

**PROPOSED COMPREHENSIVE PLAN AMENDMENT 2021-2.1
PROPERTY RIGHTS ELEMENT - TEXT AMENDMENT**

Request: A text amendment to the Comprehensive Plan creating Property Rights Element XV and changing the Glossary from Element XV to XVI

Owner / Applicant: Planning & Development Department

Location: N/A

Acreage: N/A

Existing Land Use Designation: N/A

Proposed Land Use Designation: N/A

PROPOSED TEXT AMENDMENT

Background:

House Bill 59, which became law on June 29, 2021, adds Section 163.3177(6)(i), Florida Statutes. Effective July 1, 2021: Each local government must adopt a property rights element into its comprehensive plan by the earlier of the date of its adoption of its next proposed plan amendment that is **initiated** after July 1, 2021, or the date of the next scheduled evaluation and appraisal of its comprehensive plan pursuant to Section 163.3191, Florida Statutes (emphasis added).

The new section requires that governmental entities respect judicially acknowledged and constitutionally protected private property rights. The law allows the Board to adopt its own property rights element or use the provision provided. Staff has presented the provision included in the law in order to expedite this process to ensure that development applications may continue to be processed at this time.

Description:

The proposed amendment will create a Property Rights Element to the Comprehensive Plan adding Goals, Objectives and Policies with regards to the local decision making process, as it pertains to the rights of property owners.

Proposed Text Amendment

The proposed amendment would be adopted as Property Rights Element XV and change the Glossary from XV to XVI. Additions to the Comprehensive Plan will be shown as underlined and deletions are shown as ~~strike through~~.