

By Senator McClain

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A bill to be entitled

An act relating to conservation easements; amending s. 704.06, F.S.; requiring a water management district to release a conservation easement upon application of the fee simple owner of a parcel of land if certain conditions are met; requiring that the ad valorem taxes of the property be based on the just value of the property; authorizing such property to be used for development consistent with the zoning designation of the adjacent lands; providing that the property owner assumes responsibility for any stormwater requirements if the property is developed; requiring a property owner to comply with certain ordinances; requiring the property owner to seek the water management district's approval for stormwater permit modifications; providing applicability; providing an effective date.

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

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

704.06 Conservation easements; creation; acquisition; enforcement.—

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

1. The land subject to the conservation easement is fewer

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than 15 acres and is bordered on three or more sides by  
impervious surfaces.

2. Any undeveloped adjacent parcels of land are fewer than  
15 acres and similarly bordered on three or more sides by  
impervious surfaces.

3. The land contains no historical, architectural,  
archeological, or cultural significance.

4. The applicant has secured sufficient mitigation credits  
and has compensated the water management district by using the  
uniform mitigation assessment method from a mitigation bank  
located in this state to offset the loss of any wetlands located  
on the land subject to the conservation easement pursuant to s.  
373.4135.

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

(c) The property owner assumes responsibility for any  
stormwater requirements if the property is developed.

(d) The property owner shall comply with all local  
ordinances related to stormwater management for any development  
proposed for the subject parcel and, if applicable, seek the  
district's approval for the modification of any stormwater  
permits upon which the conservation easement was a condition.

(e) This subsection does not apply to conservation  
easements located within residential developments or to  
proprietary conservation easements held by a district.

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