

**ORDINANCE 2023-01**

**AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, ADOPTING THE MADEIRA BEACH JOHN'S PASS VILLAGE ACTIVITY CENTER PLAN; PROVIDING FOR AN INTRODUCTORY STATEMENT OF PLAN PURPOSE AND OVERVIEW; PROVIDING FOR BACKGROUND HISTORY AND COMMUNITY ENGAGEMENT; PROVIDING FOR THE PLAN AREA, EXISTING AND PROPOSED USES AND DENSITY/INTENSITY STANDARDS, AND DISTINCT CHARACTER DISTRICTS; PROVIDING FOR TRANSPORTATION IMPACTS AND CONNECTIVITY; PROVIDING FOR COASTAL HIGH HAZARD AREA CONSIDERATIONS; PROVIDING FOR PLANNING AND URBAN DESIGN PRINCIPLES; PROVIDING FOR IMPLEMENTATION STRATEGIES; PROVIDING FOR TRANSMITTAL TO, AND CONSIDERATION BY, FORWARD PINELLAS AND THE COUNTYWIDE PLANNING AUTHORITY; PROVIDING FOR TRANSMITTAL TO THE FLORIDA STATE DEPARTMENT OF ECONOMIC OPPORTUNITY FOR THEIR REVIEW AND COMMENT; PROVIDING FOR THE FILING OF THIS AMENDMENT IN THE OFFICE OF THE CITY CLERK; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the John's Pass Village Activity Center Plan is a comprehensive attempt to memorialize the character and function of this tourist, commercial, residential and cultural center, and to provide for its future enhancement and revitalization; and

**WHEREAS**, the John's Pass Village Activity Center Plan will establish the standards and means to preserve and enhance the existing character, uses, and desired density/intensity of this important economic and community focal-point; and

**WHEREAS**, John's Pass Village serves as an important tourist and visitor destination for the City of Madeira Beach, Pinellas County and the surrounding area; and

**WHEREAS**, the John's Pass Village Activity Center Plan will reconcile inconsistencies between existing land use characteristics and standards of the City and Countywide Future Land Use Plans; and

**WHEREAS**, the John's Pass Village Activity Center Plan has been prepared consistent with and in furtherance of the City of Madeira Beach Comprehensive Plan; and

**WHEREAS**, the John’s Pass Village Activity Center Plan has been prepared consistent with the Activity Center Plan Category of the Pinellas County Countywide Rules, Section 2.3.3.15, the purpose of which is to “recognize those areas of the county within each local government jurisdiction that have been identified and planned for in a special and detailed manner, based on their unique location, intended use, appropriate density/intensity, and pertinent planning considerations,” and

**WHEREAS**, the John’s Pass Village Activity Center Plan has been prepared consistent with the Countywide Rules, Article 2, DIV. 2.3, and Article 6, DIV. 6.2 in order that it may be submitted and considered for approval as an amendment to the Countywide Plan as a **Community Neighborhood** Center Subcategory Activity Center that will enable the City Future Land Use Map and Countywide Plan Map to be consistent with one another.

**NOW THEREFORE BE IT ORDAINED** by the Board of Commissioners of the City of Madeira Beach that;

**Section 1.** The John’s Pass Village Activity Center Plan is hereby approved and adopted as set forth in Exhibit A attached hereto and hereby made a part of this Ordinance,

**Section 2.** For the purposes of this ordinance, the John’s Pass Village Activity Center Plan shall be applicable to and govern that area designated in the legal description attached hereto as Exhibit B and hereby made a part of this ordinance,

**Section 3.** The John’s Pass Village Activity Center Plan as approved and adopted be transmitted to Forward Pinellas and the Countywide Planning Authority for their consideration and approval of the following:

- a) Amendment of the Countywide Plan Map, Exhibit C, from Retail & Services, Resort, Recreation/Open Space, and Residential Medium to Activity Center to add the John’s Pass Village Activity Center to the map; and
- b) Amendment of the Countywide Land Use Strategy Map, Exhibit D, to add the John’s Pass Village Activity Center as a **Community Neighborhood** Center Subcategory to the map.

**Section 4.** The John’s Pass Village Activity Center Plan as approved and adopted be transmitted to the Florida Department of Economic Opportunity; and

**Section 5.** That the John’s Pass Village Activity Center Plan shall be filed in the office of the City Clerk in accordance with the provisions of this ordinance.

