

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 the comprehensive plan to include a property
 7 rights element that addresses certain objectives;
 8 requiring counties and municipalities to adopt land
 9 development regulations consistent with the property
 10 rights element; providing an effective date.

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 12 Be It Enacted by the Legislature of the State of Florida:

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 14 Section 1. Subsection (9) of section 163.3167, Florida
 15 Statutes, is amended to read:

16 163.3167 Scope of act.—

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

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

23 (b) The protection of private property rights.

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

26 163.3177 Required and optional elements of comprehensive

27 | plan; studies and surveys.—

28 | (6) In addition to the requirements of subsections (1)-
 29 | (5), the comprehensive plan shall include the following
 30 | elements:

31 | (i)1. In recognition of the legitimate and often competing
 32 | public and private interests in land use regulations and other
 33 | government action, a property rights element that protects
 34 | private property rights. The property rights element shall set
 35 | forth the principles, guidelines, standards, and strategies to
 36 | guide the local government's decisions and program
 37 | implementation with respect to the following objectives:

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

41 | b. Encouragement of economic development.

42 | c. Use of alternative, innovative solutions to provide
 43 | equal or better protection than the comprehensive plan.

44 | d. Consideration of the degree of harm created by
 45 | noncompliance with the provisions of the comprehensive plan.

46 | 2. Each county and each municipality within the county
 47 | shall, within 1 year after adopting its property rights element,
 48 | adopt land development regulations consistent with this
 49 | paragraph.

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