

CITY OF MADEIRA BEACH

Comprehensive Plan

ADOPTED

May 27, 2008



**Prepared by
The Gail Easley Company
in conjunction with the
Pinellas Planning Council**

Comprehensive Plan of the
City of Madeira Beach

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Amendments

Ordinance	1179	July 10, 2012
Ordinance	2014-09	November 12, 2014

1.0 EXECUTIVE SUMMARY

The City of Madeira Beach conducted an evaluation and appraisal of its comprehensive plan in 2006 and 2007. A number of recommendations resulted from that evaluation process. These recommendations formed the basis for an amendment to the comprehensive plan. The amendment to the comprehensive plan presented herein is an update of the entire plan, addressing not only the recommendations from the evaluation process, but also reorganization of the comprehensive plan to eliminate duplications. Revisions are provided to ensure consistency with the Pinellas Planning Council *Countywide Plan Rules*. The adopted portion of this document is Section 3.0, Goals, Objectives, and Policies, together with Map LU-4, Future Land Use and Transportation.

2.0 PUBLIC PARTICIPATION PROGRAM

The City of Madeira Beach is following the public participation requirements described in the 1999 Comprehensive Plan. The city further ensures that all participation requirements of *Florida Statutes* are followed. This process began with the adoption of an Evaluation and Appraisal Report. During this process, citizens had opportunities to review and comment on the findings during the evaluation of the comprehensive plan.

This document contains a proposed amendment to the Comprehensive Plan to implement recommendations of the EAR. The process for considering, transmitting, and adopting the amendment includes citizen workshops and public hearings.

10/08/2007	Joint Workshop on proposed EAR-based amendment
12/10/2007	Transmittal hearing by LPA
01/08/2008	Transmittal hearing by the Board of Commissioners
05/27/2008	Adoption hearing by the Board of Commissioners

3.1 GOALS, OBJECTIVES, POLICIES, AND MAPS

3.2 INTRODUCTION

All goals, objectives, and policies of the Comprehensive Plan are included in Section 3.0, whether or not they are proposed for amendment. Text proposed for deletion is shown in strikethrough. Text proposed for addition is shown with underlining. The map proposed for adoption is the combined Future Land Use and Future Transportation Map. All maps, including maps proposed for adoption and maps depicting data, are attached at the end of this document.

3.3 FUTURE LAND USE ELEMENT

- Goal 1:** **Ensure that the residential/family and beach community character of the City of Madeira Beach is maintained and protected while:**
- **Maximizing the potential for economic benefit resulting from the tourist trade and the enjoyment of natural and man-made resources by citizens and visitors;**

- **Minimizing the threat to health, safety, and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation;**
- **Maximizing land development which respects necessary ecological functions and suitability for urban development;**
- **Preserving or improving the community’s natural resources and valuable amenities;**
- **Encouraging an orderly and aesthetic mix of land uses by allowing new development and redevelopment that will enhance and protect the city’s existing character; and**
- **Providing a comprehensive plan that is flexible and incorporates changing community values and attitudes.**

Objective 1.1:

Ensure that redevelopment and new development occurs in planned areas at the appropriate densities and intensities as indicated on, and consistent with *Map LU-4, Future Land Use and Transportation*.

Policy 1.1.1:

The City of Madeira Beach hereby adopts those land use categories identified and defined in this policy as those which shall govern residential 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 intensity standards listed in the Pinellas Planning Council *Countywide Plan Rules*, except as specifically modified herein.

RESIDENTIAL

- Residential Urban (RU), density of 0 to 7.5 residential units per acre, excluding residential equivalent uses and institutional uses.
- Residential Medium (RM), density of 0 to 15.0 residential units per acre, excluding residential equivalent uses and institutional uses.

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.

Land Area	Units per Acre	FAR	ISR
<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 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 (and 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 shall 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.~~

Policy 1.1.3:

The City of Madeira Beach hereby adopts those land use categories identified and defined in this policy as those which shall govern commercial and other uses 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 intensity standards listed in the Pinellas Planning Council *Countywide Plan Rules*, except as specifically modified herein.

COMMERCIAL

- Commercial General (CG), with a density of 0 to 15 residential units per acre for multifamily dwellings and a temporary lodging density of up to 60 units per acre with a maximum floor area ratio (FAR) of 1.2 and impervious surface ratio (ISR) of 0.9. CG shall not include residential equivalent uses.

PUBLIC / SEMI-PUBLIC

- Recreation/Open Space, (R/OS), with a maximum FAR of 0.25. R/OS shall exclude golf course/clubhouse uses and shall not allow the transfer of development rights.
- Preservation (P), with a maximum FAR of 0.1. The preservation category shall not allow transfer of development rights.
- Institutional (I), with a density of 0 to 10 residential units per acre (residential

equivalent use shall not exceed 2.0 to 3.0 beds per dwelling unit), with a maximum FAR of 0.65 and ISR of 0.7. Institutional uses shall not include residential equivalent uses.

- Transportation/Utility (T/U), with a maximum FAR of 0.7 and ISR of 0.7.

Policy 1.1.4:

Zoning districts that define specific uses and development densities and intensities implementing these land use designations shall be included within the City of Madeira Beach land development regulations.

Objective 1.2:

Future development and redevelopment shall be managed through the implementation and enforcement of the land development regulations as codified by the City of Madeira Beach consistent with this comprehensive plan.

Policy 1.2.1:

The land development regulations shall contain administrative provisions:

- For the division of lots, the use of land, the protection of environmentally sensitive lands, and flood hazard safety;
- Which implement guidelines for the administration of those land use categories adopted for the City of Madeira Beach;
- Ensuring that applications for development approval are subject to site plan review, except for single-family, duplex, and triplex dwelling units;
- Ensuring that all development is consistent with those coastal construction regulations adopted and/or amended by the State of Florida, Pinellas County, and other agencies with jurisdictional responsibilities;
- Ensuring that drainage and stormwater management is based on the minimum criteria established by the Southwest Florida Water Management District and other governmental agencies with jurisdictional responsibilities; and
- Ensuring that all development is consistent with National Flood Insurance Program regulations.

Policy 1.2.2:

The land development regulations shall contain design provisions:

- Ensuring compliance with the stormwater requirements of the Southwest Florida Water Management District, for the permitted use of either vegetated swales in conjunction with retention ponds or sand filtration and catchment systems where space prohibits the use of retention ponds;
- For drainage and stormwater management, open space, safe and convenient on-site traffic flow, parking, and signage;
- Ensuring the compatibility of adjacent land uses and provide for adequate and appropriate buffering;
- Encouraging the use of native vegetation in the landscaping of multifamily and commercial developments;
- Designed to direct water flows along natural drainage courses and through natural terrain;

- To provide that new development stormwater runoff is routed to protect neighboring property and minimize ecological damage. Compliance with this requirement shall be demonstrated by the developer during site plan review; and
- Promoting land development which highlights scenic amenities and ensures public access to the waterfront.

Policy 1.2.3:

The land development regulations shall contain stormwater management provisions:

- Ensuring that surface cover vegetation loss during construction is minimized and/or replaced to reduce erosion and flooding;
- To provide that the developer/owner of any new development or redevelopment site is responsible for the on-site management of stormwater runoff in a manner so that post-development runoff rates, volumes, and pollutant loads are minimized and not exceed predevelopment conditions;
- To provide that impervious surfaces are minimized;
- To provide that future drainage outfalls associated with either new development or redevelopment, shall be designed so as to prevent, to the extent practicable, the direct discharge of runoff into the Intracoastal Waterway or the Gulf of Mexico; and
- To provide that roadways, pipe systems, and stormwater sewers are designed to avoid the alteration of vital habitat areas and minimize interference with the surface water or groundwater flow.

Policy 1.2.4:

The land development regulations shall contain provisions for development of innovative techniques aimed at preserving the access to and view of the beach by residents of and visitors to this community.

Policy 1.2.5:

The City shall comply with all county, state, and federal regulations governing hurricane evacuation, provision of public beach access, provision of infrastructure in the Coastal Storm Area, regulation of stormwater drainage, protection of wetland vegetation, and protection of species with special status.

Objective 1.3:

Because Madeira Beach lies within the Coastal Storm Area, the City shall limit public expenditures that support development, except for restoration or enhancement of natural resources, the maintenance or repair of existing infrastructure, or facilities determined to be an overriding benefit.

Policy 1.3.1:

The City of Madeira Beach shall recognize the Coastal High Hazard Area as that portion of the community below the elevation of the category 1 storm surge line as established by the Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model. However, the Coastal High Hazard Area defined by the Pinellas Planning Council *Countywide Plan Rules* and defined in Policy 1.3.2 as the Coastal Storm Area shall be the regulatory standard for the City of Madeira Beach and shall be depicted on the

Future Land Use Map.

Policy 1.3.2:

The City defines the Coastal Storm Area as the area that includes the following:

- (1) the Coastal High Hazard Area,
- (2) the Tom Stuart Causeway and land areas connected to the mainland of Pinellas County by the causeway,
- (3) any area surrounded by the CHHA or by the CHHA and a body of water, and
- (4) all areas located within the Velocity Zone as designated by the Federal Emergency Management Agency.

Policy 1.3.3:

The Coastal Storm Area as depicted on Map LU-4 of this comprehensive plan, is consistent with the Pinellas Planning Council *Countywide Plan Rules*, and is the area within Madeira Beach where coastal development regulations apply.

Policy 1.3.4:

The City shall not support or finance new local transportation corridors that would encourage further growth or higher permanent population densities within the Coastal Storm Area beyond that anticipated in this comprehensive plan, although existing corridors may be maintained or improved as necessary to protect the health, safety, and welfare of residents.

Policy 1.3.5:

The City shall not support sewer and water line extensions or expansions that would encourage further growth or higher permanent population densities within the Coastal Storm Area, except as anticipated within this comprehensive plan.

Policy 1.3.6:

Recognizing that the community is located primarily within the Coastal Storm Area and the 100-year floodplain, the City shall adopt and strictly enforce all appropriate federal, state, and local coastal construction codes, coastal setback requirements, the Coastal Construction Control Line, facility siting restrictions, and floodplain management regulations.

Policy 1.3.7:

Special care facilities, such as hospitals and nursing homes, shall not be located in the Coastal Storm Area. Assisted living facilities are discouraged in the Coastal Storm Area unless adequate provisions for safe and efficient evacuation and shelter are ensured.

Objective 1.4:

Due to its location in the Coastal Storm Area, the City shall not increase permanent densities above those established in this comprehensive plan, as delineated by *Map LU-4, Future Land Use and Transportation*.

Policy 1.4.1:

The City shall maintain or reduce allowable permanent density in the Coastal Storm Area, consistent with *Map LU-4, Future Land Use and Transportation*.

Policy 1.4.2:

The City of Madeira Beach shall continue to implement growth management standards limiting development to currently planned densities and intensities within the Coastal Storm Area, consistent with *Map LU-4, Future Land Use and Transportation*.

Policy 1.4.3:

The City shall continue to seek opportunities for public land acquisition and management for recreation, conservation, and preservation areas within the Coastal Storm Area.

Policy 1.4.4

The City shall review federal and state development projects which are to be located within the City, and support those which are consistent with this comprehensive plan.

Objective 1.5:

The City shall ensure that future development and redevelopment occurs in accordance with the adopted *Map LU-4, Future Land Use and Transportation*.

Policy 1.5.1:

The City shall maintain a population level based upon the availability, accessibility, and adequacy of existing and planned public facilities and services, including coordination of development with the availability of water supply.

Policy 1.5.2:

The City shall provide public and semi-public facilities and services and commercial land uses in accordance with the demand for such facilities and uses generated by existing and/or future residential development.

