



## LOCAL PLANNING AGENCY (LPA) STAFF REPORT

**Case Number:** CP-21-01

**LPA Public Hearing:** September 14, 2021

**Applicant:** Pinellas County Housing and Community Development Department

**Representative:** Same as above

**Subject Property:** Unincorporated Pinellas County

### REQUEST:

An Ordinance amending the Pinellas County Comprehensive Plan, providing for the enactment of a new Property Rights Element in the Comprehensive Plan, including a Goal, Objectives, and Policies to implement Florida House Bill 59 requiring local government adoption of a property rights element into its comprehensive plan.

### LOCAL PLANNING AGENCY (LPA) RECOMMENDATION:

The Local Planning Agency finds that the proposed amendments providing for the enactment of a new Property Rights Element in the Comprehensive Plan and including a Goal, Objectives, and Policies to implement Florida House Bill 59, are consistent with the Pinellas County Comprehensive Plan and recommends approval of the amendment by the Board of County Commissioners. (The vote was 6-0, in favor.)

### STAFF RECOMMENDATION:

- **Staff recommends** that the LPA find the proposed Ordinance amending the Comprehensive Plan in **COMPLIANCE** with the statutory requirements of Florida House Bill 59 to amend the Pinellas County Comprehensive Plan, based on this report.
- **Staff further recommends** that the LPA recommend **APPROVAL** of the proposed Ordinance to the Pinellas County Board of County Commissioners.

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### SUMMARY REPORT

Florida House Bill 59 was recently approved by the Florida Legislature and signed into law on June 29, 2021. The Bill became effective on July 1, 2021. The new law adds Section 163.3177(6)(i) to the Florida Statutes requiring local governments to adopt a property rights element into its comprehensive plan. Inclusion of this element is intended to protect private property rights and to ensure they are considered in local decision-making.

The Pinellas County Housing and Community Development Department, Planning Division, has prepared language to adopt the new Property Rights Element into the County's Comprehensive Plan as required. The Element includes one Goal, two associated Objectives, and two associated Policies. In crafting the new Element, County staff have reviewed guidance provided by the Florida Department of Economic Opportunity, Division of Community Affairs, the Florida Chapter of the American Planning Association, and 1000 Friends of Florida. Staff finds the proposed language for Pinellas County's new Property Rights Element in compliance with Statutory requirements.

The Development Review Committee (DRC) reviewed this application on August 9, 2021 and has forwarded it to the LPA for their recommendation to the Board of County Commissioners.

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**IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN**

Staff finds that the proposed amendments effectively implement the requirements of Florida House Bill 59 to adopt a Property Rights Element into the Pinellas County Comprehensive Plan; and furthermore, staff finds the proposed amendments in compliance with State Statutes overall.

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**PROPOSED BCC HEARING DATE:** October 26, 2021

**CORRESPONDENCE RECEIVED TO DATE:** No correspondence received.

**PERSONS APPEARING AT THE LOCAL PLANNING AGENCY HEARING:** No one appeared in favor or in opposition.

**ATTACHMENTS:** Proposed Ordinance; Florida HB 59