



**TOWN OF REDINGTON BEACH
BOARD OF COMMISSIONERS
SPECIAL MEETING AGENDA
Monday, July 28th, 2025
4:00pm**

Town Hall

Assembly Hall

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF AGENDA**
- 5. PUBLIC FORUM: Non-Agenda Items Only NOTE: A three-minute time limit applies to all comments from the public on non-agenda items only. If a person wishes to address the Board of Commissioners, **about a NON-AGENDA item**, please fill out a "Speakers Card" and give it to the Town Clerk prior to the start of the meeting.**
- 6. NEW BUSINESS**
 - a. Adopt Tentative Millage Rate
 - b. **Ordinance No. 2025-01:** An Ordinance of the Town of Redington Beach, Florida, Amending § 10-7 of the Redington Beach Town Code Related to Appeals of Floodplain Administrator Decisions; Making Related Findings; Providing For Codification, Severability, and for an Effective Date.
- 7. OTHER BUSINESS**
- 8. ADJOURNMENT**

Note: The Town of Redington Beach Board of Commissioners meet the First Wednesday of each month beginning at 6:30 p.m.

The Town of Redington Beach Board of Commissioners may take action on any matter during this meeting, including items that are not set forth within this agenda.

Minutes of the Board of Commissioners meeting may be obtained from the Town Clerk's office. The meetings may be recorded. The Minutes are not transcribed verbatim. It is the policy of the Board of Commissioners to make "action minutes" of all meetings

Persons requiring a verbatim transcript of any Town meeting (for purposes of appeal or otherwise) should make arrangements to have a certified Court Reporter, at their own cost and expense, present at the meeting.

Persons who wish to appeal any decision made by the Board of Commissioners with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. (F.S. 286.0105) **Notice Regarding Special Accommodations: (F.S. 286.26)**

Agenda Item 6 a.

Adopt Tentative Millage Rate

FY26 Analysis

Town of Redington Beach							
Evaluation of Millage Rate							
Fiscal Year 2025- 2026							
Calculations Based on Gross Taxable Value: \$ 780,558,611							
		2025- 2026 Millage Rates	Ad Valorem Revenue Generated	Estimated Collection Rate: 97%			
Rolled-Back Rate		1.6530	1,290,263	1,251,555			
Existing Rate		1.8149	1,416,636	1,374,137			
Majority Vote Required		1.8137	1,415,699	1,373,228			
2/3 Vote Required		1.9951	1,557,292	1,510,574			
Trend Analysis of Taxable Value:							
Fiscal Year		Taxable Value	Dollar Amount Change	Percentage Change			
2020 - 2021		550,595,144					
2021 - 2022		588,429,118	37,833,974	6.87%			
2022 - 2023		671,370,257	82,941,139	14.10%			
2023 - 2024		744,800,201	73,429,944	10.94%			
2024 - 2025		827,731,318	82,931,117	11.13%			
2025 - 2026	*	780,558,611	-47,172,707	-5.70%			
* Taxable value per preliminary 2025 tax estimates - 7/1/25							
If the rolled back rate is approved, ad valorem revenue will decrease by \$126,373 than if the current rate is approved.							

Agenda item 6 b.

Ordinance No. 2025-01: An Ordinance of the Town of Redington Beach, Florida, Amending § 10-7 of the Redington Beach Town Code Related to Appeals of Floodplain Administrator Decisions; Making Related Findings; Providing For Codification, Severability, and for an Effective Date.

