

Seawalls



Seawalls protect properties along the coast from tides, waves, and sea level rise. Miami Beach has approximate 55 miles of seawalls in Miami Beach and about 5 miles are publicly owned. Private seawalls are our first line of defense against rising tides on the Bay side of the island and along canals. Seawalls prevent flooding provide stability and prevent erosion.

Seawall Ordinance Highlights

- New seawalls are required to be built to a minimum elevation of 5.7 ft NAVD, or 4 ft NAVD if designed to support future elevation of 5.7 ft NAVD. This applies to new seawalls as well as properties with new construction or substantial seawall improvements.
- Overtopping causes flooding and triggers elevation and maintenance requirements. Seawalls must be in good repair to prevent soil erosion and flooding onto adjacent properties or overland. Enforcement is handled by the floodplain administrator, a Code Compliance officer, or a police officer.
- Property owners have 60 days to demonstrate progress toward addressing the cited concern and 730 days to complete repairs after a citation. Violators can appeal within 10 days of receiving notification.
- Establishes a \$250 fine for the first offense and \$500 per day fine for subsequent violations.
- The City Commission may consider ordinance updates.

Received a Seawall Violation? Here are some next steps:

Obtain quotes and hire a licensed engineer, contractor, or other construction professional.

- It is highly recommended to consult with a professional (e.g., an environmental consultant or coastal engineer) who is familiar with local regulations and permitting processes.

Consider financing and payment options.

- Call your local banker and apply for a home equity loan or construction loan if that is the right fit.
- Private property owners may be eligible for a limited matching grant for seawall upgrades, please visit MBRisingAbove.com/PPA to learn more.

Permits

- **Apply** for a building permit with the City of Miami Beach Building Department. Submit the required documentation including site plans showing location and design of seawall, structural design plans, elevation certification, signed application form, and associated permit fees.
 - For more information on the permit application process and required documents please navigate to the City's website at www.miamibeachfl.gov/city-hall/building/permits/interactive-permit-guide/.
- **Approval** from Miami-Dade County's Division of Environmental Resources Management's Coastal Resources Section is required for seawall construction.
 - For more information, please visit their website at miamidade.gov/permits/class-1.asp or contact them directly at dermcr@miamidade.gov or 305-372-6575.



- If your property is located adjacent to protected water bodies or environmentally sensitive areas, you may need additional permits:
 - **Florida Department of Environmental Protection (FDEP):** If the work affects state-owned land or water bodies, you may need an FDEP permit.
 - For more information, please visit their website at floridadep.gov/southeast/se-permitting/content/permitting-resources-and-faqs.
 - **U.S. Army Corps of Engineers (USACE):** If your work impacts navigable waters, you may need a **Section 404** permit for dredging or filling in U.S. waters.
 - For more information, please visit their website at www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Obtain-a-Permit/.
- **Review by Authorities**
 - The Miami Beach Building Department will review your application for zoning and construction code compliance. Local, state, and federal agencies may conduct additional reviews.

Frequently Asked Questions (FAQs)

1. What do I have to do if I am cited for a seawall in disrepair?

- Upon receiving a citation, property owners must begin addressing the seawall violation within 60 days. This includes demonstrating progress such as obtaining quotes, hiring a contractor, or applying for permits. Owners have up to 730 days to fully complete the necessary repairs. Violators can appeal within 10 days of receiving notification.

2. What is considered a substantial seawall repair?

- A substantial repair is defined as any improvement and/or repairs to the existing seawall with a cost of \$300 or more per linear foot. Substantial repairs must meet the required seawall height, which in Miami Beach is 5.7 feet NAVD. If the repairs are not substantial, the seawall must have a minimum elevation of 4 feet NAVD if designed to support a future elevation of 5.7 feet NAVD.

3. What happens if my seawall allows tidal waters to flow over or through it?

- If your seawall is allowing tidal waters to flow over or through it, you must take corrective action, which could include raising the seawall or adding a retaining wall. If your seawall is damaged and causing flooding on adjacent properties or public rights-of-way, it must be repaired within the designated timeline.

4. Can I repair my seawall instead of replacing it?

- In many cases, repairing a seawall is possible without raising it to 5.7 feet NAVD if the repairs do not meet the "substantial repair" threshold. For minor damage, you may only need to repair the affected areas. However, if the repairs are substantial, the seawall must be brought up to the required elevation of 5.7 feet NAVD.

5. What are the consequences if I don't comply with the seawall ordinance?

- If a property owner does not comply within the required time frame after receiving a citation, Miami Beach can issue fines starting at \$250 for the first offense, and \$500 per day for subsequent violations. Property owners will have the opportunity to appeal citations, but failure to correct the issues within the given period could lead to additional enforcement actions or fines.

6. What if I don't have a seawall?

- If you don't have a seawall and tidal waters are flowing onto adjacent properties, you may still be cited. You will need to install a seawall or other shoreline protection to prevent tidal waters from leaving your property.

For more information on the City's Seawall Ordinance, steps to upgrade your seawall, and a list of contractors previously utilized on City projects, visit our website at MBRisingabove.com/Seawalls.

Please send any questions to mbrisingabove@miamibeachfl.gov

