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PROPERTY RIGHTS ELEMENT

History: Adopted: 10/28/21, Ord. No. 2021-26, Effective 12/09/21

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PROPERTY RIGHTS ELEMENT

I.   INTRODUCTION

A.   Purpose

The purpose of the Property Rights Element is to implement requirements of House Bill 59, signed by the Governor on June 28, 2021. The bill modified Chapter 163.3177, Florida Statutes (F.S.), to require local government comprehensive plans to contain a Property Rights Element. The purpose of the Element, per Chapter 163.3177(i), is to identify property rights that shall be considered in local decision-making.

B.   Assessment and Conclusions

As stated in Section A, Purpose, this Element meets the statutory requirements of Chapter 163.3177, F.S.

II.   GOAL, OBJECTIVES AND POLICIES

It is the **GOAL** of Palm Beach County to respect judicially acknowledged and constitutionally protected private property rights.

OBJECTIVE 1.1   Property Rights

The County shall consider property rights during local decision-making processes.

> **Policy 1.1-a:** The right of a property owner to physically possess and control his or her interest in the property, including easements, leases, or mineral rights.

> **Policy 1.1-b:** 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.

> **Policy 1.1-c:** The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

> **Policy 1.1-d:** The right of a property owner to dispose of his or her property through sale or gift.

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Property Rights Element Amendment History

Round	Description	Adoption	OrdNum	Effective	Note*
22-A1	To establish the Property Rights Element	10/28/2021	2021-26	12/9/2021	

* NIE means not in effect - not within element