ORDINANCE NO. 2025-01

AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, FLORIDA, AMENDING § 10-7 OF THE REDINGTON BEACH TOWN CODE RELATED TO APPEALS OF FLOODPLAIN ADMINISTRATOR DECISIONS; MAKING RELATED FINDINGS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Redington Beach has, since the 1970s, been a participant in the Federal Emergency Management Administration's (FEMA) National Flood Insurance Program (NFIP); and

WHEREAS, participation in the NFIP is required in order to allow property owners in the Town to have access to discounted federal flood insurance policies, and to allow the Town to be eligible for Public Assistance Grants to allow reimbursement of post-disaster debris removal and emergency staffing expenses, and for infrastructure improvements related to creating more disaster/hurricane resilient public infrastructure; and

WHEREAS, as a requirement of the NFIP regulations, the Town has been obligated to create and maintain a Floodplain Code, which is periodically reviewed and must be approved by FEMA and the Florida Division of Emergency Management (FDEM); and

WHEREAS, the Town's Floodplain Code provides for certain of the Town's Floodplain Administrator to administer the Floodplain Code, including the FEMA-required Substantial Damage/Substantial Improvement regulations (commonly referred to as "the 50% rule"); and

WHEREAS, in September and October of 2024, Pinellas County was struck by two powerful hurricanes, Helene and Milton, which caused widespread flooding and related property damage in the Town; and

WHEREAS, in the aftermath of these storm events, residents and other property owners in the Town began the process of pursuing permits to repair or replace their homes; and

WHEREAS, part of that permitting process required applicants to determine if their structures were "Substantially Damaged" (as defined by FEMA regulations) since this determination would drive whether owners could simply make repairs, or would need to re-build to current wind, flood elevation, and other construction standards of the current Florida Building Code; and

WHEREAS, pursuant to federal regulations and the Floodplain Code, the Floodplain Administrator is the regulatory official who is authorized to make the final determination as to whether a structure has been Substantially Damaged; and

WHEREAS, under Town Code § 10-7, owners of structures deemed Substantially Damaged by the Floodplain Administrator's final administrative determination may appeal such decisions in a quasi-judicial setting, which currently goes to the Town's Board of Adjustment (BOA), which has as its primary function reviewing requests for common variances; and

WHEREAS, subsequent to initial Substantial Damage determination appeals to the BOA, BOA members expressed a lack of familiarity with the procedures or standards that should be applied, and a level of discomfort in overseeing a process with such potentially significant financial impacts on fellow Town residents; and

WHEREAS, Florida Statutes § 553.73(5) authorizes municipalities to adopt by ordinance an administrative or technical amendment relating to flood resistance in order to implement the NFIP or incentives, which amendment may assign the duty to enforce all or portions of flood-related code provisions to the appropriate municipal agencies, and to adopt procedures for variances and exceptions from flood-related Florida Building Code (FBC) provisions (other than for structures seaward of the coastal construction control line) consistent with the requirements in 44 C.F.R. § 60.6, even if such amendment is more stringent than the FBC, and such procedures may not be rendered void when the FBC is updated if the amendment is adopted for the purpose of participating in FEMA's Community Rating System promulgated pursuant to 42 U.S.C. § 4022, and

WHEREAS, upon discussing the matter at a regular meeting, the Commission determined that: 1) to speed up the timeline for any appeals avoiding quorum issues, 2) to relieve the BOA members of presiding over matters for which they are not usually tasked, and 3) to ensure owners still receive a prompt quasi-judicial appeal hearing before a qualified official, a Town Special Magistrate should be tasked with jurisdiction to hear appeals brought pursuant to § 10-7; and

WHEREAS, the Commission finds that it is in the best interest of the Town and its citizens to adopt the Code amendment set forth in this Ordinance.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Redington Beach, Florida, that:

Section 1. Section 10-7 of the Redington Beach Town Code is hereby amended as follows:

Sec. 10-7. Variances and appeals.

- (a) *General.* The special magistrate board of adjustment shall hear and decide on requests for appeals and requests for variances from the strict application of this chapter. Pursuant to Florida Statutes § 553.73(5), the special magistrate board of adjustment shall hear and decide on requests for appeals and requests for variances from the strict application of the flood resistant construction requirements of the Florida Building Code. This section does not apply to section 3109 of the Florida Building Code, Building.
- (b) *Appeals.* The special magistrate board of adjustment shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the floodplain administrator in the administration and enforcement of this chapter. Any person aggrieved by the decision may appeal such decision by petition for writ of certiorari as provided by general law.

