



752852

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/03/2021	.	
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The Committee on Community Affairs (Perry) recommended the following:

Senate Amendment (with title amendment)

Delete lines 40 - 85

and insert:

act. A comprehensive plan for a newly incorporated municipality
which becomes effective ~~adopted~~ after January 1, 2016 ~~2019~~, and
all land development regulations adopted to implement the
comprehensive plan must incorporate each development order
existing before the comprehensive plan's effective date, may not
impair the completion of a development in accordance with such



11 existing development order, and must vest the density and
12 intensity approved by such development order existing on the
13 effective date of the comprehensive plan without limitation or
14 modification.

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

17 163.3177 Required and optional elements of comprehensive
18 plan; studies and surveys.—

19 (6) In addition to the requirements of subsections (1)-(5),
20 the comprehensive plan shall include the following elements:

21 (i)1. In accordance with the legislative intent expressed
22 in ss. 163.3161(10) and 187.101(3) that governmental entities
23 respect judicially acknowledged and constitutionally protected
24 private property rights, each local government shall include in
25 its comprehensive plan a property rights element to ensure that
26 private property rights are considered in local decisionmaking.
27 A local government may adopt its own property rights element or
28 use the following statement of rights:

29
30 The following rights shall be considered in local
31 decisionmaking:

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33 1. The right of a property owner to physically possess
34 and control his or her interests in the property,
35 including easements, leases, or mineral rights.

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37 2. The right of a property owner to use, maintain,
38 develop, and improve his or her property for personal
39 use or the use of any other person, subject to state



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40 law and local ordinances.

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42 3. The right of the property owner to privacy and to
43 exclude others from the property to protect the
44 owner's possessions and property.

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46 4. The right of a property owner to dispose of his or
47 her property through sale or gift.

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49 2. Each local government must adopt a property rights
50 element in its comprehensive plan by the earlier of its adoption
51 of its next proposed plan amendment or the next scheduled
52 evaluation and appraisal of its comprehensive plan pursuant to
53 s. 163.3191. If a local government

54

55 ===== T I T L E A M E N D M E N T =====

56 And the title is amended as follows:

57 Delete line 11

58 and insert:

59 rights element by the earlier of its adoption of its
60 next proposed plan amendment or the next scheduled
61 evaluation and appraisal of its comprehensive plan;
62 prohibiting a