Policy 1.5.3:

Ensure the scale of proposed development shall be appropriate to the level of accessibility with more intensive development located in those areas with high accessibility.

Policy 1.5.4:

Ensure development and redevelopment shall maximize scenic amenities and cultural facilities and provide for public access.

Policy 1.5.5:

Promote pedestrian-oriented areas within concentrated development and activity areas.

Policy 1.5.6:

Reduce conflicts between traffic movement and Intracoastal Waterway bridge openings.

Policy 1.5.7:

Minimize existing and potential traffic hazards by coordinating land use and traffic circulation decisions.

Objective 1.6:

The City shall assist property owners in the identification, preservation, and protection of historical and architecturally significant housing, structures, and archaeological sites, should they be identified in the future.

Policy 1.6.1:

By providing referral to the appropriate governmental agency (ies), the City shall assist property owners in the identification of historically significant structures and archaeological sites.

Policy 1.6.2:

The City shall refer property owners of historically or architecturally significant structures and archaeological sites to Pinellas County for assistance in applying for and utilizing state and federal assistance programs.

Policy 1.6.3:

Through site plan review, the City shall ensure that all development/redevelopment occurring in the area of known historically or architecturally significant structures or archaeological sites is consistent with protection measures recommended by the Florida Department of State.

Objective 1.7:

The integrity and quality of life, as exhibited by the continuation of the city's beach community, family-oriented, residential character, will be maintained in residential neighborhoods.

Policy 1.7.1:

The City shall encourage a balanced land use mix providing for a variety of housing styles, densities, and access to services and open space.

Policy 1.7.2:

Residential developments designed to meet the housing needs of varying income level households shall be encouraged.

Policy 1.7.3:

The City shall ensure that existing residential land uses are protected from the encroachment of incompatible activities; likewise, other land uses shall be protected from the encroachment of incompatible residential activities.

Policy 1.7.4:

Land development patterns shall recognize and support the preservation of neighborhoods.

Policy 1.7.5:

The City shall enforce provisions whereby residential land uses are located and designed to protect life and property from natural and manmade hazards such as flooding, excessive traffic, subsidence, noxious odors, noise, and deterioration of structures.

Policy 1.7.6:

Residential land uses shall be compatible with the type and scale of surrounding land uses.

Policy 1.7.7:

Buffering and open space requirements within residential land uses shall be required, as appropriate.

Policy 1.7.8:

The City shall enforce procedures which enhance the quality of existing housing stock and neighborhoods and promote the revitalization of older areas where conditions warrant.

Objective 1.8:

Commercial and mixed-use development compatible with environmental and economic resources shall occur in a planned fashion and shall be consistent with *Map LU-4, Future Land Use and Transportation* and the city land development regulations, and will be in keeping with the needs and character of the community and its surrounding area.

Policy 1.8.1:

The City shall enforce provisions whereby mixed-use development within the Residential/Office/Retail land use category is encouraged and single-use developments shall be discouraged.

Policy 1.8.2:

The City shall ensure that within any mixed-use development proper separation and buffering shall be required and maintained between residential and nonresidential land uses and shall be installed when a change of use or increase in intensity occurs.

Policy 1.8.3:

The City shall promote commercial development in areas where a projected demand for those uses exists, where the use is compatible with the surrounding area, and where existing or programmed facilities will not be overburdened by matching planned commercial land uses to the projected demand.

Policy 1.8.4:

Commercial land uses shall be located, in a manner which ensures the compatibility with the type and scale of surrounding land uses and where existing or programmed public facilities shall not be degraded beyond the adopted level-of-service.

Policy 1.8.5:

Commercial facilities shall be located so as to serve residential land uses without disrupting neighborhood quality of life.

Policy 1.8.6:

Commercial development west of Gulf Boulevard shall be limited to only those uses

associated with seasonal tourist accommodations, excluding general retail uses.

Policy 1.8.7:

The City shall encourage tourist-related development and redevelopment to reflect the beach community character of the City.

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 and 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 categories 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 categories.

Policy 1.8.11:

The City shall ensure that commercial developments provide adequate off-street parking and loading areas and separate pedestrian and vehicular traffic.

Policy 1.8.12:

In cooperation with the Florida Department of Transportation and Pinellas County, the City shall regulate to the fullest extent of its jurisdiction, direct access and control the number and location of curb cuts along existing and planned local and state roads.

Policy 1.8.13:

The City shall encourage the concentration and/or clustering of commercial development.

Objective 1.9:

Redevelopment shall be designed and constructed as orderly, planned, mixed-use development featuring pedestrian friendly design and protection of the natural environment.

Policy 1.9.1:

Redevelopment shall be encouraged in the following areas:

- The area of 137th Avenue Circle, east of Gulf Boulevard
- The Madeira Way Redevelopment Area, the area formed by Gulf Boulevard, 153rd Avenue, Madeira Way, and 150th Avenue to the Tom Stuart Causeway Bridge.

Policy 1.9.2:

Redevelopment shall be encouraged in those areas zoned R-1 and R-2 where the existing density exceeds that permitted on *Map LU-4, Future Land Use and Transportation*.

Policy 1.9.3:

The City shall enforce provisions which encourage redevelopment and/or revitalization through the use of the Residential/Office/Retail land use category.

Policy 1.9.4:

In order to ensure the continued maintenance of its beach residential character, the City shall address opportunities and incentives for the rehabilitation and/or revitalization of existing residential structures, including encouraging FEMA compliant residential construction.

Policy 1.9.5:

The City shall encourage new development and redevelopment that is feasible within the financial limitations and administrative constraints associated with the increased need for public facilities and services.

Policy 1.9.6:

The City shall recognize John's Pass Village for its unique focal points of tourism, employment, commerce, and housing and shall encourage redevelopment/revitalization and assist in maintaining the beach community theme.

Policy 1.9.7:

(Reserved)

Policy 1.9.8:

Redevelopment within the area adjacent to John's Pass Village and east of Pelican Lane shall be of a type that is in character with the overall design theme of the area.

Policy 1.9.9:

The City shall allow zero lot line, cluster, or other nontraditional lot layout or site design for John's Pass Village.

Objective 1.10:

In cooperation with the Florida Department of Transportation, the city entranceways and roadways will be maintained.

Policy 1.10.1:

The city entranceway areas shall reflect the beach community character of the community, water-related activities, and include mixed uses.

Policy 1.10.2:

As part of a beautification effort, the City shall cooperate with service providers and Pinellas County to establish a plan that calls for the eventual burial of all existing utility lines.

Policy 1.10.3:

The City shall coordinate with the Florida Department of Transportation to install

landscaped medians within the Gulf Boulevard right-of-way.

Objective 1.11:

Existing land uses or structures which are inconsistent with the comprehensive plan shall be deemed nonconforming.

Policy 1.11.1:

Those commercial and residential activities existing as of the effective date of this comprehensive plan which were conforming prior to such adoption and have now been rendered nonconforming, shall be allowed to continue provided that the use, lot, and structure complies with the requirements set forth in the *Madeira Beach Land Development Code*.

Policy 1.11.2

The City shall enforce regulations for the reestablishment of uses after an involuntary loss.

Policy 1.11.3:

The City shall enforce regulations for the buffering of incompatible and/or nonconforming land uses or structures.

Objective 1.12:

All development orders and permits for future development and redevelopment activities shall be issued only if public facilities necessary to meet the level-of-service standards adopted pursuant to this comprehensive plan are available concurrent with the impacts of the development.

Policy 1.12.1:

The City shall ensure that all development and redevelopment do not result in a reduction of the level-of-service standards established and adopted by this comprehensive plan.

Policy 1.12.2:

The development of residential and commercial land shall be timed and staged in conjunction with the provision of supporting community facilities as set forth by those adopted levels of service contained in the Capital Improvements Element of the comprehensive plan.

Policy 1.12.3:

Public facilities and utilities shall be located so as to maximize the efficiency of services provided, minimize their cost, and minimize their impacts on the natural environment.

Policy 1.12.4:

Public and other essential services and facilities including public utilities that serve the health, safety, or welfare of the general public shall be allowed in all land use categories, excluding areas having the Preservation land use designation.

Objective 1.13: The City shall continue to ensure the availability of suitable land for utility facilities necessary to support proposed development.

Policy 1.13.1:

The City shall ensure that adequate land is available for the maintenance of those public utility facilities provided by the city needed to accommodate proposed development and redevelopment.

Policy 1.13.2:

The City will cooperate with those public utilities providing service to the community to ensure that adequate land is available for those facilities which support proposed development and redevelopment.

Policy 1.13.3:

Consistent with state law, new electric substations shall be permissible in all land use categories in the city, except for Preservation.

Objective 1.14:

The City of Madeira Beach shall support efforts that facilitate coordination of planning between the City and the School Board for the location and development of public educational facilities.

Policy 1.14.1:

The City has approved an Interlocal Agreement with the School Board of Pinellas County and will implement the provisions of this agreement regarding coordination of land use and public school facilities planning.

Policy 1.14.2:

Public educational facilities of the School Board are an allowable use within the following future land use categories:

- Residential Urban
- Residential Medium
- Institutional

Objective 1.15:

In accordance with Chapter 171, Florida Statutes, the City may annex appropriate adjacent unincorporated areas provided that landowner(s) of such areas request annexation and the revenues and costs of annexation will not burden existing city residents.

Policy 1.15.1:

In order to ensure that growth resulting from future annexations does not have an adverse effect on the character of the community, the City shall evaluate proposed annexations for compatibility.

Policy 1.15.2:

In order to ensure that growth resulting from future annexations does not have an adverse impact on the availability of services and facilities to existing and future residents, the city shall evaluate proposed annexations for compliance with adopted level-of-service standards.

Objective 1.16:

Open space protection shall be achieved, in part, through the enforcement of view corridors along Gulf Boulevard. Standards will be provided in the land development regulations to implement this objective.

Policy 1.16.1:

The City shall enforce provisions that preserve view corridors by keeping designated areas clear of buildings, accessory structures, and structured parking.

Policy 1.16.2:

The City shall enforce provisions that further maintain open space and view corridors with increased landscaping to reduce impervious surfaces and pedestrian access as one means of reducing the need for parking. Pedestrian access between Gulf Boulevard and the Gulf of Mexico shall be ensured in part through the provision of pedestrian access easements. Provisions regarding landscaping shall ensure protection of a clear visibility area between three and ten feet in height.

Objective 1.17:

The City shall recognize private property rights pursuant to Sections 70.001 and 70.51, Florida Statutes.

Policy 1.17.1:

The City shall, upon need, prepare and adopt procedures to deal with the appeal process as outlined in the *Bert J. Harris, Jr. Private Property Rights Protection Act* and the *Environmental Dispute Resolution Act*.

Goal 2: To comply with Chapter 88-464, Laws of Florida, as amended, by participating in the countywide planning process through representation on and coordination with the Pinellas Planning Council, to ensure consistency between the *City of Madeira Beach Comprehensive Plan* and the *Updated Countywide Plan for Pinellas County and Countywide Plan Rules*.

Objective 2.1:

The *Future Land Use Element* of the *City of Madeira Beach Comprehensive Plan* shall be consistent with the *Countywide Future Land Use Plan* and the *Rules Concerning the Administration of the Countywide Future Land Use Plan, as Amended*.

Policy 2.1.1:

Per Chapter 88-464, Laws of Florida, as amended, the city land development regulations shall contain density and intensity standards and other standards consistent with the *Rules Concerning the Administration of the Countywide Future Land Use Plan, As Amended* including criteria and standards for nomenclature, continuum of plan classifications and categories, use and locational characteristics, map delineation, other standards, and special rules.

