

By Senator Geller

29-1830-02

See HB 1011

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A bill to be entitled
An act relating to Broward County; extending
the corporate limits of the Cities of Fort
Lauderdale, Lauderdale Lakes, and Oakland Park;
providing for annexation of the unincorporated
area known as "Rock Island"; providing for a
study; providing for an election; providing for
a runoff election; providing for an effective
date of annexation; providing for an interlocal
agreement; providing for a continuation of
certain Broward County regulations; providing
for the transfer of public roads and
rights-of-way; providing an effective date.

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

Section 1. The legal description of the "Rock Island
Area" is as follows:

That portion of Sections 28 and 29, Township 49
South, Range 42 East, Broward County, Florida,
described as follows:

Beginning at a point on the municipal boundary
of the City of Fort Lauderdale, as established
by Chapter 69 - 1057, Laws of Florida, being
the intersection of the North Right of way line
of NW 19 Street with the West right-of-way line
of the Seaboard Coastline Railroad;

1 thence along said municipal boundary of the
2 City of Fort Lauderdale, the following 7
3 courses;
4
5 thence westerly along said North right-of-way
6 line of NW 19 Street to the Southeast corner
7 of Lot 1, Block 1 of "North West Lauderdale",
8 as recorded in Plat Book 25, Page 25, of the
9 Public Records of Broward County, Florida;
10
11 thence Northerly to the Northeast corner of Lot
12 4 in said Block 1;
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14 thence Westerly to the Northwest corner of said
15 Lot 4;
16
17 thence Southerly to the Southwest corner of
18 said Lot 1 and the North right-of-way line of
19 NW 19 Street;
20
21 thence Westerly along said North right-of-way
22 line to the East right-of-way line of NW 31
23 Avenue;
24
25 thence Northerly along said East right-of-way
26 line to the North boundary of the South
27 one-half (S1/2) of the South one-half (S1/2) of
28 the Southwest one-quarter (SW 1/4) of said
29 Section 29;
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1 thence Westerly along said North boundary to
2 the West line of said Section 29;
3
4 thence along the municipal boundary of the City
5 of Lauderdale Lakes, as established by
6 Ordinance 40, of the City of Lauderdale Lakes,
7 the following three (3) courses:
8
9 thence North along said West line to the South
10 line of the Southwest one-quarter (SW1/4) of
11 the Southwest one-quarter (SW1/4) of the
12 Northwest one-quarter (NW1/4) of said Section
13 29;
14
15 thence East along said South line to the
16 Southeast corner of said Southwest one-quarter
17 (SW1/4) of the Southwest one-quarter (SW1/4) of
18 the Northwest one-quarter (NW 1/4);
19
20 thence North along the East line of said
21 Southwest one-quarter (SW1/4) of the Southwest
22 one-quarter (SW1/4) of the Northwest
23 one-quarter (NW1/4) to a line 35.00 feet north
24 of and parallel with the South line of the
25 North one-half (N1/2) of said Section 29, also
26 being a point on the municipal boundary of the
27 City of Oakland Park, as established by
28 Ordinance 477, of the City of Oakland Park;
29
30 thence along said municipal boundary of the
31 City of Oakland Park and along said parallel

1 line to a line 100.00 feet west of and parallel
2 with the East line of the West one-half (W1/2)
3 of the West one-half (W1/2) of the Southwest
4 one-quarter (SW1/4) of the Northeast
5 one-quarter (NE1/4) of said Section 29;
6
7 thence along the municipal boundary of the City
8 of Oakland Park, as established by Chapter
9 79-519, Laws of Florida , the following four
10 (4) courses:
11
12 thence South along said parallel line, also
13 being a line 270.00 feet West of the West
14 right-of-way line of NW 26 Avenue, to the South
15 right-of-way line of NW 26 Street;
16
17 thence Easterly along said South right-of-way
18 line to the East right-of-way line of NW 21
19 Avenue;
20
21 thence North along said East right-of-way line
22 to the South line of the Northwest one-quarter
23 (NW 1/4) of said Section 28;
24
25 thence East along said South line to the West
26 right-of-way line of the Seaboard Coastline
27 Railroad;
28
29 thence along the municipal boundary of the City
30 of Oakland Park, as established by Chapter
31 83-476, Laws of Florida, and Southwesterly along

1 said West right-of-way line to the Point of
2 Beginning.

