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Scenic Watch is a free bi-monthly publication of Citizens for a Scenic Florida, Inc., dedicated to the preservation, protection and enhancement of Florida's scenic heritage. Individuals, organizations and government agencies are welcome as members. [Join Scenic Florida now](#) to protect our scenic qualities.

### National News:

#### Scenic America comments on California billboard moratorium proposal

A California lawmaker [has proposed a two-year moratorium](#) on digital billboards in that state. Assemblyman Mike Feuer (D-Los Angeles) introduced the legislation, saying the state should wait for the completion of safety studies before allowing the signs to proliferate along roadways.

Scenic America strongly supports Assemblyman Feuer's proposed moratorium. Scenic America President Kevin Fry said the legislation represents a chance for the state to step back and collect scientific information about the safety implications of digital signs.

"Scenic America believes Assembly Bill 109 is an extremely important first step in the state's efforts to regain control of its highways and to ensure that the safety of California's families and visitors is protected," said Fry.

[Click here](#) to download Scenic America's press release on the proposed moratorium.

### Editors Comments:

The article on Tampa's difficult choice regarding billboards illustrates the difficulty that municipalities encounter when they decide that billboards actually do detract from their scenic qualities and want to do something about them. The direct impact is on their economic viability. While researching for Scenic Watch it is not surprising to encounter articles on scenic areas with the claim '*...and there are no billboards...*'. Cities and Counties need to act proactively with strong sign ordinances that will withstand legal challenges and that ban any more billboards.

Often times we see comments about a billboard companies 'rights to advertise' and 'freedom of speech'. There are no constitutional 'rights to advertise' and multiple courts have upheld a municipality's rights to restrict signs. It is only *after* billboards are erected that the 'freedom of speech' argument is relevant.

## Billboards

### City Billboard Compromise Flawed But Acceptable

The Tampa Tribune

Published: January 22, 2009

A settlement with billboard companies scheduled to go before Tampa City Council today offers members a painful choice: allow distracting digital signs in some areas of town or face interminable litigation.

Members should be pragmatic and support the agreement. Despite some shortcomings, it does advance the city's attempt to remove billboards from its major streets. Pushing too hard could undermine those efforts.

There is no question [visual clutter](#) from billboards blights too many local roadways. But regulating the signs is a tricky legal business, requiring local governments to craft restrictions that will hold up in court, where the companies will claim their freedom of speech and property rights are being violated.

Tampa residents unhappy with the proposed settlement should appreciate that challenge.

The agreement would end a legal battle that has been going on since 1996, when Tampa sought to limit the number of billboards.

Companies claimed that if they were forced to take a billboard down, they could replace it somewhere else.

The agreement would end that claim. It would allow the continued removal of dozens of traditional billboards from scenic "corridors" on Kennedy Boulevard, Florida Avenue, MacDill Avenue and other streets.

But in exchange, the city would allow the companies to erect digital billboards, now forbidden by city code, in areas where billboards are not prohibited.

The electronic signs are hardly a welcomed addition to our streets. But the companies involved - CBS Outdoors and Clear Channel - have also made concessions.

The signs would have to be at least 500 feet from residential properties, and four traditional signs must come down for one electronic sign to go up. The electronic signs will not be able to significantly increase the ambient light in a neighborhood, says city attorney Chip Fletcher. The companies would pay the city legal expenses of \$25,000.

And as part of the agreement, the companies will not challenge existing neighborhood plans that restrict billboards. Those areas include New Tampa, downtown and West Shore.

Fletcher feels strongly the agreement is in the city's interests. It strengthens the existing ordinance, and it is important to remember that since 1996, the ordinance has helped the city remove more than 600 signs.

"The result of all this will be fewer signs," says Fletcher.

The compromise, to be sure, is not perfect, but it is not a surrender to the billboard companies, as some critics claim.

Council would be taking a big risk if members chose a legal fight. Recent state laws on property rights could jeopardize the city's position.

Given the legal cards the city has been dealt, council should endorse the agreement.

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## **Cell Towers**

### **School principal says no to cell tower on his campus**

Tampa, Florida - Coleman Middle School Principal Michael Hoskinson has decided not to allow a

cell phone tower to be built on the Coleman Middle School campus.

Parents and neighbors packed into the school on January 7th, 2009. Some to fight for the tower and some against it.

The 100-foot cell tower was proposed in an effort to raise money for the district. But opponents were worried about the students being exposed to cellular transmitters. The district brought in experts saying there were no health threats.

Hoskinson said in his statement that he believes the cell tower would not have posed any danger to the children, and he believes that one will be built in the future.

But Hoskinson says after considering all sides that the tower was, "not in the best interest of our school and community."

