

1 A bill to be entitled
2 An act relating to the release of conservation
3 easements; amending s. 704.06, F.S.; requiring certain
4 water management districts, upon application by the
5 fee simple owner of a parcel subject to a conservation
6 easement, to release the conservation easement if
7 specified conditions are met; providing for the
8 valuation of the property upon such release;
9 specifying that land released from the conservation
10 easement may be used for development consistent with
11 certain zoning; requiring property owners to assume
12 responsibility for any requirements, including
13 stormwater requirements, in certain circumstances;
14 requiring property owners to comply with all local
15 ordinances, including those related to stormwater
16 management, and seek approval for modification of all
17 permits, including stormwater permits, as applicable;
18 providing applicability; defining the term
19 "proprietary conservation easement"; providing an
20 effective date.

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22 Be It Enacted by the Legislature of the State of Florida:

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24 **Section 1. Subsection (14) is added to section 704.06,**
25 **Florida Statutes, to read:**

26 704.06 Conservation easements; creation; acquisition;
27 enforcement.—

28 (14) (a) Upon application by the fee simple owner of a
29 parcel of land subject to a conservation easement to a water
30 management district, a water management district must release
31 the conservation easement if the following conditions are met:

32 1. The land subject to the easement is less than 15 acres
33 and is bordered on three or more sides by impervious surfaces;

34 2. Any undeveloped adjacent parcels of land are less than
35 15 acres and similarly bordered on three or more sides by
36 impervious surfaces;

37 3. The land contains no historical, architectural,
38 archeological, or cultural significance; and

39 4. The applicant has secured the one-time sufficient
40 mitigation credits and has compensated the water management
41 district by using the uniform mitigation assessment method from
42 a mitigation bank located in this state to offset the loss of
43 any wetlands located on the land subject to the conservation
44 easement.

45 (b) Upon the water management district's release of the
46 conservation easement, the ad valorem taxes on the property must
47 be based on the just value of the property, and the property may
48 be used for development that is consistent with the zoning
49 designation of the adjacent lands.

50 (c) The property owner shall assume responsibility for any

51 requirements, including stormwater requirements, if the property
52 is developed.

53 (d) The property owner shall comply with all local
54 ordinances, including those relating to stormwater management,
55 for any development proposed for the subject parcel and, if
56 applicable, seek district approval for the modification of any
57 permits, including stormwater permits, upon which the
58 conservation easement was a condition.

59 (e) This subsection does not apply to conservation
60 easements located within residential developments or to
61 proprietary conservation easements held by a district. For
62 purposes of this paragraph, "proprietary conservation easement"
63 means a conservation easement that was not acquired as a
64 condition for a permit.

65 **Section 2.** This act shall take effect July 1, 2026.