

**CITY OF TARPON SPRINGS COMPREHENSIVE PLAN  
PROPERTY RIGHTS ELEMENT**

**Prepared by  
City of Tarpon Springs Planning and Zoning Department**

**Effective Date:**                    January 14, 2022                    Ordinance 2021-24

**Revision Dates:**

## **GOALS, OBJECTIVES AND POLICIES**

Pursuant to Section 163.3177(6)(f), Florida Statutes the following represents the Property Rights Goals, Objectives and Policies of the City of Tarpon Springs.

### **GOAL 1 THE CITY SHALL ENSURE THAT REGULATORY AND LAND USE DECISIONS ARE BASED:**

- **THE PUBLIC SAFETY, HEALTH AND WELFARE OF THE RESIDENTS, INSTITUTIONS, AND BUSINESSES OF THE CITY AS WHOLE.**
- **THE GOALS, OBJECTIVES AND POLICIES OF THIS COMPREHENSIVE PLAN.**
- **MINIMIZING THREATS TO HEALTH, SAFETY, AND WELFARE POSED BY HAZARDS, NUISANCES, INCOMPATIBLE LAND USES, AND ENVIRONMENTAL DEGRADATION.**
- **PROTECTION AND ENHANCEMENT OF NATURAL, HISTORICAL AND MAN-MADE RESOURCES FOR USE BY CITIZENS AND VISITORS.**
- **ESTABLISHED PRIVATE PROPERTY RIGHTS.**

#### **Objective 1.1** Consideration of Property Rights

**Policy 1.1.1.** Pursuant to Florida Statutes Chapter 163.3161(10), 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 the use of any other person, subject to state law and local ordinances.
3. The right of a 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 (the terms "his" or "her" include any entity that may be a property owner).

**Policy 1.1.2.** Consideration of property rights shall also include ensuring city regulatory and land use decisions are based primarily on the public safety, health and welfare of the residents, institutions, and businesses of the city as whole, and on the goals, objectives and policies of this comprehensive plan.

**Policy 1.1.3.** All land use and regulatory decisions are required to follow the procedures, notice requirements, review criteria and appeal processes set forth in the City of Tarpon Springs, Florida Code of Ordinances.

**Objective 1.2** Private Property Rights Dispute Resolution.

**Policy 1.2.1** The City shall provide for and encourage dispute resolution as a means of resolving disputes related to private property rights.

**Policy 1.2.2** The City encourages the use of methods agreed to by the disputing parties and lawfully available for arbitration, mediation, or other forms of alternative dispute resolution. The City also ensures, by adoption of this element that disputing parties are made aware of the availability of dispute resolution methods provided under the Florida Land Use and Environmental Dispute Resolution Act (Florida Statutes Section 70.51).

**Policy 1.2.3** The City shall, as applicable, prepare and adopt procedures providing for the availability of the appeal of a City decision relative to the comprehensive plan, rezoning, or a development order.