

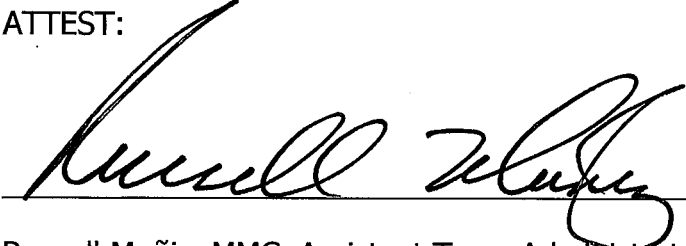
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Breitkreuz yes
Hartmann yes
Allbritton yes
Jablonski yes
Kuczenski yes

Ayes 5
Nays 0
Absent 0
Abstaining 0

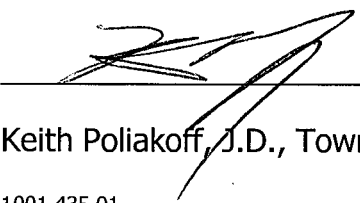

Steve Breitkreuz, Mayor

ATTEST:



Russell Muñiz, MMC, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:



Keith Poliakoff, J.D., Town Attorney

1001.435.01

EXHIBIT "A"

III. J. PROPERTY RIGHTS ELEMENT (PRE)

1. GOALS OBJECTIVES AND POLICIES

PRE GOAL 1

~~The Town will make planning and development decisions with respect for property rights.~~ consider private property rights in its decisionmaking.

PRE Objective 1: The Town will respect judicially acknowledged and constitutionally protected private property rights.

PRE Policy 1.1: The Town will consider in its 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.

PRE Policy 1.2: The Town will consider in its decision-making 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.

PRE Policy 1.3: The Town will consider in its decision-making the right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

PRE Policy 1.4: The Town will consider in its decision-making the right of a property owner to dispose of his or her property through sale or gift.

The 2021 Florida Statutes

Title XI

COUNTY ORGANIZATION AND INTERGOVERNMENTAL RELATIONS

Chapter 163

INTERGOVERNMENTAL PROGRAMS

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

* * *

(i)1. In accordance with the legislative intent expressed in ss. 163.3161(10) and 187.101(3) that governmental entities respect judicially acknowledged and constitutionally protected private property rights, each local government shall include in its comprehensive plan a property rights element to ensure that private property rights are considered in local decisionmaking. 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 decisionmaking:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. 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.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

2. Each local government must adopt a property rights element in its comprehensive plan by the earlier of the date of its adoption of its next proposed plan amendment that is initiated after July 1, 2021, or the date of the next scheduled evaluation and appraisal of its comprehensive plan pursuant to s. 163.3191. If a local

government adopts its own property rights element, the element may not conflict with the statement of rights provided in subparagraph 1.