



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 27-22

City Council

12/15/2022

LEGISLATIVE ACTION ITEM

SPONSOR: D.C. Reeves, Mayor

SUBJECT:

PROPOSED ORDINANCE NO. 27-22 - ADOPTION OF AMENDMENT TO THE COMPREHENSIVE PLAN - PROPERTY RIGHTS ELEMENT

RECOMMENDATION:

That City Council adopt Proposed Ordinance No. 27-22 on second reading.

AN ORDINANCE APPROVING FOR ADOPTION, FOLLOWING THE REQUIRED STATUTORY REVIEW PROCESS BY THE STATE OF FLORIDA, AMENDMENTS TO THE COMPREHENSIVE PLAN OF THE CITY OF PENSACOLA, FLORIDA, PROPERTY RIGHTS ELEMENT; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

HEARING REQUIRED: Public

SUMMARY:

The proposed Property Rights Element was created in accordance with the provisions of SB 59 (Fla. Stat. 163.3177 (6)(i)), passed during the 2021 Florida Legislative Session, signed into law by Gov. DeSantis, and incorporated into Florida's Community Planning Act. Every city and county in Florida shall "include in its comprehensive plan a property rights element." As such, the City of Pensacola, must adopt this new element.

City Council conducted the first required public hearing on June 16, 2022, and voted to approve the amendment on first reading, and transmit it to the Department of Economic Opportunity (DEO) for review. DEO has completed their review, and did not have any objections, recommendations or comments for the City to address, which requires the amendment to now move to the adoption hearing for final action.

The Planning Board recommended approval of the proposed amendments, and it carried 4:2 at their regular meeting on November 9, 2021.

PRIOR ACTION:

June 16, 2022 - City Council conducted the first of two required public hearings and voted to approve Proposed Ordinance No. 27-22 on first reading and transmit to the Department of Economic Opportunity for review.

FUNDING:

N/A

FINANCIAL IMPACT:

None

CITY ATTORNEY REVIEW: Yes

11/9/2021

STAFF CONTACT:

Kerrith Fiddler, City Administrator
David Forte, Deputy City Administrator, Community Development
Sherry Morris, AICP, Development Services Department Director
Cynthia Cannon, AICP, Planning & Zoning Division Manager

ATTACHMENTS:

- 1) Proposed Ordinance No. 27-22
- 2) DEO Letter - September 27, 2022
- 3) Planning Board Minutes November 9, 2021

PRESENTATION: No