

# Property Rights Element

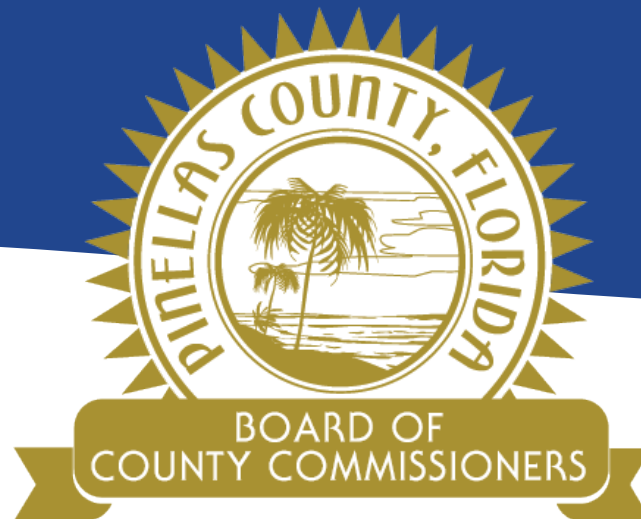
**Scott Swearingen, AICP**

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.**

- **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.**

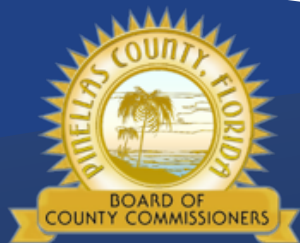
# Property Rights Element

- **Requested Action**
  - **Conduct a Public Hearing on the proposed Ordinance.**
  - **Authorize the Housing and Community Development Department to transmit the proposed Ordinance amending the Comprehensive Plan to the State Department of Economic Opportunity.**

# 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 and review by State Agencies**
  - ❑ **Dec 2021/Jan 2022 – BCC: ‘adoption’ public hearing**

# Discussion



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

