# Acknowledgement of Contiguous Agricultural Land

***Department of Growth Management*** ***June 2012***

The following will apply to those **vacant parcels** for new construction of residential, commercial or accessory structures.

**Florida Statutes 163.3163** Applications for development permits; disclosure and acknowledgement of contiguous sustainable agricultural land.

(1) This section may be cited as the "Agricultural Land Acknowledgement Act."

(2) The Legislature finds that nonagricultural land which neighbors agricultural land may adversely affect agricultural production and farm operations on the agricultural land and may lead to the agricultural land's conversion to urban, suburban, or other nonagricultural uses. The Legislature intends to reduce the occurrence of conflicts between agricultural and nonagricultural land uses and encourage sustainable agricultural land use. The purpose of this section is to ensure that generally accepted agricultural practices will not be subject to interference by residential use of land contiguous to sustainable agricultural land.

(3) As used in this section, the term:

(a) "Contiguous" means touching, bordering, or adjoining along a boundary. For purposes of this section, properties that would be contiguous if not separated by a roadway, railroad, or other public easement are considered contiguous.

(b) "Farm operation" has the same meaning as defined in s. 823.14.

(c) "Sustainable agricultural land" means land classified as agricultural land pursuant to s. 193.461 which is used for a farm operation that uses current technology, based on science or research and demonstrated measurable increases in productivity, to meet future food, feed, fiber, and energy needs, while considering the environmental impacts and the social and economic benefits to the rural communities.

(4)(a) Before a political subdivision issues a local land use permit, building permit, or certificate of occupancy for nonagricultural land contiguous to sustainable agricultural land, the political subdivision shall require that, as a condition of issuing the permit or certificate, the applicant for the permit or certificate sign and submit to the political subdivision, in a format that is recordable in the official records of the county in which the political subdivision is located, a written acknowledgement of contiguous sustainable agricultural land in the following form:

*ACKNOWLEDGEMENT OF CONTIGUOUS*
*SUSTAINABLE AGRICULTURAL LAND*

*I, (name of applicant), understand that my property located at (address of nonagricultural land) , as further described in the attached legal description, is contiguous to sustainable agricultural land located at (address of agricultural land) , as further described in the attached legal description.*

*I acknowledge and understand that the farm operation on the contiguous sustainable agricultural land identified herein will be conducted according to generally accepted agricultural practices as provided in the Florida Right to Farm Act, s. 823.14, Florida Statutes.*

*Signature: (signature of applicant)*

*Date: (date)*

(b) An acknowledgement submitted to a political subdivision under paragraph (a) shall be recorded in the official records of the county in which the political subdivision is located.

(c) The Department of Agriculture and Consumer Services, in cooperation with the Department of Revenue, may adopt rules to administer this section.

When the described conditions exists; and before the County is able to issue a Development Order or building permit for non-agricultural land contiguous to sustainable agricultural land the attached form is required to be completed and ***recorded*** in the public records of Okaloosa County.

**NOTE: Verification of contiguous agricultural property will be through the Property Appraiser's web site.**

**The following classifications from the Property Appraiser are considered Agricultural.**

Rural Homesite
Cropland II
Cropland III
Cropland IV
Timber II (natural)
Timber II (planted)
Timber III(natural)
Timber III(planted)
Timber IV(natural)
Timber IV(planted)
Swamp and wasteland
Pasture II
Pasture III
Pasture IV
Improved AG
Anything that has "AG" (Agricultural) in the description

**NOTE: This document must be recorded in the Clerk of Courts Records Department and a copy returned to the Growth Management Department prior to the issuance of a Building Permit.**

For further information, please contact one of our offices:

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Shalimar , FL 32579
850.651.7180
FAX 850.651.7058

812 E. James Lee Blvd.
Crestview, FL 32539
850.689.5080
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# ACKNOWLEDGEMENT OF CONTIGUOUS SUSTAINABLE AGRICULTURAL LAND

I, _____ understand that my property located at

_____, as

further described in the attached legal description, is contiguous to sustainable

agricultural land located at _____,

as further described in the Parcel Identification Number _____.

I acknowledge and understand that the farm operation on the contiguous sustainable agricultural land identified herein will be conducted according to generally accepted agricultural practices as provided in the Florida Right to Farm Act, s. 823.14, Florida Statutes.

Signature: _____
Signature of Owner

Date: _____