



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: August 30, 2022

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manger

Subject: Ordinance No. 601.22 & 602.22 – Amending Code, Sections
66.69.1-3, and 66-101 Concerning the First Floor Finished
Elevations and Maximum Building Heights

Item Numbers:

1 & 2

Recommendation:

It is recommended that the Town Council adopt the attached Ordinance No. 601.22 and 602.22 as presented.

Background:

The Town is now establishing new First Floor Finished Elevations (FFE) throughout the Town that are appropriate, future focused and will ensure that the Town has addressed the concerns of sea level rise, storm water and ground water inundation.

In Zone One, the properties have a minimum of + two above the Florida Building Code and may choose to go as high as 3.4' or 4.4' over the minimum as needed/desired by site. If seeking a higher first floor, the building height would be reduced proportionately. In Zones Two and Three we are now setting the First Floor Finished Elevations at 9' NAVD (North American Vertical Datum of 1988); all homes will now have to start at the 9' NAVD.

We are taking this action as part of our efforts to become a more resilient community. In seeing a re-birth of our Town, this action will ensure that our new homes are built to withstand the challenges that we are facing with water inundation.

In June of 2021, the Town held its first Sea Level Rise Strategy Workshop with our partners to prepare the Town for the unique challenges that we will face in the years to come. What we learned is that as the Town focuses on the challenges that lie ahead with sea level rise, our focus needs to be on responsible solutions that are resilient and sustainable.

Over time, the Town will become more vulnerable to flooding and damage, given its low elevations and ongoing sea level rise. An understanding of the existing and future vulnerability of the Town's public and private properties, to facilitate strategic planning and future investments into climate change adaption is an objective of our managed response.

As such, the Administration will be recommending a series of zoning code changes that will ensure that we are prepared for the challenges that lie ahead.

Fiscal Impact:

None.

1 TOWN OF GOLDEN BEACH, FLORIDA

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3 ORDINANCE NO. 602.22

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5 AN ORDINANCE OF THE TOWN OF GOLDEN BEACH,
6 FLORIDA, AMENDING THE TOWN'S CODE OF
7 ORDINANCES, CHAPTER 66, ZONING, ARTICLE I,
8 SECTIONS 66.1, DEFINITIONS AND ARTICLE IV,
9 DIVISION 2, ELEVATIONS, SEC. 66-101, HOUSE AND
10 GARAGE FLOORS; PROVIDING FOR CODIFICATION;
11 PROVIDING FOR CONFLICTS; AND PROVIDING AN
12 EFFECTIVE DATE.

13
14 **WHEREAS**, the Town of Golden Beach, Florida (the "Town") is a unique single family
15 residential community located on a barrier island community located between the intracostal
16 waterway and the Atlantic Ocean; and

17 **WHEREAS**, the Town is experiencing a significant amount of redevelopment which
18 has direct impact upon the quality of life; and

19 **WHEREAS**, from time-to-time the Town finds it necessary to make amendments to
20 its Land Development Regulations to adjust for the new impacts of development activity;
21 and

22 **WHEREAS**, the Town has completed an extensive study into the most equitable and
23 proportionate manner of responding to the redevelopment, in particular the floor elevations
24 of new homes; and

25 **WHEREAS**, the Town Council has determined that establishing a definition for the
26 First Finished Floor as well as minor adjustment to the elevation of the First Finished Floor
27 of residences is needed to harmonize the new development with the existing developments.

28 **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF GOLDEN**
29 **BEACH, FLORIDA:**

30 **Section 1. Recitals.** That the recitals set forth above are hereby adopted and
31 confirmed.

32 **Section 2. Amending Code.** That the Code of Ordinances of the Town of
33 Golden Beach, Florida is hereby amended by revising Chapter 66, Zoning, Article I, In
34 General, Section 66.1, Definitions (Finished Floor Elevation), and Section 66-101, House
35 and Garage Floors of the Code of Ordinances of the Town of Golden Beach, Florida is
36 hereby amended to read as follows:¹

37 *****

38 **Sec. 66-1. Definitions.**

39 The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to
40 them in this section, except where the context clearly indicates a different meaning:

41 *****

42 First Finished Floor (FFF) means the concrete slab of the first habitable living area of a residence.

43 *****

44 **Sec. 66-101. Elevation of House and garage floors.**

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48 (a) ~~The minimum elevation of the first floor level First Finished Floor of residences shall comply with or conform~~
49 ~~to flood plan criteria and regulatory codes as set forth by Miami Dade County, the State, and the United States~~
50 ~~Government including the provisions of the National Flood Insurance Program, the Florida Building Code, this~~
51 ~~chapter, the Coastal Construction Code, and all other applicable provisions of this Code of Ordinances. The~~
52 ~~maximum elevation of the first floor level of any residence in the Town above the minimum elevation required~~
53 ~~by such regulatory codes shall be maintained as follows:~~

54 (1) Zone One. First floor ~~The top of the First Finished Floor~~ of residences to be constructed on lots in Zone
55 One shall be constructed ~~at no higher than two feet above the minimum permitted elevation, as~~
56 ~~established by the Federal Emergency Management Agency (FEMA), or successor agency, or as required~~
57 ~~by the Florida Building Code, plus two (2) feet, or at the elevation as required by the State Department~~
58 ~~of Environmental Protection, Bureau of Beaches and Coastal Systems, or successor Agency, if this~~
59 ~~elevation is higher than the minimum elevation plus two feet. That minimum elevation may be increased~~
60 ~~as follows:~~

- 61 a. For lots with less than 100 feet of street frontage, the First Finished Floor may be
62 constructed up to 3.4 feet over the minimum.
- 63 b. For lots with 100 feet or greater of street frontage, the First Finished Floor may be
64 constructed up to 4.4 feet above the minimum.

