

ORDINANCE 2017-01

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, REZONING CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS 15026 MADEIRA WAY, 0 GULF BLVD, 0 150th AVENUE, 15023 GULF BLVD, 15031 GULF BLVD, 0 MADEIRA WAY, 15000 MADEIRA WAY, 15006 MADEIRA WAY, 15015 MADEIRA WAY, 15040 MADEIRA WAY, 15042 MADEIRA WAY, 0 150th AVENUE, 200 150th AVENUE, 206 150th AVENUE, 210 150th AVENUE, 212 150th AVENUE, 352 150th AVENUE, 388 150th AVENUE, 390 150th AVENUE, 410 150th AVENUE, 420 150th AVENUE, FROM PLANNED DEVELOPMENT (PD) DISTRICT TO PLANNED DEVELOPMENT (PD) DISTRICT; PROVIDING FOR READING BY TITLE ONLY; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

WHEREAS, the applicant has requested that said property be rezoned to become a PD, Planned Development District; and

WHEREAS, The City of Madeira Beach Comprehensive Plan has been amended to establish the need and basis to further the tourism industry and provide additional flexibility for other types of land use; and the PD, Planned Development District is intended to accommodate integrated and well-designed developments in accordance with approved development plans; and

WHEREAS, the PD, Planned Development District is also intended to offer flexibility of design and to encourage imaginative, functional, high-quality land planning development for mixed uses and multiple buildings, which is compatible with adjacent and nearby lands and activities; and

WHEREAS, the land proposed for development under the PD, Planned Development District may contain a mixture of residential, commercial, recreational and other uses, as permitted by the land use designation on the site; and

WHEREAS, the zoning designation of PD, Planned Development District is compatible to the Resort Facilities Medium (RFM), Future Land Use Category; and

WHEREAS, the property owners of the subject property identified in the legal description and further identified as Parcel I.D.'s # 09-31-15-54180-000-0020, 09-31-15-00000-130-1600, 09-31-15-00000-130-1500, 09-31-15-00000-130-1700, 09-31-15-00000-130-1800, 09-31-15-00000-130-1900, 09-31-15-00000-140-1000, 09-31-15-00000-140-0900, 09-31-15-00000-140-0700, 09-31-15-00000-140-0600, 09-31-15-00000-140-0500, 09-31-15-00000-140-0400, 09-31-15-00000-130-0900, 09-31-15-00000-130-1000, 09-31-15-00000-130-1100, 09-31-15-54180-000-0013, 09-31-15-54180-000-0010, 09-31-15-00000-130-1200, 09-31-15-00000-420-0200, 09-31-15-00000-420-0100, 09-31-15-54180-000-0012, and have applied for a change in zoning from PD, Planned Development District, to PD, Planned Development District; and

WHEREAS, the Planning Commission serving as the Local Planning Agency of the City of Madeira Beach has duly considered the type of zoning on said real property, and has recommended that the zoning request be granted; and

WHEREAS, the Board of Commissioners has reviewed this rezoning request and finds that a rezoning of the subject property from PD, Planned Development District, to PD, Planned Development District through an approved Development Agreement to be in the best interest of the City.

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

- SECTION 1:** That the subject property described herein be rezoned from PD, Planned Development District, to PD, Planned Development District, and that any subsequent proposed development be regulated through the Development Agreement process.
- SECTION 2:** That the provisions of this Ordinance shall be deemed severable. If any part of the Ordinance is deemed unconstitutional, it shall not affect the constitutionality of other portions of the Ordinance.
- SECTION 3:** That all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance be hereby repealed insofar as the same affect this Ordinance.
- SECTION 4:** That this Ordinance shall be in full force and effect upon adoption in the manner provided by law, and concurrent with an approved Development Agreement.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF MADEIRA BEACH, FLORIDA,
THIS ____ DAY OF _____, 2017**

APPROVED AS TO FORM:

Thomas J. Trask
City Attorney

Travis Palladeno
Mayor

ATTEST:

Aimee Servedio
City Clerk