

ORDINANCE NO. 1293

AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING SEC. 30-107, SATELLITE BEACH CITY CODE, TO ADD A DEFINITION FOR “DUNE WALKOVER/CROSSOVER”; AMENDING SECTIONS 30-415 - RM-3, RESIDENTIAL MIXED USE AND 30-415.5, RM-4, MULTI-FAMILY RESIDENTIAL ZONING DISTRICT, AND SEC. 30-737, NEW COASTAL SETBACK LINE ESTABLISHED AND DUNE PROTECTED, SATELLITE BEACH CITY CODE, TO SPECIFICALLY PROVIDE PERMITTED “DUNE WALKOVER/CROSSOVER” AS PERMITTED USE/STRUCTURE AND REGULATIONS AS TO COASTAL CONSTRUCTION CONTROL LINE (CCCL); AMENDING SEC. 30-737, PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the City Council directed staff to prepare an ordinance to amend the City Code to allow dune walkovers/crossovers as a permitted use/structure; and

WHEREAS, dune walkovers/crossovers provide controlled public and private access to the beach while protecting sensitive dune systems and vegetation, and supporting coastal resilience; and

WHEREAS, the City Council finds that allowing the construction, repair, and replacement of dune walkovers/crossovers is necessary to protect environmental resources and ensure safe public access to the shoreline;

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL FOR THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The foregoing recitations are true and correct, and by this reference are incorporated herein.

SECTION 2. Section 30-107, Definitions, Satellite Beach City Code, is amended to add a definition for “dune walkover/crossover” to read as follows:

Sec. 30-107. Definitions.

* * * * *

[Dune walkover/crossover shall mean an elevated structure, typically constructed of wood, designed to provide pedestrian, bicycle or other access over sand dunes to the beach while protecting the dune ecosystem and vegetation from damage caused by foot, bicycle or other over dune traffic.](#)

SECTION 3. Section 30-415, RM-3, Residential Mixed Use, is amended to read as follows:

Se. 30-415. RM-3, residential mixed use.

* * * * *
(b) *Permitted uses.* Permitted uses are as follows:

* * * * *

(3) Accessory structures and uses.

a. Accessory structures and uses permitted in the R-1 single-family residential district.

b. Laundry buildings.

c. Parking garages and structures.

d. Cabanas.

e. Recreation halls.

f. [Dune walkover/crossover with all regulatory permits.](#)

* * * * *

(d) *Property development regulations.* Property development regulations (excluding townhouse development) are as follows:

* * * * *

(3) Minimum setback requirements.

a. *Front:* 25 feet.

b. *Side interior:* 25 feet, except 15 feet between commercial land

uses.

c. *Side corner:* 25 feet.

d. *Rear:* 25 feet except 15 feet between commercial land uses.

Note: All properties shall contain a five-foot landscape strip which may be included within the required setback, along the entire perimeter of any property in this district with plants at least four feet

high at the time of planting. Plants must be selected from the list provided in section 30-704, Satellite Beach City Code. In the event of a conflict between landscape provisions, the most restrictive provisions shall apply. For properties located east of Highway A1A, all or a portion of which are located on a dune, there is no minimum height requirement for any required plantings located on the dune.

e. The provisions of article VII, division 4, coastal construction control line standards and criteria shall apply for all lots east of Highway A1A and in general are:

1. *Front setback*: Five feet from the lot line.
2. *Side interior setbacks* for lots east of Highway A1A are established through the breezeway requirements.
3. *Side corner*: Five feet minimum which may be included as part of the breezeway requirements.
4. *Rear*: 15 feet landward of the CCCL.
5. There is a minimum of 15 feet setback landward from the CCCL for any structure nearest the CCCL, [except for a dune walkover/crossover that has received all regulatory permits to allow construction of same.](#)

Note: All properties shall contain a five-foot landscape strip which may be included within the required setback, along the entire perimeter of any property in this district with plants at least four feet high at the time of planting. Plants must be selected from the list provided in section 30-704, Satellite Beach City Code. In the event of a conflict between landscape provisions, the most restrictive provisions shall apply.

