

**Comprehensive Plan Amendment
(Text Amendment):**

**Property Rights
Element**

**City Commission Regular Meeting
(Adoption Hearing)**

November 15, 2021



Comprehensive Plan Amendment

- **SB 59 (Fla. Stat. § 163.3177(6)(i)) passed during the 2021 Florida Legislative Session.**
- **Requires that a local government adopt and include a property rights element in its Comprehensive Plan.**
- **Affects any proposed Comprehensive Plan amendment initiated after July 1, 2021.**
- **Proposed text is copied verbatim from State Statute & meets minimum language requirements.**
- **The Technical Review Committee had no objections.**

Comprehensive Plan Amendment

The City shall ensure that the following private property rights are considered in their local decision-making process:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

Staff Recommendation & LPA Action

- Staff recommends **APPROVAL** of the proposed Comprehensive Plan Amendment (Text Amendment).
- On August 23, 2021, the Planning Board (as the Local Planning Agency) voted to recommended **APPROVAL & TRANSMITTAL** of the proposed Comprehensive Plan Amendment (Text Amendment).

Florida Department of Economic Opportunity

- **Letter of No Objection Dated October 15, 2021**

City Commission Possible Actions

- **APPROVE** the proposed Comprehensive Plan Amendment, with no changes.
- **APPROVE** the proposed Comprehensive Plan Amendment, with changes.
- **DISAPPROVE** the proposed Comprehensive Plan Amendment.

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