**Section 6.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 7.** In the event a court of competent jurisdiction finds any part or provision of the ordinance unconstitutional or unenforceable as a matter of law, the same shall be stricken and the remainder of the ordinance shall continue in full force and effect.

**Section 7.** This ordinance shall be in full force and effect from and after its adoption and approval in the manner approved by law.

**PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THIS \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

\_\_\_\_\_  
JAMES "JIM" ROSTEK, Mayor

ATTEST:

\_\_\_\_\_  
Clara VanBlargan, MMC, MSM, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Thomas J. Trask, City Attorney

PASSED ON FIRST READING:

\_\_\_\_\_

PUBLISHED:

\_\_\_\_\_

PASSED ON SECOND READING:

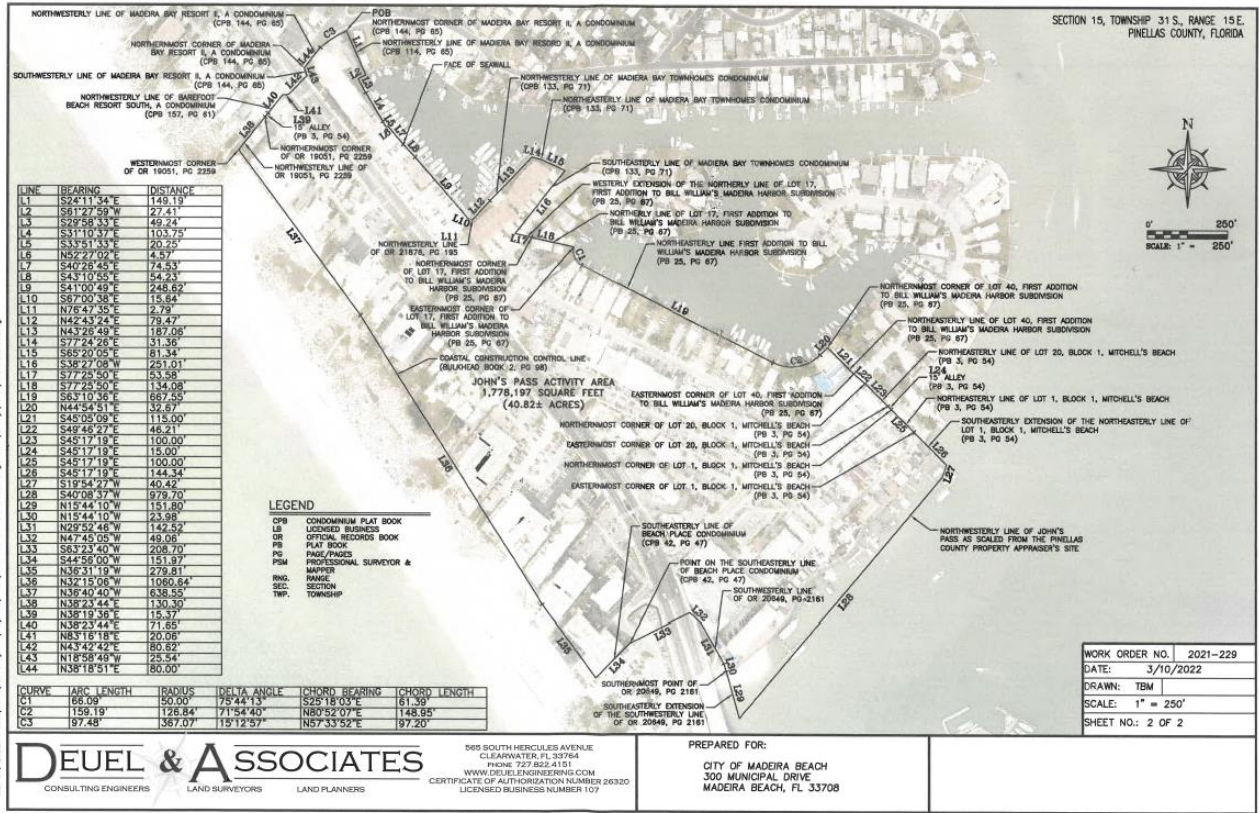
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PUBLISHED:

