

PRIVATE PROPERTY RIGHTS DATA INVENTORY AND ANALYSIS



CHERISH AND SUSTAIN WINTER PARK'S EXTRAORDINARY QUALITY OF LIFE

PLAN OUR GROWTH THROUGH A COLLABORATIVE PROCESS THAT PROTECTS OUR CITY'S TIMELESS SCALE AND CHARACTER

ENHANCE THE WINTER PARK BRAND THROUGH A FLOURISHING COMMUNITY OF ARTS AND CULTURE

BUILD AND EMBRACE OUR LOCAL INSTITUTIONS FOR LIFELONG LEARNING AND FUTURE GENERATIONS

INTRODUCTION

Section 163.3177(6)(i)2, Florida Statutes (Chapter 2021-195, Laws of Florida), requires a local government to adopt and include the property rights element in its comprehensive plan for any proposed plan amendment initiated after July 1, 2021. A proposed comprehensive plan amendment is initiated on the date the amendment is first considered at a public hearing, as outlined in Section 163.3174(4), Florida Statutes, held by the local planning agency.

If the local government's local planning agency conducted a hearing on a comprehensive plan amendment on or before July 1, 2021, the local government may complete the adoption process for that comprehensive plan amendment package in accordance with the process set forth in Chapter 163, Florida Statutes. If the comprehensive plan amendment had been first considered at a local planning agency's hearing on or after July 2, 2021, then Section 163.3177(6)(i), Florida Statutes, requires the local government to also adopt the property rights element into its comprehensive plan on the date of adoption of that next proposed amendment.

As listed in Section 163.3177(6)(i), Florida Statutes, a local government may adopt its own property rights element or use the following statement of rights:

The following rights shall be considered in local decision making:

- The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
- 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.
- The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
- The right of a property owner to dispose of his or her property through sale or gift.