



# TOWN OF HIGHLAND BEACH AGENDA MEMORANDUM

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**MEETING TYPE:** Planning Board – Regular Meeting

**MEETING DATE** *06/16/2026*

**SUBMITTED BY:** Jeff Remas, CBO, Building Department

**SUBJECT:** Proposed Ordinance Coastal Dune Protection; Amendments to Section 6-127, Chapter 6, and Section 30-83, Chapter 30, Code of Ordinances; Request for Planning Board Recommendation to the Town Commission

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## **SUMMARY:**

At its April 2026 regular meeting, the Town Commission directed the Building Department and Town Counsel to develop a proposed ordinance reconciling two conflicting sections of the Town Code governing construction east of State Road A1A. Section 6-127(d) of Chapter 6 contains ocean ridge construction standards, including an absolute prohibition on construction east of the Coastal Construction Control Line (CCCL) and a mandatory seawall prerequisite, that are inconsistent with current Florida Department of Environmental Protection (FDEP) permitting policy and that render certain oceanfront lots effectively unbuildable despite valid FDEP construction approval. A supersession clause in Section 6-127(d) overrides the more workable FDEP-deferential language already contained in Section 30-83 of Chapter 30. Town Counsel Leonard G. Rubin has prepared a proposed ordinance that removes the conflicting construction standards from Chapter 6, directs the reader to the updated Section 30-83 of Chapter 30, and establishes FDEP CCCL permit approval as the operative standard for construction east of A1A, subject to the Town's standard zoning requirements. The proposed ordinance also establishes a minimum lowest floor elevation of base flood elevation per the current FEMA Flood Insurance Rate Maps, which is a reduction from the existing 18-foot above mean sea level standard and is consistent with Florida SB 180, F.S. § 252.422. The Commission directed referral to the Planning Board for review and recommendation prior to first reading.

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## **FISCAL IMPACT:**

There is no direct fiscal impact associated with this item. The proposed ordinance was prepared by Town Counsel within the existing scope of the Town's legal services engagement.

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**ATTACHMENTS:**

- Proposed Coastal Dune Protection Ordinance, Town Counsel Draft

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**RECOMMENDATION:**

Staff recommends that the Planning Board review the proposed ordinance, evaluate its consistency with the Town's Comprehensive Plan, and issue a formal recommendation to the Town Commission regarding adoption.