

By Senator Campbell

33-1755-99

See HB 1563

1 A bill to be entitled
2 An act relating to Broward County; extending
3 the corporate limits of the Cities of Fort
4 Lauderdale, North Lauderdale, and Pompano
5 Beach; providing for annexation of the
6 unincorporated area known as "Palm Aire
7 Village"; providing for a study; providing for
8 an election, providing for a runoff election;
9 providing for an effective date of annexation;
10 providing for a transition plan and other
11 plans; providing for an interlocal agreement;
12 providing for a continuation of certain Broward
13 County regulations; providing an effective
14 date.

15
16 Be It Enacted by the Legislature of the State of Florida:

17
18 Section 1. The governing body of each municipality
19 which desires to annex the area known as Palm Aire Village
20 shall submit transition plans providing for the impact on
21 employees of the governments affected, along with plans for
22 law enforcement and fire-rescue services. The plans shall be
23 submitted by the annexing cities in accordance with the Rules
24 and Regulations of the Broward County Legislative Delegation.

25 Section 2. No later than June 15, 1999, the governing
26 body for each municipality which has complied with section 1,
27 and which chooses to be considered for annexation, shall
28 notify the Broward County Legislative Delegation that they
29 wish to appear on a ballot to annex the area known as "Palm
30 Aire Village."

31

1 Section 3. The legal description of the "Palm Aire
2 Village Area" is as follows:

3
4 That portion of Sections 7 and 8, Township 49
5 South, Range 42 East, described as follows:

6
7 BEGINNING at the Northwest corner of said
8 Section 8, said point being on the municipal
9 boundary of the City of Pompano Beach as
10 described in Ordinance No. 73-38 of the City of
11 Pompano Beach;

12
13 THENCE easterly along the north line of said
14 Section 8 and along said municipal boundary to
15 a line 53 feet East of and parallel with the
16 west line of said Section 8;

17
18 (The following 10 courses are coincident with
19 the municipal boundary of the City of Fort
20 Lauderdale, as described in Ordinance No.
21 C-74-34 of the City of Fort Lauderdale)

22
23 THENCE southerly, along said parallel line to
24 the north line of the South 125 feet of the
25 North 259.48 feet of the East 186 feet of the
26 West 239 feet of the Northwest one-quarter (NW
27 1/4) of said Section 8;

28
29 THENCE easterly along the said north line to
30 the east line of the South 125 feet of the
31 North 259.48 feet of the East 186 feet of the

1 West 239 feet of the Northwest one-quarter (NW
2 1/4) of said Section 8;
3
4 THENCE southerly along the said east line to
5 the south line of the South 125 feet of the
6 North 259.48 feet of the East 186 feet of the
7 West 239 feet of the Northwest one-quarter (NW
8 1/4) of said Section 8;
9
10 THENCE westerly along said south line to the
11 point of curvature of a curve concave to the
12 Northeast, having a radius of 25 feet and
13 tangent to the said south line and tangent to a
14 line 53 feet East of and parallel with the west
15 line of the Northwest one-quarter (NW 1/4) of
16 said Section 8;
17
18 THENCE westerly through northerly along said
19 curve to the point of tangency with a line 53
20 feet East of and parallel with the west line of
21 the Northwest one-quarter (NW 1/4) of said
22 Section 8;
23
24 THENCE southerly along said parallel line to
25 the North line of the South 690 feet of the
26 North 1009.48 feet of the East 400 feet of the
27 West 453 feet of the Northwest one-quarter (NW
28 1/4) of said Section 8;
29
30 THENCE easterly along said north line to the
31 east line of the South 690 feet of the North

1 1009.48 feet of the East 400 feet of the West
2 453 feet of the Northwest one-quarter (NW 1/4)
3 of said Section 8;
4
5 THENCE southerly along said east line to the
6 south line of the South 690 feet of the North
7 1009.48 feet of the East 400 feet of the West
8 453 feet of the Northwest one-quarter (NW 1/4)
9 of said Section 8;
10
11 THENCE westerly along the said south line to a
12 line 53 feet East of and parallel with the west
13 line of the Northwest one-quarter (NW 1/4) of
14 said Section 8;
15
16 THENCE southerly along said parallel line to a
17 line 50 feet North of and parallel with the
18 south line of the Northwest one-quarter (NW
19 1/4) of said Section 8;
20
21 THENCE continue southerly along said parallel
22 line to the south line of the Northwest
23 one-quarter (NW 1/4) of said Section 8;
24
25 THENCE continue southerly along a line 53 feet
26 East of and parallel with the west line of the
27 Southwest one-quarter (SW 1/4) of said Section
28 8 to a line 53 feet South of and parallel with
29 the north line of the Southwest one-quarter (SW
30 1/4) of said Section 8;
31

1 THENCE westerly along said parallel line and
2 continuing westerly along a line 53 feet South
3 of and parallel with the north line of the
4 Southeast one-quarter (SE 1/4) of said Section
5 7, a portion of which is along the municipal
6 boundary of the City of Fort Lauderdale, as
7 described in aforesaid Ordinance No. C-74-34,
8 to the east line of Tract 8, Block 96, of the
9 PALM BEACH FARMS CO. PLAT NO. 3, as recorded in
10 Plat Book 2, Pages 45 - 54 inclusive, of the
11 Public Records of Palm Beach County, Florida;

12
13 (The following 2 courses are coincident with
14 the municipal boundary of the City of Fort
15 Lauderdale, as described in House Bill 2512)

16
17 THENCE northerly along the said east line to
18 the Northeast corner of said Tract 8;

19
20 THENCE westerly along the north line of said
21 Tract 8, to a line 25 feet West of and parallel
22 with the East line of Tract 5, Block 96, of
23 said PALM BEACH FARMS CO. PLAT NO. 3;

