



City of Eustis

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TO: Eustis City Commission

FROM: Tom Carrino, City Manager

DATE: July 17, 2025

RE: Resolution Number 25-57: Compliance with SB 180 (Ch. 2025-190, Laws of Florida)

Introduction

Senate Bill 180 (SB 180) was enacted on June 26, 2025, in direct response to the devastation caused by Hurricane Milton (DR-4834). The legislation temporarily curtails local authority to impose new or more-restrictive land-development controls and related fees in the affected jurisdictions through October 1, 2027. Preliminary review indicates that several provisions within the City's Code of Ordinances and Land Development Regulations (LDRs) conflict with these new statutory limits.

Proposed Resolution

Resolution 2025-57 is submitted for the City Commission's consideration to ensure immediate compliance with SB 180. The resolution declares a temporary suspension of any City ordinance, policy, or fee that is inconsistent with the state law and directs staff to complete a comprehensive code audit and prepare conforming amendments for Commission action no later than March 5, 2026. During the suspension period, affected provisions will remain unenforced to avoid potential legal exposure.

Legal Analysis

SB 180 amends Sections 252.422, 163.31795, 163.31801, and 252.381, Florida Statutes. In pertinent part, the act (i) prohibits post-disaster moratoria or adoption of more-restrictive land-development regulations, (ii) bars the use of cumulative substantial-improvement ("look-back") flood-plain calculations, (iii) limits the imposition of impact fees on like-for-like replacement structures to amounts demonstrably proportional to increased service demand, and (iv) freezes building-permit and inspection-fee increases for 180 days following a declared emergency. Failure to align local regulations with these mandates could subject the City to injunctive relief, monetary penalties, and jeopardize its National Flood Insurance Program Community Rating System standing.

Recommendation

Staff recommends the City Commission adopt Resolution Number 25-57 as presented to safeguard the City from statutory penalties and to facilitate a transparent, orderly path to full compliance with SB 180.

Fiscal Impact

Direct fiscal impact is limited to internal staff time required for the code audit and the drafting of follow-up ordinances. Adoption of the resolution is expected to mitigate litigation risk and preserve residents' flood-insurance premium savings associated with the Community Rating System.

Business Impact Estimate

A Business Impact Estimate is not required for this agenda item.

Attachments

1. Resolution Number 25-57
2. Chapter 2025-190, Laws of Florida (SB 180)

Prepared By: Sasha Garcia, City Attorney

Reviewed By: Tom Carrino, City Manager