- (c) *Limitations on authority to grant variances.* The ~~special magistrate board of adjustment~~ shall base its decisions on variances on technical justifications submitted by applicants, the considerations for issuance in subsection 10-7(f) of this section, the conditions of issuance set forth in subsection 10-7(g) of this section, and the comments and recommendations of the floodplain administrator and the building official. The ~~special magistrate board of adjustment~~ has the right to attach such conditions as that official ~~it~~ deems necessary to further the purposes and objectives of this chapter.
- (d) *Historic buildings.* A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Building, Chapter 12 Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the Florida Building Code.
- (e) *Functionally dependent uses.* A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use, as defined in this chapter, provided the variance is the minimum necessary considering the flood hazard, and all due consideration has been given to use of methods and materials that minimize flood damage during occurrence of the base flood.
- (f) *Considerations for issuance of variances.* In reviewing requests for variances, the ~~special magistrate board of adjustment~~ shall consider all technical evaluations, all relevant factors, all other applicable provisions of the Florida Building Code, this chapter, and the following:
- (1) The danger that materials and debris may be swept onto other lands resulting in further injury or damage;
 - (2) The danger to life and property due to flooding or erosion damage;
 - (3) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;
 - (4) The importance of the services provided by the proposed development to the community;
 - (5) The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;
 - (6) The compatibility of the proposed development with existing and anticipated development;
 - (7) The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;
 - (8) The safety of access to the property in times of flooding for ordinary and emergency vehicles;

- (9) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
 - (10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.
- (g) *Conditions for issuance of variances.* Variances shall be issued only upon:
- (1) Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this chapter or the required elevation standards;
 - (2) Determination by the special magistrate board of adjustment that:
 - a. Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;
 - b. The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and ordinances; and
 - c. The variance is the minimum necessary, considering the flood hazard, to afford relief;
 - (3) Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the office of the clerk of the court in such a manner that it appears in the chain of title of the affected parcel of land; and
 - (4) If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the floodplain administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as \$25.00 for \$100.00 of insurance coverage), and stating that construction below the base flood elevation increases risks to life and property.
- (h) *Magistrate qualifications.* When recruiting for special magistrates who will consider appeals pursuant to this section, in addition to the base requirements of a special magistrate set forth in § 2-43 of the code, the town shall endeavor to recruit magistrates with experience or backgrounds in engineering, architecture, construction litigation, real property or similar fields. In the event the town has been able to contract with magistrates with such experience or background, the clerk shall assign appeals under this section to such magistrates.

Section 2. Pursuant to Florida Statutes § 166.041(4)(a), prior to the date the public notice of the public hearing for this Ordinance was published, the Town prepared and posted on its website a business impact estimate which included: a) a summary of the Ordinance, a statement of the public purpose to be served by the Ordinance, b) an estimate of the direct economic impact of the Ordinance on private, for-profit businesses in the Town, c) an estimate of direct compliance costs that businesses may reasonably incur due to the Ordinance, d) identification of any new charge or fee on businesses created by the Ordinance or for which businesses will be financially responsible, e) an estimate of the Town's regulatory costs and of revenues from any new charges or fees imposed on businesses to cover such costs, and f) a good faith estimate of the number of businesses likely to be impacted by the Ordinance.

Section 3. For purposes of codification of any existing section of the Redington Beach Code herein amended, words underlined represent additions to original text, words ~~stricken~~ are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 4. If any section, subsection, sentence, clause, provision or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board of Commissioners would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 5. The Codifier shall codify the substantive amendments to the Redington Beach Town Code contained in Section 1 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 6. Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon adoption.

ADOPTED ON FIRST READING on the 28th day of July, 2025, by the Board of Commissioners of the Town of Redington Beach, Florida.

ADOPTED ON SECOND AND FINAL READING on the 6th day of August, 2025, by the Board of Commissioners of the Town of Redington Beach, Florida.

Attest:

David Will, Mayor

Adriana Nieves, CMC, Town Clerk