

To paraphrase an article I read recently, it cited SB 180 as “the largest incursion into local home rule authority” since the adoption of the Florida Constitution in 1968.

This new law blocks our municipality from regulating development which is the foundation of maintaining the delicate balance we enjoy as a barrier island and tourist destination.

Clause 28 of the bill will retroactively apply to land use laws in every part of the state dating from August of 2024. It will effectively nullify our home rule and threaten our sustainability as a City. The bill invokes more burdensome and restrictive policies that will block initiatives for our water, habitat and infrastructure.

The towns and counties opposing this bill all contend that it violates the Florida Constitution and Statutes that codify home rule and I agree. There are already attacks on municipal comprehensive plans that destabilize our ability to determine our growth. SB 180 would undermine our attempts to control development with proper oversight and the framework of ordinances which have governed our land use since our inception. 25 local governments have filed suit seeking to block this new law including our neighbor Naples. I’m aware that our lobbyist was recommending that we not engage in this lawsuit and let somebody else raise the ire of the legislature. I must strongly disagree. We should all be reminded; my position is that we must not be the “good people who look on and do nothing”. When initially conceived, it was predicted we could incur an initial cost of \$10,000 to enjoin the lawsuit. I have already been approached by citizens willing to provide the funds so this cannot be the impediment. We must support this lawsuit to maintain our home rule and retain control of our comprehensive plan and land development code. This is not a conversation about creating a division between ideologies, it is about Council’s duty to defend our self governance for the benefit of all our citizens.