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## EXHIBIT A

EXHIBIT B



LEGAL DESCRIPTION:

A PORTION OF LAND LYING WITHIN SECTION 15, TOWNSHIP 31 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHERNMOST CORNER OF MADEIRA BAY RESORT 11, A CONDOMINIUM, AS SHOWN ON THE MAP OR PLAT THEREOF RECORDED IN CONDOMINIUM PLAT BOOK 144, PAGE 65, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE S24°11'34"E, ALONG THE NORTHWESTERLY LINE OF SAID MADEIRA BAY RESORT II, A DISTANCE OF 149.19 FEET TO THE FACE OF AN EXISTING SEAWALL; THENCE ALONG SAID FACE OF SEAWALL THE FOLLOWING NINE (9) COURSES: 1) S61°27'59"W, A DISTANCE OF 27.41 FEET; 2) S29°58'33"E, A DISTANCE OF 49.24 FEET; 3) S31°10'37"E, A DISTANCE OF 103.75 FEET; 4) S33°51'33"E, A DISTANCE OF 20.25 FEET; 5) N52°27'02"E, A DISTANCE OF 4.57 FEET; 6) S40°26'45"E, A DISTANCE OF 74.53 FEET; 7) S43°10'55"E, A DISTANCE OF 54.23 FEET; 8) S41°00'49"E, A DISTANCE OF 248.62 FEET; 9) S67°00'38"E, A DISTANCE OF 15.64 FEET TO A POINT ON THE

NORTHWESTERLY LINE OF THE PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 21876, PAGE 195, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE N76'47'35"E, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 2.79 FEET TO A POINT ON THE NORTHWESTERLY LINE OF MADEIRA BAY TOWNHOMES CONDOMINIUM AS SHOWN ON THE MAP OR PLAT THEREOF RECORDED IN CONDOMINIUM PLAT BOOK 133, PAGE 71, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE ALONG SAID NORTHWESTERLY LINE THE FOLLOWING TWO (2) COURSES: 1) N42'43'24"E, A DISTANCE OF 79.47 FEET; 2) N43'26'49"E, A DISTANCE OF 187.06 FEET TO THE NORTHEASTERLY LINE OF SAID MADEIRA BAY TOWNHOMES CONDOMINIUM; THENCE ALONG SAID NORTHEASTERLY LINE THE FOLLOWING TWO (2) COURSES: 1) S77'24'26"E, A DISTANCE OF 31.36 FEET; 2) S65'20'05"E, A DISTANCE OF 81.34 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF SAID MADEIRA BAY TOWNHOMES CONDOMINIUM; THENCE S38'27'08"W, ALONG SAID SOUTHEASTERLY LINE, A DISTANCE OF 251.01 FEET TO A POINT ON THE WESTERLY EXTENSION OF THE NORTHERLY LINE OF LOT 17, FIRST ADDITION TO BILL WILLIAM'S MADEIRA HARBOR SUBDIVISION AS SHOWN ON THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 25, PAGE 67, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE S77'25'50"E, ALONG SAID WESTERLY EXTENSION, A DISTANCE OF 53.58 FEET TO THE NORTHERNMOST CORNER OF SAID LOT 17; THENCE CONTINUE S77'25'50"E, ALONG THE NORTHERLY LINE OF SAID LOT 17, A DISTANCE OF 134.08 FEET TO THE EASTERNMOST CORNER OF SAID LOT 17, SAID POINT ALSO BEING ON THE NORTHEASTERLY LINE OF SAID FIRST ADDITION TO BILL WILLIAM'S MADEIRA HARBOR SUBDIVISION; THENCE ALONG SAID NORTHEASTERLY LINE THE FOLLOWING FOUR (4) COURSES: 1) ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHEAST AN ARC LENGTH OF 66.09 FEET, SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 75'44'13", AND A CHORD BEARING S25'18'03"E, A DISTANCE OF 61.39 FEET; 2) S63'10'36"E, A DISTANCE OF 667.55 FEET; 3) ALONG THE ARC OF A CURVE CONCAVE TO THE NORTH AN ARC LENGTH OF 159.19 FEET, SAID CURVE HAVING A RADIUS OF 126.84 FEET, A CENTRAL ANGLE OF 71'54'40", AND A CHORD BEARING N80'52'07"E, A DISTANCE OF 148.95 FEET; 4) N44'54'51 "E, A DISTANCE OF 32.67 FEET TO THE NORTHERNMOST CORNER OF LOT 40 OF SAID FIRST ADDITION

