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GROWTH

Bill would give farmers right to develop property

Legislators have proposed a measure that would allow some farmers to rezone their land for development, a move that has angered environmentalists.

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TALLAHASSEE - An aerial view of Teena Borek's 15-acre farm near Homestead looks like a lone green pea on a plate of rambling development. The vegetable farmer is surrounded by houses and streets, and when she wanted to sell her land for development, she was stymied by county growth laws.

Borek's experience has become the poster child for a bill moving on the fast track in the Florida Legislature that would give special development rights to farmers whose property is zoned for agriculture but is surrounded on three sides by industrial, commercial or residential uses.

The proposal would make it possible for property owners with up to 2,560 acres to rezone their farm land for development in spite of opposition from county growth managers.

A similar bill was vetoed last session by Gov. Jeb Bush, who feared the legislation would make the state's growth problems worse by giving farmers an incentive to convert their agricultural land to development and take the power to limit growth away from local officials.

Promoters say the bill has been modified to address the governor's concerns. It was approved unanimously by the Senate Community Affairs Committee on Monday, and an identical measure is scheduled for its first floor vote in the House today.

MOVE ANGERS SOME

Environmentalists, however, have dubbed it the "anti-growth-management" bill and warn that it has the potential to unhinge growth plans across the state. They believe the promoters' claim to have the interests of small farmers at heart, but their real intent is to reduce the ability of local officials to manage development on vast agricultural lands.

"They're not looking at 15-acre parcels," said Charles Lee, lobbyist for the Florida Audubon Society. "They want at least 5,000-acre parcels in one fell swoop, along the line between urban and rural areas, to turn them into tomorrow's condominium canyons."

Lee said there are two provisions in the proposal that make it worse than the one vetoed by the governor. One proposal expands the development right to property owners of large tracts -- up to 5,100 acres -- if the land has been affected by an agricultural pest or a natural disaster.

The other allows a county government to automatically approve a zoning change if the county commission hasn't responded to the land owners' request within 120 days.

Sen. Nancy Argenziano, the sponsor of the measure in the Senate, blasted the environmentalists as unrealistic.

"They don't get it," she said. "It's not about the number of homes or businesses allowed on a piece of land; it's about property rights."

A YEARLONG FIGHT

After a yearlong fight, Borek ultimately got her 15 acres rezoned to allow for the same development that surrounds it. But the delay cost her, she says.

Borek had hoped to sell her 15 acres and buy 100 acres for her two sons to farm. Now the 100 acres are sold and the 400 acres of land she used to lease and farm has also been sold off to developers.

The Miami-Dade County Commission rezoned her land but she is now a farmer without a farm.

"The system didn't work," she said. "If there had been a law in place like the one they're talking about. . .my boys would have had their land to farm on this year. I don't know what we're going to do. We're looking everyday but there's no land out there now."