

## MEMORANDUM

**TO:** Howard Tipton, Town Manager

**From:** Allen Parsons, AICP  
Director, Planning, Zoning & Building Department

**Report Date:** March 6, 2024

**Meeting Date:** April 1, 2024

**Subject:** Ordinance 2024-04, Amending Chapter 151, Shoreline Construction

### **Recommended Action**

Adopt Ordinance 2024-04.

### **Background**

At their March 4, 2024 Town Commission Regular Meeting, the Town Commission (Commission) held first reading and forwarded Ordinance 2024-04 for second reading, public hearing and adoption. No changes were recommended or made to the ordinance.

Ordinance 2024-04 is one of the near-term implementation items (Action 2) from the Town's recently accepted Sea Level Rise and Recurring Flooding Resilience Plan (SLR Plan). The ordinance would amend the Shoreline Construction (Town Code Ch. 151) provisions that regulate the maximum allowable seawall elevation height from 4.5 feet "North American Vertical Datum<sup>1</sup>" (NAVD) to up to 6 feet NAVD.

The Commission received testimony that this amendment is anticipated to be positively received. The replacement and repair of seawalls are both expensive<sup>2</sup> and long-lasting<sup>3</sup> investments. In addition, local sea level rise estimates from the Sarasota Bay Estuary Program have indicated that local sea level rise rates have averaged about 3 inches per decade over the past 20 years, which is roughly triple the long-term average. Allowing property owners, who are making significant investments, to be able to elect to construct higher elevation seawalls is expected to help maintain and improve the community, protect the Town's property values and Town infrastructure.

The adoption of this ordinance is exempt from the Business Impact Estimate (BIE) preparation and posting obligations, pursuant to Florida Statutes 166.041(4)(C).

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<sup>1</sup> The North American Vertical Datum is the official horizontal control datum for the United States, Canada, Mexico, and Central America. It is essentially measurement from a surface of zero elevation (i.e. mean sea level) to which heights of various points are referenced.

<sup>2</sup> Costs range from \$650-\$2,000 per linear foot, depending on the depth of the waterway and location of the seawall.

<sup>3</sup> A seawall that is properly maintained can last from 30-50 years.

Ordinance 2024-04, Amending Ch. 151, Shoreline Construction  
Town Commission 2<sup>nd</sup> Reading- April 1, 2024

The Planning & Zoning Board (P&Z Board) held a public hearing on January 16, 2024, and recommended approval (7-0) of Ordinance 2024-04.

**Staff Recommendation**

Adopt Ordinance 2024-04.

**Attachments**

- A. Ordinance 2024-04 (Available in Town Clerk's Office)
- B. Business Impact Estimate (Available in Town Clerk's Office)

**End of Agenda Item**