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## Farmland Protection

### Congresswoman promises to jump-start Washington's commitment to Everglades restoration

By [PAUL QUINLAN](#)

Palm Beach Post Staff Writer

Saturday, January 10, 2009

MIAMI — Congresswoman Debbie Wasserman-Schultz pledged to make jump-starting Washington's floundering commitment to restore the Everglades her "personal responsibility" as she takes hold of Congressional purse strings for the second year in a row.

Wasserman-Schultz, D-Weston, whom House leaders tapped to return to her post as House Appropriations subcommittee chair, called on ending the "cycle of delay" that has bogged down the \$11 billion Everglades restoration plan which the state and federal government committed to in 2000.

"Make no mistake, more funding is needed and quickly, because delay is not an option," Wasserman-Schultz said in a speech Saturday at the Everglades Coalition's annual conference.

"I will not rest until we win," she said.

The speech added to the jubilant mood among Everglades advocates at this year's conference, who see President-elect Barack Obama's incoming administration, Democratic gains in Congress and the promise of a massive federal economic stimulus package as boons to the Everglades.

The stimulus, envisioned as a massive package of public works projects that could cost as much as \$775 billion, aims to restore millions of jobs lost across the economy while rehabilitating the nation's crumbling infrastructure. Gov. Charlie Crist has asked Obama, whose campaign pledged to renew Washington's commitment to the Everglades, to devote about \$1.2 billion of any stimulus package to a list of "shovel-ready" Everglades restoration projects that have languished for lack of funds.

Wasserman-Schultz echoed that commitment, saying the fixing the economy and the Everglades "are not as mutually exclusive as you would think" and that Everglades restoration projects are "exactly the kind of projects we need to revitalize our economy and get back to work."

Conference-goers are also cheering Obama's appointment of Carol Browner, a Miami native and Environmental Protection Agency head under the Clinton Administration, as Assistant to the

President for Energy and Climate Change.

Crist received an award from the Coalition Friday night for leading the \$1.34 billion state buyout of 180,000 acres of U.S. Sugar Corp. farmland to be used to restore flows from Lake Okeechobee south through the ecosystem.

Environmentalists cheer the buyout, set to close in September, as a landmark step forward in returning the Everglades to something resembling its natural state, even as critics have derided it as a bailout to a sugar giant suffering from slumping profits and massive debt.

Still, the buyout seemed a signal of the Everglades changing fortunes and shifted environmentalists' perceptions of U.S. Sugar from spoiler to partner in Everglades restoration. Wasserman-Schultz marveled at turnaround.

"Today we have an opportunity to purchase 181,000 acres for Everglades restoration - and they're willing to sell it to us," she said. "It's unbelievable."

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## Scenic Highways & Trails

**BRADENTON BEACH — Improvements and changes along the 2.8-mile stretch of Gulf Drive** through this tiny city on the southern end of Anna Maria Island were discussed Friday during a planning session.

About 25 people showed up at city hall to offer their input to the Gulf Drive Scenic Highway master plan.

The group of elected officials, business owners and residents went through several exercises to get their ideas of what types of improvements should be made to the natural, historical and cultural aspects of the main north-south highway that hugs the Gulf of Mexico beaches.

"This is a very family oriented beach environment," said James Taylor, a professional planner with IBI Group of Sarasota hired to facilitate the sessions and plan development. "The participants have been very enthusiastic and value their scenic corridor designation."

The city applied to the Florida Department of Transportation for the Scenic Highway Program in 2000 and is required to update the master plan every five years to maintain eligibility for grant funding.

Taylor said the benefits of the designation have been to heighten the awareness of the asset and attract tourists, who fuel the economy.

Many of the participants in Friday's workshop highlighted the accomplishments of the city over the last eight years toward meeting the goals of the original plan.

The construction of a multipurpose path, several pedestrian crosswalks across the busy highway, and installation of a sidewalk along most of the road were accomplishments mentioned.

The group also identified the strengths, weaknesses, opportunities and threats to the corridor during one of the planning exercises.

The group saw the old Florida character of the community as a strength, along with the newly rehabilitated City Pier.

The revitalization of Bridge Street over the time the Scenic Highway master plan was established also was highlighted as a favorable aspect for the city.

Threats to maintaining the corridor as an asset are proliferation of exotic plants, vacant lots, the

lack of parking, heavy traffic and poor signs for pedestrian and bike paths.

The chance to illustrate their thoughts for opportunities and threats on large aerial maps animated the crowd.

There were suggestions for landscaped gateways to the city, preservation of historic buildings and sites, a park-and-ride program, and more public art as opportunities for improvements.

The loss of funding and apathy of the some in the community were a couple of the threats listed.

Another facilitator, Sue Thompson, a landscape architect with IBI, said they will consolidate these ideas and write a draft plan.

The public will be asked for more input before the final plan is sent to FDOT, she said.

