

1 A bill to be entitled
 2 An act relating to the City of Clearwater, Pinellas
 3 County; providing for the use and development of
 4 specified city-owned lands; removes certain
 5 restrictions on use of the lands imposed by chapter
 6 11050, Laws of Florida (1925); specifying that the act
 7 does not modify or supersede the city's charter
 8 relating to waterfront property owned by the city;
 9 providing an effective date.

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 11 WHEREAS, the right-of-way for the causeway spanning
 12 downtown Clearwater and Clearwater Beach, known as Memorial
 13 Causeway, and certain adjacent submerged lands were granted to
 14 the City of Clearwater under chapter 11050, Laws of Florida,
 15 1925, to be owned and maintained as provided in that act, and

16 WHEREAS, chapter 11050, Laws of Florida, 1925, restricts
 17 the use of those lands to specified public purposes and provides
 18 for reversion of the lands to the state in the event they are
 19 used in a manner inconsistent with those restrictions, and

20 WHEREAS, a portion of the submerged lands granted to the
 21 city under chapter 11050, Laws of Florida, 1925, now consists of
 22 a limited amount of filled uplands, including a portion of the
 23 Downtown Waterfront District adjacent to the city's 126-slip
 24 downtown boat slip project, and

25 WHEREAS, in pursuit of economic development, the City of
 26 Clearwater engaged the Urban Land Institute to provide strategic

27 | advice regarding a comprehensive and long-term plan for
 28 | continued growth and development within Clearwater, and

29 | WHEREAS, one of the Urban Land Institute's recommended
 30 | strategies for economic development and growth in Clearwater is
 31 | implementation of a plan for the city's Downtown Waterfront
 32 | District, which requires use and development of a certain
 33 | portion of the formerly submerged lands granted under chapter
 34 | 11050, Laws of Florida, 1925, now existing as uplands on the
 35 | eastern terminus of Clearwater Harbor and limited adjacent
 36 | submerged lands upon which the downtown boat slips exist, and

37 | WHEREAS, those economic development strategies specifically
 38 | provide for capitalizing on the city's unique 28-foot bluff
 39 | overlooking Clearwater Harbor; creating a comprehensive boating
 40 | plan to provide public access to the water; providing a full-
 41 | service environment for boaters to integrate into the Downtown
 42 | Waterfront District; connecting the downtown and waterfront to
 43 | other important destinations via water-related transportation;
 44 | partnering with operators of recreational boating activities
 45 | such as kayaks, paddleboats, and jet ski rentals; providing for
 46 | commercial activities; the physical expansion of the city's
 47 | Coachman Park with enhanced programming; creating water taxi and
 48 | ferry services; attracting waterfront restaurants; and
 49 | activating the city's waterfront, and

50 | WHEREAS, the Urban Land Institute additionally recognizes
 51 | that cleanliness of the water is an important part of the city's
 52 | brand and therefore recommends that the city become a steward of

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53 a healthy marine environment, including the monitoring of marine
 54 health, creating policies to help protect marine life and the
 55 quality of the water, and enforcing those policies, which is
 56 congruent with legislative objectives of protecting
 57 environmental and cultural resources and balancing public access
 58 to coastal and marine resources while protecting fragile and
 59 overused environments, and

60 WHEREAS, the Legislature supports revitalization of
 61 waterfront areas in the state, with a focus on protecting
 62 environmental and cultural resources, providing public access,
 63 and enhancing the viable traditional economy, and

64 WHEREAS, in accordance with a referendum approved by the
 65 electors of the City of Clearwater, the city has invested more
 66 than \$12 million in its downtown boat slips project to prompt
 67 revitalization of its Downtown Waterfront District, and

68 WHEREAS, the city wishes to expand its revitalization
 69 efforts consistent with the Department of Economic Opportunity's
 70 Waterfronts Florida Program and the Florida Coastal Management
 71 Program and provide for elimination of certain antiquated
 72 restrictions on the subject lands and the reverter provision of
 73 chapter 11050, Laws of Florida, 1925, which precludes the city's
 74 long-term economic development efforts, NOW, THEREFORE,

75

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

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78 Section 1. (1) Subject to City of Clearwater Charter
79 provisions, any filled portions of the lands granted under
80 chapter 11050, Laws of Florida, 1925, currently existing as
81 uplands to the east of Clearwater Harbor, and the limited
82 submerged lands upon which the city's downtown boat slips now
83 exist, may be used and developed for purposes of waterfront
84 economic development, activating the downtown waterfront and
85 enhancing the use of Coachman Park and other city facilities
86 consistent with the Department of Economic Opportunity's goals
87 and objectives, the Downtown Redevelopment Plan, the Clearwater
88 Community Development Code, and other applicable law.

89 (2) This section specifically removes the prohibition of
90 chapter 11050, Laws of Florida, 1925, that carnivals or shows of
91 any character not be placed or allowed upon the lands, removes
92 the limitation that the lands be used only for public parks and
93 places of recreation and never cease to be used for public
94 purposes, and releases the upland and limited submerged lands
95 from a right of reversion to the state to the extent that the
96 use and development is consistent with this section.

97 Section 2. Submerged portions of the lands granted to the
98 City of Clearwater under chapter 11050, Laws of Florida, 1925,
99 upon which the downtown boat slips do not exist shall continue
100 to be used as provided for in chapters 11050, 1925, 2007-312,
101 and 2010-250, Laws of Florida.

102 Section 3. This act does not modify or supersede any
103 provision of the Charter of the City of Clearwater concerning

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104 the requirement of a referendum for the use of waterfront
105 property that is owned by the City of Clearwater, including
106 certain restrictions on recreation and open-space land relating
107 to the sale, donation, lease for new use, or other transfer; the
108 restriction that a right-of-way or easement that terminates at,
109 or provides access to the water's edge of fresh or salt water
110 may not be vacated for private benefit; and restrictions that
111 certain public property in the subject area be maintained as
112 open space and for public utilities or city facilities only.

113 Section 4. This act shall take effect upon becoming a law.