

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Workman offered the following:

2
3 **Amendment**

4 Remove lines 6920-7080 and insert:

5 (2) Upon written request by one or more landowners of the
6 subject lands to designate lands as a rural land stewardship
7 area, or pursuant to a private-sector-initiated comprehensive
8 plan amendment filed by, or with the consent of the owners of
9 the subject lands, local governments may adopt a future land use
10 overlay to designate all or portions of lands classified in the
11 future land use element as predominantly agricultural, rural,
12 open, open-rural, or a substantively equivalent land use, as a
13 rural land stewardship area within which planning and economic
14 incentives are applied to encourage the implementation of
15 innovative and flexible planning and development strategies and
16 creative land use planning techniques to support a diverse

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17 economic and employment base. The future land use overlay may
18 not require a demonstration of need based on population
19 projections or any other factors.

20 (3) Rural land stewardship areas may be used to further
21 the following broad principles of rural sustainability:
22 restoration and maintenance of the economic value of rural land;
23 control of urban sprawl; identification and protection of
24 ecosystems, habitats, and natural resources; promotion and
25 diversification of economic activity and employment
26 opportunities within the rural areas; maintenance of the
27 viability of the state's agricultural economy; and protection of
28 private property rights in rural areas of the state. Rural land
29 stewardship areas may be multicounty in order to encourage
30 coordinated regional stewardship planning.

31 (4) A local government or one or more property owners may
32 request assistance and participation in the development of a
33 plan for the rural land stewardship area from the state land
34 planning agency, the Department of Agriculture and Consumer
35 Services, the Fish and Wildlife Conservation Commission, the
36 Department of Environmental Protection, the appropriate water
37 management district, the Department of Transportation, the
38 regional planning council, private land owners, and
39 stakeholders.

40 (5) A rural land stewardship area shall be not less than
41 10,000 acres, shall be located outside of municipalities and
42 established urban service areas, and shall be designated by plan
43 amendment by each local government with jurisdiction over the
44 rural land stewardship area. The plan amendment or amendments

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45 designating a rural land stewardship area are subject to review
46 pursuant to s. 163.3184 and shall provide for the following:

47 (a) Criteria for the designation of receiving areas which
48 shall, at a minimum, provide for the following: adequacy of
49 suitable land to accommodate development so as to avoid conflict
50 with significant environmentally sensitive areas, resources, and
51 habitats; compatibility between and transition from higher
52 density uses to lower intensity rural uses; and the
53 establishment of receiving area service boundaries that provide
54 for a transition from receiving areas and other land uses within
55 the rural land stewardship area through limitations on the
56 extension of services.

57 (b) Innovative planning and development strategies to be
58 applied within rural land stewardship areas pursuant to this
59 section.

60 (c) A process for the implementation of innovative
61 planning and development strategies within the rural land
62 stewardship area, including those described in this subsection,
63 which provide for a functional mix of land uses through the
64 adoption by the local government of zoning and land development
65 regulations applicable to the rural land stewardship area.

66 (d) A mix of densities and intensities that would not be
67 characterized as urban sprawl through the use of innovative
68 strategies and creative land use techniques.

69 (6) A receiving area may be designated only pursuant to
70 procedures established in the local government's land
71 development regulations. If receiving area designation requires
72 the approval of the county board of county commissioners, such

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73 approval shall be by resolution with a simple majority vote.
74 Before the commencement of development within a stewardship
75 receiving area, a listed species survey must be performed for
76 the area proposed for development. If listed species occur on
77 the receiving area development site, the applicant must
78 coordinate with each appropriate local, state, or federal agency
79 to determine if adequate provisions have been made to protect
80 those species in accordance with applicable regulations. In
81 determining the adequacy of provisions for the protection of
82 listed species and their habitats, the rural land stewardship
83 area shall be considered as a whole, and the potential impacts
84 and protective measures taken within areas to be developed as
85 receiving areas shall be considered in conjunction with and
86 compensated by lands set aside and protective measures taken
87 within the designated sending areas.

