

**Seminole County**  
**PRIVATE PROPERTY RIGHTS ANALYSIS\***  
**Title**

|                 |  |                             |   |
|-----------------|--|-----------------------------|---|
| <b>Date:</b>    | 08/04/21   | <b>Department/Division:</b> | Economic & Community Development Services/<br>Planning & Development Division |
| <b>Contact:</b> | Dagmarie Segarra   | <b>Phone:</b>               | 407-665-7383  |
| <b>Action:</b>  | Amendment of the Comprehensive Plan                                      |                             |   |
| <b>Topic:</b>   | Amendments to the Introduction Element; Separate Property Rights Element |                             |   |

**Describe Project/Proposal**

The proposed text amendments to the County's Comprehensive Plan revises the definition of Net Buildable Acres in the Introduction Element text and creates a separate Property Rights Element in accordance with mandates set forth in Chapter 163 of the Florida Statutes.

**Estimated Economic Impact on Individuals, Businesses, or Government**

The economic impacts associated with the proposed text amendment to the Introduction Element may have a direct impact for those properties within the Urban Area. The proposed text amendment to the Introduction Element reverts the definition of Net Buildable Acres for proposed developments within the Urban Area back to a definition that was in effect prior to December 31, 2014. Due to this consideration, such development projects may be reduced in size or scope, resulting in a corresponding reduction in value.

The economic impact associated with the proposed separate Property Rights Element should be positive, potentially stabilizing and supporting property values on parcels within County's jurisdiction.

Impacts to the government operations are expected to be minor.

**Anticipated New, Increased or Decreased Revenues**

The revenue impacts associated with the proposed text amendment to the Introduction Element, providing for a definition of Net Buildable Acres, may have the potential of decreasing revenues generated through application fees, building permit fees and some impact fees for the County, as these are calculated based on proposed square footage and/or proposed number of lots. As part of continuous fee review, normal practice, County staff periodically reassess application fees and as part of that process will determine if the amendment warrant increases to the application fees to cover any potential decrease of revenue.

Private property impact associated with the proposed text amendment may reduce development projects in size and scope within the Urban Area of the County, resulting in a corresponding reduction in revenue for the property owner.

The proposed separate Property Rights Element will not have any impact on existing revenue.

**Method Used in Determining Analysis**

The method of analysis involved the potential impacts from adopting the proposed amendments to the Seminole County Land Development Code, and professional expertise.

### **Citation**

#### **Seminole County Comprehensive Plan**

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##### **\*Note:**

Existing development rights with respect to the types of permitted uses are based on future land use designations of the Seminole County Comprehensive Plan and zoning classifications of the Land Development Code. Aside from the requirements discussed herein, no changes in development rights will be created by this ordinance.

Seminole County recognizes that it has the responsibility and duty to both insure that public facilities are available concurrent with the impacts of development and to protect private property rights, which have vested in owners of parcels of real property.

Policy FLU 17.1, Private Property Rights Act, of the Seminole County Comprehensive Plan states: "The County shall fully implement the provisions of the Bert J. Harris, Jr., Private Property Rights Protection Act (Section 1, Chapter 95-181, Laws of Florida). Each staff recommendation relative to any land use decision shall consider the provisions of that Act and other general principles of law relating to the appropriate regulation of land without said regulation resulting in the taking of private property rights."