

RESOLUTION NUMBER 25-57

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, DECLARING A TEMPORARY SUSPENSION OF CERTAIN LAND DEVELOPMENT REGULATION ACTIVITIES TO ENSURE COMPLIANCE WITH CHAPTER 2025-190, LAWS OF FLORIDA (SB 180); DIRECTING STAFF TO IDENTIFY AND REPEAL CONFLICTING ORDINANCES AND RESOLUTIONS AND TO PREPARE AMENDMENTS TO THE CITY CODE OF ORDINANCES AND LAND DEVELOPMENT REGULATIONS SO AS TO CONFORM WITH STATE LAW; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on June 26, 2025, Senate Bill 180 was signed into law as Chapter 2025-190, Laws of Florida (hereinafter “SB 180”), significantly limiting local government authority to enact or enforce certain land-development regulations under specified conditions; and

WHEREAS, Section 252.422, Florida Statutes, prohibits impacted local governments, including municipalities within Lake County declared disaster areas under DR-4834 (Hurricane Milton) from imposing moratoria, adopting more restrictive land-development regulations or comprehensive-plan amendments, or implementing new burdensome review procedures from August 1, 2024, through October 1, 2027; and

WHEREAS, Section 163.31795, Florida Statutes, prohibits local governments’ use of cumulative substantial-improvement (“look-back”) ordinances for National Flood Insurance Program (NFIP) communities; and

WHEREAS, Section 163.31801(14), Florida Statutes, restricts the imposition of impact fees on replacement structures unless such fees are directly proportional to a documented increase in demand; and

WHEREAS, Section 252.381(5), Florida Statutes, prohibits increases in building-permit and inspection fees within 180 days after a declared hurricane or tropical-storm emergency; and

WHEREAS, the City Commission desires to ensure full compliance with SB 180 while protecting the integrity of future planning efforts and avoiding unnecessary litigation exposure; and

WHEREAS, the City Commission further finds that it is in the public interest to identify and formally repeal or amend any existing ordinances, resolutions, or provisions of the City Code of Ordinances or Land Development Regulations (collectively, “LDRs”) that conflict with SB 180.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA:

SECTION 1. Temporary Suspension. The City hereby suspends, through October 1, 2027, or until superseding legal authority permits otherwise, the initiation, advancement, or adoption of any ordinance, resolution, policy, or official action that: (a) Imposes a moratorium on construction, reconstruction, redevelopment, or development activity; (b) Adopts more restrictive land-development regulations or comprehensive-plan amendments; (c) Increases procedural burdens associated with site-plan review, development permitting, or issuance of development orders; (d) Imposes or increases impact fees on like-for-like replacement structures except where such increase is proportional to a measurable increase in demand; or (e) Enforces cumulative substantial-improvement ordinances inconsistent with § 163.31795, Florida Statutes.

SECTION 2. Direction to Staff; Conforming Amendments. City staff and the Office of the City Attorney are directed to: (1) Review all pending land-use or development proposals for compliance with this Resolution and SB 180 and defer advancement of any affected item unless legally mandated; (2) Conduct a comprehensive audit of the City Code of Ordinances, LDRs, and any adopted manuals, policies, or fee schedules to identify provisions that conflict with SB 180; and (3) Prepare and present to the City Commission, no later than March 5, 2026, ordinances or resolutions to formally repeal or amend any conflicting provisions and to codify all necessary conforming amendments. (b) Staff shall prioritize development of the post-storm permitting plan, recovery guide, and other requirements of § 252.392, Florida Statutes, and shall update the City's public-facing materials to reflect the changes mandated by SB 180.

SECTION 3. Conflicts. Any ordinance, resolution, policy, administrative order, or part thereof that conflicts with this Resolution or with Chapter 2025-190, Laws of Florida, is hereby declared inapplicable and of no force or effect to the extent of such conflict. Such conflicting provisions shall remain unenforced unless and until they are formally repealed or amended as directed in Section 2 of this Resolution.

SECTION 4. Severability. If any provision of this Resolution is found to be invalid, unconstitutional, or unenforceable by a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions, which shall continue in full force and effect.

SECTION 5. Effective Date. This Resolution shall take effect immediately upon its adoption.

DONE AND RESOLVED, this 17th day of July 2025 in regular session of the City Commission of the City of Eustis, Lake County, Florida.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Willie L. Hawkins
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me, by means of physical presence, this 17th day of July 2025 by Willie L. Hawkins, Mayor/Commissioner, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial Number:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for reliance and use by the Eustis City Commission.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 25-57 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk