

FLORIDA HOUSE OF REPRESENTATIVES

ENROLLED

CS/HB 7103, Engrossed 1

2010 Legislature

168 Section 2. Section 163.3163, Florida Statutes, is created
169 to read:

170 163.3163 Applications for development permits; disclosure
171 and acknowledgement of contiguous sustainable agricultural
172 land.—

173 (1) This section may be cited as the "Agricultural Land
174 Acknowledgement Act."

175 (2) The Legislature finds that nonagricultural land which
176 neighbors agricultural land may adversely affect agricultural
177 production and farm operations on the agricultural land and may
178 lead to the agricultural land's conversion to urban, suburban,
179 or other nonagricultural uses. The Legislature intends to reduce
180 the occurrence of conflicts between agricultural and
181 nonagricultural land uses and encourage sustainable agricultural
182 land use. The purpose of this section is to ensure that
183 generally accepted agricultural practices will not be subject to
184 interference by residential use of land contiguous to
185 sustainable agricultural land.

186 (3) As used in this section, the term:

187 (a) "Contiguous" means touching, bordering, or adjoining
188 along a boundary. For purposes of this section, properties that
189 would be contiguous if not separated by a roadway, railroad, or
190 other public easement are considered contiguous.

191 (b) "Farm operation" has the same meaning as defined in s.
192 823.14.

193 (c) "Sustainable agricultural land" means land classified
194 as agricultural land pursuant to s. 193.461 which is used for a
195 farm operation that uses current technology, based on science or

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196 research and demonstrated measurable increases in productivity,
 197 to meet future food, feed, fiber, and energy needs, while
 198 considering the environmental impacts and the social and
 199 economic benefits to the rural communities.

200 (4)(a) Before a political subdivision issues a local land
 201 use permit, building permit, or certificate of occupancy for
 202 nonagricultural land contiguous to sustainable agricultural
 203 land, the political subdivision shall require that, as a
 204 condition of issuing the permit or certificate, the applicant
 205 for the permit or certificate sign and submit to the political
 206 subdivision, in a format that is recordable in the official
 207 records of the county in which the political subdivision is
 208 located, a written acknowledgement of contiguous sustainable
 209 agricultural land in the following form:

210
 211 ACKNOWLEDGEMENT OF CONTIGUOUS SUSTAINABLE AGRICULTURAL LAND
 212

213 I, ...(name of applicant)..., understand that my property
 214 located at ...(address of nonagricultural land)..., as
 215 further described in the attached legal description, is
 216 contiguous to sustainable agricultural land located at
 217 ...(address of agricultural land)..., as further described
 218 in the attached legal description.

219 I acknowledge and understand that the farm operation
 220 on the contiguous sustainable agricultural land identified
 221 herein will be conducted according to generally accepted
 222 agricultural practices as provided in the Florida Right to
 223 Farm Act, s. 823.14, Florida Statutes.

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224 Signature: ... (signature of applicant)....

225 Date: ... (date)....

226

227 (b) An acknowledgement submitted to a political
228 subdivision under paragraph (a) shall be recorded in the
229 official records of the county in which the political
230 subdivision is located.

231 (c) The Department of Agriculture and Consumer Services,
232 in cooperation with the Department of Revenue, may adopt rules
233 to administer this section.