

ORDINANCE 2022- 01
FRANKLIN COUNTY, FLORIDA

AN ORDINANCE AMENDING THE FRANKLIN COUNTY COMPREHENSIVE PLAN TO ADOPT A GOAL, OBJECTIVE AND POLICIES FOR A PRIVATE PROPERTY RIGHTS ELEMENT AS REQUIRED BY CHAPTER 163.3177(6)(i), FLORIDA STATUTES.

WHEREAS, Franklin County is required by Chapter 163.3177(6)(i), Florida Statutes, to amend its Comprehensive Plan to include a protect private property rights element, and

WHEREAS, the Franklin County Planning and Zoning Commission has recommended adoption of private property rights language in the Franklin County Comprehensive Plan, and

WHEREAS, the Franklin County Board of County Commissioners has held a public hearing to consider adopting

NOW, THEREFORE, BE IT ORDAINED BY THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS that the following language, to be added as the Goal, Objective and Policies of a Private Property Rights Element in the Franklin County Comprehensive Plan, is adopted.

GOAL

THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS WILL CONSIDER PRIVATE PROPERTY RIGHTS IN ALL LOCAL DECISION MAKING.

OBJECTIVE 13

Franklin County will respect constitutionally protected private property rights.

Policy 13.1 Franklin County 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, and mineral rights.

Policy 13.2 Franklin County 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.

Policy 13.3 Franklin County 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.

Policy 13.4 Franklin County will consider in its decision-making the right of a property owner to dispose of his or her property through sale or gift.

Any other ordinances in conflict with the provisions of this ordinance are herewith repealed.

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance.

This ordinance adopted this 18th day of January 2022, in a regular meeting of the Franklin County Board of County Commissioners.

THE FRANKLIN COUNTY BOARD
OF COUNTY COMMISSIONERS

BY: Ricky D. Jones
Ricky D. Jones, Chairman

ATTEST: Michele Maxwell
Michele Maxwell, Clerk

