

DIVISION 8. - C-4, MARINE COMMERCIAL

Sec. 110-346. - Definition; purpose and intent.

The purpose of the C-4, marine commercial district is to provide for those commercial uses which are directly related to commercial and marine uses and associated services. The C-4, marine commercial district correlates with the commercial general (CG) future land use category, the residential office retail (R/O/R) future land use category, and the planned redevelopment-mixed-use (PR-MU) future land use category of the City of Madeira Beach Comprehensive Plan and retail and services (R&S) and activity center plan categories in the countywide plan.

(Code 1983, § 20-404; Ord. No. 1138, § 8, 12-9-08; Ord. No. 2022-11, § 1, 5-11-22; Ord. No. 2023-30, § 1, 12-13-23; Ord. No. 2024-14, § 1, 9-11-24)

Cross reference— Definitions generally, § 1-2.

Sec. 110-347. - Permitted uses.

The permitted uses in the C-4, marine commercial district are as follows:

- (1) Marina and commercial docks.
- (2) Boat repair and sales.
- (3) Retail commercial.
- (4) Temporary lodging units.
- (5) Commercial/business service use, offices and personal service.
- (6) Commercial fishing activities and working waterfront.
- (7) Charter and party boat operations.
- (8) Adult entertainment establishments (article VI, division 13 of this chapter).
- (9) Residential dwelling units and vacation rental dwelling units located above first floor commercial or office units within this district.
- (10) Townhouses (see chapter 110, Zoning, article VI, Supplementary District Regulations, division 10, Specific Development Standards, subdivision III, Townhouses, for additional standards).

(Code 1983, § 20-404; Ord. No. 1138, § 8, 12-9-08; Ord. No. 2023-30, § 1, 12-13-23; Ord. No. 2024-14, § 1, 9-11-24)

Sec. 110-348. - Accessory uses.

The accessory uses in the C-4, marine commercial district are as follows:

- (1) Off-street parking.

- (2) Marine and boat storage.
- (3) Essential services.
- (4) Other accessory uses, customarily incidental to the permitted use.
- (5) Wireless communication antennas as regulated by article VI, division 12, subdivisions I, II and IV of this chapter.
- (6) Wireless communication towers shall be allowed, through special permit granted by the board of commissioners, as an alternative to prohibiting towers and only in the event substantial proof is submitted by an applicant which demonstrates that no existing tower, structure, or building can accommodate the applicant's proposed antenna. Wireless communication towers must further comply with the provisions of article VI, division 12, subdivisions I, II and IV of this chapter.

(Code 1983, § 20-404)

Sec. 110-349. - Special exception uses.

Upon application for a special exception to the special magistrate and favorable action thereon, the following uses may be permitted in the C-4, marine commercial district:

- (1) Service stations.
- (2) Commercial recreation.
- (3) Public administration and service facilities.
- (4) Drive-in or drive-through retail commercial, personal service, and business service.
- (5) Institutional as religious use such as churches, synagogues and other houses of worship.
- (6) Outdoor storage areas provided that the outdoor storage use is an accessory, is limited to areas in the CG land use category, and does not exceed 20 percent of the area of the building which is the principal use on the site.
- (7) Open rooftop, balcony and elevated terrace use, if commercial use or accessible to more than one temporary lodging, vacation rental. or residential unit.

(Code 1983, § 20-404; Ord. No. 1138, § 8, 12-9-08; Ord. No. 2023-30, § 1, 12-13-23; Ord. No. 2024-14, § 1, 9-11-24)

Sec. 110-350. - Building site area requirements.

The minimum building site area requirements in the C-4, marine commercial district are as follows:

- (1) Lot size:
 - a. All permitted uses except temporary lodging units: 4,000 square feet.
 - b. Residential dwellings and vacation rental units above first floor commercial: 3,000 square feet per unit.

- c. Public service facilities: Shall not exceed a maximum area of five acres. Like uses or contiguous like uses exceeding this threshold shall require the parcel to be amended to the P-SP zoning district and the appropriate category.

(2) Lot width:

- a. All permitted uses except temporary lodging: 40 feet.
- b. Temporary lodging: 60 feet.

(3) Lot depth: All permitted uses 80 feet.

- (4) For properties located in the commercial general (CG) future land use category, the density is a maximum of 15 residential dwelling units, 15 vacation rental units, or 40 temporary lodging units. Alternative temporary lodging use standards are allowed as detailed in subsection 110-356(e).

- (5) For properties located in the residential/office/retail (R/O/R) future land use category, the density is a maximum of 18 residential dwelling units, 18 vacation rental units, or 40 temporary lodging units. Alternative temporary lodging use standards are allowed as detailed in subsection 110-356(f).

- (6) For properties located in the planned redevelopment-mixed use (PR-MU) future land use category, the density is a maximum of 15 residential dwelling units, 15 vacation rental units, or 60 temporary lodging units.

(Code 1983, § 20-404; Ord. No. 1043, § 3, 6-14-05; Ord. No. 1138, § 8, 12-9-08; Ord. No. 2023-30, § 1, 12-13-23; Ord. No. 2024-14, § 1, 9-11-24)

Sec. 110-351. - Building setback requirements.

The following minimum setbacks shall apply in the C-4, marine commercial district:

(1) Front yard: 25 feet.

(2) Rear yard: 18 feet.

(3) Side yard:

- a. Minimum of ten feet except as provided in the land development regulations.

- b. Temporary lodging units:

- 1. For lots between 60 and 80 feet in width, the minimum side yard setback shall be ten feet.
- 2. For lot widths greater than 80 feet, the minimum side yard setback shall be as follows: A total of 33 percent of the lot width shall be reserved for side yard setbacks. In no event shall one side be less than the following:
 - i. Lots less than 120 feet: ten feet.
 - ii. Lots less than 240 feet: 15 feet.
 - iii. Lots 240 feet or greater: 20 feet.