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### **Other Scenic News**

#### **Florida Glide to the Keys**



Chris Livingston for The New York Times

Andrea Paulson, left, of Reelax Charters leads a kayaking trip off Sugarloaf Key. Her excursions tour the backcountry of the Keys.

By CHRISTOPHER PERCY COLLIER  
Published: January 30, 2009

WE were paddling atop an expanse of shin-deep water, and our guide was in the middle of a long recital of facts about the old Seven Mile Bridge, the decaying concrete structure we had just passed beneath.

[Florida Keys Travel Guide](#)

### **Multimedia**



[Slide Show](#)

## [Kayaking in the Florida Keys](#)



[Map](#)

## [Florida Keys](#)

Yes, about seven miles long, he said, replaced by a new bridge with 440 individual spans, featured in the film "True Lies" — and it was right about then that he stopped. The guide, Dave Kaplan — Kayak Dave to his followers — pointed with his paddle to a dark blotch on an otherwise bone-white ocean bottom. It appeared to be moving. "Stingray," he whispered from the perch of his cantaloupe-colored sit-on-top kayak. "Twenty feet away."

Chris Livingston, the photographer I was kayaking with, pulled a camera from a waterproof bag and nimbly inserted it into an underwater casing. Meanwhile, I took a few last paddle strokes to bring our two-person craft in for a closer look.

We glided to within a kayak's length of this four-foot-wide, undulating creature as it hovered just centimeters above the sea floor. For about a minute, we watched it coast through the flats at the approximate pace of a waddling land turtle. And then, unexpectedly, this platter-shaped behemoth darted off, leaving a cloud of white sand in its place.

"Don't worry," Mr. Kaplan said as we paddled onward. "We'll probably see another."

Given our vantage point — midway down the Florida Keys, surrounded by water so clear and so shallow — such a claim seemed more than just wishful thinking. As it turned out, in this case the prediction was wrong. On our paddle from near the Seven Mile Bridges to Bahia Honda State Park and back on a bright calm morning in late December, the three of us saw no more stingrays. But no complaints were lodged. Instead, we paddled past a spiky black sea urchin, a salami-length shark and at least a half a dozen wading birds. Not bad for a two-hour paddle that ended within 100 feet of our car.

The conventional way to explore the Florida Keys is by car. The chunk of U.S. 1 that stretches from the Florida mainland to Key West — 127.5 miles with 42 bridges and vast stretches of water on each side — is often counted among the most scenic drives in the country. A flight can be booked to Miami or Key West, a convertible rented and the simplest of courses charted along this well-traveled length of road.

When the landscape being traversed, however, is ultimately a series of islands, it quickly becomes evident that pavement takes an island-hopping traveler only so far. A deeper immersion requires not just looking at the shallow water, but getting on it. And a kayak may be the best way to do it.

"The Florida Keys is loaded with shallow water," Tom Ashley, a boat captain who works for the Little Palm Island Resort & Spa, had told us the previous day as he carefully navigated his



motorboat through the flats near Little Torch Key. He often takes guest and kayaks aboard to shuttle them out to remote shallows.

“Out here,” Captain Ashley added, “you can see water in five different shades of blue. But often the only way to reach that water is in a kayak.”

In the Keys, an archipelago of some 1,700 islands, finding a kayak outfitter has come to be about as difficult as spotting a pelican. A large number of them are based on or near U.S. 1, locally called the Overseas Highway, so that going from one to the next is no time burner. It is entirely plausible to go on three different types of kayak trips, in three distinctly different environments in the Keys, all inside of a single day.

Fly into Key West International Airport and the first paddling opportunity is a five-minute drive from the parking lot. Rent a kayak from the Lazy Dog Kayak Company and push off into a mangrove-lined creek at a put-in sited within 20 feet of an open-air bar.

Or 13 miles out on the Overseas Highway, secure a kayak at the tiki torch-laden Geiger Key Marina on Geiger Key and just 50 paddle strokes away see translucent turquoise water laced with canary yellow fish and purple coral.

Fifteen miles farther, hop on a kayak-filled motorboat for a 15-minute ride to start a half-day paddle around the often-deserted white-sand beaches of the Snipe Keys, where signs of civilization remain out of view from most every angle.

Keep going east, and you’ll find more kayaks and more shallow water to explore, all the way to the mainland.

It would be hard to find a part of the country that has embraced kayaks more fully or for more purposes than the Keys — or made them more readily available to tourists.

Kayaks are employed in conjunction with snorkeling and spear fishing. They are rigged with sails that can be flipped up in a matter of seconds should the wind blow in an opportune direction. Fishermen go out in them for a cheap form of flats fishing; a guided kayak fishing excursion can cost less than half the typical \$400 for a skiff and guide. It’s also often exciting because the kayaks are so light that a hooked fish can pull you along while it is trying to escape.

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Wilton Rooks

Scenic Watch Editor