88 (7) Upon the adoption of a plan amendment creating a rural
89 land stewardship area, the local government shall, by ordinance,
90 establish a rural land stewardship overlay zoning district,
91 which shall provide the methodology for the creation,
92 conveyance, and use of transferable rural land use credits,
93 hereinafter referred to as stewardship credits, the assignment
94 and application of which does not constitute a right to develop
95 land or increase the density of land, except as provided by this
96 section. The total amount of stewardship credits within the
97 rural land stewardship area must enable the realization of the
98 long-term vision and goals for the rural land stewardship area,
99 which may take into consideration the anticipated effect of the
100 proposed receiving areas. The estimated amount of receiving area

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101 shall be projected based on available data, and the development
102 potential represented by the stewardship credits created within
103 the rural land stewardship area must correlate to that amount.

104 (8) Stewardship credits are subject to the following
105 limitations:

106 (a) Stewardship credits may exist only within a rural land
107 stewardship area.

108 (b) Stewardship credits may be created only from lands
109 designated as stewardship sending areas and may be used only on
110 lands designated as stewardship receiving areas and then solely
111 for the purpose of implementing innovative planning and
112 development strategies and creative land use planning techniques
113 adopted by the local government pursuant to this section.

114 (c) Stewardship credits assigned to a parcel of land
115 within a rural land stewardship area shall cease to exist if the
116 parcel of land is removed from the rural land stewardship area
117 by plan amendment.

118 (d) Neither the creation of the rural land stewardship
119 area by plan amendment nor the adoption of the rural land
120 stewardship zoning overlay district by the local government may
121 displace the underlying permitted uses or the density or
122 intensity of land uses assigned to a parcel of land within the
123 rural land stewardship area that existed before adoption of the
124 plan amendment or zoning overlay district; however, once
125 stewardship credits have been transferred from a designated
126 sending area for use within a designated receiving area, the
127 underlying density assigned to the designated sending area
128 ceases to exist.

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129 (e) The underlying permitted uses, density, or intensity
130 on each parcel of land located within a rural land stewardship
131 area may not be increased or decreased by the local government,
132 except as a result of the conveyance or stewardship credits, as
133 long as the parcel remains within the rural land stewardship
134 area.

135 (f) Stewardship credits shall cease to exist on a parcel
136 of land where the underlying density assigned to the parcel of
137 land is used.

138 (g) An increase in the density or intensity of use on a
139 parcel of land located within a designated receiving area may
140 occur only through the assignment or use of stewardship credits
141 and do not require a plan amendment. A change in the type of
142 agricultural use on property within a rural land stewardship
143 area is not considered a change in use or intensity of use and
144 does not require any transfer of stewardship credits.

145 (h) A change in the density or intensity of land use on
146 parcels located within receiving areas shall be specified in a
147 development order that reflects the total number of stewardship
148 credits assigned to the parcel of land and the infrastructure
149 and support services necessary to provide for a functional mix
150 of land uses corresponding to the plan of development.

151 (i) Land within a rural land stewardship area may be
152 removed from the rural land stewardship area through a plan
153 amendment.

154 (j) Stewardship credits may be assigned at different
155 ratios of credits per acre according to the natural resource or
156 other beneficial use characteristics of the land and according

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157 to the land use remaining after the transfer of credits, with
158 the highest number of credits per acre assigned to the most
159 environmentally valuable land or, in locations where the
160 retention of open space and agricultural land is a priority, to
161 such lands.

162 (k) Stewardship credits may be transferred from a sending
163 area only after a stewardship easement is placed on the sending
164 area land with assigned stewardship credits. A stewardship
165 easement is a covenant or restrictive easement running with the
166 land which specifies the allowable uses and development
167 restrictions for the portion of a sending area from which
168 stewardship credits have been transferred. The stewardship
169 easement must be jointly held by the county and the Department
170 of Environmental Protection, the Department of Agriculture and
171 Consumer Services, a water management district, or a recognized
172 statewide land trust.