¹ Additions to the text are shown in underline. Deletions to the text are shown in ~~strikethrough~~. Additions added between first and second reading are shown in double underline.

- 65 (2) Zones Two and Three. The top of the First Finished Floor ~~maximum elevation of the first floor of~~
66 residences to be constructed on lots in Zone Two and Zone Three adjacent to Ocean Boulevard (SR A-1-
67 A) shall be at a height of nine (9) feet NAVD (North American Vertical Datum of 1988), no higher than
68 ~~the minimum permitted elevation as established by the Federal Emergency Management Agency~~
69 ~~(FEMA), or as required by the Florida Building Code, plus two feet, or two feet above the maximum~~
70 ~~elevation of the crown of the road adjacent to the lot, whichever of the two is higher.~~
- 71 ~~(3) First floor of residences to be constructed on all lots in Zone Two which are not adjacent to Ocean~~
72 ~~Boulevard (SR A-1-A), and lots in Zone Three shall be constructed no higher than two feet above the~~
73 ~~minimum permitted elevation, as established by the Federal Emergency Management Agency (FEMA),~~
74 ~~or as required by the Florida Building Code.~~
- 75 (34) A survey sealed by a registered surveyor shall be submitted to the Building Official showing the finished
76 floor elevation and the location of structures on the property. This survey shall be presented prior to tie
77 beam inspection of the first inspection for roof structure in one story structures or first inspection for
78 second floor framing in two or more story structures.

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82 **Section 3. Severability.** That the provisions of this Ordinance are declared to
83 be severable and if any section, sentence, clause or phrase of this Ordinance shall for
84 any reason be held to be invalid or unconstitutional, such decision shall not affect the
85 validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but
86 they shall remain in effect, it being the legislative intent that this Ordinance shall stand
87 notwithstanding the invalidity of any part.

88 **Section 4. Codification.** That it is the intent of the Town Council that the
89 provisions of this ordinance shall become and be made a part of the Town's Code of
90 Ordinances, and that the sections of this Ordinance may be renumbered or relettered,
91 and the word "ordinance" may be changed to "section," "article," "regulation," or such
92 other appropriate word or phrase in order to accomplish such intentions.

93 **Section 5. Conflicts.** That all ordinances or parts of ordinances, resolutions or
94 parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

95 **Section 6. Effective Date.** That this Ordinance shall be in full force and take
96 effect immediately upon its passage and adoption.

97 The Motion to adopt the foregoing Ordinance was offered by Vice Mayor Mendal,
98 seconded by Councilmember Lusskin, and on roll call the following vote ensued:

99	Mayor Glenn Singer	<u>Aye</u>
100	Vice Mayor Jaime Mendal	<u>Aye</u>
101	Councilmember Bernard Einstein	<u>Aye</u>
102	Councilmember Judy Lusskin	<u>Aye</u>
103	Councilmember Kenneth Bernstein	<u>Aye</u>
104		

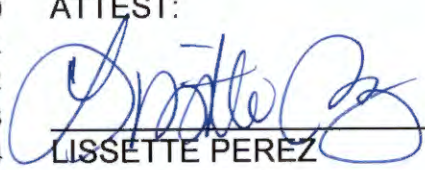
105 **PASSED AND ADOPTED** on first reading this 14th day of June, 2022.

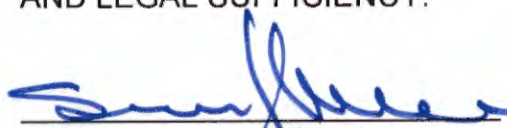
106 The Motion to adopt the foregoing Ordinance was offered by Councilmember
107 Lusskin, seconded by Councilmember Einstein, and on roll call the following vote
108 ensued:

109	Mayor Glenn Singer	<u>Aye</u>
110	Vice Mayor Jaime Mendal	<u>Aye</u>
111	Councilmember Bernard Einstein	<u>Aye</u>
112	Councilmember Judy Lusskin	<u>Aye</u>
113	Councilmember Kenneth Bernstein	<u>Absent</u>
114		

115 **PASSED AND ADOPTED** on second reading this 30th day of August 2022.

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120 _____
121 MAYOR GLENN SINGER

120 ATTEST:
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123 _____
124 LISSETTE PEREZ
125 TOWN CLERK

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128 APPROVED AS TO FORM
129 AND LEGAL SUFFICIENCY:
130
131 
132 _____
133 STEPHEN J. HELFMAN
134 TOWN ATTORNEY