Policy 2.1.2:

Consistent with the foregoing policies, the City shall consider and develop 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.

3.4 TRANSPORTATION ELEMENT

Goal 1: A safe, convenient, and efficient motorized and non-motorized transportation system shall be available for all residents and visitors to the City.

Objective 1.1:

The operational level-of-service (LOS) "D" peak hour shall be the standard for all roads within the City.

Policy 1.1.1:

The City shall review all proposed development or redevelopment for consistency with this element and impacts upon the adopted LOS standard.

- All development orders and permits shall be issued only when it is documented by the developer's transportation analysis that such development is consistent with the level-of-service standards for the affected public facilities adopted by this comprehensive plan.
- The transportation analysis will utilize the latest and best methodology available at the time.
- In addition, no development orders or permits that affect access to state roads shall be issued until Florida Department of Transportation completes a review and gives conceptual approval of the development site access plan.

Policy 1.1.2:

The City shall assess new development or redevelopment an equitable pro rata share of the costs to provide roadway improvements to serve the development or redevelopment and shall enforce countywide transportation impact fee regulations.

Objective 1.2:

Transportation planning shall be coordinated with the *Future Land Use and Transportation Map*, and roadway rights-of-way shall be identified, protected, reserved, or acquired.

Policy 1.2.1:

The City shall enforce the minimum construction and regulatory requirements for new and existing roadways through provisions contained in the land development regulations.

Policy 1.2.2:

The City shall enforce the Charter provision that vacations of existing rights-of-way shall only be accomplished through a referendum vote of City residents.

Objective 1.3:

Motorized and non-motorized vehicle parking and bicycle and pedestrian ways shall be regulated.

Policy 1.3.1:

The City shall enforce the parking requirements, including on-site traffic flow, through provisions contained in the land development regulations.

Policy 1.3.2:

The City shall ensure that bicycle and pedestrian ways are provided, to the extent possible, to connecting residential areas to schools, recreation, shopping, and transit terminal areas.

Policy 1.3.3:

Facilities for bicycle parking are required at shopping and recreational areas.

Policy 1.3.4:

The City shall, in coordination with jurisdictional agencies, provide crosswalks and sidewalks on roadways in commercial areas and within mixed-use developments with high pedestrian usage.

Policy 1.3.5:

Provision of crosswalks and sidewalks shall be required as part of the site plan review process in commercial areas and within mixed-use developments, in coordination with the agencies with jurisdiction over the affected roadways.

Objective 1.4:

The City transportation system shall emphasize safety and aesthetics.

Policy 1.4.1:

The City shall fund the maintenance of its local roadways. The City may fund landscaping of local roadways based upon budget availability.

Policy 1.4.2:

The City shall continue to enforce signage requirements along roadways through provisions contained in the land development regulations.

Policy 1.4.3:

The City shall monitor accident reports provided by the Sheriff's Office for all collector and arterial roads to identify needed safety improvements.

Policy 1.4.4:

The City, through the permit process and in cooperation with Pinellas County and Florida Department of Transportation, shall control connections or access points of driveways to the roadway system through provisions contained in the land development regulations.

Objective 1.5:

The City shall encourage the development and utilization of a safe, convenient, and energy efficient multi-modal transportation system.

Policy 1.5.1:

The City shall encourage and provide incentives for the increased use of available public transportation, including PSTA bus and trolley service along major arterials.

Policy 1.5.2:

The City shall identify and encourage the use of bicycle and pedestrian facilities to the extent possible, given the physical constraints of construction.

Policy 1.5.3:

The City shall review all proposed development and redevelopment site plans for the accommodation of bicycle and pedestrian traffic needs.

Policy 1.5.4:

Coordinate with the Community Transportation Coordinator (Pinellas County MPO) regarding the provision of transportation disadvantaged services.

Objective 1.6:

Transportation planning shall be coordinated with the City comprehensive plan, the Florida Department of Transportation Long-Range and 5-Year Transportation Plans, the Pinellas County Metropolitan Planning Organization (MPO) 5-Year Transportation Improvement Program (TIP) and Long-Range Transportation Plan, and the plans of neighboring jurisdictions.

Policy 1.6.1:

The City shall review subsequent versions of the Florida Department of Transportation and the Pinellas County MPO 5-Year Transportation Improvements Program and Long-Range Transportation Plan in order to update or modify this element, as necessary.

Policy 1.6.2:

The City shall review for compatibility with this element, the transportation plans and programs of neighboring municipalities and Pinellas County as they may be amended.

Objective 1.7:

Future development and redevelopment shall be managed through the continued implementation and enforcement of land development regulations consistent with this adopted comprehensive plan.

Policy 1.7.1:

Continue to enforce land development regulations, consistent with Section 163.3202(1), *Florida Statutes*, which address the provisions and intent of the objectives and policies contained in this transportation element.

3.5 HOUSING ELEMENT

Goal 1: **The City shall assist in providing decent, safe, and sanitary housing in suitable neighborhoods at affordable costs to meet the needs of the present and future residents free from arbitrary discrimination because of race, sex, handicap, ethnic background, age, marital status, or household composition.**

Objective 1.1:

The City shall ensure that the private sector has the opportunity to provide a suitable mixture of housing types, including housing to meet the needs for extremely low, very-low, low, and moderate income housing, and any households with special needs.

Policy 1.1.1:

The City shall provide information and technical assistance to the private sector for the development or redevelopment of additional housing units.

Policy 1.1.2:

The City will continue to uphold the cooperation agreement with Pinellas County for the administration of the Community Development Block Grant Program.

Policy 1.1.3:

The City shall continue to allow a variety of residential densities and housing types in order to enhance the opportunity for the private sector to provide for housing needs.

Policy 1.1.4:

The city shall coordinate and cooperate with Pinellas County in the delivery of a multijurisdictional program to address affordable housing. Toward this end, the city shall provide information to residents regarding the availability of housing programs to meet the need for affordable housing.

Policy 1.1.5:

The city shall coordinate and cooperate with Pinellas County to address economic strategies that support affordable housing. Toward this end, the city will consider techniques promoted by the County to add affordable housing to meet the needs of city

residents.

Objective 1.2:

The City shall maintain an opportunity for all citizens of the City and surrounding areas to purchase or rent decent, safe, and sanitary housing which they can afford, free from arbitrary discrimination because of race, sex, handicap, ethnic background, age, marital status, or household composition.

Policy 1.2.1:

The City shall continue to enforce the *Pinellas County Fair Housing Ordinance*.

Policy 1.2.2:

The City shall notify enforcement agencies whenever allegations of housing discrimination are encountered.

Objective 1.3:

Sites for group homes (community residential homes) and foster care facilities, for persons who do not require special provisions for emergency evacuation, shall be allowed at suitable locations to ensure that the needs of the City residents requiring such housing are met pursuant to Chapter 419, *Florida Statutes*.

Policy 1.3.1:

The City shall establish non-discriminatory standards and criteria addressing the appropriate location of group homes and foster care facilities.

Objective 1.4:

The useful life of the existing housing stock shall be conserved and extended where the structures are in compliance with FEMA regulations, neighborhood quality shall be maintained or improved, and substandard housing shall be eliminated.

Policy 1.4.1:

The City shall ensure that as existing housing is replaced by redevelopment, this new construction is compliant with all applicable FEMA regulations for residential construction.

Policy 1.4.2:

The City shall encourage individual homeowners to increase private reinvestment in housing by providing information and technical assistance programs.

Policy 1.4.3:

The City shall continue code enforcement activities to ensure proper exterior maintenance of existing structures.

Objective 1.5:

The City shall provide uniform and equitable treatment for persons and businesses displaced by state and local government programs consistent with Section 421.55, *Florida Statutes*.

Policy 1.5.1:

The City shall assure that reasonably located, standard housing at affordable costs is available to persons displaced through public action prior to their displacement.

3.6 INFRASTRUCTURE ELEMENT

Goal 1: The City shall ensure that needed sanitary sewer, solid waste, and potable water services be provided by a safe and efficient system which maintains adequate facilities and provides for orderly growth and expansion.

Objective 1.1:

Development permits shall be issued only when adequate facility capacity is available to serve the development, based on the level-of-service standards established within this element.

Policy 1.1.1:

The adopted potable water, sanitary sewer, and solid waste level-of-service standards for the City of Madeira Beach shall be:

<u>Facility</u>	<u>Year</u>	<u>Level-of-Service Standard</u>
Sanitary Sewer	2025	111 gallons per day, per capita
Solid Waste	2005	7.1 pounds per day, per capita
Potable Water	2015	120 gallons per day, per capita
	2025	115 gallons per day, per capita

Policy 1.1.2:

The development, expansion, replacement, or modification of infrastructure facilities shall be consistent with the adopted level-of-service standards.

Goal 2: The City shall support Pinellas County efforts to maintain the highest water quality standards and provide for the safe collection, treatment, and disposal of wastewater while protecting the surrounding natural environment.

Objective 2.1:

The City and Pinellas County shall work together to reduce the city’s potable water demand.

Policy 2.1.1:

The City, through its permitting entity shall encourage plumbing permits to specify the installation of water conservation devices.

Policy 2.1.2:

The City shall continue to enforce the Pinellas County Utilities water conservation program that restricts the unnecessary consumption of potable water, particularly as it relates to irrigation, lawn watering, and car washing during periods of drought, supply reduction, and other emergencies.

Policy 2.1.3:

The City shall promote the use and reuse of water of the lowest acceptable quality for the intended purpose.

Policy 2.1.4:

The City shall continue to promote the use of native and drought-tolerant landscaping as a means of conserving water.

Policy 2.1.5:

The City shall continue public education efforts for encouraging water conservation.

Policy 2.1.6:

The City shall enforce the requirements of Section 373.62, Florida Statutes, with regard to requiring the installation of rain sensor devices for new irrigation systems which will override the timing cycle when adequate rainfall has occurred.

Policy 2.1.7:

When the Southwest Florida Water Management District updates its regional water supply plan, the city will incorporate the appropriate updates into this comprehensive plan within 18 months.

Objective 2.2:

The City shall work with Pinellas County to reduce wastewater generation levels.

Policy 2.2.1:

The City of Madeira Beach shall encourage the County to implement ~~of~~ a progressive maintenance program for sanitary sewer lines consistent with local, state, and federal standards for collection systems.

Policy 2.2.2:

In an effort to increase the efficiency of the existing sanitary sewer system, the City shall identify damaged sanitary sewer lines in need of replacement and implement a line replacement program.

Goal 3: The City shall continue to reduce the solid waste generation rate through increased recycling participation while ensuring that solid waste is being collected in an efficient and environmentally sound manner.

Objective 3.1:

The City shall continue to promote the reduction of its per capita generation of non-recyclable solid waste.

Policy 3.1.1:

The City shall promote the current recycling program and encourage commercial and multifamily residence participation.

Objective 3.2:

The City shall support the Pinellas County approach to ensure that hazardous wastes are handled, collected, transported, stored, disposed of, and recycled in a manner adequate to protect human health, safety, and the environment.

Policy 3.2.1:

The City, in conjunction with Pinellas County and the neighboring local governments, shall continue to provide an educational program using regular mailings and public meetings to inform residents of effective methods to safely store and dispose of household and commercial hazardous material, and of procedures to follow in emergencies.

Policy 3.2.2:

The City shall encourage residents to deposit household chemical waste at the Pinellas County household chemical collection center.

Policy 3.2.3:

The City shall direct generators and users of hazardous material to Pinellas County staff for technical assistance regarding the proper disposal methods.

Goal 4: Stormwater shall be managed to provide flood protection for residents and businesses and to preserve, protect, and enhance the water quality of receiving water bodies.

