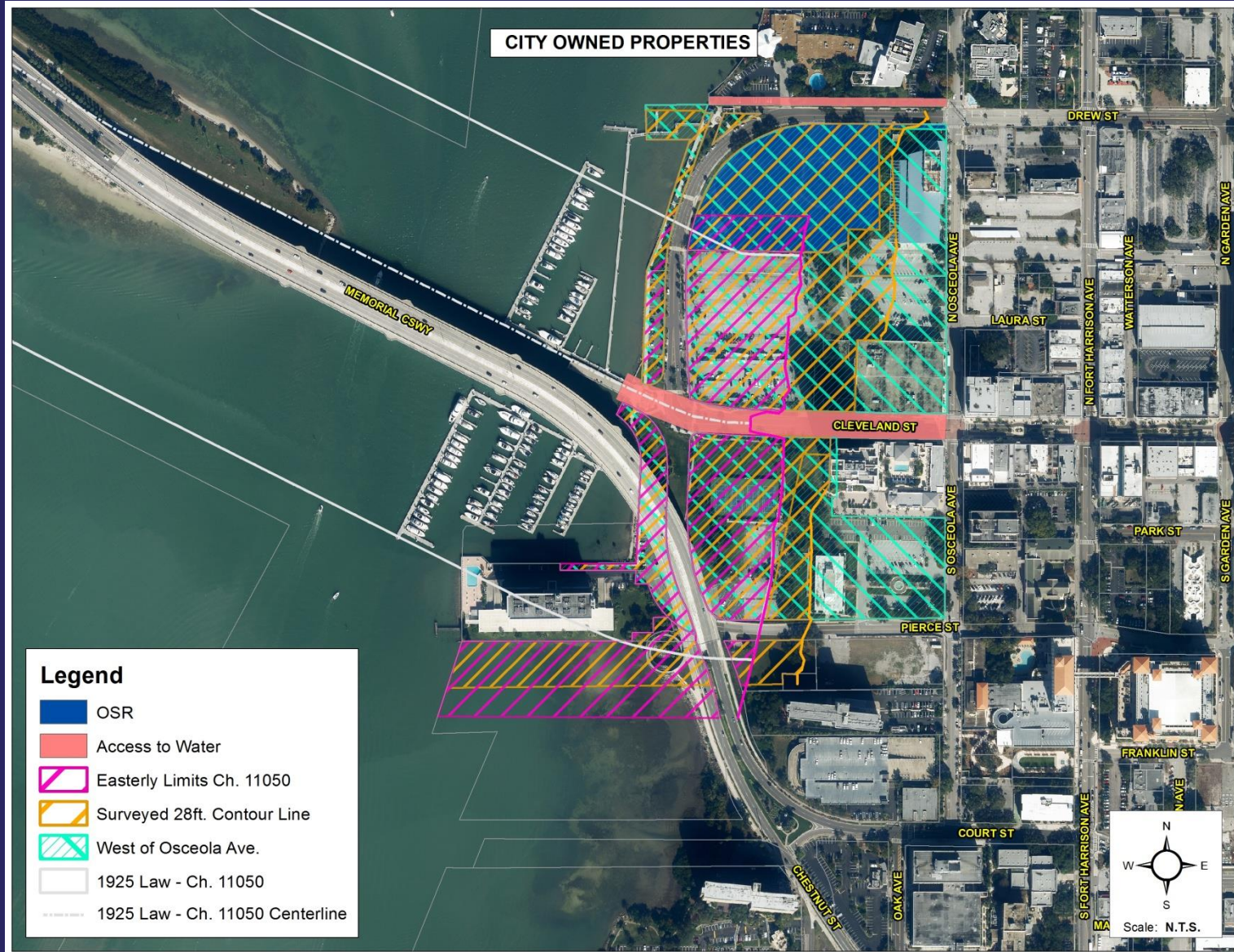




CHARTER RESTRICTIONS AND SPECIAL ACT LIMITATIONS

Charter Restrictions that Impact Redevelopment



Charter Restrictions



- 2.01(d) (5) (v)
 - prohibits the sale, donation, lease or conveyance of any property designated recreation open space on the City's comprehensive land use plan at any time from 11/16/1989 forward, without prior approval at referendum.

Charter Restrictions



- 2.01(d) (5) (v)
- There are two exceptions:
 - The property can be leased for an existing use; and
 - the council may dedicate right of way from or an easement over the property.

This provision applies City-wide.

Charter Restrictions



Charter Restrictions



- 2.01(d)(5)(vi): prohibits vacating for private benefit, a right of way or easement which terminates at, or provides access to, the water's edge of a body of fresh or salt water.
- NOTE: this section does not contain a referendum provision; therefore, this provision would have to be amended to allow vacating for private benefit.
- This provision applies City-wide.

Charter Restrictions



Charter Restrictions



- 2.01(d)(6)
 - applies to:
 - the property below the 28 foot line
 - Memorial Causeway (S.R. 60) – a 1,200-foot-wide right-of-way, lying between the east abutment of the west bridge and the east line of Clearwater Harbor
 - and certain other properties.

