

Chapter 19 PROPERTY RIGHTS ELEMENT

Adopted:	September xx, 2021	By Ordinance No. xxxx

Acronyms used in this chapter:

Section 19.1 Background

Section 163.3177(6)(i), Florida Statutes, requires that each local government include in its comprehensive plan a property rights element to ensure that private property rights are considered in local decision making.

Section 19.2. Goal, Objective and Policies.

Goal 19.1. To respect judicially acknowledged and constitutionally protected private property rights.

Objective 19.1A. Ensure that private property rights are considered in local decision making.

Policy 19.1A.1. The following rights shall be considered in local decision making:

- (1) The right 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, the Martin County Comprehensive Growth Management Plan and the Martin County Land Development Regulations.
- (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.