Objective 4.1:

All applicable federal, state, and local regulations relating to flood control and water quality shall continue to be met in public and private design and construction.

Policy 4.1.1:

All new development, excluding single-family homes, duplexes, or triplexes, shall adhere to stormwater management requirements as listed within this element.

Policy 4.1.2:

All redevelopment shall adhere to the stormwater management requirements as listed within this element, excluding:

- Minor additions, alterations, or improvements which do not increase existing gross floor area by more than 5 percent or vehicular use areas by more than 10 percent; and
- Alterations and repairs, the aggregate cost of which does not exceed 25 percent of fair market value of the structure.

Objective 4.2:

The City shall ensure that adopted level-of-service standards for flood control are maintained.

Policy 4.2.1:

The adopted level of service for drainage shall be the 10-year frequency, 60-minute storm event and city land development regulations shall contain provisions which ensure that all stormwater management systems shall be designed to meet or exceed that standard.

Policy 4.2.2:

Until such time as a master stormwater drainage plan is completed and its findings adopted, the City will not permit the establishment of any new point sources of stormwater pollution.

Policy 4.2.3:

The City shall require that the discharge rate for a post-developed or redeveloped site shall not exceed, in terms of peak flow and total volume, that which would have occurred under pre-development conditions.

Policy 4.2.4:

Runoff shall not, to the extent practicable, be directly discharged into open waters.

Objective 4.3:

The City shall continue to protect and improve surface water quality within its jurisdiction to meet or exceed the standards established by the Southwest Florida Water Management District, the Florida Department of Environmental Protection, and Chapter 62-25, Florida Administrative Code.

Policy 4.3.1:

The City shall require the first one inch of runoff from impervious surfaces to be retained on the site of the development.

Policy 4.3.2:

The City shall continue to enforce standards which minimize the amount of impervious surface in order to promote groundwater filtration, minimize runoff, and stabilize water quality.

Policy 4.3.3:

The City shall enforce provisions to ensure that construction and maintenance methods do not adversely affect water quality or water flow.

Policy 4.3.4:

All applicable federal, state, county, and local regulations relating to stormwater management to ensure water quality standards are met shall be met in all public and private project designs.

Objective 4.4:

The City shall continue to implement the stormwater management plan to address drainage and existing flooding conditions.

Policy 4.4.1:

The following management techniques may be used for the interim stormwater management strategies:

- No more than 70 percent of any parcel or lot shall be covered by impervious surface;
- Regular maintenance of retention swales adjacent to city roadways;
- Use of front, rear, and side lot line swales in new development;
- Use of erosion and runoff control devices during construction;
- Where necessary, the City shall consider construction of drainage retention areas in the public right-of-way and the use of eminent domain condemnation to acquire property for drainage retention purposes; and
- Where existing waterways are not sea-walled native marine vegetation shall be used for shoreline stabilization where technically feasible.

Policy 4.4.2:

The master stormwater management plan shall at a minimum address the following:

- An inventory and evaluation of those areas which currently have flooding problems;
- A hydrological survey showing natural and man-made systems;
- A water quality analysis of stormwater runoff and its impact on receiving water bodies and groundwater; and
- A list of recommended corrective measures and the projected implementation cost.

Objective 4.5:

The City shall take positive steps to implement the master stormwater management plan.

Policy 4.5.1:

The City shall require new development to adhere to the master stormwater management plan.

Policy 4.5.2:

Consistent with budget allocations, the City shall establish a program for retrofitting of the system's existing deficiencies to conform to the master stormwater management plan.

Policy 4.5.3:

The following existing deficiencies are considered top priority within the stormwater management improvement program.

- Pruitt Drive
- Bay Point Drive
- North Bayshore Drive
- Palm Street
- 131st Avenue
- Lyn Way
- Boca Ciega Avenue
- Boca Ciega Drive
- Vivian Drive
- Crystal Drive
- Lillian Drive
- B. Street

Policy 4.5.4:

The master drainage plan shall maintain the standards established by Florida Department of Environmental Protection for Outstanding Florida Waters and Aquatic Preserve designations of Boca Ciega Bay.

3.7 CONSERVATION AND COASTAL MANAGEMENT ELEMENT

Goal 1: To ensure the highest environmental quality possible, the City of Madeira Beach shall conserve, protect, and appropriately manage its air, aquatic, wetland, and terrestrial resources.

Objective 1.1:

The City shall protect the quality and quantity of surface and groundwater.

Policy 1.1.1:

The City shall implement an educational program for residential and commercial consumers to discourage waste and conserve water.

Policy 1.1.2:

The City shall continue to enforce the comprehensive water shortage plan and enforce the provisions set forth by the Southwest Florida Water Management District.

Policy 1.1.3:

The City shall continue to upgrade the drainage system and through the land development regulations, implement stormwater treatment for water quality.

Policy 1.1.4:

The City shall protect water storage and quality enhancement functions of wetlands and floodplain areas through land acquisition, if feasible, enforcement of laws, and the application of land and water management practices which provide for compatible uses.

Objective 1.2:

The City shall strictly enforce regulations for development within the 100-year floodplain, as established by the federal government.

Policy 1.2.1:

The land development regulations shall continue to require that runoff rates, volumes, and pollutant loads for new development and redevelopment do not exceed predevelopment conditions.

Policy 1.2.2:

Recognizing that the community is located within the 100-year floodplain, the City shall continue to strictly enforce all appropriate federal, state, and regional coastal construction codes and coastal setback regulations.

Policy 1.2.3:

The City shall protect the natural functions of the 100-year floodplain so that flood-carrying and flood-storage capacities are maintained.

Policy 1.2.4:

The City shall strictly enforce the floodplain management provisions contained in the land development regulations, in order to preserve hydrologically significant wetlands

and other natural floodplain features.

Policy 1.2.5:

The land development regulations shall contain provisions which, at a minimum, protect natural drainage features found within the City as follows:

- The flood-carrying and flood storage capacity of the 100-year floodplain shall be maintained;
- Development along Boca Ciega Bay and the Gulf of Mexico shall maintain adequate setbacks to protect any existing areas of natural coastal/marine habitat;
- The prevention of erosion, retardation of runoff and protection of natural functions and values of the floodplain shall be considered while promoting public usage; and
- Development or redevelopment proposals shall be consistent with the performance standards regulating development within designated floodplains.

Objective 1.3:

The City shall conserve or improve wetlands, aquatic resources, and wildlife population and habitat to maintain their environmental and recreational value.

Policy 1.3.1:

Shorelines and islands shall be identified on *Map LU-4, Future Land Use and Transportation*, as Preservation land.

Policy 1.3.2:

All existing marine wetlands shall be designated Preservation land as set forth on *Map LU-4, Future Land Use and Transportation*.

Policy 1.3.3:

Projects (e.g., marinas, causeways, or dredging) which could inhibit tidal circulation shall include measures to maintain or improve tidal circulation and flushing.

Policy 1.3.4:

Any project which produces changes in tidal circulation patterns shall be approved only after sufficient hydrographic information is available to allow an accurate evaluation of the possible impacts of the project.

Policy 1.3.5:

The existing wetlands in the City shall be conserved and protected from physical and hydrological alterations.

Policy 1.3.6:

Marine wetlands, barrier island property containing numerous vegetative communities, and/or shoreline locations with limited habitat diversity shall be considered priorities for environmental land acquisition.

Policy 1.3.7:

The City shall continue to preserve Little Bird Key and the adjacent island in their natural state.

Policy 1.3.8:

The City shall protect, maintain, and where feasible, restore aquatic seagrass beds through public acquisition, preservation, and restoration of adjacent lands and shorelines.

Policy 1.3.9:

The City will notify adjacent jurisdictions that share wetlands of its protection plans and solicit comments pertaining to any proposed action.

Objective 1.4:

The City shall conserve, appropriately use, and protect native vegetation.

Policy 1.4.1:

The City shall require that all new development and redevelopment include landscaping in accordance with standards contained in the land development regulations.

Policy 1.4.2:

Native vegetation shall continue to receive priority in landscaping requirements.

Policy 1.4.3:

The City shall encourage shorelines lacking wetland vegetation to be planted with native vegetation in order to minimize potential flood damage, stabilize the shoreline, trap sediments and other non-point source pollutants, and provide additional habitat for fish and wildlife.

Policy 1.4.4:

The City shall continue to encourage the removal and prohibit the planting of exotic species such as punk tree (*Melaleuca sp.*), Australian pine (*Casuarina sp.*), and Brazilian pepper (*Schinus sp.*).

Policy 1.4.5:

The City shall consider soil conditions and vegetation classifications during site plan review and when designating land use categories.

Policy 1.4.6:

The City shall recognize the limitations of development on a barrier island resulting from the effects of the Coastal High Hazard Area, 100-year floodplain, and vulnerability to tropical storms, topography, and soil conditions.

Policy 1.4.7:

Development review criteria, as contained in the land development regulations, shall include soil suitability.

Policy 1.4.8:

Pilings, not fill, shall be used to elevate structures in flood prone areas.

Policy 1.4.9:

Although limited natural resources remain, the City of Madeira Beach may protect these resources as follows:

- Recreational development shall be compatible with the surrounding environment and shall be subject to performance standards adopted in land development regulations;
- The clearing of trees and wetland vegetation shall be governed by the land development regulations; and
- All applications for development approval, unless exempted in the land development regulations, shall be subject to site plan review.

Objective 1.5:

Redevelopment activities shall ensure the protection of natural resources.

Policy 1.5.1:

The City shall ensure, through provisions contained in the land development regulations, that land is developed in a manner which respects necessary ecological functions and protects unique or irreplaceable natural resources.

Policy 1.5.2:

In order to protect environmentally sensitive areas located east of Gulf Boulevard, the City shall allow for mixed use or other techniques that provide for protection.

Policy 1.5.3:

The City shall ensure that species of flora and fauna listed as endangered, threatened, or species of special concern, by federal law or Florida Statutes, are protected through compliance with appropriate federal and state regulations.

Policy 1.5.4:

The City shall ensure that recreational development is compatible with the surrounding environment and shall be subject to performance standards.

Policy 1.5.5:

The City shall prohibit the clearing of trees and wetland vegetation except where necessary to avoid a hazard to the public or private property.

Policy 1.5.6:

The City shall protect coastal vegetative communities, coastal wildlife habitats, and dune systems from the adverse effects of development.

Policy 1.5.7:

The City shall ensure that tidal flushing and circulation patterns are not negatively impacted by development activities.

Policy 1.5.8:

Any project which may produce changes in tidal circulation patterns shall be approved only after sufficient hydrographic information is available to allow an accurate evaluation of the possible impacts of the project.

Policy 1.5.9:

The City shall ensure that natural watercourses are protected in their natural state and are exempt from alteration.

Policy 1.5.10:

The City shall prohibit land uses which could potentially increase point-source air and water pollution.

Policy 1.5.11:

Dredge and fill activities shall be conducted only when necessary, as determined after review and comment by the appropriate governmental agencies and interested citizens, and in a manner least harmful to the surrounding environment.

Policy 1.5.12:

The City shall continue to protect Little Bird Key and the adjacent unnamed island in their natural state by the assignment of the Preservation land use category on *Map LU-4, Future Land Use and Transportation*, and implementation of appropriate provisions contained in the land development regulations.

Policy 1.5.13:

To the maximum extent possible, transportation facilities shall not disrupt ecosystems or isolated significant environmental features.

Policy 1.5.14:

The City shall enforce provisions for the control of erosion and runoff from construction sites.

