



# Memorandum

**Meeting Details:** March 4, 2026 – BOC Regular Meeting  
**Prepared For:** Honorable Mayor Brooks, the Board of Commissioners  
**Staff Contact:** Community Development Department – Joseph Petraglia, Planner II  
**Subject:** Ordinance 2026-02, Nonconforming Time Restrictions – 2<sup>nd</sup> Reading and Public Hearing

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## **Background/ Discussion:**

Under section 110-93(3) c. of the city's land development regulations, any structure damaged by Hurricane Helene and Hurricane Milton would need to be repaired by March 26, 2026, or made fully compliant with current codes. So far, staff have identified over 400 properties that have not yet taken any action to repair, rebuild, or demolish the existing storm-damaged structure. Many of these properties that have not applied for permits have done unpermitted work or are sitting abandoned. As discussed at previous meetings, city staff is recommending approval of this ordinance to extend the deadline an additional 6 months for hurricanes Helene and Milton and raise awareness of this time restriction. Additionally, the text change amendment would allow property owners additional time to complete repairs once the permit is obtained. Once passed, city staff plans to push property owners who have done unpermitted work or have not yet taken any action to maintain the existing structure to obtain the required permits before the September 25<sup>th</sup> deadline by mailing letters to identified property owners, notifying buyers through lien searches, pushing website updates, and notifying applicants through email.

Additionally, as previously discussed, the ordinance proposes language to clarify a conflict between two sections of the code regarding legally nonconforming uses. City staff plans to add language to clarify that sec. 110-93(2), which has a one-year time limitation, applies only to voluntary termination of nonconforming uses, and nonconforming uses can be retained indefinitely when the provisions of sec. 110-95, or sec. 110-96 are met.

City staff plan to propose a more comprehensive amendment and evaluation of the entire nonconforming article in the coming months, but would like to expedite these time-sensitive text-change amendments before discussion of the rest of the article begins.

## **Fiscal Impact:**

Minor direct cost (mailings, documentation) and moderate staff time. Could require more field presence from code enforcement to document conditions and progress.

## **Recommendation(s):**

Planning Commission and City Staff recommend the adoption of Ordinance 2026-02 following second reading and public hearing.

**Attachments/Corresponding Documents:**

- ORD 2026-02