



# Chapter 11

## Property Rights Element

### CHAPTER 11

### Property Rights Element

### Goal, Objective, and Policy



## **INTRODUCTION**

The following section presents the Goals, Objectives and Policies for the City of DeLand Property Rights Element that complies with Florida Statute 163.3177 (6) (i)



**Goal pr1:** The City of DeLand shall make local decisions with respect for private property rights and with respect for people’s rights to participate in decisions that affect their lives and property.

---

**Objective pr1:** The City of DeLand shall respect judicially acknowledged and constitutionally protected private property rights.

Policy pr1.1: The City of DeLand shall consider in its decision-making the right of a property owner to physically possess and control his, her or it interests in the property including, but not limited to, rights arising from easements, leases, or mineral rights.

Policy pr1.2: The City of DeLand shall consider in its decision-making the right of a property owner to use, maintain, develop and improve his, her or its property for personal use or for the use of any other person, subject to state law and local ordinances.

Policy pr1.3: The City of DeLand shall consider in its decision-making the right of the property owner to privacy and to exclude others from their property to protect the owner’s possessions and property.

Policy pr1.4: The City of DeLand shall consider in its decision-making the right of a property owner to dispose of his, her or its property through sale or gift.

Policy pr1.5: The City of DeLand shall adhere to the rule of law in making land use decisions whether legislative, administrative or quasi-judicial.

Policy pr1.6: The City’s land development regulations shall provide for applicable processes, procedures and standards to implement this Objective.

---

**Objective pr2:** People have the right to participate in local decisions that affect their lives and property. The City of DeLand’s decision-making processes and procedures shall be transparent so that all people may reasonably participate in decisions that affect their lives and property.

Policy pr2.1: The City of DeLand recognizes that local decisions affect complex systems and have impacts that occur beyond the site of development. Any affected person may participate, as is consistent with controlling law, in and be a



party to a hearing on a land use decision. Likewise, the general public which may not have true legal standing under controlling law, shall have the right to participate as is established under Florida law.

Policy pr2.2: The City of DeLand recognizes that it should make local decisions in response to true and accurate information. The City of DeLand shall, in accordance with controlling law, provide affected persons an opportunity to be heard, to present and rebut evidence and to be informed of all information on which the City bases its decision all as is required under Florida law.

Policy pr2.3: The City of DeLand recognizes that a person cannot participate in local decisions about which they are unaware. The City shall provide notice as required by controlling law and shall adhere to a policy of open meetings and freedom to review and copy public records which are bedrock principles of Florida law.

Policy pr2.4: The City's land development regulations shall provide for applicable processes, procedures and standards to implement this Objective.

***REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK***