

**LAND DEVELOPMENT CODE**  
**NATURAL RESOURCES – AGRICULTURAL EXEMPTION**  
**APPLICATION PACKET**



The Hillsborough County Board of County Commissioners Adapted Lobbying Ordinance No. 93-8, as amended. Prior to meeting privately with a Board Member, County Attorney, and Chief Assistant County Attorney, County Administrator, Any Assistant County Administrator or any Department Head, you may be required to register as a Lobbyist.

## NATURAL RESOURCES AGRICULTURAL EXEMPTION INFORMATION PACKET

This packet has been prepared to assist you through the exemption process. Included are necessary forms, application materials, and explanations. If you need additional information or have questions, please contact the Natural Resources Team, Development Services Division, at 813-272-5920. After all the necessary materials have been assembled, you will need to file your request with the Planning and Growth Management Department, Development Services Division, County Center, 19<sup>th</sup> Floor, 601 E. Kennedy Boulevard. **In order to avoid waiting, please schedule an appointment with a County representative by calling 276-8356.** However, if you are unable to do so, you may bring the application to the Division on the 19<sup>th</sup> Floor between the hours of 8:30 a.m. and 4:30 p.m., and request a sufficiency review from Natural Resources staff. The County representative will review the application for completeness, assign an application review number, and answer any questions you may have about the application. No fee is required for an agricultural exemption review, however, if an exemption is not justified a permit application and applicable fee will be required. A determination supporting your request for an exemption from permitting will result in a formal written response.

- A. An exemption from permitting may apply for land alteration activities which are normal and necessary to conduct bona fide agricultural operations in zoning categories which allow agricultural uses as long as the activities do not cause:
  - 1. the removal of more than 500 cubic yards of material offsite,
  - 2. an adverse impact to upland and/or wetland environmentally sensitive areas, and
  - 3. an adverse impact to neighboring properties by impeding or diverting the flow of surface water entering or leaving the property boundaries.
  
- B. Bona fide agricultural operations mean activities normal and necessary for good faith commercial agricultural use of the land. Such agricultural uses include horticulture, floriculture, viticulture, forestry, dairy, livestock, poultry, bee, aquaculture, pisciculture, and activities that might include but are not limited to the following activities: transplanting, tilling; plowing; planting; harvesting; contouring to prevent erosion; fencing; construction of internal roads, bridges, or culverts to facilitate these operations; construction or maintenance of irrigation and drainage ditches; control structures or dikes; and construction, operation or maintenance of agricultural use ponds. In determining whether the activity is normal and necessary for the good faith commercial agricultural use of the land, the following factors may be considered.
  - 1. Specific agricultural use of the property.
  - 2. Size of the property as it relates to specific agricultural use.
  - 3. Land designated agricultural by the Hillsborough County Tax Assessor.
  - 4. Pending applications for land use or zoning changes.

C. Planning & Growth Management Department staff will consider the following factors to determine approval, approval with conditions, or disapproval of the proposal with comments:

1. The effect that the proposed land alteration will have on soil conservation, surface water quality and flows, and possible drainage disturbance to surrounding properties.
2. The effect that the proposed land alteration will have to onsite trees and vegetation.
3. The effect that the excavation will have on the quality of groundwater.
4. The effect that the excavation will have on water levels of surface and ground waters.
5. The effect that the proposed land alteration will have on all environmentally sensitive areas (i.e., wetlands, and upland significant and essential wildlife habitats).
6. The necessity for compliance with other regulations, (e.g., zoning, building, and environmental regulations).

D. **The following activities for existing bona fide agricultural operations do not require an application for an Agricultural Exemption to the Natural Resource Permit:**

- A. Normal agricultural practices such as, field preparation, transplanting, tilling, plowing, planting, and harvesting, however, forestry operations and the conversion of natural lands to improved pasture do require completion of an Agricultural Exemption application.
- B. Routine resetting or replacement of tree crops (citrus) or other crops to replace dead or diseased plants.
- C. Removal of plant material (trees, shrubs, other plants) grown on a plant farm specifically for sale during the ordinary course of business.
- D. Tree removal otherwise exempted by Section 4.01.03 of the Land Development Code.
- E. Trimming of trees in accordance with American National Standards Institute (ANSI) A300 Standards.
- F. Limited tree removal and/or trimming beyond ANSI A300 Standards (effective removal) **on existing** farm operations to achieve crop production requirements.
- G. Installation, repair, or replacement of irrigation piping systems.
- H. Maintenance of existing permitted ponds, water control structures, culverts and drainage systems.
- I. Recontouring of raised beds, water furrows, and swales.
- J. Fire line maintenance.

