

HB 1585

2007

1 A bill to be entitled

2 An act relating to the City of Clearwater, Pinellas
3 County; ratifying certain uses of property granted to the
4 city by the state which were authorized by the city;
5 providing that certain uses of such property are
6 consistent with a grant made by the state; providing for
7 limited private use of certain undeveloped submerged
8 portions of the property if the city determines that the
9 use is consistent with the laws governing the management
10 of sovereignty submerged lands by the Board of Trustees of
11 the Internal Improvement Trust Fund; requiring the city to
12 use revenues from any such limited private use to fund
13 certain water-related activities; providing for a right of
14 reverter in the Board of Trustees of the Internal
15 Improvement Trust Fund; providing that the act does not
16 modify or supersede the city's charter concerning
17 waterfront property owned by the city; providing an
18 effective date.

19
20 WHEREAS, the right-of-way for the causeway to Clearwater
21 Beach known as Memorial Causeway and certain adjacent submerged
22 lands was granted to the City of Clearwater under chapter 11050,
23 Laws of Florida, 1925, to be owned and maintained as provided in
24 the 1925 special act, and

25 WHEREAS, the 1925 special act limits the use of property
26 granted to public purposes and uses as specified in the act and
27 provides for reversion of such property to the state in
28 circumstances involving use of the property in a manner that is

HB 1585

2007

29 inconsistent with those specifications, and

30 WHEREAS, chapter 86-345, Laws of Florida, released a
 31 portion of the property granted by the 1925 special act from the
 32 reverter in order to permit the development and maintenance of a
 33 portion of the property as a marine science center as approved
 34 by the city commission and electors of the City of Clearwater,
 35 and

36 WHEREAS, the property granted by the 1925 special act now
 37 consists of uplands and submerged lands adjacent to those
 38 uplands, which have been developed for public purposes and uses,
 39 plus additional submerged lands that are adjacent to the
 40 developed uplands and that remain undeveloped, and

41 WHEREAS, the City of Clearwater wishes to make use of
 42 portions of the undeveloped adjacent submerged lands for public
 43 purposes and certain limited private uses as specified in this
 44 act which are consistent with the laws and rules governing the
 45 management of sovereignty submerged lands by the Board of
 46 Trustees of the Internal Improvement Trust Fund, and

47 WHEREAS, the Board of Trustees of the Internal Improvement
 48 Trust Fund and the City of Clearwater desire that the extent and
 49 manner of the use of the adjacent portions of the submerged
 50 lands be consistent with the use of other sovereignty submerged
 51 lands of the state, NOW, THEREFORE,

52

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

54

55 Section 1. Any use of the property described in chapter
 56 11050, Laws of Florida, 1925, and authorized by the City of

HB 1585

2007

57 Clearwater on or before the effective date of this act is
58 ratified notwithstanding whether the use is for a public
59 purpose. In addition, any use of that portion of the property
60 described in chapter 86-345, Laws of Florida, which was
61 undertaken on or before the effective date of this act has been
62 and is consistent with the grant made in that act for the
63 purpose of developing and maintaining a marine science center.

64 Section 2. The City of Clearwater may authorize private
65 uses of the submerged portions of the property granted under
66 chapter 11050, Laws of Florida, 1925, which uses are in addition
67 to the other uses authorized under that act if the private uses
68 are consistent with the laws and rules governing the management
69 of the sovereignty submerged lands of this state by the Board of
70 Trustees of the Internal Improvement Trust Fund, including rules
71 of the board concerning private marinas and docking facilities.
72 A dock or mooring facility for a multifamily dwelling or a dock
73 for a single-family dwelling which is consistent with such laws
74 and rules does not violate this act. The City of Clearwater
75 shall use any revenue generated by authorizing any private use
76 of the submerged land to fund water-related activities for the
77 benefit of the public.

78 Section 3. If the Board of Trustees of the Internal
79 Improvement Trust Fund finds that any use of a portion of the
80 submerged lands granted under chapter 11050, Laws of Florida,
81 1925, which was authorized by the City of Clearwater and not
82 ratified by Section 1 of this act is inconsistent with the laws
83 and rules governing the board's management of the state's
84 sovereignty submerged lands, that portion shall, notwithstanding

HB 1585

2007

85 the 1925 special act, revert to the state to be held and managed
86 by the Board of Trustees of the Internal Improvement Trust Fund.

87 Section 4. This act does not modify or supersede any
88 provision of the Charter of the City of Clearwater concerning
89 use of waterfront property that is owned by the City of
90 Clearwater.

91 Section 5. This act shall take effect upon becoming a law.