(Code 1983, § 20-404; Ord. No. 2023-30, § 1, 12-13-23)

Sec. 110-352. - Maximum building height.

- (1) Properties in the commercial general (CG) or residential office retail (R/O/R) future land use of the comprehensive plan with commercial uses shall have a maximum building height of 34 feet from design flood elevation.
- (2) Properties in the commercial general (CG) or residential office retail (R/O/R) future land use of the comprehensive plan with residential, vacation rental, or temporary lodging use in the C-4, marine commercial district shall have a maximum building height of 44 feet from design flood elevation (DFE).
- (3) Properties in the planned redevelopment-mixed use (PR-MU) future land use category of the comprehensive plan maximum building height shall be three stories above base flood elevation (BFE).

(Code 1983, § 20-404; Ord. No. 2021-23, § 1, 11-10-21; Ord. No. 2022-11, § 2, 5-11-22; Ord. No. 2024-14, § 1, 9-11-24)

Sec. 110-353. - Maximum lot coverage.

The maximum lot coverage in the C-4, marine commercial district is as follows:

- (1) Commercial uses:
 - a. Commercial general (CG) future land use category: the floor area ratio (FAR) is 0.55.
 - b. Residential/office/retail (R/O/R) future land use category: the floor area ratio (FAR) is 0.55.
 - c. Planned redevelopment-mixed use (PR-MU) future land use category: the floor area ratio (FAR) is 0.55.
- (2) Public service facilities:
 - a. Institutional: the floor area ratio (FAR) is 0.55.
 - b. Transportation/utility: the floor area ratio (FAR) is 0.55.

(Code 1983, § 20-404; Ord. No. 1138, § 8, 12-9-08; Ord. No. 2022-11, § 3, 5-11-22; Ord. No. 2023-30, § 1, 12-13-23; Ord. No. 2024-14, § 1, 9-11-24)

Sec. 110-354. - Impervious surface ratio (ISR).

- (a) For properties located in the commercial general (CG) or residential office retail (R/O/R) future land use category of the comprehensive plan, the impervious surface ratio (ISR) is 0.85.
- (b) For properties located in the planned redevelopment-mixed use (PR-MU) Future Land Use Category, the impervious surface ratio is 0.70.

(Ord. No. 2022-11, § 4, 5-11-22; Ord. No. 2024-14, § 1, 9-11-24)

Editor's note— Ord. No. 2022-11, § 4, adopted May 11, 2022, renumbered the former § 110-354 as § 110-355 and enacted a new § 110-354 as set out herein. The historical notation has been retained with the amended provisions for reference purposes.

Sec. 110-355. - Buffering requirements.

- (a) Parking lots/garages for temporary lodging and nonresidential uses in the C-4, marine commercial district shall be designed to minimize their impacts to any adjacent residential uses as established in the land development regulations.
- (b) During the development process, existing curb cuts in the C-4, marine commercial district shall be reoriented, if necessary, to minimize the negative impact on adjacent properties.
- (c) All development within the C-4, marine commercial district in this category will meet or exceed the buffering/landscape requirements as outlined in chapter 106, article II.

(Code 1983, § 20-404; Ord. No. 2022-11, § 5, 5-11-22; Ord. No. 2023-30, § 1, 12-13-23)

Editor's note— Ord. No. 2022-11, § 5, adopted May 11, 2022, renumbered the former § 110-354 as § 110-355 as set out herein. See also the editor's note at § 110-354.

Sec. 110-356. - Special requirements.

- (a) In the C-4, marine commercial district residential dwelling units, vacation rental units, and temporary lodging units are permitted above ground floor commercial or office units within this district.
- (b) No structure in the C-4, marine commercial district may be wider than 150 feet parallel to the front yard right-of-way. If two structures are proposed on the same lot or parcel, the buildings shall be separated by a minimum of ten feet or equal to 50 percent of the height of the tallest building on the same parcel, whichever is more restrictive.
- (c) Mixed uses in a single development shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the gross land area of the property.
- (d) Institutional, other than public educational facilities shall not exceed a maximum area of five acres. Transportation and/or utility uses shall not exceed a maximum area of three acres.
- (e) In the commercial general (CG) future land use category, alternative temporary lodging use standards allows 60 temporary lodging units per acre and a FAR of 1.2. A development agreement is required by the city's land development regulations and Forward Pinellas' Countywide Rules to use the alternative temporary lodging use standard. The development agreement must follow all required standards in Forward Pinellas Countywide Rules to use the alternative temporary lodging use standards.
- (f) In the Residential/Office/Retail (R/O/R) future land use category, alternative temporary lodging use standards allows 60 temporary lodging units per acre and a FAR of 1.2. A development agreement is

required by the city's land development regulations and Forward Pinellas' Countywide Rules to use the alternative temporary lodging use standard. The development agreement must follow all required standards in Forward Pinellas Countywide Rules to use the alternative temporary lodging use standards.

(Code 1983, § 20-404; Ord. No. 1138, § 8, 12-9-08; Ord. No. 1173, § 1, 9-28-10; Ord. No. 2022-11, § 6, 5-11-22; Ord. No. 2023-30, § 1, 12-13-23; Ord. No. 2024-14, § 1, 9-11-24)

Editor's note— Ord. No. 2022-11, § 6, adopted May 11, 2022, renumbered the former § 110-355 as § 110-356 as set out herein. See also the editor's note at § 110-355.

Secs. 110-357—110-375. - Reserved.