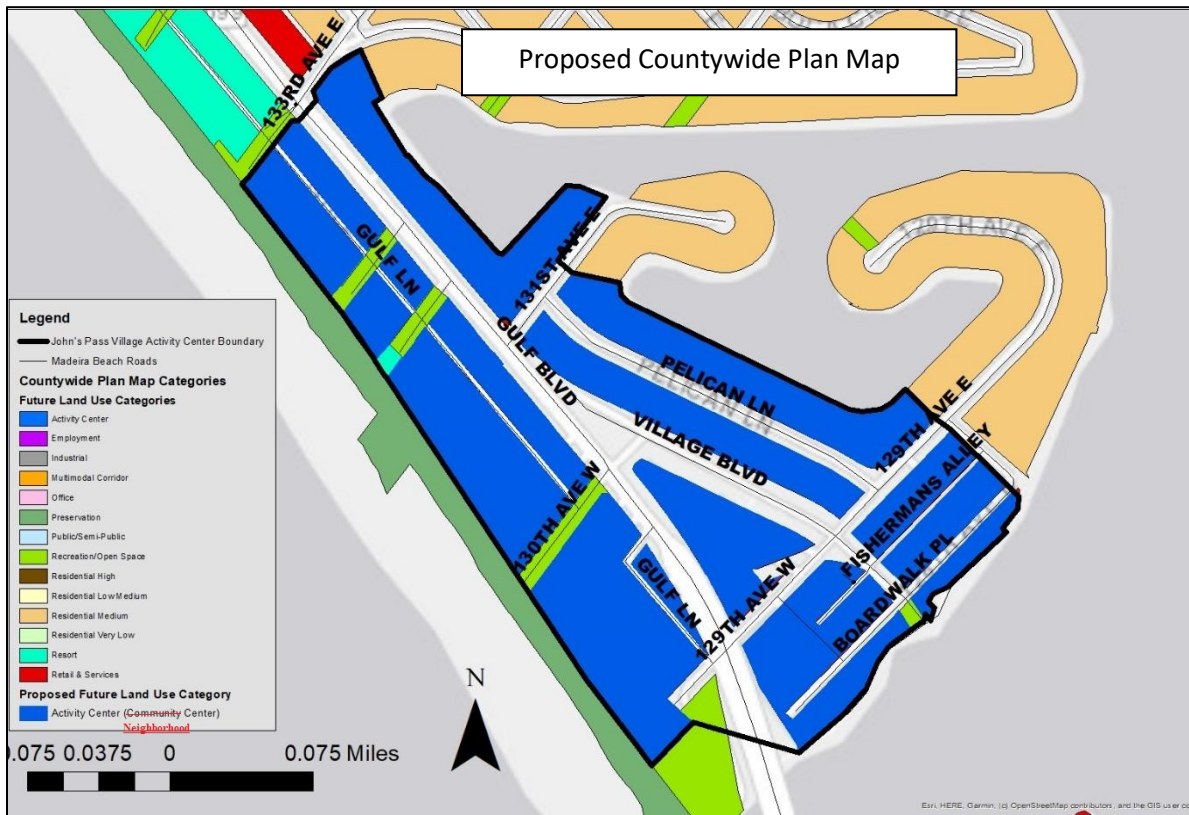
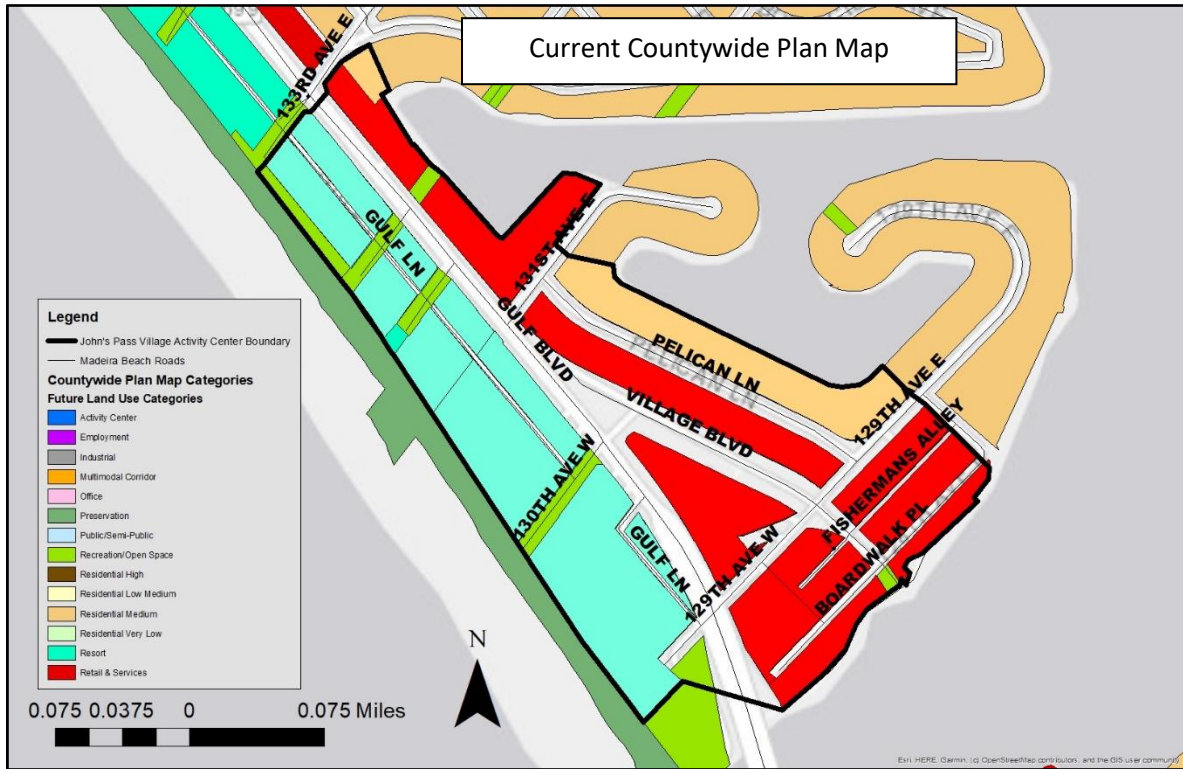
TO BILL WILLIAM'S MADEIRA HARBOR SUBDIVISION; THENCE S45°05'09"E, ALONG THE NORTHEASTERLY LINE OF SAID LOT 40, A DISTANCE OF 115.00 FEET TO THE EASTERNMOST CORNER OF SAID LOT 40; THENCE S49°46'27"E, A DISTANCE OF 46.21 FEET TO THE NORTHERNMOST CORNER OF LOT 20, BLOCK 1, MITCHELL'S BEACH, AS SHOWN ON THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 54, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE S45° 17' 19"E, ALONG THE NORTHEASTERLY LINE OF SAID LOT 20, A DISTANCE OF 100.00 FEET TO THE EASTERNMOST CORNER OF SAID LOT 20; THENCE CONTINUE S45°17'19"E, ACROSS THE 15 FOOT ALLEY BETWEEN LOT 20 AND LOT 1 , BLOCK 1 OF SAID MITCHELL'S BEACH, A DISTANCE OF 15.00 FEET TO THE NORTHERNMOST CORNER OF SAID LOT 1; THENCE S45°17'19"E, ALONG THE NORTHEASTERLY LINE OF SAID LOT 1, A DISTANCE OF 100.00 FEET TO THE EASTERNMOST CORNER OF SAID LOT 1; THENCE S45°17'19"E, ALONG THE SOUTHEASTERLY EXTENSION OF THE NORTHEASTERLY LINE OF SAID LOT 1, A DISTANCE OF 144.34 FEET TO THE NORTHWESTERLY LINE OF JOHN'S PASS AS SCALED FROM THE PINELLAS COUNTY PROPERTY APPRAISER'S WEBSITE; THENCE