



TOWN OF HIGHLAND BEACH AGENDA MEMORANDUM

MEETING TYPE: Commission Meeting

MEETING DATE 08/11/2026

SUBMITTED BY: Jeff Remas, CBO, Building Department

SUBJECT: AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF HIGHLAND BEACH, FLORIDA, CONSOLIDATING AND UPDATING THE TOWN'S REGULATIONS FOR THE PROTECTION OF THE OCEAN RIDGE; AMENDING ARTICLE V, "SEAWALLS; BULKHEADS; RETAINING WALLS," OF CHAPTER 6, "BUILDINGS AND STRUCTURES," OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTION 6-127, "CONSTRUCTION," TO REMOVE CONFLICTING REGULATIONS; AMENDING ARTICLE V, "NATURAL RESOURCES," OF CHAPTER 30, "ZONING CODE," OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTION 30-83, "BULKHEADS, SEAWALLS, AND GROINS," TO CLARIFY AND UPDATE THE REGULATIONS APPLICABLE TO ALL CONSTRUCTION ACTIVITIES EAST OF STATE ROAD A1A; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

SUMMARY:

Section 6-127(d) of Chapter 6 of the Town Code contains ocean ridge construction standards that render certain oceanfront lots east of State Road A1A unbuildable due to a prohibition against construction east of the Coastal Construction Control Line (CCCL) and a mandatory seawall prerequisite that is inconsistent with current Florida Department of Environmental Protection (FDEP) permitting policy. Section 6-127(d)(12) contains a supersession clause that overrides Section 30-83 of Chapter 30, which recognizes FDEP's authority over coastal construction east of the CCCL. The proposed ordinance was referred to the Planning Board, which reviewed the matter at a duly noticed public hearing held on June 16, 2026 and recommended adoption. The ordinance makes the following changes:

- Removes the conflicting ocean ridge construction standards from Section 6-127(d), including the 120-foot protection zone, the 18-foot above mean sea level minimum elevation requirement, the mandatory seawall prerequisite, and the supersession clause. Beach cleaning vehicle regulations are retained and re-lettered as subsection (e). A cross-reference directs the reader to Section 30-83(d) of Chapter 30 as the governing standard for ocean ridge construction.

- Amends Section 30-83 of Chapter 30 to establish FDEP CCCL permit approval as the governing standard for removal of materials from the ocean ridge and for construction east of A1A. A seawall permit is required only where the FDEP CCCL permit specifically requires one. Where the FDEP CCCL permit does not require a seawall, no seawall permit shall be required as a condition for the removal of such materials.
- Adds new Section 30-83(f) establishing that the lowest floor of all buildings or structures shall comply with all applicable Florida Building Code requirements and the Town's floodplain regulations.
- Adds new Section 30-83(g) clarifying that basements are permitted subject to the Florida Building Code and the Town's floodplain regulations.
- Retains Section 30-83(h) requiring that a temporary barrier be erected before lot clearing commences as required by FDEP.
- Adds language to Section 30-83(e) establishing that a valid FDEP CCCL permit constitutes sufficient basis for approval under the exception provision, subject to applicable zoning requirements.

FISCAL IMPACT:

No direct fiscal impact

ATTACHMENTS:

Proposed Ordinance

RECOMMENDATION:

Staff recommends review by the Town Commission