City of Holmes Beach Building Department
5801 Marina Drive
Holmes Beach, Florida 34217

 # 8.a

MEMORANDUM

TO: City Commission, City of Holmes Beach

THROUGH: Judy Titsworth, Mayor, City of Holmes Beach

FROM: Neal Schwartz, Building Official, CFM

DATE: January 7, 2026

Summary of Ordinance No. 26-01:
Amendment to Building Code Provisions on Substantial Damage

Purpose of Ordinance:

Ordinance No. 26-01 amends Section 14-28 of the City of Holmes Beach Code of Ordinances to revise the City's local amendment to Section 202 of the Florida Building Code (Existing Building) related to the definition of "Substantial Improvement" and the treatment of "Substantial Damage."

The primary goal is to remove previously adopted language requiring the *accumulation of improvement and repair costs over time*, and to align the City's technical amendments with its land development regulations and National Flood Insurance Program (NFIP) requirements.

This change is being made as required by Florida Senate Bill 180. Ordinance 25-01 amended the floodplain ordinance (23-01) related to substantial damage and substantial improvement whereas this ordinance (26-01) will amend the Florida Building Code as adopted by the City.

Background:

The City has authority under Florida Statutes (Ch. 166 and Ch. 553) to adopt local building regulations and stricter technical amendments to implement NFIP standards.

Following significant hurricane-related damage and participation in the NFIP, the City reviewed its prior local amendments, which required accumulating costs of repairs and improvements over a multi-year period.

The Commission determined that the cost-accumulation approach should be repealed to ensure consistency with current regulations and floodplain management practices.

Key Provisions:

1. **Amended Definition of "Substantial Improvement"**
    - The ordinance replaces prior language that accumulated improvement/repair costs over multiple years.
    - The new definition applies a one-year period for determining whether the cumulative cost of repairs or improvements equals or exceeds 50% of the structure's market value.
    - The one-year period starts on the date of the certificate of occupancy or certificate of completion of the first permitted improvement occurring after June 27, 2019.
    - If a structure has su stained substantial damage, any repairs are automatically considered a substantial improvement, regardless of cost.

2. **Exceptions**
    - Work required solely to correct existing health, sanitary, or safety code violations necessary to ensure safe living conditions.
    - Alterations to historic structures that do not jeopardize their historic designation.

3. **Effective Date**
    - The ordinance becomes effective upon adoption by the City Commission and approval by the Mayor.

Conclusion:

Ordinance No. 26-01 updates the City's building regulations to eliminate cost-accumulation requirements, clarify how substantial improvement is calculated, and better align with NFIP standards and the City's land development rules. This change supports consistent floodplain management and clearer permitting requirements for property owners.