**HILLSBOROUGH COUNTY  
NATURAL RESOURCES AGRICULTURAL EXEMPTION APPLICATION**

Date Submitted \_\_\_\_\_ Application (AE) # \_\_\_\_\_

**TO BE COMPLETED BY APPLICANT(S):**

**The Owner or Authorized Agent hereby applies for an Agricultural Exemption for the purpose of performing the following activity(ies) (√ & complete as applicable):**

	Tree Removal (number, type):
	Grubbing (type of vegetation):
	Clearing (type of vegetation):
	Grading
	Excavating (cubic yards to be removed off-site):
	Filling (type, source, and cubic yards):

**Proposed Agricultural Activity Information**

	<p>1. <u>Proposed Agricultural Use(s)</u></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Use</u></th> <th style="text-align: center;"><u>Acres</u></th> <th style="text-align: center;"><u>Anticipated Years of Use</u></th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> Citrus</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td><input type="checkbox"/> Cropland</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td><input type="checkbox"/> Grazing Land</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td colspan="3">Number of livestock _____</td> </tr> <tr> <td colspan="3">Will supplemental feeding be required? <input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> <tr> <td colspan="3"><input type="checkbox"/> Forestry (<b>attach copy of proposed Forest Management Plan</b>).</td> </tr> <tr> <td colspan="3"><input type="checkbox"/> Poultry, swine, or beeyard _____</td> </tr> <tr> <td colspan="3"><input type="checkbox"/> Fish Farm _____</td> </tr> <tr> <td colspan="3"><input type="checkbox"/> Other (specify type) _____</td> </tr> </tbody> </table>	<u>Use</u>	<u>Acres</u>	<u>Anticipated Years of Use</u>	<input type="checkbox"/> Citrus	_____	_____	<input type="checkbox"/> Cropland	_____	_____	<input type="checkbox"/> Grazing Land	_____	_____	Number of livestock _____			Will supplemental feeding be required? <input type="checkbox"/> YES <input type="checkbox"/> NO			<input type="checkbox"/> Forestry ( <b>attach copy of proposed Forest Management Plan</b> ).			<input type="checkbox"/> Poultry, swine, or beeyard _____			<input type="checkbox"/> Fish Farm _____			<input type="checkbox"/> Other (specify type) _____		
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	<p>2. <u>Land Use History</u></p> <p>a. What has been the historical land use of the property?</p> <p>b. For how long? Current land use?</p> <p>c. Was this property classified as Agricultural for Ad Valorem Tax purposes by the Hillsborough County Property Appraiser in the last year? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>d. If yes, for how many years and for what agricultural uses?</p>																														
	<p>3. <u>Agricultural Income</u></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Proposed Crop</u></th> <th style="text-align: center;"><u>Projected Income</u></th> <th style="text-align: center;"><u>Projected Expense</u></th> <th style="text-align: center;"><u>Projected Net Income</u></th> </tr> </thead> <tbody> <tr> <td>1. _____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td>2. _____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td>3. _____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> </tbody> </table> <p>Land Purchase: (Date) _____ (Price) _____</p>	<u>Proposed Crop</u>	<u>Projected Income</u>	<u>Projected Expense</u>	<u>Projected Net Income</u>	1. _____	_____	_____	_____	2. _____	_____	_____	_____	3. _____	_____	_____	_____														
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3. _____	_____	_____	_____																												

**ZONING INFORMATION**

Is this property being rezoned?  YES  NO

If yes, to what zoning district? \_\_\_\_\_ Zoning Petition Number: \_\_\_\_\_

Current land use of property: \_\_\_\_\_

Have you been counseled by Planning & Growth Management Department staff?  YES  NO