Policy 1.5.15:

The City shall promote environmental awareness through educational programs and interpretive displays at applicable points of interest, especially parks and public open spaces that contain or are adjacent to natural resources.

Objective 1.6:

The City shall protect species with special status from adverse impacts due to loss of natural habitats.

Policy 1.6.1:

The City shall assist in the application of and compliance with all state and federal regulations pertaining to species of special status (e.g., endangered, rare, threatened, and species of special concern) as required under the *Florida Endangered and Threatened Species Act* or the federal *Endangered Species Act*.

Policy 1.6.2:

Beach re-nourishment projects shall protect sea turtle nesting areas by limiting construction in such areas to winter and spring months, or by collecting eggs from the nests, incubating them, and releasing the hatchlings.

Policy 1.6.3:

The City shall continue a public information program calling for the protection of those sea turtle nesting areas located within the community.

Policy 1.6.4:

The City shall continue to prohibit the use of bright lights on sea turtle nesting areas.

Policy 1.6.5:

All spoil islands shall be designated bird sanctuaries.

Policy 1.6.6:

The City shall protect and conserve listed animal species that utilize aquatic habitats, including mangroves, marshes, and seagrass beds, through the preservation, public acquisition, and restoration of coastal lands and shorelines.

Objective 1.7:

The City of Madeira Beach shall continue its involvement in monitoring the proper handling, treatment, transportation, and disposal of hazardous waste within its jurisdiction.

Policy 1.7.1:

The City shall comply with federal, state, and county guidelines regarding accidents involving hazardous waste.

Policy 1.7.2:

The City shall support the Pinellas County Pollution Prevention (P2) Program to regulate small generators of hazardous wastes, in order to protect natural resources and public health.

Policy 1.7.3:

The City shall encourage residents and local businesses to deposit household chemical waste at the Pinellas County household chemical collection center.

Objective 1.8:

The City shall comply with all state and federal standards for air quality.

Policy 1.8.1:

The City shall work to reduce the effects of automobile emissions pollution by the following measures:

- Require vegetative buffer strips between roadways and residential development, as required in the land development regulations;
- Promote alternative transportation modes such as public transportation, carpooling, walking, and bicycling; and
- Assure continued operation of roadways at acceptable levels of service.

Objective 1.9:

The City shall cooperate with the State of Florida and other local jurisdictions in an effort to maintain the Boca Ciega Bay Outstanding Florida Waters designation.

Policy 1.9.1:

No new point sources shall be permitted to discharge from the City of Madeira Beach into Boca Ciega Bay or into ditches or canals that flow into it, except for the correction of existing inefficient stormwater drainage, or as specifically permitted by the City.

Policy 1.9.2:

In order to reduce non-point source pollutant loadings, the City shall continue to strictly enforce its stormwater management regulations, following the guidelines established in Chapter 62-25, *Florida Administrative Code*.

Policy 1.9.3:

In order to reduce non-point source pollutant loadings and improve the functioning of the city drainage system, dumping of debris of any kind (e.g., yard clippings and trimmings), into drainage ditches, canals, and stormwater control structures shall be prohibited.

Policy 1.9.4:

The City shall coordinate with neighboring municipalities, Pinellas County, and the Tampa Bay Regional Planning Council to protect regional estuaries, providing adequate sites for water-dependent uses, preventing estuarine pollution, controlling surface water runoff, protecting living marine resources, reducing exposure to natural hazards, and ensuring public access.

Policy 1.9.5:

Natural watercourses shall be maintained in their natural state and protected from alteration.

Policy 1.9.6:

The City of Madeira Beach shall continue working with other communities and counties to implement the Surface Water Improvement Management (S.W.I.M.) Program for Tampa Bay.

Objective 1.10:

The City of Madeira Beach shall protect and restore its beaches, dunes, and natural system from the impacts of development through continued enforcement of coastal construction standards.

Policy 1.10.1:

Construction seaward of the Coastal Construction Control Line shall be subject to the permitting procedures pursuant to *Florida Statutes*.

Policy 1.10.2:

The City, through the provision of public information, shall encourage the planting of native marine vegetation in front of seawalls to act as a natural buffer against damage from tides and flooding.

Policy 1.10.3:

The City shall adopt beach management practices, which shall regulate excavations, disturbance of native vegetation, and activities which affect the natural fluctuation of the dunes.

Policy 1.10.4:

The City shall continue a program for the restoration and maintenance of the coastal dune system. The program shall include:

- Stabilization projects utilizing native vegetation; and
- An educational program emphasizing the need to protect the coastline.

Policy 1.10.5:

The City shall continue providing adequate public access to beaches and shorelines, enforcing public access to beaches re-nourished at public expense, enforcing the public access requirements of the *Coastal Zone Protection Act*, and providing transportation or parking facilities for beach and shoreline access.

Policy 1.10.6:

The City shall limit shoreline development that will adversely impact marine fisheries habitats through land development regulations and site plan review.

Policy 1.10.7:

The City shall require that the replacement material for failed or damaged existing concrete seawalls along the Gulf of Mexico be rip-rap or planted native vegetation, e.g., marsh grasses and dune vegetation.

Objective 1.11:

The City shall comply with all county, state, and federal regulations governing the protection of coastal resources.

Policy 1.11.1:

The city beach management practices shall be coordinated with the efforts of neighboring municipalities.

Policy 1.11.2:

The City shall review the comprehensive plans of the neighboring municipalities and adjacent coastal counties to determine if coastal resources of the barrier islands are being managed in a consistent manner.

Policy 1.11.3:

The City shall cooperate with the U.S. Army Corps of Engineers and Pinellas County in addressing the environmental issues associated with the maintenance of John's Pass as a navigational channel.

Policy 1.11.4:

Pursuant to Section 163.3178, Florida Statutes, the level-of-service standards for

transportation, infrastructure, and recreation/open space for the coastal planning area shall be identical to those for the City as a whole.

Objective 1.12:

The City shall protect the viability of the Working Waterfronts in the community.

Policy 1.12.1:

Recognizing the importance of working waterfronts to employment, recreation, quality of life, and to the state and local economies, the City shall adopt guidelines for the development and redevelopment of Working Waterfronts.

Policy 1.12.2:

The City shall coordinate with property owners and associated marine operations to encourage the continuation of water dependent activities.

Policy 1.12.3:

The City shall consider guidelines for the protection of business sites located on Gulf Boulevard to encourage continuation of working waterfront uses.

Goal 2: The City shall provide a set of guidelines for development that protect the lives and property of its residents from the effects of natural disasters.

Objective 2.1:

The City shall coordinate and cooperate with Pinellas County to proceed with an orderly, safe, and expeditious evacuation when an evacuation is ordered.

Policy 2.1.1:

Through the Pinellas County Metropolitan Planning Organization (MPO), the City shall coordinate with state, regional, and county agencies to ensure that major evacuation routes are adequately maintained and, when necessary, improved to facilitate an efficient and safe evacuation.

Policy 2.1.2:

The City, in cooperation with the Pinellas County Department of Emergency Management and the South Pinellas County Chapter of the American Red Cross, shall sponsor preparedness seminars to increase hurricane awareness.

Policy 2.1.3:

City emergency response personnel and volunteers shall coordinate pre- and post-event activities with county and state emergency response agencies in order to plan for safe and efficient evacuations and re-entries.

Policy 2.1.4:

The City will forward notice of proposed future land use plan amendments with potential hurricane shelter and evacuation route impacts to the Tampa Bay Regional Planning Council and the Pinellas County Emergency Management Department and these agencies

will be consulted if necessary and appropriate, to ascertain the amount of currently available shelter space.

Policy 2.1.5:

The City will use the Tampa Bay Regional Planning Council *Hurricane Evacuation Study* for guidance pertaining to residential future land use densities in coastal high hazard areas.

Objective 2.42:

The City shall reduce the risk of exposure of human life and public and private property to natural disasters, through preparedness planning and implementation of hazard mitigation measures.

Policy 2.2.1:

The City, in coordination with the Pinellas County Department of Emergency Management, shall maintain and upgrade its comprehensive disaster plan, which shall address the four phases of comprehensive emergency management: preparedness, response, recovery and mitigation.

Policy 2.2.2:

The city emergency management coordinator shall continue to oversee the development and revision of the city disaster plan; act as a liaison between state, regional, county, and city emergency response and planning agencies; and ensure coordination between emergency management and growth management activities.

Policy 2.2.3:

The City shall review the existing coastal construction building code and the coastal construction standards embodied in the *Coastal Zone Protection Act*, and shall strictly enforce their implementation through the building inspection process.

Policy 2.2.4:

The City Commission shall review all elements of the *Pinellas County Comprehensive Emergency Management Plan* to assure that hazard mitigation considerations are effective and implemented within its area of responsibility.

Policy 2.5:

The City, in cooperation with the Pinellas County Department of Emergency Management, the Town of Redington Beach, the City of Seminole, and Pinellas County shall implement the adopted *Hurricane Evacuation Plan*.

Goal 3: The City shall expedite post-disaster recovery and reduce the future risk to human life and public and private property from natural hazards, through recovery and redevelopment strategies.

Objective 3.1:

The City shall implement the post-disaster recovery procedures outlined in its disaster plan.

Policy 3.1.1:

The city emergency management coordinator shall designate appropriate staff to perform the following tasks:

- Monitor preliminary damage reports following a disaster;
- Take necessary steps to seek financial assistance from the appropriate state and federal agencies;
- Authorize clean-up and repairs necessary to protect the public health, safety, and welfare;
- Identify areas within the community where minor, moderate, and major damage has occurred;
- Recommend to the City Commission temporary building moratoria for building activities not essential to protect health, safety, or welfare;
- Recommend to the City Commission appropriate hazard mitigation policies which should be implemented in response to the disaster; and
- Prepare a report evaluating post-disaster redevelopment response and make recommendations for necessary changes to this comprehensive plan.

Policy 3.1.2:

The City shall review all elements of the Pinellas County *Comprehensive Emergency Management Plan* to assure that hazard mitigation considerations are effective and implemented within its area of responsibility.

Objective 3.2:

The City shall enforce the reconstruction permitting procedures.

Policy 3.2.1:

Following a major hurricane or other disaster, the City Commission may adopt a temporary post-disaster building moratorium to allow sufficient time for damage assessment, the identification of redevelopment opportunities, and hazard mitigation policy implementation.

Policy 3.2.2:

The City shall enforce post-disaster redevelopment procedures which will expedite permitting for minor repairs including: development plan review, engineering approval, building permitting, and shall provide that all permitting is coordinated with the appropriate agencies and is consistent with the objectives of this comprehensive plan.

Policy 3.2.3:

The City shall enforce the involuntary loss provisions of the land development regulations to protect private property rights by potentially allowing replacement and reconstruction of housing units.

Objective 3.3:

The City shall implement reconstruction and redevelopment strategies which will be used to promote hazard mitigation.

Policy 3.3.1:

Where financially feasible, property which has received recurring major hurricane damage (total devastation) from storm surge may be publicly acquired, or designated Preservation on *Map LU-4, Future Land Use and Transportation*, to prevent redevelopment of the property to its pre-disaster land use.

Policy 3.3.2:

The City shall consider one or more of the following strategies in those areas which receive major or moderate damage:

- Reduction of permissible density or intensity of development in the area;
- Reconstruction according to more stringent building and construction standards; and
- Public acquisition of damaged areas.

Policy 3.3.3:

The City shall interrelate hazard and non-hazard mitigation goals during reconstruction decision-making, including the following objectives:

- Enhancement of local recreational and open space opportunities;
- Enhancement of local public beach access;
- Enhancement and restoration of local natural ecosystems;
- Reduction of traffic congestion, noise, and other transportation related problems; and
- Enhancement of the long-term economic vitality of the local commercial base.