Charter Restrictions



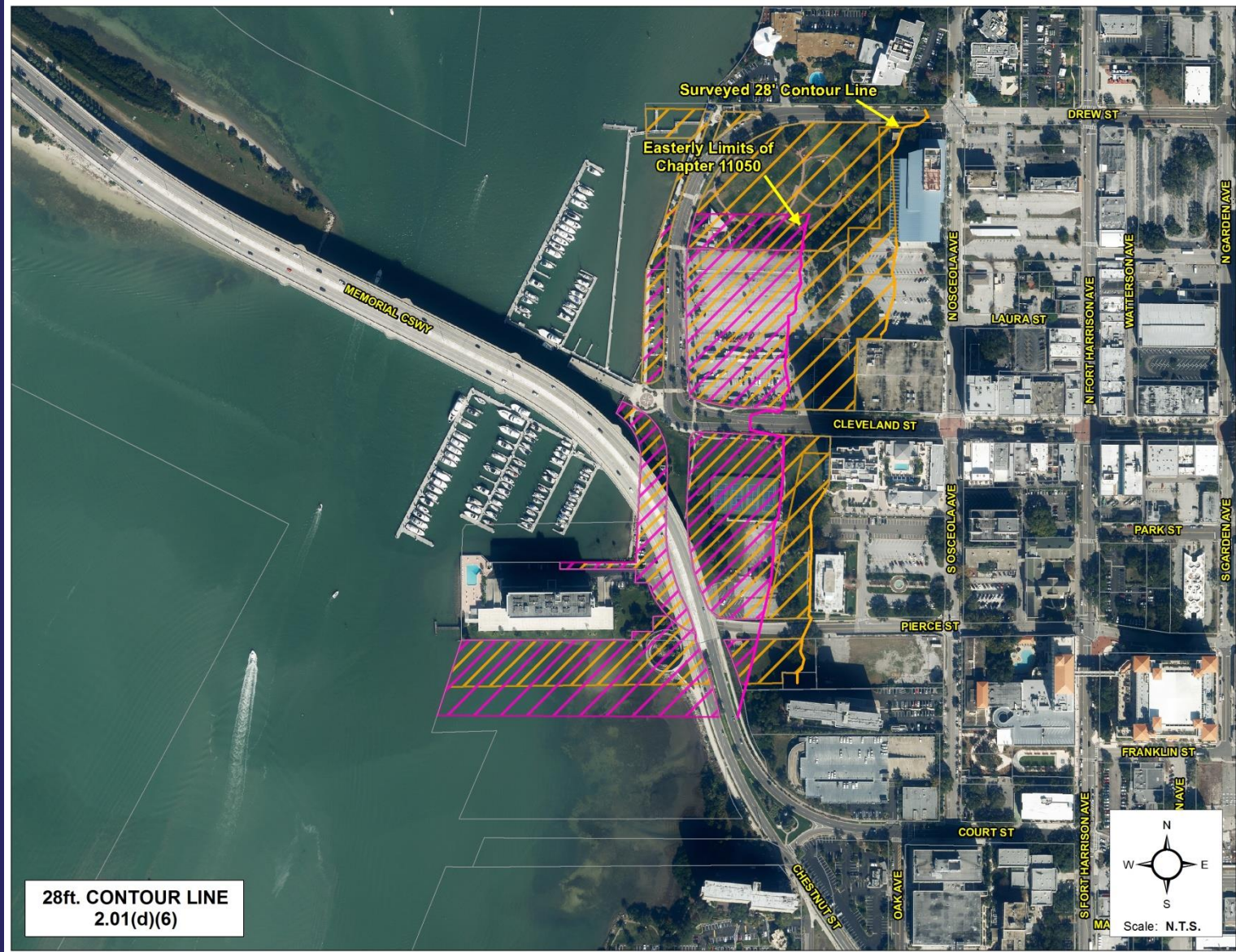
- 201(d)(6) cont'd
 - Prohibits the development or maintenance of the property for other than open space and public utilities together with associated appurtenances, without a referendum. Has been amended to allow specific exceptions.

Charter Restrictions



- 2.01(d)(6) cont'd
 - Provides for City-owned tennis courts and associated appurtenances.
 - Provides for a City-owned bandshell and associated facilities including removable seating.
 - Provides a very detailed and specific exemption for the public docks, boat slips, and the uses permitted.

Charter Restrictions



Charter Restrictions



- 2.01(d)(7)
 - prohibits the sale, donation or lease or other transfer or use of the property for other than city facilities without a referendum.

Charter Restrictions



- 2.01(d)(7)
 - Contains three exceptions:
 - the Harborview Center structure which may be leased and used for any municipal purpose;
 - The Downtown Main Library may lease space for café or restaurant and other compatible public and commercial uses; and
 - Council may grant easements for underground utilities

Charter Restrictions



Special Act Restrictions



- Chapter 11050 Laws of Florida 1925
 - All of the described property must be used for public purposes or it will revert to the State.
 - The 500 ft. to the north of the center line must be used for public parks and places of recreation only.

Special Act Restrictions



1925 LAW OF FLORIDA CHAPTER 11050

Charter Restrictions



- **Section 2.01(d)(5)(vii)**
 - Applies to all city property and limits leases of property to 65 years and a renewal period of 30 years if approved at referendum, but not exceeding 95 years total.