



City of Coral Gables
CITY COMMISSION MEETING
October 14, 2025

ITEM TITLE:

A RESOLUTION OF THE CITY COMMISSION THE CITY OF CORAL GABLES, FLORIDA, AUTHORIZING PARTICIPATION IN A LAWSUIT SEEKING, AMONG OTHER THINGS, TO DECLARE THAT SENATE BILL 180'S IMPOSITION OF A BLANKET STATEWIDE PROHIBITION ON THE EXERCISE OF HOME RULE AUTHORITY OVER LAND USE AND ZONING REGULATIONS, IS UNCONSTITUTIONAL AND SHOULD BE ENJOINED, AND RETAINING WEISS SEROTA HELFMAN COLE + BIERMAN, PL TO PROSECUTE THE LAWSUIT; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Vice Mayor Anderson)

BRIEF HISTORY:

On June 26, 2025, Senate Bill 180 ("SB 180"), titled "Emergencies," was signed into law by Governor Ron DeSantis and became effective immediately as Chapter 2025-190, Florida Statutes. Among other things, Section 28 of SB 180 prohibits all local government-initiated ordinances that impose "more restrictive or burdensome" comprehensive plan amendments, land development regulations, or procedures concerning review, approval, or issuance of site plans, development permits, or development orders (collectively, "Land Use and Zoning Regulations") for the period commencing retroactively from August 1, 2024, through October 1, 2027, even if such amendments, regulations or procedures are in no way related to any hurricane or other emergency and even if such amendments, regulations, or procedures were duly enacted prior to the enactment of SB 180. Section 28 of SB 180 also bans local moratoria on construction, reconstruction, or redevelopment of property damaged by a hurricane during the same timeframe. Section 18 of SB 180 further prohibits local governments that are located in counties that are entirely or partially within 100 miles of the track of any future hurricane from enacting "more restrictive or burdensome" Land Use and Zoning Regulations, and moratoria on construction, reconstruction, or redevelopment of any property, damaged or not, for a period of one year after the storm makes landfall.

The proposed resolution, on the basis that SB 180 is unconstitutional and invalid because, among other things, it:

- (a) embraces more than one subject and matter properly connected therewith in violation of Article III, Section 6 of the Florida Constitution;
- (b) includes a defective title in violation of Article III, Section 6 of the Florida Constitution;
- (c) requires municipalities and counties to spend in the aggregate an amount that exceeds an insignificant fiscal impact without including a finding that the law fulfills an important state interest as required by Article VII, Section 18 of the Florida Constitution;

(d) constitutes a sweeping intrusion on home-rule authority, threatening local ability to enact land use, zoning, flood-resiliency, and environmental protections, contrary to Article VIII, Section 2(b) of the Florida Constitution to a degree that renders the constitutional provision hollow; and

(e) contains provisions that classify political subdivisions on a basis that is not reasonably related to the subject of the law in violation of Art. III, Section 11(b) of the Florida Constitution,

authorizes the participation of the City in a lawsuit filed by various cities and counties, styled City of Destin, Fla., et al. v. Hon. J. Alex Kelly, et al., filed in the Circuit Court of the Second Judicial Circuit in and for Leon County, Florida, seeking declaratory, injunctive, and other appropriate relief from the provisions of SB 180, which impose a blanket statewide prohibition on the exercise of home rule authority relating to Land Use and Zoning Regulations, based upon the any appropriate legal theories, including, without limitation, those set forth herein (the “Lawsuit”).

ATTACHMENT(S):

Proposed Resolution

Lawsuit

FINANCIAL INFORMATION:

No.	Amount	Account No.	Source of Funds
1. Flat fee to Weiss Serota Helfman Cole + Bierman, PL to represent City in the Lawsuit in the trial court	\$10,000		
2. Flat fee to Weiss Serota Helfman Cole + Bierman, PL to represent City in the Lawsuit if appealed at the District Court of Appeal	\$5,000		
3. Flat fee to Weiss Serota Helfman Cole + Bierman, PL to represent City in the Lawsuit if appealed at the Florida Supreme Court	\$5,000		
Total:	\$20,000		

Fiscal Impact: Maximum \$10,000 at the trial court; \$5,000 if appealed at the District Court of Appeal; and \$5,000 if appealed at the Florida Supreme Court

BUSINESS IMPACT:

N/A