

Bill No. CS for CS for SB 1904

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Diaz-Balart moved the following amendment:		
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13	Senate Amendment		
14	On page 16, lines 4-13, delete those lines		
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16	and insert:		
17	<u>(6) It is the intent of the Legislature to provide a</u>		
18	<u>mechanism by which a farm operation may obtain a waiver or</u>		
19	<u>variance from local government regulation of a farm activity</u>		
20	<u>when such regulation imposes undue hardship on the farm</u>		
21	<u>operation. Local governments shall establish procedures and</u>		
22	<u>criteria for a waiver or variance from the application of</u>		
23	<u>local regulations to a bona fide farm operation on land</u>		
24	<u>classified as agricultural land pursuant to s. 193.461. A</u>		
25	<u>local government may grant such waiver or variance based upon</u>		
26	<u>competent factual data and information established by the</u>		
27	<u>applicant that the activity subject to regulation is in</u>		
28	<u>compliance with applicable state and federal requirements, and</u>		
29	<u>the following circumstances exist:</u>		
30	<u>(a) Compliance with the local regulation will require</u>		
31	<u>measures that, because of their extent or cost, impose undue</u>		

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1 hardship on the farm operation;

2 (b) Alternative state or federal regulations,
3 including implementation of Best Management Practices,
4 substantially achieve the objective of the local regulation;

5 (c) The impact of the farm activity on adjacent land
6 uses, if any, may be substantially mitigated by implementation
7 of alternative measures; and

8 (d) Issuance of the waiver or variance will not be
9 detrimental to the public health, welfare, and safety; will
10 not create a nuisance; and will not materially increase the
11 level of pollution from the subject activity.

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