

**CITY OF HOLMES BEACH
ORDINANCE 26-04**

**AN ORDINANCE OF THE CITY OF HOLMES BEACH, FLORIDA
AMENDING PART III, LAND DEVELOPMENT CODE, ARTICLE VII,
RESOURCE PROTECTION STANDARDS, CREATING A DIVISION 3 –
SUSTAINABLE BUILDING PRACTICES; VOLUNTARY GREEN
BUILDING PROGRAM; MAKING RELATED FINDINGS; PROVIDING
FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Section 163.3202 (1), Florida Statutes, requires that the City of Holmes Beach adopt or amend and enforce land development regulations that are consistent with and implement the City's Comprehensive Plan; and

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety and general welfare of its citizenry; and

WHEREAS, the City's Comprehensive Plan promotes green building programs to encourage sustainable housing designs and construction; and

WHEREAS, the City finds that green building practices applied to the design, construction, and maintenance of buildings would achieve the following goals:

1. Encourage resource conservation;
2. Reduce the waste generated by construction projects;
3. Increase energy efficiency; and
4. Promote the health and productivity of residents, workers, and visitors to the City; and

WHEREAS, Green Building and Sustainability is an evolving, systematic process that is and will continue to be of ongoing importance; and

WHEREAS, these land development regulations are not more restrictive or burdensome and are in fully compliance with 2023 Fla. Sess. Law Serv. Ch. 2023-304 (C.S.C.S.S.B. 250); and

WHEREAS, on June 10, 2026, the City of Holmes Beach Planning Commission, as the City's Local Planning Agency, held a public hearing to consider this ordinance and passed a motion to recommend adoption of same to the City Commission; and,

WHEREAS, the City Commission agrees with the recommendations of the Local Planning Agency and finds that the proposed land development regulations are consistent with the City's Comprehensive Plan; and

34 **WHEREAS**, the Commission finds that this ordinance will benefit the public health, safety
35 or welfare of the citizens of Holmes Beach, Florida.

36 **NOW THEREFORE, BE IT ORDAINED** by the City Commission of the City of
37 Holmes Beach, Florida:

38 **Section 1.** The above referenced "whereas" clauses are adopted herein as findings of fact.
39

40 **Section 2.** Article VIII – General Site Design Standards, Division 4 – Transportation
41 System Regulations, is amended as follows:

42 **Sec. 6.8 – Supplemental development standards.**

43 7.4. - *Sustainable building practices; voluntary green building program.*

44 A. ***Purpose and Intent.*** The purpose of this article is to add further support to and
45 encourage green building practices in the City of Holmes Beach by providing
46 incentives for developments that receive nationally recognized ‘green’ certification for
47 implementing green building practices.
48

49 B. ***Applicability.*** This article applies to all developers or landowners proposing to
50 construct a new building, land development project or a building reconstruction project.
51 All such buildings and associated sites must be designed to meet the nationally
52 recognized ‘green’ certification programs specified herein for green building. All
53 buildings and projects incorporating the ‘green’ standards and certifications and
54 sustainability energy systems referenced herein will be eligible for the incentives
55 specified in this Ordinance.
56

57 C. ***Definitions.*** The following words, terms and phrases when used in this subsection shall
58 have the meanings described to them in this subsection, except where the context
59 clearly indicates a different meaning:
60

61 *Battery Energy Storage System (BESS)* means a UL listed system designed to
62 store electrical energy for use during outages or peak demand periods.
63

64 *EV ready* means the installation of electrical infrastructure within a building or
65 site designed to support future electric vehicle (EV) charging equipment.
66

67 *Green building; green building practices.* Green building practices refers to
68 building and building site design, materials and construction techniques that
69 minimize demand for nonrenewable material and energy resources, water
70 consumption, and minimize the generation of waste products, pollution, and
71 storm-water runoff. Green building practices are generally consistent with the

72 techniques used to achieve certification of construction and development
73 through third-party green building and development certification programs.
74

75 *Green Building Certification* means certification under third-party programs
76 including US Green Building Council Leadership in Energy and Design
77 (LEED), National Green Building Standard (NGBS), Florida Green Building
78 Coalition (FGBC), Passive House (PHIUS), Florida Green Lodging, Green
79 Globes, Living Building Challenge, Well Building Standard, Energy Star,
80 Indoor Air Plus, Department of Energy Zero Energy Home, Fortified, or an
81 equivalent program approved by the Director of Development Services.
82

83 *Solar Energy System* means a photovoltaic or solar thermal system installed in
84 accordance with Florida Building Code and applicable electrical standards.
85

