

1 A bill to be entitled
 2 An act relating to working waterfront real property;
 3 creating s. 193.506, F.S.; authorizing owners of working
 4 waterfront real property to convey development rights to
 5 such property to a county or municipality; authorizing
 6 counties or municipalities to enter into agreements with
 7 owners of working waterfront real property to acquire
 8 development rights to such property for certain
 9 consideration and for certain periods; providing for
 10 renewals; authorizing owners to opt out of a conveyance
 11 under certain circumstances; providing for payment of
 12 certain additional ad valorem taxes under certain
 13 circumstances; providing procedures and requirements;
 14 providing for assessment of such property; providing a
 15 definition; requiring certain counties or municipalities
 16 to include within a local government comprehensive plan
 17 provisions to protect working waterfront property under
 18 certain circumstances; providing duties of property
 19 appraisers; providing an effective date.

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

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 23 Section 1. Section 193.506, Florida Statutes, is amended
 24 to read:

25 193.506 Working waterfront real property; development
 26 rights purchase by local government.--

27 (1) (a) The owner or owners in fee of any working
 28 waterfront real property may by appropriate instrument convey

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29 all rights to develop the property to the county or municipality
30 in which such property is located for the sum of \$10 and other
31 valuable considerations for a period of 7 years. The conveyance
32 shall be subject to renewal upon agreement by the owner or
33 owners of the property and the county or municipality.

34 (b) Before the end of any 7-year period, the owner or
35 owners of the property may elect to terminate the conveyance by
36 paying to the county or municipality an amount of ad valorem
37 taxes equal to the difference between the amount actually paid
38 during the time the conveyance was in effect and the amount the
39 owner or owners would have paid had development rights not been
40 conveyed as provided under this section.

41 (2) A county or municipality may enter into an agreement
42 with the owner or owners of working waterfront real property to
43 acquire the development rights to such property as provided in
44 subsection (1) and accept any instrument conveying a development
45 right pursuant to subsection (1). If such instrument is accepted
46 by the county or municipality, the instrument shall be promptly
47 filed with the appropriate officer for recording in the same
48 manner as any other instrument affecting title to real property.

49 (3) When, pursuant to this section, the development right
50 in working waterfront property has been conveyed to a county or
51 municipality, the real property subject to such conveyance shall
52 be assessed at fair market value as working waterfront real
53 property and the appraiser shall recognize the nature and length
54 of the restriction placed on the use of the property under the
55 provisions of the conveyance.

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56 (4) A county or municipality that holds title to a
57 development right pursuant to this section shall not convey that
58 right to anyone and shall not exercise that right in any manner
59 inconsistent with working waterfronts. Property for which the
60 development right has been conveyed to a county or municipality
61 under this section may not be used for any purpose inconsistent
62 with working waterfronts.

63 (5) For purposes of this section, the term "working
64 waterfront real property" means land that is used predominantly
65 for commercial fishing purposes, used predominantly for
66 commercial or industrial water-dependent activities, or used for
67 public access to waters that are navigable, and includes marinas
68 and drystackes that are open to the public, water-dependent
69 marine manufacturing facilities, commercial fishing facilities,
70 marine repair facilities, and support facilities for marine
71 repair facilities.

72 (6) A county or municipality that acquires the development
73 rights to working waterfront real property pursuant to this
74 section shall include within the local government comprehensive
75 plan for such county or municipality required under chapter 163
76 provisions for protecting such property as a working waterfront.

77 (7) (a) For the purposes of assessment roll preparation and
78 recordkeeping, the property appraiser shall report the assessed
79 value of property subject to a conveyance pursuant to this
80 section as its classified use value and shall annually determine
81 and report as just value the fair market value of such property
82 irrespective of any negative impact that restrictions imposed or

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83 conveyances made pursuant to this section may have had on such
84 value.

85 (b) The property appraiser shall report annually to the
86 department the just value and classified use value of property
87 for which the development right has been conveyed.

88 Section 2. This act shall take effect upon becoming a law.