a picture or diagram of the signage, the proposed hours of operation, and the size, shape, location and design of any stand or other equipment proposed to be used. The site plan must show the circulation of traffic within and surrounding the site. The plan shall be drawn to scale.

(3) Tandem parking.

- (a) Tandem parking shall mean a space where one automobile parks behind another, so that one automobile must be moved before the other can be accessed. Accessible parking spaces shall not be used for tandem parking spaces. Tandem parking shall only be used

for valet approved parking and managed and directed facility parking with site plan approval.

(Code 1983, § 20-602(H))

Section 2: 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 the other portions of the ordinance.

Section 3: All Ordinance or parts of ordinances in conflict with the provision of this ordinance be hereby repealed insofar as the same affect this Ordinance.

Section 4: 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 8th day of October, 2019.

ATTEST:


CLARA VANBLARGAN, City Clerk


MAGGI BLACK, Mayor

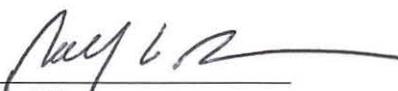
PUBLISHED:

FIRST READING: September 10, 2019

PUBLISHED: September 20, 2019

PASSED ON SECOND READING: October 8, 2019

Approved as to legal sufficiency:


City Attorney

**Tampa Bay Times
Published Daily**

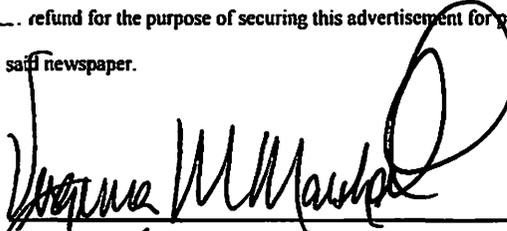
STATE OF FLORIDA
COUNTY OF Pinellas

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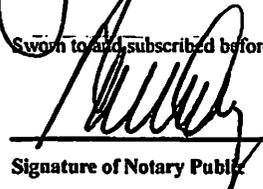
Before the undersigned authority personally appeared Virginia Marshall who on oath says that he/she is Legal Advertising Representative of the Tampa Bay Times a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter **RE: Ordinance 2019-07, 17, 20 & 21** was published in Tampa Bay Times: 9/20/19 in said newspaper in the issues of Tampa Bay Times\Community Newspapers\Beaches

Affiant further says the said Tampa Bay Times is a newspaper published in 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 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 neither paid

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.



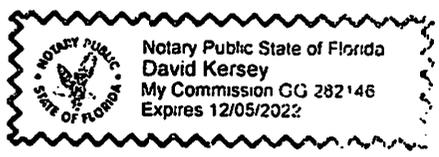
Signature Affiant



Signature of Notary Public

Personally known X or produced identification

Type of identification produced _____



LEGAL NOTICE
**NOTICE OF PUBLIC HEARING
CITY OF MADEIRA BEACH**

In accordance with the City of Madeira Beach Code of Ordinances, the City of Madeira Beach City Charter, and Florida Statutes §166.041(3)(a):

NOTICE IS HEREBY GIVEN, the Board of Commissioners of the City of Madeira Beach will conduct a **Second Reading and Public Hearing** for the adoption of proposed Ordinance 2019-07, Ordinance 2019-17, Ordinance 2019-20 and Ordinance 2019-21 on Tuesday, October 8, 2019 at 6:00 p.m. The meeting will be held in the Patricia Shortz Commission Chambers located at 300 Municipal Drive, Madeira Beach, FL 33708. The title of said Ordinance is as follows:

ORDINANCE 2019-07
AN ORDINANCE OF THE CITY OF MADEIRA BEACH AMENDING DIVISION 10. - PLANNED DEVELOPMENT, SEC. 110-388. - PURPOSE OF PLANNED DEVELOPMENT (PD) DISTRICT, STRENGTHENING PURPOSE AND INTENT; SEC. 110-387. - USES PERMITTED, ADDRESSING COMPATIBILITY AND SETTING STANDARDS FOR MIXED-USES; SEC. 110-388 - APPLICATION FOR PD ZONING, SPECIFYING SUBMISSION REQUIREMENTS AND DESIGN CRITERIA; SEC. 110-389. - PROCEDURE FOR APPROVAL OF PD ZONING, ADDING SPECIFIC PROCEDURES FOR REVIEW; SEC. 110-391. - REVIEW BY LOCAL PLANNING AGENCY, SPECIFYING RESPONSIBILITIES AND SPECIFYING REVIEW CRITERIA; SEC. 110-392. - NEIGHBORHOOD INFORMATION MEETING, REQUIRING MEETING TO BE HELD BEFORE LOCAL PLANNING AGENCY MEETING AND BE REPORTED AS AN ELEMENT OF APPLICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE

