



PROPERTY RIGHTS



SJC



**2050
COMPREHENSIVE PLAN**

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K. PROPERTY RIGHTS ELEMENT

Goal K.1.

Objective K.1.1. Statement of Property Rights

The following rights shall be considered in St. Johns County decision-making.

Policies

- K.1.1.1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
- K.1.1.2. 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.
- K.1.1.3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
- K.1.1.4. The right of a property owner to dispose of his or her property through sale or gift.

Objective K.1.2. Land Development Regulations

The County shall adopt land development regulations that are consistent with the protection of private property rights and shall not take private property without just compensation.

Policies

- K.1.2.1. St. Johns County shall regulate the use of land only for valid public purposes in a reasonable manner, in accordance with due process, and as allowed by law.
- K.1.2.2. Consistent with Chapter 125 and Chapter 163, Florida Statutes, St. Johns County shall give adequate public notice to landowners of any application to change the Future Land Use Map designation or zoning category of their land.
- K.1.2.3. The county shall ensure, in accordance with the applicable Florida Statutes, and consistent with applicable law, that nothing contained in this Plan including, but not limited to, the Future Land Use Map and the Land Use Element, shall be interpreted to limit or modify the rights of:
 - (a) any person to complete development of any Development of Regional Impact which has received a final local development order approved pursuant to Chapter 380, Florida Statutes prior to the effective date of this Plan Amendment; or
 - (b) any person to complete a development which has been properly issued a final local development order and development has commenced and is continuing in good faith prior to the effective date of this Plan Amendment.
 - (c) any person to complete a development in accordance with vested rights for such completion under applicable Federal or State; constitutional, statutory, or common law.
- K.1.2.4. Any person may seek a County determination of vested rights to complete a development in accordance with previously effective laws, ordinances, or regulations; including but not limited to this Comprehensive Plan, using procedures set forth in the County Land Development Code.