



Broward County

Legislation Details (With Text)

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Status: Agenda Ready

In control: PUBLIC HEARING

On agenda: 11/4/2021 **Final action:** 11/4/2021

Title: MOTION TO ADOPT Resolution No. 2021-515 of the Board of County Commissioners of Broward County, Florida, transmitting to designated state agencies proposed amendments to the Broward County comprehensive plan text; amending comprehensive plan text related to the property rights element; and providing for an effective date.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit 1 - Resolution, 2. Exhibit 2 - Staff Report, 3. Exhibit 3 - Goal, Objectives, and Policies, 4. Exhibit 4 - Support Document

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: Leonard Vialpando

Department: Resilient Environment **Division:** Urban Planning

Information

Requested Action

MOTION TO ADOPT Resolution No. 2021-515 of the Board of County Commissioners of Broward County, Florida, transmitting to designated state agencies proposed amendments to the Broward County comprehensive plan text; amending comprehensive plan text related to the property rights element; and providing for an effective date.

Why Action is Necessary

In 2021, the Florida Legislature adopted HB 59: Growth Management. The legislation includes changes to Chapter 163.3177, Florida Statutes that require local governments to include a property rights element in their comprehensive plans.

What Action Accomplishes

Transmits an amendment to the Broward County Comprehensive Plan, BrowardNEXT2.0, adding a new Property Rights Element, to required state agencies.

Is this Action Goal Related

No

Previous Action Taken

On August 24, 2021, the Board passed a Motion to Initiate an amendment to the Broward County Comprehensive Plan, BrowardNEXT2.0, adding a new Property Rights Element.

Summary Explanation/Background

THE RESILIENT ENVIRONMENT DEPARTMENT AND THE URBAN PLANNING DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTION.

In 2021, the Florida Legislature adopted HB 59: Growth Management. It requires local government comprehensive plans to include a property rights element. The proposed Property Rights Element reflects the requirements of state statute. It provides for Broward County to consider property rights during local decision-making processes, recognizing a person who owns property within Broward County has rights to:

- a. Physically possess and control his or her interests in the property, including easements, leases, or mineral rights;
- b. 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;
- c. Privacy and to exclude others from the property to protect the owner's possessions and property; and
- d. Dispose of his or her property through sale or gift.

Source of Additional Information

Josie P. Sesodia, AICP, Director, Urban Planning Division (954) 357-6602.

Fiscal Impact

Fiscal Impact/Cost Summary

No fiscal impact.