



**STATE ISSUE: LAND USE, GROWTH MANAGEMENT AND PRIVATE PROPERTY RIGHTS**

**POSITION:** FNGLA supports the rights of private landowners against onerous land-use restrictions and cumbersome growth management regulations which unreasonably limit land use flexibility and/or unduly reduce the value of privately owned lands.

**BACKGROUND:** Protection of private property rights is a core value and fundamental freedom upon which this nation was founded. Unfortunately, these basic rights are increasingly at risk as state and local governments develop and amend comprehensive land use plans and develop regulations and/or ordinances to control, curb or manage growth. While the state and local governments in Florida are required to complete comprehensive land use plans, they should not use these opportunities to overly regulate, limit, or categorize private property in a manner that places current or future financial burdens on private land owners. Furthermore, it is crucial for government to provide just and fair compensation to landowners when regulatory actions diminish the value of one's land.

The value of land is directly and immediately affected by land-use classifications. Land values that often form the very collateral which banks and other lending institutions require for loan approval. In turn, these loans keep production nurseries, landscape firms, garden centers and horticultural suppliers as viable businesses, providing jobs and producing tax revenues. The keys to long term sustainability of Florida's nursery and landscape industry are tied to respecting private property rights and protecting land values.

The Bert Harris Act requires local governments in Florida to adopt reasonable rules and regulations governing the use of private property. The Harris Act upholds property rights when administrative actions relating to zoning, land-use classification or residential density result in a loss of land value. FNGLA supports amendments to strengthen mechanisms in the Harris Act requiring local governments in such cases to compensate landowners fully and fairly.