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(e) *Property development regulations for townhouse development.*

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- a. *Front*: An average of all units within a single structure to be 22 feet, provided no unit is less than 20 feet.
- b. *Side interior*: Zero feet.
- c. *Rear*: 20 feet.

d. The perimeter of any site development shall maintain a 25-foot setback.

e. The provisions of article VII, division 4, coastal construction control line standards and criteria shall apply for all lots east of Highway A1A and in general are:

1. *Front setback*: Five feet from the lot line.
2. *Side interior setbacks* for lots east of Highway A1A are established through the breezeway requirements.
3. *Side corner*: Five feet minimum which may be included as part of the breezeway requirements.
4. *Rear*: 15 feet landward of the CCCL.
5. There is a minimum of 15 feet setback landward from the CCCL for any structure nearest the CCCL, except for a dune walkover/crossover that has received all regulatory permits to allow construction of same.

Note: All properties shall contain a five-foot landscape strip which may be included within the required setback, along the entire perimeter of any property in this district with plants at least four feet high at the time of planting. Plants must be selected from the list provided in section 30-704, Satellite Beach City Code. In the event of a conflict between landscape provisions, the most restrictive provisions shall apply.

SECTION 4. Section 30-415.5, RM-4, Multi-family Residential Zoning District, is amended to read as follows

Se. 30-415.5. RM-4, multi-family residential zoning district.

* * * * *
(b) *Permitted uses.* Permitted uses are as follows:

* * * * *

(2) Accessory structures and uses.

a. Accessory structures and uses permitted in the R-1 single-family residential district.

- b. Laundry buildings.
- c. Parking garages and structures.
- d. Cabanas.
- e. Recreation halls.
- f. Dune walkover/crossover with all regulatory permits.

* * * * *

(c) *Property development regulations.* Property development regulations (excluding townhouse development) are as follows:

* * * * *

(2) Minimum setback requirements.

* * * * *

- a. *Front:* 40 feet.
- b. *Side interior:* 25 feet, except 15 feet between commercial land uses.
- c. *Rear:* 25 feet except 15 feet between commercial land uses.
- d. *Additional setback:* 1981 Coastal Construction Control Line.
- e. The provisions of article VII, division 4, coastal construction control line standards and criteria shall apply for all lots east of Highway A1A and in general are:

1. *Front setback:* Five feet from the lot line.
2. Side interior setbacks for lots east of Highway A1A are established through the breezeway requirements.
3. *Side corner:* Five feet minimum which may be included as part of the breezeway requirements.
4. *Rear:* 15 feet landward of the CCCL.
5. There is a minimum of 15 feet setback landward from the CCCL for any structure nearest the CCCL, except for a

dune walkover/crossover that has received all regulatory permits to allow construction of same.

SECTION 5. Section 30-737, New Coastal Setback Line Established and Dune Protected, is amended to read as follows

Sec. 30-737. New coastal setback line established and dune protected.

* * * * *

(b) No new principal structure(s) or accessory structure(s) shall be constructed seaward of the coastal setback line, except for a dune walkover/crossover that has received all regulatory permits to allow construction of same.

SECTION 6. SEVERABILITY CLAUSE. In the event a court of competent jurisdiction shall hold or determine that any part of this Ordinance is invalid or unconstitutional, the remainder of the Ordinance shall not be affected and it will be presumed that the City Council for the City of Satellite Beach did not intend to enact such invalid or unconstitutional provision. It shall further be assumed that the City Council would have enacted the remainder of this Ordinance without said invalid and unconstitutional provision thereby causing said remainder to remain in full force and effect.

SECTION 7. REPEAL OF INCONSISTENT PROVISIONS. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 8. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its adoption.

This Ordinance was duly passed on first reading at a regular meeting of the City Council on the 3rd day of June, 2026, and adopted on the second and final reading at the regular meeting of the City Council on the ___ day of _____, 2026.

STEVEN L. OSMER, MAYOR

ATTEST:

GWEN PEIRCE, CITY CLERK