3.8 RECREATION AND OPEN SPACE ELEMENT

Goal 1: The City shall ensure the provision, protection, and maintenance of a coordinated, efficient, and accessible system of recreational parks and facilities which shall meet the needs of current and future residents, visitors, and tourists.

Objective 1.1:

The City shall, in cooperation with other governmental agencies, continue to provide and maintain a system of open space, parks, and recreation facilities, including access to the same and to beaches and shores, meeting the needs of current and future residents, visitors, and tourists.

Policy 1.1.1:

The level-of-service (LOS) standard shall be based on the acreage of land for recreation and open space. The adopted LOS for the City is 6.5 acres per 1000 residents.

Policy 1.1.2:

Park and recreation lands will be planned for multiple uses and located in areas most suitable to satisfy the needs of the permanent and seasonal population, visitors, and tourists.

Policy 1.1.3:

Land set aside by new development for recreational purposes shall be determined suitable

for that purpose during the site planning process and should not be land which is remaining after development.

Policy 1.1.4:

The designation and acquisition of recreation and park sites shall be in accordance with long-range comprehensive plans for City development and redevelopment.

Policy 1.1.5:

The City shall promote safe bicycling by maintaining local roads and sidewalks which receive heavy bicycle travel.

Policy 1.1.6:

The City shall explore creation of a marked bikeway coordinated with the *Pinellas Bikeways Plan*.

Policy 1.1.7:

The City shall ensure that recreation sites be held inviolate against diversion to other uses, except in instances of overriding public benefit.

Policy 1.1.8:

The City shall encourage a variety of recreational activities, including the utilization of unique natural features and scenic areas.

Policy 1.1.9:

The City shall support the promotional efforts to attract visitors and encourage the utilization of year-round recreational tourist sites and activities.

Objective 1.2:

The City shall continue to coordinate public and private recreation resources.

Policy 1.2.1:

The City, along with local businesses and development authorities, shall encourage the coordination with local art, cultural, and other community organizations in local planning and redevelopment efforts.

Objective 1.3:

Lands designated as Preservation or Recreation/Open Space will be protected from incompatible land uses.

Policy 1.3.1:

The City shall continue to enforce land development regulations which include specific open space definitions and standards for landscape and signage, the protection of open space and natural vegetation, as well as the use of open space for buffering between land uses.

Policy 1.3.2:

The City shall maintain provisions for open space areas in the land development regulations.

Policy 1.3.3:

Open space in parks shall be maintained to protect and preserve native habitats and provide passive recreation opportunities, such as natural trails, wildlife observation areas, nature interpretive displays, and picnic areas.

Policy 1.3.4:

Open space shall continue to be used to buffer incompatible recreational activities or land uses.

Policy 1.3.5:

The City shall encourage beach re-nourishment programs.

Policy 1.3.6:

The City shall protect and maintain natural, scenic, and open space areas through public acquisition, and to the extent feasible, shall utilize grant sources to assist in the acquisition of such lands.

Objective 1.4:

The City shall be responsive to the recreational needs of the permanent and seasonal population.

Policy 1.4.1:

Access to park and recreation facilities and services shall be provided for the elderly, disabled, and economically disadvantaged.

Policy 1.4.2:

Parking facilities for disabled drivers and cyclists shall be provided at parks and other recreation facilities.

Policy 1.4.3:

The provision of adequate public beach access shall be considered requisite to any and all shoreline development.

Policy 1.4.4:

Public access to identified recreation sites shall be ensured, and shall be designed to protect the integrity of natural features including, where present, beaches and shores.

Objective 1.5:

The City shall continue to provide open space, parks, and recreation facilities in an economically efficient manner.

Policy 1.5.1:

The City shall actively pursue funding for park and recreation facilities, including county, state, and federal assistance funds.

Policy 1.5.2:

The City shall stipulate that new residential developments or redevelopments provide for the future recreational needs generated by said development.

Policy 1.5.3:

The City shall preserve, maintain, and enhance existing parks and recreation facilities, including access to same, through the use of adequate operating budgets, user fees, and proper management techniques.

Objective 1.6:

The City shall continue to maintain the community's open space character by utilizing public and private open space for active and passive recreation uses, visual relief, scenic value, and screening and buffering purposes.

Policy 1.6.1:

The City shall continue to identify, preserve, and maintain open space in congested and developed areas.

Policy 1.6.2:

The City shall work with Pinellas County and other appropriate governmental and development agencies to ensure and maintain public beach access.

Policy 1.6.3:

The City shall continue to maintain signs at appropriate locations identifying access points to the Gulf of Mexico.

3.9 INTERGOVERNMENTAL COORDINATION ELEMENT

Goal 1: Improve the existing system of interlocal coordination to successfully implement local government comprehensive plans and to resolve conflicts resulting from the plans.

Objective 1.1:

The City of Madeira Beach shall participate in the deliberations of the Pinellas County Planning Council (PPC) and Countywide Planning Authority (CPA) consistent with the provisions of the Pinellas County Charter and special laws enabling the countywide planning process.

Policy 1.1.1:

The City of Madeira Beach, through its designated representative on the Pinellas Planning Council, shall participate in the countywide planning process as provided for in the *Special Act* (Ch. 88-464, Laws of Florida, as amended).

Policy 1.1.2:

The City of Madeira Beach shall coordinate and ensure consistency between its comprehensive plan and land development regulations with the *Countywide Future Land Use Plan* and *Countywide Plan Rules*.

Policy 1.1.3:

The City shall continue to coordinate with the Pinellas Planning Council, Pinellas County School Board, Pinellas County, Tampa Bay Regional Planning Council, Tampa Bay Water, Southwest Florida Water Management District, and other state and federal agencies on projects that fall within their jurisdictions or are multi-jurisdictional in nature, and with public utilities that provide essential services to the City.

Policy 1.1.4:

A representative appointed by the City Manager may participate as a member of the Planners Advisory Committee of the PPC.

Policy 1.1.5:

The City of Madeira Beach shall comply with the specific procedural and substantive requirements of the *Countywide Plan Rules* concerning amendment of its comprehensive plan, Future Land Use Map, and land development regulations.

Objective 1.2:

The City shall maintain a means by which levels-of service standards are coordinated and consistent with neighboring jurisdictions.

Policy 1.2.1:

The City shall, through the Pinellas County Metropolitan Planning Organization (MPO), work with Florida Department of Transportation and the MPO as necessary to attain and assure acceptable continued operational level of service for the city streets.

Policy 1.2.2:

The City shall coordinate with Pinellas County to ensure that each jurisdiction's future needs are considered in the planning and design of public service facilities, such as wastewater treatment and potable water.

Policy 1.2.3:

The City shall participate in the Barrier Islands Governmental Council (BIG-C), an organization of beach communities, to coordinate the levels of service and preserve and protect the interests of the barrier island inhabitants. The BIG-C shall serve as liaison between the beach communities and the county.

Objective 1.3:

The City shall continue to improve communication, cooperation, and coordination with area local governments, districts, and agencies.

Policy 1.3.1:

The City of Madeira Beach will, through site plan review, strive to ensure that development/redevelopment in the city will not negatively impact the Town of Redington Beach, the City of Treasure Island, or Pinellas County.

Policy 1.3.2:

Recognizing the impacts of development extend beyond the limits of the community, the City shall ensure that development orders or permits are consistent with the objectives of the Southwest Florida Water Management District, the Tampa Bay Regional Planning Council, the county, and state or federal agencies.

Policy 1.3.3:

The City shall work with the Pinellas County School System to meet the land use needs of the Madeira Beach Elementary and Middle Schools.

Policy 1.3.4:

The City of Madeira Beach shall continue to implement the provisions of the *Interlocal Agreement with the School Board of Pinellas County* approved on April 24, 2007, regarding coordination of land use and public school facilities planning as well as coordination of a school concurrency system.

Policy 1.3.5:

The City will review the plans and independent special district facility reports of the Pinellas Suncoast Transit Authority (PSTA), Pinellas County, the Southwest Florida Water Management District (SWFWMD), and Tampa Bay Water (TBW) and identify and resolve conflicts with the comprehensive plan, including concurrency related items.

Policy 1.3.6:

The City will coordinate with the PSTA, Pinellas County, the SWFWMD, and TBW in order to resolve issues identified in Policy 1.43.5.

Policy 1.3.7:

The City will consider amending its comprehensive plan based upon the review of plans and coordination efforts identified in Policy 1.43.6.

Policy 1.3.8:

The city will coordinate with the SWFWMD's regional water supply plan through its agreement with Pinellas County Utilities for all water supplies.

Objective 1.4:

Identify and describe joint processes for collaborative planning on population projections, school siting, facilities subject to concurrency, facilities with countywide significance, and problematic land uses.

Policy 1.4.1:

The City of Madeira Beach will rely on the population forecasts contained in the data and analysis for the EAR-based plan amendment for land use planning. The City will coordinate with the Pinellas County Planning Department regarding school-age population forecasts.

Policy 1.4.2:

The City will coordinate, through the Metropolitan Planning Organization, its transportation needs with those of the remainder of the county and the Florida

Department of Transportation.

Policy 1.4.3:

The City will forward requests for access to county- or state-maintained roadways to the Pinellas County Public Works Department or the Florida Department of Transportation, as appropriate, for comment concerning access criteria, permitting, and level-of-service impacts.

Policy 1.4.4

The City will coordinate with service providers to ensure the availability of facilities and services as part of implementation of the concurrency management system.

Policy 1.4.5:

The City will coordinate and cooperate with Pinellas County for joint projects identified in the municipal stormwater management plan and the *Pinellas County Stormwater Management Plan*.

Policy 1.4.6:

The City will continue to coordinate with Pinellas County for the provision of countywide facilities, including but not limited to, solid waste disposal, wastewater treatment, and the Pinellas County Emergency Operations Center.

Policy 1.4.7:

The City will continue to coordinate with the Metropolitan Planning Organization for the provision and improvement of major transportation and mass transit facilities.

Policy 1.4.8:

If determined to be of mutual benefit, the City will conduct a review of its locational standards to determine whether conflicts exist between its regulations and those of neighboring jurisdictions and what can be done to resolve them.

Policy 1.4.9:

The City will coordinate with the Pinellas Planning Council, or designated ad hoc committee, in the development, review, and recommendation of countywide guidelines addressing the location of problematic land uses.

Objective 1.5:

Bring intergovernmental disputes to closure in a timely manner through the use of voluntary dispute resolution processes.

Policy 1.5.1:

The City will pursue the resolution of conflicts that may arise from local comprehensive plan goals, objectives, and policies using the appropriate voluntary dispute resolution process identified in this ICE or other suitable process.

Policy 1.5.2:

The City will utilize the existing countywide planning process, as appropriate, to resolve

local government future land use plan disputes, as well as other planning related intergovernmental disputes.

Policy 1.5.3:

The City will utilize the Tampa Bay Regional Planning Council in its role as a mediator and conciliator as outlined in Rule 29H-13, Florida Administrative Code, to reconcile differences on planning and growth management issues as outlined in the rule.

Policy 1.5.4:

In instances where the resolution of issues requiring intergovernmental concurrence has not been achieved, the City of Madeira Beach shall initiate informal mediation with the Tampa Bay Regional Planning Council by filing a written request for mediation assistance, pursuant to Chapter 29H-11, Florida Administrative Code, and Chapter 186, Florida Statutes.

Goal 2: Establish a regular means of communication among officials of two or more political or other jurisdictions for the purpose of addressing and resolving issues of mutual interest that arise from the local government's comprehensive plan and plans of other entities.

