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**Meeting Name:** Town Council  
**Meeting Date:** December 13, 2023  
**Prepared By:** F. Davila, CFM.  
**Item Title:** Ordinance 781 – Demolition Permits

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**DISCUSSION:**

At its April 3<sup>rd</sup> Planning and Zoning Board meeting, the Board gave consensus to recommend that the Town Council direct staff to draft an ordinance changing the Code to require notifying abutting property owners of any surrounding demolitions.

At the April 26<sup>th</sup> Town Council meeting, Council gave consensus to have staff draft an ordinance amending the Code to require notification of abutting property owners of any surrounding demolitions.

At the May 24, 2023, Town Council meeting, Council reviewed and discussed Ordinance No. 764. During the discussion, the contents of Senate Bill 250 was reviewed as Ordinance No. 764 may not be able to be adopted on second reading due to it being construed as more restrictive and burdensome. However, Attorney Torcivia advised the Council that it was able to proceed with the first reading. Town Council unanimously passed proposed Ordinance No. 764 on first reading.

At the July 26, 2023, Town Council meeting, Staff informed Council that Senate Bill 250 was approved by Governor DeSantis. It was staff's opinion that Ordinance No. 764, as proposed on first reading, created a more restrictive or burdensome amendment to the Town's Land Development Regulations (Chapter 34), and that its implementation and enforcement creates a more restrictive or burdensome procedure concerning review, approval, or issuance of a site plan, and development permit, and that the implementation of the Ordinance would violate SB 250. Town Council unanimously denied proposed Ordinance 764 on second reading but had staff adopt a policy to notify neighboring property owners of upcoming demolitions.

Staff is proposing Ordinance No. 781 for Town Council's review. The Ordinance provides for the following (same as previously proposed Ord. No. 764):

- Provides the creation of Code Section 6-111 – Demolition Permits;
- Provides for the preservation of native vegetation to the maximum extent practicable;
- Provides for the submittal of an erosion control plan, parking plan, construction screening plan and a truck logistics plan;
- Provides for the property to be sodded within 10 working days if construction does not commence within 30 days of the demolition; and

- Provides for the owner to submit an affidavit confirming that notice to owners of all properties within 300 feet of proposed demolition has been provided.

**RECOMMENDATION:**

Staff recommends that the Town Council review and consider Ordinance No. 781.

Attachment(s):

- Copy of proposed Ordinance No. 781