

ATTACHMENT A

Draft Element

Text Added to City of Hollywood Comprehensive Plan Land Use Element

I. BACKGROUND

House Bill 59, which became law on June 29, 2021, adds Section 163.3177(6)(i), Florida Statutes. Section 163.3177(6)(i)2, Florida Statutes (Chapter 2021-195, Laws of Florida), requires a local government to adopt and include the property rights element in its comprehensive plan for any proposed plan amendment initiated after July 1, 2021. A proposed comprehensive plan amendment is initiated on the date the amendment is first considered at a public hearing, as outlined in Section 163.3174(4), Florida Statutes, held by the local planning agency.

This chapter, as mandated by Florida Statutes, considers the property rights for the residents of the City of Hollywood. As noted in Section 163.3177(6)(i), Florida Statutes, the following rights shall be considered in local decision making:

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

II. GOALS, OBJECTIVES, POLICIES

GOAL:

To ensure that private property rights are protected and considered in the City's decision-making processes.

Objective 1:

The City shall protect and preserve private property rights.

Policy 1.1 The owner of real property shall have private property rights protected and preserved as follows in accordance with Florida Statutes:

- a) The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
- b) The right of a property owner to use, maintain, develop, and improve his or her property for personal use or the use of any other person, subject to state and local ordinances.
- c) The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
- d) The right of a property owner to dispose of his or her property through sale or gift.