3
4 Section 2. The Broward County Board of County
5 Commissioners shall schedule an election in accordance with
6 the provisions of the law relating to elections, currently in
7 force in Broward County on September 10, 2002. The subject of
8 said election shall be the annexation of the area described in
9 section 1, commonly known as the "Rock Island Area." Only
10 registered voters residing in the Rock Island Area, as
11 described in this act, may vote in said election. The name of
12 each municipality to be considered for annexation in
13 accordance with this section shall appear on the ballot. The
14 voters residing in the Rock Island Area shall, by majority
15 vote of the voters participating in the election, choose one
16 municipality for annexation.

17 Section 3. The Rock Island Area shall be deemed a part
18 of the municipality receiving a majority of the votes of the
19 registered voters residing in the Rock Island Area voting for
20 annexation into the City of Fort Lauderdale, the City of
21 Lauderdale Lakes, or the City of Oakland Park, effective
22 September 15, 2003, pursuant to section 171.062, Florida
23 Statutes, except as provided for in this act. If no entity
24 receives a majority vote of those voting as provided for in
25 section 2, there shall be a runoff election scheduled for
26 Tuesday, November 5, 2002, between the two entities which have
27 received the highest number of votes in the election of
28 September 10, 2002.

29 Section 4. If a runoff election is necessitated as
30 provided for in section 3, the Rock Island Area shall be
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1 deemed annexed to the municipality which has received a
2 majority vote of those voters voting in the runoff election.

3 Section 5. An interlocal agreement shall be developed
4 between the governing bodies of Broward County and the
5 annexing municipality and executed prior to the effective date
6 of the annexation as provided for in section 3. The agreement
7 shall include a financially feasible plan for transitioning
8 county services, buildings, infrastructure, waterways, and
9 employees.

10 Section 6. The Board of County Commissioners of
11 Broward County is hereby authorized to set the election
12 provided for in section 2 by general election for the time
13 period provided in this act at the cost of Broward County. A
14 mail ballot shall not be used for any election provided for in
15 this act.

16 Section 7. Upon annexation into a municipality, the
17 following shall govern the areas described in section 1:

18 (1) The present land use designations and zoning
19 districts provided for under the Broward County Comprehensive
20 Plan and Code of Ordinances of Broward County shall remain the
21 law governing the Rock Island Area, notwithstanding the fact
22 that the Rock Island Area is now a part of a municipality.
23 The land use designations and zoning of Broward County shall
24 be deemed the conforming laws of the municipality of which the
25 Rock Island Area is now a part.

26 (2) Any change of zoning districts or land use
27 designations may only be accomplished by enactment of the vote
28 of the majority of the full governing body of a municipality
29 plus one.

30 (3) Notwithstanding subsections (1) and (2), any use,
31 building, or structure that is legally in existence at the

1 time that the Rock Island Area becomes a part of a
2 municipality shall not be made a prohibited use by a
3 municipality, on the property of the use, for as long as the
4 use shall continue and is not voluntarily abandoned.

5 Section 8. Subsequent to the effective date of this
6 act, no change in land use designation or zoning shall be
7 effective within the limits of the lands subject to annexation
8 under this act until the Rock Island Area has been annexed
9 into the municipality; no annexation within the Rock Island
10 Area by any municipality shall occur during the time period
11 between the effective date of this act and the effective date
12 of the annexation.

13 Section 9. All public roads and the public
14 rights-of-way associated therewith on the Broward County Road
15 System, lying within the limits of the lands subject to
16 annexation herein, as described in section 1, are transferred
17 from Broward County jurisdiction to the jurisdiction of the
18 annexing municipality, except N.W. 31st Avenue and N.W. 21st
19 Avenue lying within the limits of the annexation area. All
20 rights, title, interests, and responsibilities for any
21 transferred roads, including, but not limited to, the
22 ownership, operation, maintenance, planning, design, and
23 construction of said roads and to the rights-of-way associated
24 therewith shall transfer from Broward County jurisdiction and
25 ownership to the jurisdiction and ownership of the annexing
26 municipality upon the effective date of the annexation.

27 Section 10. This act shall take effect upon becoming a
28 law.

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