



# Broward County

## Legislation Details (With Text)

**File #:** 21-1794 **Version:** 1

**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**

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**Fiscal Impact**

**Fiscal Impact/Cost Summary**

No fiscal impact.