

## HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

**BILL #:** HB 1327 City of Holmes Beach, Manatee County

**SPONSOR(S):** Boyd

**TIED BILLS:** IDEN./SIM. BILLS:

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Local Government Affairs Subcommittee	12 Y, 0 N	Darden	Miller
2) Local & Federal Affairs Committee			

### SUMMARY ANALYSIS

The City of Holmes Beach was incorporated in 1950. The city is one of three communities on Anna Maria Island, along with Anna Maria and Bradenton Beach. The city owns Grassy Point Preserve, a 34 acre nature park.

The bill expands the boundaries of Holmes Beach to include submerged lands adjacent to the Grassy Point Preserve. The bill would enable the city to construct an observation pier for wildlife viewing and allow the city to enforce local ordinances governing the park. The bill also requires Holmes Beach to apply county regulatory provisions to the construction of county infrastructure in the annexed area.

The bill does not appear to have a fiscal impact on state or local governments.

The bill will take effect upon becoming law.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### **Present Situation**

###### **City of Holmes Beach**

The City of Holmes Beach was incorporated in 1950.<sup>1</sup> The area that now contains the city was first settled in 1896 and was the site of the first homestead constructed on Anna Maria Island.<sup>2</sup> The city is one of three communities on Anna Maria Island, along with Anna Maria and Bradenton Beach.<sup>3</sup> The city is named after Jack Holmes, a developer who arrived on the island after the Second World War and constructed a 600 acre community.<sup>4</sup>

###### **Grassy Point Preserve**

The Grassy Point Preserve is a 34 acre wetlands preserve in Holmes Beach.<sup>5</sup> The preserve was created from parcels the city began to purchase in 2000 with a grant from the Florida Community Land Trust and is managed through an intergovernmental partnership between Holmes Beach and the Sarasota Bay Estuary Program.<sup>6</sup> The preserve contains a shell parking lot, picnic tables, a mulch-lined path, and a boardwalk.<sup>7</sup> The preserve provides waterway access for non-motorized vessels.<sup>8</sup>

##### **Effect of Proposed Changes**

The bill expands the boundaries of City of Holmes Beach to incorporate submerged lands in unincorporated Manatee County. The submerged lands to be annexed are adjacent to the Grassy Point Preserve.

The bill directs the City of Holmes Beach to apply the Manatee County Comprehensive Plan, Manatee County Land Development Code, Manatee County Code of Ordinances, and the Florida Building Code to the construction, installation, and placement by the county of infrastructure and utilities, navigational markers, and other signage in the annexed area, providing for regulatory uniformity in Anna Maria Sound.

The Economic Impact Statement submitted for the bill states it will have no fiscal impact on state or local government.<sup>9</sup> The bill will enable the city to construct an observation pier for wildlife viewing, increasing recreational activities for visitors to the preserve.<sup>10</sup> The bill will also provide the city with the power to police activities in the coastal waters near the park, such as the unauthorized use of motorized vessels.<sup>11</sup> The city already owns an enforcement boat for this purpose.<sup>12</sup>

#### B. SECTION DIRECTORY:

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<sup>1</sup> City of Holmes Beach, Florida, *The History of Holmes Beach*, <http://holmesbeachfl.org/Cities/COHB/default.asp?section=14> (accessed 3/20/15).

<sup>2</sup> *Id.*

<sup>3</sup> Ch. 1955-30561, Laws of Fla.

<sup>4</sup> *Id.*

<sup>5</sup> Kathy Prucnell, *12 years waiting – HB to open nature preserve*, *The Islander*, 10/08/12, available at <http://www.islander.org/2012/10/12-years-waiting-hb-to-open-nature-preserve/> (accessed 3/20/15).

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> Economic Impact Statement for HB 1327 (2015).

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

- Section 1: Amends Ch. 1955-30561, Laws of Florida, as amended by Ch. 2010-263, Laws of Florida, to extend the boundaries of the City of Holmes Beach.
- Section 2: Provides for the City of Holmes Beach to apply provisions of Manatee County Comprehensive Plan, Manatee County Land Development Code, Manatee County Code of Ordinances, and Florida Building Code to the construction, installation, and placement by the county of infrastructure and utilities, or signage within the annexed area.
- Section 3: Provides that the bill takes effect upon becoming law.

## II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes ☒ No ☐

IF YES, WHEN? January 27, 2015

WHERE? *Bradenton Herald*, a daily newspaper published in Manatee County, Florida.

B. REFERENDUM(S) REQUIRED? Yes ☐ No ☒

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes, attached ☒ No ☐

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached ☒ No ☐

## III. COMMENTS

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

The bill does not provide rulemaking authority or require executive branch rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

## IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES