




MEMORANDUM

TO: Jennifer Hofmeister, Planning Director
FROM: Paul Thomas, CBO, CFM, Building Director 
RE: Enforcement of the Coastal Construction Code
DATE: July 21, 2021

Florida Building Code, Section 3109 provide for regulation of structures seaward of a coastal construction control line. Locally, City Ordinance 109-25(b) provides that the floodplain administrator is authorized and directed to administer and enforce the provisions of Chapter 109, Floodplain Management. Regulation thereof includes enforcement of the City's Coastal Construction Code as adopted by City Ordinance 103-263. This specifically includes review of structures constructed seaward of the coastal construction control line (CCCL).

As Building Code Administrator and Floodplain Administrator, I am tasked with the enforcement of the Florida Building Code and City Ordinances. Coastal construction regulations in the Florida Building Code take precedence over any conflicting city ordinance. Florida Building Code Section 105.3.1 provides that "If the Building Official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefore as soon as practicable."

It is my recommendation to not require Conditional Uses for structures seaward of the CCCL, if deemed appropriate by the City Attorney's Office.

PT/sc