



City Commission **agenda item**

item type Public Hearings	meeting date October 13, 2021
prepared by Jeffrey Briggs	approved by Bronce Stephenson
board approval Completed	
strategic objective	

subject

Ordinance adopting a new Comprehensive Plan Element for Private Property Rights pursuant to State Statute (2nd Reading)

motion / recommendation

Staff recommendation is for approval with the revision made by the city attorney.

background

House Bill 59 became effective on July 1, 2021, which requires that every City and County in Florida must adopt a Private Property Rights Element. If the City does not comply, then no other future Comprehensive Plan amendments will be processed by the State or can be adopted, which most immediately would not allow the Comprehensive Plan amendments associated with the Orange Avenue Overlay to proceed.

The City Commission approved on first reading an Ordinance version of the Property Rights Element on August 25, 2021 and it was sent to the Florida Dept. of Economic Opportunity (FDEO). The City has received the comment from the FDEO requesting a modification of the text to delete the modifier "concerning land use and zoning matters". That has been done in the version attached.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Ordinance - Property Right Element DL rev 10-1-2021 \(003\).doc](#)

ATTACHMENTS:

[Winter Park 21-01ESR Ack letter.pdf](#)

ATTACHMENTS:

[Public Hearing Notice_Private Property Rights_2nd reading 2021.docx](#)

ATTACHMENTS:

[HB 59.pdf](#)