Objective 2.1:

The City shall review its comprehensive plan to:

- Identify and coordinate issues that are of mutual interest to other entities;
- Address through coordination mechanisms, the impacts of development on other entities; and
- Coordinate compatible level-of-service standards for public facilities with any state, regional, or local entity having operational and maintenance responsibilities for such facilities.

Policy 2.1.1:

The City will notify adjacent jurisdictions along with Madeira Beach property owners when governmental actions require public notice under federal, state, or local law.

Policy 2.1.2:

The City will utilize the countywide planning process as an additional means of notifying adjacent jurisdictions of future land use plan map amendments.

Policy 2.1.3:

The City will coordinate its plans for bicycle and pedestrian ways with the Metropolitan Planning Organization and its Bicycle and Pedestrian Advisory Committees in order to notify and allow for comment by other local governments.

Policy 2.1.4:

The City will coordinate its levels-of-service, concurrency management methodologies, and land development regulations with the Florida Department of Transportation and Pinellas County to encourage compatibility with level of service and access management standards for county- and state-maintained roadways.

Policy 2.1.5:

The City will review and comment, if necessary, on the plans of the Pinellas County Community Development Department regarding the provision of extremely low, very-low, low, and moderate income housing.

Policy 2.1.6:

The City will review and support the various Pinellas County housing assistance programs available to the City.

Policy 2.1.7:

The City will share information concerning significant native vegetative communities, terrestrial, marine, estuarine, and aquatic habitats, wildlife species, and upland habitat occurring in the city with adjacent local governments, appropriate agencies, or other interested groups.

Policy 2.1.8:

The City will continue to administer its standards for shoreline protection and dock placement with the Pinellas County Water and Navigation Control Authority.

Policy 2.1.9:

The City will consider amending its landscaping requirements in accordance with recommendations of the Pinellas County Cooperative Extension Department and the Pinellas County Department of Environmental Management concerning the use of native and drought-resistant plantings.

Policy 2.1.10:

The City will address environmental issues associated with the maintenance of navigational channels with the U.S. Army Corps of Engineers and Pinellas County with conflicts resolved through the Coastal Resource Interagency Management Committee dispute resolution process.

Policy 2.1.11:

The City will participate in the continuing meetings of the Hazard Mitigation Committee to ensure that the strategies are implemented and updated.

3.10 CAPITAL IMPROVEMENTS ELEMENT

Goal 1: The city shall undertake fiscal actions necessary to provide and maintain public facilities for all residents, within its jurisdiction, at the adopted levels-of-service.

Objective 1.1:

Capital improvements will be provided to correct existing deficiencies, to accommodate desired future development and redevelopment, and to replace worn out or obsolete facilities, as indicated in the five-year Schedule of Capital Improvements adopted in this element which will serve to coordinate land use decisions with available or projected fiscal resources to maintain

adopted levels-of-service.

Policy 1.1.1:

The Board of City Commissioners shall evaluate projects proposed for inclusion in the five-year Schedule of Capital Improvements.

Policy 1.1.2:

The City shall continue to develop and update annually a multi-year Capital Improvement Program (CIP), and the first year shall be the Capital Budget.

Policy 1.1.3:

Proposed capital improvement projects shall be evaluated according to the following guidelines:

- Project is needed to eliminate a proven or obvious hazard to public health and safety;
- Project is needed to fulfill a legal commitment;
- Project is needed to preserve, maintain, refurbish, achieve full use of, or replace existing facilities;
- Project will bring an existing facility up to an adopted level-of-service;
- Project will increase efficiency or use of existing facilities, prevents-or reduces future improvement cost, or provides service to all residents equitably;
- Project is needed to accommodate facility demands resulting from new development or redevelopment;
- Project furthers policies adopted in other elements of this plan;
- Project needed to serve development for which a development order was issued prior to adoption of this comprehensive plan;
- Project will increase the economic base or quality of life of the residents;
- Budget impact of project, both capital and operating, will be considered and the Board of City Commissioners will consider financial feasibility of project; and
- Project will be reviewed for consistency with plans of other agencies having responsibility for public facilities within the jurisdiction.

Policy 1.1.4:

The City shall ensure the availability of public facilities at adopted levels-of-service needed to serve developments for which development permits were issued prior to the adoption of this comprehensive plan. Such facilities shall be provided in keeping with guidelines for the evaluation of capital improvements established in this element.

Policy 1.1.5:

It is the policy of the City of Madeira Beach to set a capital improvements cost threshold of \$100,000 for projects to be included in the CIE of this comprehensive plan.

Policy 1.1.6:

Existing and anticipated capacity deficiencies identified in other elements of this plan shall be corrected according to the financially feasible Schedule of Capital Improvements adopted through this capital improvements element policy.

Policy 1.1.7:

The City shall periodically examine the cost benefit of having outside sources provide various services.

Policy 1.1.8:

The city hereby adopts by reference the Pinellas County School District work plan as applicable to Madeira Beach.

**Schedule of Capital Improvements for Fiscal Years 2007-08 through 2011-12
(costs in thousands)**

Improvements	2007-08	2008-09	2009-10	2010-11	2011-12
None					
Totals	0.0	0.0	0.0	0.0	0.0

Source: The City of Madeira Beach, 2007.

Objective 1.2:

The Board of City Commissioners, through the budget process, shall continue to manage City debt in a manner to maintain the integrity of its fiscal resources.

Policy 1.2.1:

The City shall confine long-term borrowing to capital improvements too large to be financed by the annual operating budget.

Policy 1.2.2:

The City will ensure that any bonds issued will be structured to be paid back within a period not to exceed the expected useful life of the capital project.

Policy 1.2.3:

If financially feasible, special assessment, revenue, or other self-supporting bonds will be used instead of general obligation bonds.

Policy 1.2.4:

Total debt service for general obligation debt will not exceed 10 percent of net operating revenues.

Policy 1.2.5:

Efforts shall be made to secure grants or private funds whenever available to finance the provision of capital improvements as determined by the Board of Commissioners.

Objective 1.3:

The City shall utilize its fiscal resources to eliminate any identified existing deficiencies and provide needed capital improvements for future development and redevelopment, through the site plan approval process, at adopted levels-of-service as specified in the elements of this comprehensive plan.

Policy 1.3.1:

The City shall work with other governmental jurisdictions to establish a strategy to ensure that the entire cost of providing necessary capital facilities, at adopted levels-of-service, for any new development or redevelopment within the jurisdiction shall not be borne entirely by existing residents.

Policy 1.3.2:

The City shall coordinate with Pinellas County, other state agencies, water management district, and other municipalities that provide public facilities within the City's jurisdiction to ensure that projects are funded in a fiscally equitable manner, apportioning the costs of growth among those who are responsible for it.

Policy 1.3.3:

The City shall, when appropriate, continue to administer existing and future impact fees.

Policy 1.3.4:

The City shall issue development orders and permits only when required capital facilities are present or will be available concurrent with the impact of development.

Policy 1.3.5:

The adopted levels-of-service for public facilities within the jurisdiction of the City of Madeira Beach shall be those adopted in the other elements of this plan and Policy 1.5.4 of this *Capital Improvements Element*.

Objective 1.4:

Public expenditures that subsidize development in the Coastal Storm Area shall be limited to those improvements anticipated in this comprehensive plan or determined by the Board of City Commissioners to be an overriding public benefit.

Policy 1.4.1:

The City shall expend funds in the Coastal Storm Area only for the replacement and renewal of public facilities in order to maintain adopted levels-of-service.

Objective 1.5: Concurrency Management System

The City of Madeira Beach shall provide, or require provision of, needed infrastructure for development and redevelopment concurrently with their impacts through the use of a concurrency management system, implementation monitoring of the comprehensive plan, and enforcement of development regulations.

Policy 1.5.1:

The City of Madeira Beach shall ensure that no development and redevelopment taking place within its municipal boundaries results in a reduction of the level-of-service requirements established and adopted in the financially feasible *Capital Improvements Element* of this comprehensive plan.

Policy 1.5.2:

Development orders and permits shall be issued only if public facilities necessary to meet the level-of-service standards adopted pursuant to this comprehensive plan are available concurrent with the impacts of the development.

Policy 1.5.3:

The land development regulations shall contain provisions whereby the development of residential and commercial land is timed and staged in conjunction with provision of supporting community facilities.

Policy 1.5.4:

The City of Madeira Beach shall use the following levels-of-service to determine the impacts of development and redevelopment.

Roads:

The operational level-of-service (LOS) D peak hour shall be the standard for all roads within the city.

Sanitary Sewer:

The adopted sanitary sewer level-of-service standard to extend throughout the time frame of this comprehensive plan is 111 gallons per capita per day.

Solid Waste:

The adopted solid waste level-of-service standard to extend throughout the time frame of this comprehensive plan is 4.9 pounds per capita per day of nonrecyclable waste.

Drainage:

The City shall require the first one inch of runoff from impervious surfaces to be retained on the site of the development. The adopted level-of-service shall be the 10-year frequency, 60-minute storm event.

Potable Water:

The adopted potable water level-of-service standard is as follows:

Year	2005	2015	2020	2025
Gallons per capita per day (gpcd)	137	134	132	130

Source: Regional Water Supply Plan, Chapter 4, Appendix 4, Table 34-A

Coastal Management:

The City shall protect water storage and water quality enhancement functions of wetlands and floodplain areas through land acquisition if feasible, enforcement of laws, and the application of land and water management practices which provide for compatible uses

Parks and Recreation:

The level-of-service standard for parkland is 6.5 acres per 1,000 people.

Public Schools:

Madeira Beach hereby adopts, consistent with Section 11 of the *Public Schools*

Interlocal Agreement, the following level-of-service standard, which shall be applied consistently district-wide by all partner local governments within Pinellas County and by the School District. District-wide level-of-service standard: Student enrollment plus vested students divided by *Florida Inventory of School Houses (FISH) School Capacity* plus additional capacity does not exceed 100 percent. This level-of-service standard shall apply to each type of public school facility.

Policy 1.5.5:

The City of Madeira Beach shall adopt and incorporate into its land development regulations a monitoring system designed to ensure:

- Continued application of levels-of-service; and
- Provision of required public facility capacity.

Policy 1.5.6:

The monitoring system shall be reviewed on an annual basis together with the review of the *Capital Improvements Element* and shall be updated the year prior to preparation of the required Evaluation and Appraisal Report.

Policy 1.5.7:

Developments or redevelopments requiring the use of potable water, sanitary sewer, solid waste, or drainage facilities shall receive development orders subject to the public facilities being in place at the time of issuance of the certificate of occupancy or:

- The provision of the facilities is guaranteed in an enforceable development agreement pursuant to Section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes, to be in place at the time of certificate of occupancy issuance.

Policy 1.5.8:

Developments or redevelopments requiring the use of park and recreation facilities shall receive development orders subject to the facilities and services being in place or under construction at the time of development order issuance or:

- Dedications of land and facilities or payment of the developer's fair share are committed by the time of certificate of occupancy issuance; or
- The development order is issued conditioned on the necessary facilities and services scheduled to be in place or under construction not more than one year after certificate of occupancy issuance as provided in the Schedule of Capital Improvements; or
- The necessary facilities are subject to a binding agreement which requires them to be in place or under construction not more than one year after certificate of occupancy issuance; or
- When the development order is issued, the facilities and services are guaranteed in an enforceable development agreement stipulating that they will be in place or under construction not more than one year after certificate of occupancy issuance.

Policy 1.5.9:

Developments or redevelopments requiring the use of road facilities shall receive development orders subject to the public facilities being in place or under construction at

the time of issuance of the certificate of occupancy or:

- The development order issuance is conditioned upon the necessary facilities and services being in place or under construction not more than three years after building permit issuance as provided in the Schedule of Capital Improvements.