ALONG SAID NORTHWESTERLY LINE THE FOLLOWING TWO (2) COURSES: 1) S19°54'27"W, A DISTANCE OF 40.42 FEET; 2) S40°08'37"W, A DISTANCE OF 979.70 FEET TO A POINT ON THE SOUTHEASTERLY EXTENSION OF THE SOUTHWESTERLY LINE OF THE PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 20649, PAGE 2161, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE N15°44'10"W, ALONG SAID SOUTHEASTERLY EXTENSION, A DISTANCE OF 151.80 FEET TO THE SOUTHERNMOST CORNER OF PROPERTY RECORDED IN SAID OFFICIAL RECORDS BOOK 20649, PAGE 2161; THENCE ALONG THE SOUTHWESTERLY LINE OF THE PROPERTY DESCRIBED IN SAID OFFICIAL RECORDS BOOK 20649, PAGE 2161, THE FOLLOWING THREE (3) COURSES: 1) N15°44'10"W, A DISTANCE OF 23.98 FEET; 2) N29°52'46"W, A DISTANCE OF 142.52 FEET; 3) N47°45'05"W, A DISTANCE OF 49.06 FEET; THENCE DEPARTING SAID SOUTHWESTERLY LINE, S63°23'40"W, A DISTANCE OF 208.70 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF BEACH PLACE CONDOMINIUM AS SHOWN ON THE MAP OR PLAT THEREOF RECORDED IN CONDOMINIUM PLAT BOOK 42, PAGE 47, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE S44°56'00"W, ALONG SAID SOUTHEASTERLY LINE, A DISTANCE OF 151.97 FEET TO A POINT