- 86 D. **Application.** Developers or landowners seeking incentives for obtaining green
87 certification(s) must submit a letter of intent to the Building Official at time of site plan,
88 if applicable, or at time of building permit if exempt from site plan procedures. In
89 addition, the following materials must also be submitted in addition to the submittal
90 requirement for site plan and building permitting:
91

92 *For Green Building Certification:*

- 93 1. A copy of the standards for the green certification being sought as provided by
94 the certification authority.
95 2. Approval or certification from a third-party green building / development rating
96 organization certifying that the proposed project is designed to meet the 'green'
97 certification standard being sought by the developer. For the purpose of this
98 section of the program, "third party" means any person or entity authorized and
99 qualified to perform the certification processes.

100 *For Sustainable Energy Systems:*

- 101 1. Applicants shall apply for and receive a building permit and pass all inspections
102 specially related to the install of one or more sustainable energy systems.
103 a. photovoltaic (PV) system
104 b. Solar thermal system
105 c. Battery energy storage system (BESS)
106 d. EV ready wiring and panel capacity
107

- 108 E. **Eligibility.** To be eligible for the incentives outlined in this section, a development
109 must:

- 110 1. Be located within the corporate boundaries of the City of Holmes Beach;

- 111 2. The program shall be voluntary and comprised of the following types of private
112 construction activities:
- 113 a. New residential construction;
 - 114 b. Residential retrofitting/remodeling;
 - 115 c. New commercial/non-residential construction; and
 - 116 d. Existing commercial/non-residential construction.
- 117
- 118 3. *Green Building Certification.* Applicants shall apply for and obtain certification
119 from a recognized green building program. Permit fee incentives for green
120 building certifications are outlined in Sec. F.1.a below.
- 121
- 122 4. *Sustainable energy systems.* Applicants shall apply for and receive a building
123 permit and pass all inspections specially related to the install of one or more of
124 the sustainable energy systems. Permit fee incentives for sustainable energy
125 systems are outlined in Sec. F.1.b below.
- 126
- 127 5. Submit documentation of certification prior to issuance of a Certificate of
128 Occupancy or as specified by the green building certification authority.
- 129
- 130 F. ***Incentives.*** Development integrating green building features in accordance with this
131 section shall be eligible for the following incentives:
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- 133 1. *Permit Fee:* Commercial and residential construction permit applications
134 approved after adoption of this ordinance are eligible for a partial refund of
135 permit fees upon receipt of sufficient evidence that a third-party green building
136 / development rating organization certifies that the proposed project is designed
137 to meet the ‘green’ certification standard being sought by the applicant. The city
138 will refund the applicable amount of the permit fee paid in accordance with
139 reimbursements below:
 - 140 a. Applicants participating in the Green Building Program shall receive
141 a 25% reimbursement of all permit fees for single-family residential
142 and commercial development upon receipt of certification.
 - 143 b. Applicants installing one or more sustainable energy systems (i.e.
144 solar or battery components) shall receive a 30% reimbursement for
145 the portion of the single-family residential and commercial
146 development permit fees that are specific to the sustainable energy
147 system, upon receipt of final inspection(s) or certificate of
148 occupancy (C.O).
 - 149 2. *Fast track development review:* Development services, including site plan and
150 building plan review and inspections, shall be given priority over projects which

are not green building projects by all city departments reviewing such applications.

3. *Designation and Recognition:* The City shall coordinate a program of recognition, on the City website or by other additional means, identifying permitted construction as a green development project with benefits to the community and the environment.

G. ***Ongoing Review.*** The city is directed to maintain a continuing review of local, state, and national green building and development programs and make recommendations to the City Commission for any changes to this section as a result of changes in laws, practices, or technologies concerning green building programs.

Section 3. Severability. If any word, portion, clause, or other part of this ordinance is deemed unconstitutional or unenforceable for any reason, such portion shall be severed from this ordinance and the remaining portions thereof shall be unaffected thereby.

Section 4. Effective Date. This ordinance shall be effective upon adoption by the City Commission and approval by the Mayor in accordance with the Charter of the City of Holmes Beach.

PASSED AND ADOPTED, by the City Commission of the City of Holmes Beach, Florida, in regular session assembled, this _____ day of _____, 2026.

First Reading: June 9, 2026

Publication Date: June 21, 2026

Second Reading and Public Hearing Date: July 14, 2026

Dan Diggins

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Steve Oelfke

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APPROVED BY ME THIS _____ DAY OF _____, 2026

Judy Titsworth, Mayor

ATTEST:

Marina Hovious, CMC, City Clerk