

City of Cooper City  
Comprehensive Plan

Chapter \_  
Property Rights Element

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# **PROPERTY RIGHTS ELEMENT**

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**I. PURPOSE**

The purpose of the Property Rights Element is to respect judicially acknowledged and constitutionally protected private property rights. The local government shall include in its comprehensive plan a property rights element to ensure that private property rights are considered in local decision making.

This Element has been prepared to satisfy requirements as set forth in Chapter 163.3161(10) and 187.101(3), F.S.

**II. GOALS, OBJECTIVES, AND POLICIES**

**GOAL - To meet the requirements of Chapter 163.3177, as amended, to require a property rights element.**

**Objective 1 – Private Property Rights**

To ensure that judicially acknowledged and constitutionally protected private property rights continue to be respected and considered in local decision-making.

Policy 1.1           The City will continue to respect the judicially acknowledged and constitutionally protected right of a property owner to physically possess and control their interests in the property, including easements, leases, or mineral rights.

Policy 1.2           The City will continue to respect the judicially acknowledged and constitutionally protected right of a property owner to use, maintain, develop, and improve their property for personal use or for the use of any other person, subject to state law and local ordinances.

Policy 1.3           The City will continue to respect the judicially acknowledged and constitutionally protected right of the property owner to privacy and to exclude others from their property to protect the owner's possessions and property.

Policy 1.4           The City will continue to respect the judicially acknowledged and constitutionally protected right of a property owner to dispose of their property through sale or gift.

**Objective 2 – Implementation**

To ensure the continued implementation of private property rights and public participation.

Policy 2.1           Through continued implementation of the City Code of Ordinances, as may be amended, regarding land development; comprehensive planning and zoning

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Policy 2.2 Through continued adherence to Florida Statutes, as may be amended, regarding private property rights and public participation including Chapters 163 and 166.

Policy 2.3 Through continued implementation of City administrative procedures informing interested parties regarding private property rights and public participation.