

1 EXHIBIT 1

2  
3 ORDINANCE NO. 2022-

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5 AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF  
6 THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING  
7 THE CITY OF HALLANDALE BEACH COMPREHENSIVE PLAN  
8 TO ADD A PROPERTY RIGHTS ELEMENT AS REQUIRED BY  
9 AND IN CONFORMITY WITH SECTION 163.3177(6)(i), FLORIDA  
10 STATUTES (2021); PROVIDING FOR ADOPTION AND  
11 TRANSMITTAL OF THIS COMPREHENSIVE PLAN  
12 AMENDMENT PURSUANT TO SECTION 163.3184, FLORIDA  
13 STATUTES; PROVIDING FOR INCLUSION IN THE CITY OF  
14 HALLANDALE BEACH COMPREHENSIVE PLAN; PROVIDING  
15 FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND  
16 PROVIDING FOR AN EFFECTIVE DATE.

17 WHEREAS, Section 163.3177(6), Fla. Stats., promulgated during the 2021 legislative  
18 session, requires local governments to amend their comprehensive plans to adopt a “Property  
19 Rights Element” that may not conflict with the statement of rights provided in Section  
20 163.3177(6)(i)1 (the “Statute”) to ensure that private property rights are considered in local  
21 decision making; and

22 WHEREAS, the Hallandale Beach Comprehensive Plan calls for the City to demonstrate  
23 intergovernmental coordination to remain consistent and further the intent of the State of Florida,  
24 South Florida Regional Planning Council, and Broward County; and

25 WHEREAS, the City Commission desires to comply with state law and adopt a new  
26 property rights element in the form prescribed by the new Law; and

27 WHEREAS, the City Commission further desires to amend the adopted City to Hallandale  
28 Beach Comprehensive Plan (the “Comprehensive Plan”) to include a property rights element  
29 consistent with and pursuant to the Statute; and

30 WHEREAS, the Statute requires this new element to be approved for adoption either prior  
31 to other Comprehensive Plan amendments or on the same day; and

32 WHEREAS, by including this element the City affirms its support for the rights of all people  
33 to participate in planning decisions through transparency, predictability, and reliability; and

34 WHEREAS, on, December 28, 2021, the Planning and Zoning Board serving as the Local  
35 Planning Agency considered the Comprehensive Plan amendment at a duly noticed public  
36 hearing; and

37           **WHEREAS**, the Mayor and City Commission have conducted duly noticed public hearings  
38 on the proposed amendments to the City’s Comprehensive Plan, as required by Chapter 163,  
39 Florida Statutes; and

40           **WHEREAS**, the Mayor and City Commission have determined that the proposed  
41 amendments adopting a property rights element is in the best interest of the City of Hallandale  
42 Beach and its residents.

43           **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF**  
44 **HALLANDALE BEACH, FLORIDA:**

45           **SECTION 1. Approval of Property Rights Element.** The Mayor and City Commission  
46 of Hallandale Beach, Florida hereby approve the Hallandale Beach Comprehensive Plan Property  
47 Rights Element, as attached in Exhibit 1A, consistent with Chapter 163, Part II, Florida Statutes.

48           **SECTION 2. Transmittal.** The Comprehensive Plan as hereby amended, shall be  
49 transmitted to all appropriate reviewing agencies as provided in Section 163.3184, Florida  
50 Statutes.

51           **SECTION 3. Conflict.** All ordinances or portions of the Code of Ordinances of the City  
52 of Hallandale Beach in conflict with the provisions of this ordinance shall be repealed to the extent  
53 of such conflict.

54           **SECTION 4. Severability.** Should any provision of this ordinance be declared by a court  
55 of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a  
56 whole, or any part thereof, other than the part declared to be invalid.

57           **SECTION 5. Effective Date.** The provisions of this ordinance shall become effective  
58 pursuant to Section 163.3184, Florida Statutes.

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PASSED on 1<sup>st</sup> Reading on \_\_\_\_\_, 20\_\_.  
ADOPTED on 2<sup>nd</sup> reading on \_\_\_\_\_, 20\_\_.

SPONSORED BY: CITY ADMINISTRATION

ATTEST:

\_\_\_\_\_  
JENORGEN GUILLEN, CMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY  
AND FORM

\_\_\_\_\_  
JENNIFER MERINO  
CITY ATTORNEY

\_\_\_\_\_  
JOY F. COOPER  
MAYOR