

## 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.

F L O R I D A H O U S E O F R E P R E S E N T A T I V E S

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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.