If yes, by whom? \_\_\_\_\_

Address of Property			
Size of Property (acres)			
Section/Township/Range		Folio #	
Directions to Property			
Owner's Name (Print)		Telephone	
Address	City	State	Zip Code
Applicant's Name (Print, if other than Owner)		Telephone	
Address	City	State	Zip Code
Person, Firm, or Corporation to physically conduct the land alteration/tree removal activity			Telephone
Address	City	Zip Code	
<b>I hereby certify that this application, as well as any plans, tree survey, and environmentally sensitive area delineation submitted herewith, are a true representation of all facts concerning the proposed land alteration/tree removal. This application is made with my approval as Owner or Authorized Agent for the Owner, as evidenced by my signature below.</b>			
Signature of Owner or Authorized Agent			Date
Please Print Name Here			
<b>OFFICE STAFF USE ONLY</b>			
OPTIX TRACKING : NRAE# _____			
CURRENT ZONING _____		ATLAS PAGE _____	
STAFF'S INITIALS _____	RECEIPT # _____		
AGRICULTURAL EXEMPTION JUSTIFIED?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
NRL PERMIT REQUIRED:	<input type="checkbox"/> NR(O)	<input type="checkbox"/> NR(G)	<input type="checkbox"/> NR(C) <input type="checkbox"/> NRSFD
EPC FEE _____	NATURAL RESOURCES FEE _____		
GRAND OAKS FEE _____			
		<b>DATE STAMP RECEIVED:</b>	

## **DOCUMENTS THAT MAY BE REQUIRED (Staff determined)**

1. Completed Natural Resources Agricultural Exemption Application.
2. Legal Description of Property. This may be all or the construction area of the land alteration within the property as indicated in the deed. This should be labeled "Attachment A."
3. Aerial Photograph. A recent section aerial photograph, at a scale of 1" = 200' with property boundaries and area of proposed land alteration activities outlined and the abutting roadways labeled. This may be purchased at the Engineering and Construction Services Department, Print Shop (272-5912).
4. Site Plan. Drawn to scale and providing the following information:
  - a. Location and size of parcel. Identify location of proposed land alteration activity.
  - b. Existing and proposed grades or provide cross section drawings of land alteration elevation changes.
  - c. Show a typical cross section of each area to be excavated or filled, estimated depth of excavation or fill area, and estimated volume of material to be hauled on and/or offsite.
  - d. Indicate the dimension of the excavation or fill area.
5. A Clean Fill Affidavit for disposal of cleanfill materials as defined in Section 12.01. (see page 6)
6. Wells. Type and location of any well within 500 feet of any area to be excavated and dewatered.
7. Permeability Test. Results of the analysis of an in-situ field permeability test (horizontal) of any area to be excavated and dewatered.
8. Dewatering Method. Description of dewatering method indicated on site plans and methods used to control turbidity.
9. Soil Borings. Three test results, signed and sealed by a Civil Engineer registered in Florida, for any excavation that creates a basin below natural land surface.

**NOTE: Items 6, 7 and 8 are only necessary for excavation proposed to go more than 15 feet below natural grade.**

**CLEAN FILL AFFIDAVIT**

**Hillsborough County  
Planning and Growth Management Department  
Development Services Division  
Land Development Code, Natural Resources Regulations**

I \_\_\_\_\_, applicant, do hereby acknowledge and affirm that any clean fill, as defined in the Hillsborough County Land Development Code, will not be obtained, collected, transported, received and/or utilized in contradiction to Chapter 83-415, Laws of Florida, and/or Hillsborough County Ordinance Nos. 92-34, 84-11 and/or 85-20, as amended. No fee, charge or other form of compensation shall be paid to me for the collection, receipt, or disposal of clean fill under this permit.

I acknowledge that my permit may be automatically revoked and that criminal charges may be brought against me if this application contains a false statement or misrepresentation. Under penalties or perjury, I declare that I have read the foregoing and that the facts above are true.

\_\_\_\_\_  
Applicant/Authorized Officer

**STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH**

I **HEREBY CERTIFY** that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared \_\_\_\_\_ to me known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same as his free act and deed for the purposes therein stated.

**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Signature: \_\_\_\_\_ (Seal)

Print Name: \_\_\_\_\_

Notary Stamp: