

PLANNING AND ZONING BOARD MEETING AGENDA ITEM

TOWN OF LADY LAKE, FLORIDA

AGENDA ITEM TITLE

Ordinance 2021-13 - An Ordinance Amending the Town of Lady Lake Comprehensive Plan; Incorporating a Property Rights Element

AGENDA ITEM ID

2021185

DEPARTMENT

Growth Management

STAFF RECOMMENDED MOTIONS

1. Recommendation to forward Ordinance 2021-13 to the Town Commission with the recommendation of approval.
2. Recommendation to forward Ordinance 2021-13 to the Town Commission with the recommendation of denial.

Staff recommends approval of motion number 1.

SUMMARY

Florida House Bill 59 was signed into law on June 29, 2021, by Governor Ron DeSantis, and became effective July 1, 2021. The new law requires that “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 Section 163.3191, Florida Statutes”.

Draft Ordinance 2021-13 was prepared based upon the model ordinance as provided by the 1000 Friends of Florida organization. Some of the original language was altered or omitted to maintain consistency with the Town’s public hearing protocol as well as the other elements of the Comprehensive Plan. Although the new Private Property Rights Element contains very few goals, objectives, and policies in comparison to the other elements of the Comprehensive Plan, staff feels that the language of the element as written addresses the requirements of House Bill 59.

Should the Town not adopt a Private Property Rights element, the Department of Economic Opportunity (DEO) will not conduct review of subsequent Comprehensive Plan amendments

submitted to the department; this includes Future Land Use Map Amendments. Not having the ability to amend the future land use classification of property may result in economic impacts for the Town of Lady Lake and may impede a property owner from utilizing their property in the manner which they desire.

FISCAL IMPACT

Not applicable

FUNDING ACCOUNT

Not applicable

PAST ACTIONS

The Technical Review Committee (TRC) members individually reviewed the proposed ordinance and have found the document complete and ready to move forward to the Planning & Zoning Board.

PUBLIC HEARINGS

The Local Planning Agency will consider Ordinance 2021-13 at their regular meeting scheduled for Monday, October 4, 2021, at 5:30 p.m.

The Commission's first and final reading of the Ordinance 2021-13 is tentatively scheduled for Monday, October 4, 2021, at 6 p.m. The second and final reading is tentatively scheduled for Monday, October 18, 2021, at 6 p.m.

TC/ns