Policy 1.5.10:

The Schedule of Capital Improvements may include projects listed in the first three years of the Florida Department of Transportation five-year work program.

Policy 1.5.11:

The Schedule of Capital Improvements shall contain the estimated commencement and completion dates of road projects.

Policy 1.5.12:

The elimination, deferral, or delay of construction of any road facility or service needed to maintain adopted level-of-service standards and which is listed in the Schedule of Capital Improvements shall require amendment of the comprehensive plan.

Policy 1.5.13:

- Developments or redevelopments shall be considered to have de minimis transportation impact if the transportation impact is limited to a single family home on an existing lot or if the development or redevelopment complies with the following conditions
- The transportation impact of the development alone does not exceed one percent of the maximum service volume at the adopted level-of-service standard.
- The cumulative total transportation impact from the de minimis exceptions does not exceed 110 percent of the maximum service volume at the adopted level-of-service standard.
- The transportation impact does not affect a designated hurricane evacuation roadway.

Policy 1.5.14:

The city will contact Pinellas County Utilities prior to issuance of a building permit for development of vacant parcels to determine if adequate potable water supplies exist to serve the projected development.

3.11 PUBLIC SCHOOL FACILITIES ELEMENT

Goal 1: Through partnerships and effective collaboration among local governments and the Pinellas County School District, and because of a shared commitment to educational excellence, all students of the Pinellas County School District shall be provided the opportunity for high student achievement through the availability of high quality public educational facilities.

Objective 1:

Madeira Beach, its partner local governments, and the School District agree to coordinate and base their plans upon consistent projections of population growth and student enrollment, and will coordinate in sharing of information on proposed school facility changes, certain planned infrastructure improvements, and proposed land use plan amendments and/or rezoning that increase or decrease residential densities.

Policy 1.1:

To ensure that land use and zoning decisions are adequately coordinated with public school facility planning, Madeira Beach shall continue to notify the School District of all Local Planning Agency hearings where land use plan amendments and/or rezonings will be considered that increase or decrease residential densities.

Policy 1.2:

Madeira Beach shall inform the School District in advance of infrastructure projects that will restrict vehicular or pedestrian accessibility to public schools with sufficient time for School District review and comment, in compliance with Section 3(b) of the Public Schools Interlocal Agreement.

Objective 2:

Madeira Beach, through implementation of its concurrency management system for public school facilities, and in coordination with the School District, shall ensure that there is available public school capacity to support the anticipated students from residential site plans and final residential subdivision approvals (“residential approvals”) consistent with the adopted level-of-service standard for public school concurrency throughout the five years covered by the five-year work program, as amended, and the period of the long-range planning program contained in the *Public School Facilities Element*.

Policy 2.1:

Madeira Beach hereby adopts, consistent with Section 11 of the *Public Schools Interlocal Agreement*, the following level-of-service standard, which shall be applied consistently district-wide by all partner local governments within Pinellas County and by the School District. District-wide level-of-service standard: Student enrollment plus vested students divided by *Florida Inventory of School Houses (FISH) School Capacity* plus additional capacity does not exceed 100 percent. This level-of-service standard shall apply to each type of public school facility.

Policy 2.2:

Amendments to the adopted level-of-service standard shall be accomplished using the procedure contained in Section 10 of the *Public Schools Interlocal Agreement*.

Policy 2.3:

Within six months of the *Public School Facilities Element* being found in compliance, Madeira Beach shall amend its concurrency management system regulations in order to incorporate concurrency requirements for public school facilities, whereby residential approvals that are anticipated to generate demands for public school facilities will be contingent upon the availability of public school facility capacity, sufficient to achieve

and maintain the adopted level-of-service standard.

Policy 2.4:

School concurrency shall be measured and applied on the basis of Concurrency Service Areas, as established by the School Board and as documented in the data and analysis support section of the *Public School Facilities Element*.

Policy 2.5:

Madeira Beach, its partner local governments, and the School District shall utilize the uniform, district-wide procedure in Section 13 of the *Public Schools Interlocal Agreement* to implement school concurrency within their respective jurisdictions.

Policy 2.6:

Madeira Beach and the School District shall utilize the *School Capacity and Level of Service Report*, prepared by the School District, approved by the School Board, and delivered to Madeira Beach, no later than November 30th of each year, and as adjusted throughout the year based on the official student enrollment count of the fall semester and the estimated number of vested students, as the basis for assessing the existing level of service conditions and the available capacity within each Concurrency Service Area.

Policy: 2.7:

In order to facilitate the accurate annual assessment of projected public school facility capacity, Madeira Beach shall, throughout the year, notify the Pinellas County Planning Department of development permits, including certificates of occupancy issued for new dwelling units and expired school concurrency residential approvals, that affect the availability of school capacity, consistent with Section 13 of the *Public Schools Interlocal Agreement*, so that an estimate of the number of vested students can be maintained for school concurrency purposes.

Policy 2.8:

A school concurrency residential approval shall be valid for purposes of the issuance of development orders or permits for a period not exceed 24 months from the date of issuance.

Policy: 2.9:

If the School District determines that, in the aggregate, there is available capacity in the affected Concurrency Service Area and/or in the contiguous Concurrency Service Area(s) to accommodate the estimated number of students from the proposed residential approval, then an adequate level of service would be provided and the residential approval shall be issued a school concurrency approval by Madeira Beach.

Policy 2.10:

If the School District determines that, in the aggregate, there is not available capacity within an affected Concurrency Service Area and the adjacent Concurrency Service Area(s) to accommodate the estimated number of students from the proposed residential approval, a proposed residential approval will not proceed without execution of a legally

binding development mitigation agreement between the applicant, the School Board, and Madeira Beach designed to mitigate the impacts anticipated to be caused by the proposed residential approval on public school facilities, consistent with Section 163.3180, *F.S.*, and Section 13 of the *Public Schools Interlocal Agreement*. The applicant and the School Board shall attempt to negotiate a development mitigation agreement. If the applicant and the School Board are unable to agree on an acceptable form of mitigation, Madeira Beach may utilize the conflict resolution provision in Section 14 of the *Public Schools Interlocal Agreement* to attempt to resolve the impasse.

Policy 2.11:

A development mitigation agreement shall include the applicant's commitment to continue to renew the development agreement until the mitigation is completed as determined by the School Board or as determined through the conflict resolution procedures provided for in Section 14 of the *Public Schools Interlocal Agreement*, if applicable.

Policy 2.12:

Acceptable forms of proportionate share mitigation that may be allowed by the School Board and the standards that determine the appropriate use of any mitigation funds required by the School District are identified in Section 13h of the *Public Schools Interlocal Agreement*.

Policy 2.13:

Madeira Beach and the School District shall utilize student generation rates developed by the School District for purposes of calculating the anticipated number of public school students that would be generated by residential approvals and for developing student enrollment projections.

Objective 3:

The Madeira Beach five-year schedule of capital improvements shall include those projects necessary to address any existing public school facility deficiencies and future public school facility needs consistent with the adopted level-of-service standard.

Policy 3.1:

Beginning on December 1, 2009, and not later than December 1st of each subsequent year, Madeira Beach shall amend its *Capital Improvements Element* to incorporate, by reference, the updated School District five-year work program adding a new fifth year to maintain a financially feasible capital improvements program and to ensure the level-of-service standard will continue to be achieved and maintained throughout the subsequent five-year planning period. Inclusion of projects in the schedule of capital improvements will be based on information provided by the School District.

Objective 4:

Madeira Beach shall practice effective intergovernmental coordination with its partner local governments and the School District to ensure that land use plans, development approvals, and capital facilities planning are coordinated with the availability of public school facilities.

Policy 4.1:

Madeira Beach shall appoint one elected official to represent the Madeira Beach's interest to the Pinellas Schools Collaborative, to provide for collaborative oversight and to provide coordination and direction regarding the conduct of the school concurrency process and implementation of the *Public Schools Interlocal Agreement*.

Policy 4.2:

Madeira Beach, the School District, and partner local governments shall coordinate annually in preparing a staff report on the effectiveness of school concurrency that will be presented at the annual meeting of the collaborative, with the annual school capacity and level-of-service report forming the basis for the staff report.

Policy 4.3:

Madeira Beach shall coordinate with the Pinellas County Planning Department in the maintenance of a countywide residential development tracking system, by providing necessary and timely development data, including demolitions and vested development data, required to accurately assess the impact of residential approvals on available school capacity.

Policy 4.4:

Amendment of the *Public Schools Facilities Element* shall occur according to the procedure in Section 10 of the *Public Schools Interlocal Agreement* to ensure that the Element within the local government comprehensive plans remains coordinated and consistent with one another and with the plans of the School Board.

Policy 4.5:

Madeira Beach, its partner local governments, and the School District shall coordinate in establishing a procedural manual for implementation of school concurrency.

Objective 5:

Madeira Beach shall support efforts that facilitate coordination of planning between Madeira Beach and the School District for the location and development of public educational facilities.

Policy 5.1:

Madeira Beach shall participate with the School District in the process of evaluating potential school closures, significant renovations to existing schools, and school site selection before land acquisition in accordance with the existing *Interlocal Agreement for Public Educational Facilities Siting* that was entered into with the School Board or as it may be subsequently amended.

Policy 5.2:

Madeira Beach shall determine the consistency of a proposed location of a new or expanded public educational facility of the School Board with the comprehensive plan, and considered with the general locational criteria adopted by the School Board.

Policy 5.3:

Before a significant change of program at a public educational facility is implemented,

the School District and Madeira Beach shall require a review of the facility's onsite and offsite impacts. The School District and the Madeira Beach will work cooperatively to mitigate onsite and offsite impacts, including impacts to public facilities, identified through the review.

Objective 6:

Consistent with Section 163.3177(6)(a), *F.S.*, and consistent with the Madeira Beach future land use policies, Madeira Beach shall explore those opportunities where collocation of public facilities and public schools provides a mutual benefit, serves a desirable community purpose, or represents an efficient use of finances and staff resources.

Policy 6.1:

As the opportunity arises, Madeira Beach and the School Board, shall evaluate the ability to enter into an agreement to collocate existing or planned school sites with other public facilities, including but not limited to: bike and pedestrian pathways, libraries, parks, community and recreational centers and facilities, museums, performing arts centers, auditoriums, stadiums, healthcare and social services and other uses as may be determined appropriate.

Objective 7:

Madeira Beach will support the School District's commitment to sustainable design and operations, as public schools are integral contributors to the quality of the surrounding community.

Policy 7.1:

Madeira Beach and the School District will share information on sustainable design and green building practices, and take advantage of opportunities to incorporate demonstration projects and technologies onsite, so that local schools can serve as community models of environmental efficiency.

Objective 8:

Madeira Beach shall collaborate with the School District and other local governments to promote safe access for students to public school facilities.

Policy 8.1:

Madeira Beach shall participate on the School Transportation Safety Committee (STSC) of the Pinellas County Metropolitan Planning Organization (MPO) to identify locations within the County where student safety is a concern, and to develop recommendations in response to student safety issues raised by the School District, local governments, the School Transportation and Enhanced Pedestrian Safety (STEPS) Committee, or the community to enhance the safety of students accessing public school facilities.

Policy 8.2:

Madeira Beach shall consider implementation of recommendations from the STSC that affect its jurisdiction, in coordination with the School District and any agencies that have some involvement in the identified action, to support student access to public schools in

a manner that both improves student safety and is compatible with the surrounding community.

Policy 8.3:

Madeira Beach shall cooperate with School District initiatives that implement STSC recommendations for modifications to a school campus.