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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
03/01/2012	.	
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The Committee on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations (Bennett) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 325 - 362  
and insert:  
163.3165 Agricultural lands surrounded by a single land use.-

(1) Notwithstanding any provision of ss. 163.3162 and 163.3164 to the contrary, the owner of a parcel of land located in an unincorporated area of a county that qualifies under this section may apply for an amendment to the local government comprehensive plan pursuant to s. 163.3184. The amendment is



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12 presumed not to be urban sprawl as defined in s.163.3164 if it  
13 proposes land uses and intensities of use which are consistent  
14 with the existing uses and intensities of use of, or consistent  
15 with the uses and intensities of use authorized for, the  
16 industrial, commercial, or residential areas that surround the  
17 parcel. If the parcel of land that is the subject of an  
18 application for an amendment under this section is abutted on  
19 all sides by land having only one land use designation, the same  
20 land use designation shall be presumed by the county to be  
21 appropriate for the parcel. The county shall, after considering  
22 the proposed density and intensity, grant the parcel the same  
23 land use designation as the surrounding parcels that abut the  
24 parcel unless the county finds by clear and convincing evidence  
25 that such grant would be detrimental to the health, safety, and  
26 welfare of its citizens.

27 (2) In order to qualify as an agricultural enclave under  
28 this section, the parcel of land must be a parcel that:

29 (a) Is owned by a single person or entity;

30 (b) Has been in continuous use for bona fide agricultural  
31 purposes, as defined by s. 193.461, for a period of 5 years  
32 before the date of any comprehensive plan amendment application;

33 (c) Is surrounded on at least 95 percent of its perimeter  
34 by property that the local government has designated as land  
35 that may be developed for industrial, commercial, or residential  
36 purposes; and

37 (d) Does not exceed 650 acres but is not smaller than 500  
38 acres.

39  
40 In order to qualify for the redesignation as an enclave, the



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41 owner of a parcel of land meeting the requirements of paragraphs  
42 (a)-(d) must apply for the redesignation by January 1, 2014.

43 Section 5. (1) Except as provided in subsection (4), and in  
44 recognition of 2012 real estate market conditions, any building  
45 permit, and any permit issued by the Department of Environmental  
46 Protection or by a water management district pursuant to part IV  
47 of chapter 373, Florida Statutes, which has an expiration date  
48 from January 1, 2011, through January 1, 2014, is extended and

49  
50 ===== T I T L E A M E N D M E N T =====

51 And the title is amended as follows:

52 Delete line 26

53 and insert:

54 a 3-year permit extension; providing an effective