24
25 THENCE northerly along said parallel line and
26 along the municipal boundary of the City of
27 North Lauderdale, as described in Ordinance No.
28 89-6-721 of the City of North Lauderdale, to
29 the south line of Tract 4, Block 96, of said
30 PALM BEACH FARMS CO. PLAT NO. 3;

31

1 (The following 2 courses are coincident with
2 the municipal boundary of the City of North
3 Lauderdale, as described in House Bill 926)
4
5 THENCE easterly along the said south line to
6 the Southeast corner of said Tract 4;
7
8 THENCE northerly along the east line of said
9 Tract 4 to the North plat boundary line of PALM
10 AIRE VILLAGE 2ND SECTION ADD'N 3, as recorded
11 in Plat Book 78, Page 31, of the Public Records
12 of Broward County, Florida;
13
14 THENCE easterly along the said North Plat
15 boundary line and continuing easterly along the
16 North plat boundary line of PALM AIRE VILLAGE
17 2ND SECTION, as recorded in Plat Book 73, Page
18 9, of the Public Records of Broward County,
19 Florida, to a line 53 feet West of and parallel
20 with the east line of said Section 7;
21
22 THENCE northerly along said parallel line to
23 the North line of said Section 7;
24
25 THENCE easterly along said North line and along
26 the municipal boundary of the City of Pompano
27 Beach, as described in aforesaid Ordinance No.
28 73-38, to the Point of Beginning.
29
30 Section 4. The Broward County Board of County
31 Commissioners shall schedule a election in accordance with the

1 provisions of the law relating to elections, currently in
2 force in Broward County on September 7, 1999. The subject of
3 said election shall be the annexation of the area described in
4 section 3 commonly known as the "Palm Aire Village Area."
5 Only registered voters residing in the "Palm Aire Village
6 Area," as described in this act, may vote in said election.
7 The name of each municipality which chooses to be considered
8 for annexation in accordance with section 2 shall appear on a
9 ballot. The voters residing in the "Palm Aire Village Area"
10 shall, by majority vote of the voters participating in the
11 election, choose one municipality for annexation.

12 Section 5. Palm Aire Village shall be deemed a part of
13 the municipality receiving a majority of the votes effective
14 September 15, 2000, pursuant to s. 171.062, Florida Statutes,
15 except as provided for in this act. If no entity receives a
16 majority vote of those voting as provided for in section 4,
17 there shall be a runoff election scheduled for Tuesday,
18 October 4, 1999, between the two entities which have received
19 the highest number of votes in the election of September 7,
20 1999.

21 Section 6. If a runoff election is necessitated as
22 provided for in section 5, the "Palm Aire Village Area" shall
23 be deemed annexed to the municipality which has received a
24 majority vote of those voters voting in the runoff elections.

25 Section 7. An interlocal agreement shall be developed
26 between the governing bodies of Broward County and the
27 annexing municipality and executed prior to the effective date
28 of the annexation as provided for in section 5. The agreement
29 shall include a financially feasible plan for transitioning
30 county services, buildings, infrastructure, waterways, roads,
31 and rights-of-way and employees, and provisions for Broward

1 County to continue to receive certain revenues generated by
2 the "Palm Aire Village Area" until the completion of
3 programmed infrastructure improvements, as appropriate.

4 Section 8. The Board of County Commissioners of
5 Broward County is hereby authorized to set the election
6 provided for in section 4 by special election for the time
7 period provided in this act at the cost of Broward County. A
8 mail ballot shall not be used for any election provided for in
9 this act.

10 Section 9. Upon annexation into a municipality, the
11 following shall govern the areas described in section 3.

12 (1) The future land use designations and zoning
13 districts presently provided for under the Broward County
14 Comprehensive Plan and Code of Ordinances of Broward County
15 shall remain the law governing the "Palm Aire Village Area,"
16 notwithstanding the fact that the "Palm Aire Village Area" is
17 now a part of a municipality. The future land use
18 designations and zoning districts of Broward County shall be
19 deemed the conforming laws of the municipality of which the
20 "Palm Aire Village Area" is now a part.

21 (2) Any change of zoning districts or future land use
22 designations may only be accomplished by enactment of the vote
23 of the majority of the full governing body of a municipality
24 plus one.

25 (3) Notwithstanding subsections (1) and (2), any use
26 that is legally in existence at the time that the "Palm Aire
27 Village Area" becomes a part of a municipality, shall not be
28 made a prohibited use by a municipality, on the property of
29 the use, for as long as the use shall continue, and shall not
30 be voluntarily abandoned.

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1 Section 10. Subsequent to the effective date of this
2 act, no change in future land use designation or zoning
3 district shall be effective, until the "Palm Aire Village
4 Area" has been annexed into a municipality; no annexation by
5 any municipality shall occur during the time period between
6 the effective date of this act and the effective date of the
7 annexation.

8 Section 11. All public roads and the public
9 rights-of-way associated therewith, on the Broward County Road
10 System, lying within the limits of the lands subject to
11 annexation herein, as described in section 3, are transferred
12 from Broward County jurisdiction to the jurisdiction of the
13 annexing municipality, except for those portions of Cypress
14 Creek Road (N.W. 62nd St.) and N.W. 31st Avenue lying within
15 the limits of the annexation area. All rights, title,
16 interests, and responsibilities for any transferred roads,
17 including, but not limited to, the ownership, operation,
18 maintenance, planning, design, and construction of said roads
19 and to the rights-of-way associated therewith shall transfer
20 from Broward County jurisdiction and ownership to the
21 jurisdiction and ownership of the annexing municipality upon
22 the effective date of this act.

23 Section 12. This act shall take effect upon becoming a
24 law.