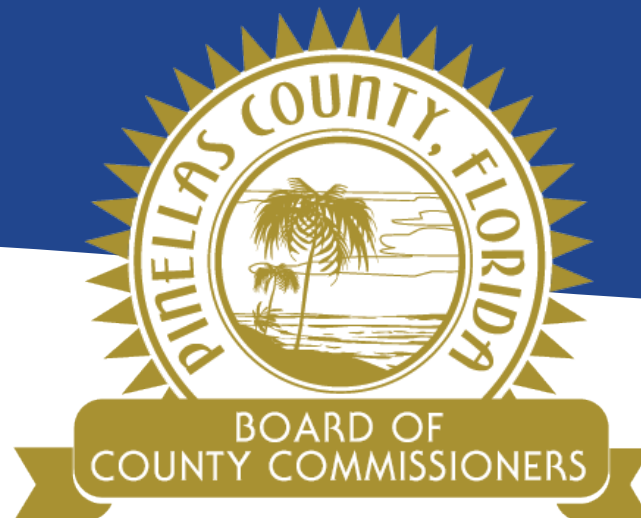


Property Rights Element

Scott Swearengen, AICP

Long Range Planning Manager
Planning Division

**Doing Things!
To Serve the Public**



Our Vision:
To Be the Standard for
Public Service in America

Property Rights Element



- **Florida House Bill 59**
 - **Adds Section 163.3177 (6)(i), Florida Statute**
 - **Became law – June 29, 2021**
 - **Effective – July 1, 2021**
- **Intended to protect private property rights and to ensure they are considered in local decision-making.**
- **Requires local governments to adopt a property rights element into its comprehensive plan.**

Property Rights Element



- **Adoption Requirements**

- **New element must be adopted by the date of adoption for the next proposed Comprehensive Plan amendment, *OR***
- **the date of the next scheduled evaluation and appraisal, whichever is earlier.**
- **No new amendment applications (e.g., FLUM amendments) received after July 1, 2021, can be processed until the Property Rights Element amendment is processed.**

Property Rights Element



- **Goal, Objectives and Policies**
 - **House Bill 59 includes specific requirements for language to be included in the new element.**
 - **Guidance provided by the Florida Department of Economic Opportunity, Division of Community Affairs.**
 - **Proposed language follows Statutory requirements.**
- **Current Comprehensive Plan wholistically considers rights and protections for property owners. Newly proposed language adds further clarification.**

Property Rights Element



- **Department of Economic Opportunity (DEO) and State Agency Review**
 - **Five agencies commented on proposed amendment**
 - Department of Economic Opportunity (DEO)
 - Florida Department of Transportation (FDOT)
 - Southwest Florida Water Management District (SWFWMD)
 - Florida Department of Environmental Protection (DEP)
 - Florida Fish and Wildlife Conservation Commission (FWC)
 - **No objections, concerns, questions, or requested changes**

Property Rights Element



- **Requested Action**
 - **Conduct a Public Hearing on the proposed Ordinance.**
 - **Adopt the proposed Ordinance amending the Comprehensive Plan.**

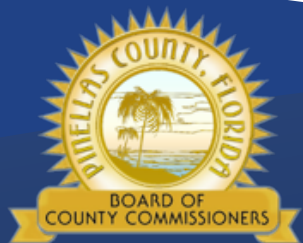
Property Rights Element



- **Adoption Schedule**

- ✓ **Aug 2021 – DRC: review/recommendation**
- ✓ **Sep 2021 – LPA: public hearing**
- ✓ **Oct 2021 – BCC: 'transmittal' public hearing**
- ✓ **Oct/Nov 2021 – transmittal to DEO for review by State Agencies**
- ❑ **Jan 2022 – BCC: 'adoption' public hearing**

Discussion



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