



To: Town Council
Date: April 22, 2026
Prepared By: Frank M. Davila, CFM, Director of Planning and Zoning
Item Title: Ordinance 800 – Amending Floodplain Regulation Definitions

BACKGROUND:

Proposed Ordinance No. 800 seeks to amend the Town Code of Ordinances to align with enacted state legislation (Senate Bill 180, which regulates how local governments calculate “substantial improvement” (SI) and “substantial damage” (SD).

The Town of Juno Beach participates in the National Flood Insurance Program’s Community Rating System (CRS). Historically, to encourage the transition of nonconforming structures to modern safety standards and to discourage "phased" construction designed to bypass flood regulations, the Town elected to enforce a **10-year cumulative period** for SI/SD calculations.

However, during the 2025 Legislative Session, Senate Bill 180 was signed into law. This legislation expressly prohibits municipalities from adopting or enforcing any ordinance that includes a cumulative period for substantial improvements or repairs.

DISCUSSION:

To ensure compliance with the state mandate, Town Staff proposes Ordinance 800 to amend the definitions currently found in Section 7-12 of the Town Code.

- **Current Regulation:** The Code currently mandates a 10-year cumulative look-back period for both substantial damage and improvements.
- **Proposed Revision:** In accordance with SB 180, the existing language regarding the 10-year cumulative period will be stricken. (See attached Ordinance No. 800).
- **Effective Date:** Staff proposes that this ordinance become effective immediately following approval by the Town Council upon its second reading.

REGULATORY ENFORCEMENT POST-SB 180: It is important to clarify that while Senate Bill 180 eliminates the cumulative "look-back" period, it does not vacate the Town’s authority to enforce Substantial Improvement or Substantial Damage requirements for individual permits. The Town remains obligated to apply the 50% threshold to any single project or permit application. Furthermore, the Town retains the administrative authority to deny "phased" permit applications (permit splitting) in instances

where an applicant intentionally divides a single project into multiple components to circumvent the Florida Building Code or federal floodplain management requirements.

RECOMMENDATION:

Staff recommends that the Town Council review and approve Ordinance No. 800 on first reading.

ATTACHMENT(S):

- Proposed Ordinance No. 800.
- F.S. 163.31795 Participation in the National Flood Insurance Program.

TOWN OF JUNO BEACH, FLORIDA

ORDINANCE NO. 800

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING SECTION 7-12, "DEFINITIONS," OF ARTICLE II, "DEFINITIONS," OF CHAPTER 7, "FLOODPLAIN REGULATIONS" OF THE TOWN CODE OF ORDINANCES TO CONFORM WITH THE PROVISIONS OF CHAPTER 2025-190, LAWS OF FLORIDA RELATED TO SUBSTANTIAL IMPROVEMENT AND SUBSTANTIAL DAMAGE; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE

WHEREAS, Article VIII of the State Constitution and Chapter 166, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, SB 180 (2025), codified as Chapter 2025-190, Laws of Florida, regulates how local governments calculate "substantial improvement" and "substantial damage" to eliminate a cumulative "look-back" period; and

WHEREAS, the Town Council wishes to amend Section 7-12, "Definitions," of Article II, "Definitions," of Chapter 7, "Floodplain Regulations," of the Town Code of Ordinances to conform with Chapter 2025-190, Laws of Florida; and

WHEREAS, the Town Council has determined that adoption of this Ordinance is in the best interests of the general welfare of the Town of Juno Beach.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA as follows:

Section 1. The foregoing "Whereas" clauses are hereby ratified as true and correct and are incorporated herein.

Section 2. The Town Council hereby amends Section 7-12, "Definitions," of Article II, "Definitions," of Chapter 7, "Floodplain Regulations," of the Town Code of Ordinances as set forth below. For purposes of this Ordinance, underlined type shall constitute additions to the original text, *** shall constitute ellipses to the original text and ~~strike through~~ shall constitute deletions to the original text.

Sec. 7-12. - Definitions.

Select Year: 2025 ▼ Go

The 2025 Florida Statutes

[Title XI](#)
COUNTY ORGANIZATION AND INTERGOVERNMENTAL
RELATIONS

[Chapter 163](#)
INTERGOVERNMENTAL
PROGRAMS

[View Entire
Chapter](#)

163.31795 Participation in the National Flood Insurance Program.—

(1) For purposes of this section, the term:

(a) “Cumulative substantial improvement period” means the period during which an aggregate of improvements or repairs are considered for purposes of determining substantial improvement as defined in s. [161.54\(12\)](#).

(b) “Local government” has the same meaning as in s. [163.2514](#).

(2) A local government that is participating in the National Flood Insurance Program may not adopt or enforce an ordinance for substantial improvements or repairs to a structure which includes a cumulative substantial improvement period.

History.—s. 2, ch. 2025-190.

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