

By Senator Evers

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1 A bill to be entitled
 2 An act relating to growth management; amending s.
 3 163.3167, F.S.; requiring local governments to address
 4 the protection of private property rights in their
 5 comprehensive plans; amending s. 163.3177, F.S.;
 6 requiring comprehensive plans to include a property
 7 rights element that addresses certain objectives;
 8 requiring counties and municipalities to adopt land
 9 development regulations consistent with this element
 10 within a specified timeframe; providing an effective
 11 date.

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 13 Be It Enacted by the Legislature of the State of Florida:
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15 Section 1. Subsection (9) of section 163.3167, Florida
 16 Statutes, is amended to read:

17 163.3167 Scope of act.—

18 (9) Each local government shall address in its
 19 comprehensive plan, as enumerated in this chapter:7

20 (a) The water supply sources necessary to meet and achieve
 21 the existing and projected water use demand for the established
 22 planning period, considering the applicable plan developed
 23 pursuant to s. 373.709; and

24 (b) The protection of private property rights.

25 Section 2. Paragraph (i) is added to subsection (6) of
 26 section 163.3177, Florida Statutes, to read:

27 163.3177 Required and optional elements of comprehensive
 28 plan; studies and surveys.—

29 (6) In addition to the requirements of subsections (1)-(5),

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30 the comprehensive plan shall include the following elements:

31 (i) A property rights element protecting private property
32 rights in recognition of the legitimate and often competing
33 public and private interests in land use regulations and other
34 governmental actions.

35 1. The property rights element must establish the
36 principles, guidelines, standards, and strategies that guide the
37 local government's decisions and program implementation with
38 respect to the following objectives:

39 a. Consideration of the impact of all proposed development
40 orders, plan amendments, ordinances, and other government
41 decisions on private property rights.

42 b. Encouragement of economic development.

43 c. Use of alternative, innovative solutions to provide
44 equal or better protection than required by the comprehensive
45 plan.

46 d. Consider the degree of harm caused by noncompliance with
47 the comprehensive plan.

48 2. Within 1 year after adopting the property rights
49 element, each county and municipality within the county shall
50 adopt land development regulations consistent with this
51 paragraph.

52 Section 3. This act shall take effect July 1, 2015.