



# Broward County

## Legislation Text

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File #: 21-1794, Version: 1

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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.