ON THE COASTAL CONSTRUCTION CONTROL LINE AS RECORDED IN BULKHEAD BOOK 2, PAGE 98, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE ALONG SAID COASTAL CONSTRUCTION CONTROL LINE THE FOLLOWING THREE (3) COURSES: 1) N36'31'19"W, A DISTANCE OF 279.81 FEET; 2) N32'15'06"W, A DISTANCE OF 1060.64 FEET; 3) N36'40'40"W, A DISTANCE OF 638.55 FEET TO THE WESTERNMOST CORNER OF THE PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 19051 , PAGE 2259, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE N38'23'44"E, ALONG THE NORTHWESTERLY LINE OF THE PROPERTY DESCRIBED IN SAID OFFICIAL RECORDS BOOK 19051, PAGE 2259, A DISTANCE OF 130.30 FEET TO THE NORTHERNMOST CORNER OF SAID PROPERTY; THENCE N38'19'36"E, ACROSS A 15' ALLEY BETWEEN LOT 10 AND LOT 11, BLOCK 6, MITCHELL'S BEACH AS SHOWN ON THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 54, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, A DISTANCE OF 15.37 FEET TO A POINT ON THE NORTHWESTERLY LINE OF BAREFOOT BEACH RESORT SOUTH, A CONDOMINIUM, AS SHOWN ON THE MAP OR PLAT THEREOF RECORDED IN CONDOMINIUM PLAT BOOK 157, PAGE 61, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE ALONG SAID NORTHWESTERLY LINE THE FOLLOWING TWO (2) COURSES: 1) N38'23'44"E, A DISTANCE OF 71.65 FEET; 2) N83'16'18"E, A DISTANCE OF 20.06 FEET; THENCE DEPARTING SAID NORTHWESTERLY LINE, N43'42'42"E, A DISTANCE OF 80.62 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF MADEIRA BAY RESORT II, A CONDOMINIUM AS SHOWN ON THE MAP OR PLAT THEREOF RECORDED IN CONDOMINIUM PLAT BOOK 144, PAGE 65, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE N18'58'49"W, ALONG SAID SOUTHWESTERLY LINE, A DISTANCE OF 25.54 FEET TO THE WESTERNMOST CORNER OF SAID MADEIRA BAY RESORT II; THENCE ALONG THE NORTHWESTERLY LINE OF SAID MADEIRA BAY RESORT II THE FOLLOWING TWO (2) COURSES: 1) N38' 18'51 "E, A DISTANCE OF 80.00 FEET; 2) ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST AN ARC LENGTH OF 97.48 FEET, SAID CURVE HAVING A RADIUS OF 367.07 FEET, A CENTRAL ANGLE OF 15'12'57", AND A CHORD BEARING N57'33'52"E, A DISTANCE OF 97.20 FEET TO THE POING OF BEGINNING.

CONTAINING 1,778, 197 SQUARE FEET, (40.82 ACRES) MORE OR LESS.



# EXHIBIT C



# EXHIBIT D