ORDINANCE NO. 2019-17
AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 110 - ZONING, ARTICLE VI. SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION III. - WALLS, FENCES, HEDGES, AND SAND FENCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE RECOGNITION OF STATE PREEMPTION; AND PROVIDING FOR AN EFFECTIVE DATE. FIRST READING.

ORDINANCE NO. 2019-20
AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING LAND DEVELOPMENT REGULATIONS; ARTICLE VII. - OFF-STREET PARKING AND LOADING, SEC. 110-953 - MAINTENANCE; SEC. 110-955. - METHODS OF PROVIDING REQUIRED PARKING; SEC. 110-956. - SHARED PARKING FACILITIES; DIVISION 2. - OFF-STREET PARKING SPACES, SEC. 110-971 - NUMBER OF SPACES; SEC. 110-973. - OFF-STREET PARKING SPACE STANDARDS, REGULAR CAR OFF-STREET PARKING LAYOUT; ADDING SEC. 110-974. VALET PARKING; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY AND; PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

ORDINANCE NO. 2019-21
AN ORDINANCE OF THE CITY OF MADEIRA BEACH, AMENDING CHAPTER 78 WATERWAYS; ARTICLE I; SEC. 78-1 CONTAINERS AND/OR BOTTLES PROHIBITED ON PUBLIC BEACHES; SEC. 78-2-FISHING PROHIBITED; SEC 78-3. - SWIMMING AND SPEARFISHING; PROHIBITED IN CERTAIN AREAS; SEC. 78-4.-RESTRICTED SWIMMING AREAS ESTABLISHED; ARTICLE II. -BOATS; DIVISION 1-GENERALLY; SEC. 78-31.-ADOPTION OF STATE BOATING REGULATIONS; SEC. 78-32.-DEFINITIONS; SEC. 78-33.-SPEED RESTRICTIONS ON WATERCRAFT IN SPECIFIC AREAS; SEC. 78-34.- CONGESTED MARINE AREAS; SEC. 78-35.- WATERSKIING REGULATIONS GENERALLY; SEC. 78-36.- DOCKING LIMITATIONS; SEC. 78-37.- DISCHARGE OF SEWAGE FROM VESSELS INTO CITY WATERS; SEC. 78-38.- SLOW SPEED-MINIMUM WAKE AND IDLE SPEED-NO WAKE ZONES AND INFORMATIONAL MARKERS; SEC. 78-39.- AIRBOATS DECLARED A NUISANCE; OPERATION PROHIBITED; SEC. 78-40.- RESTRICTIONS ON USE OF PUBLIC PROPERTY; DIVISION 2-LIVE ABOARD VESSELS; SEC.78-61.- GENERAL REGULATIONS; SEC.78-62. -PERMIT REQUIREMENTS; SEC. 78-63.- MARINAS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

A copy of the proposed Ordinances is available for inspection in the City Clerk's Office between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday. If you would like more information regarding the proposed Ordinances, please contact Linda Portal, Community Development Director, at 727-391-8951, ext. 255.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. All persons are hereby advised that any presentation they make to the Board of Commissioners will be encouraged to be as precise as possible and will be limited to three minutes per speaker to permit maximum participation by the public at large.

Persons who wish to appeal any decision made by the Board of Commissioners with respect to any matter considered during a public hearing at this meeting will need a record of the proceedings, and for such purpose may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. It is the responsibility of the person making the appeal to bear the cost of hiring a private reporter or private recording firm to make the verbatim record.

In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk's office no later than 4:00 p.m. on the day prior to the meeting: (727) 391-8951, Ext. 231 or 223 or fax a written request to (727) 399-1131.

Clara VanBlargan, MMC, MSM, City Clerk