

CHAMBER ACTION

1 The Committee on Local Government & Veterans' Affairs recommends
2 the following:

3
4 **Committee Substitute**

5 Remove the entire bill and insert:

6 A bill to be entitled

7 An act relating to Broward County; providing for extending
8 the corporate limits of the Town of Davie, the City of
9 Fort Lauderdale, or the City of Plantation; providing for
10 annexation of the unincorporated area known as Broadview
11 Park; providing for an election; providing for an
12 effective date of annexation; providing for an interlocal
13 agreement; providing for a continuation of certain Broward
14 County regulations; providing for transfer of public roads
15 and rights-of-way; providing an effective date.

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

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19 Section 1. No later than July 1, 2004, the governing body
20 of the municipalities of the Town of Davie, the City of Fort
21 Lauderdale, and the City of Plantation, after having considered
22 the effects of annexation on the residents of both the
23 "Broadview Park Area," as hereinafter described, and on the

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24 respective municipality, shall inform the Broward County
 25 Legislative Delegation and the Broward County Board of County
 26 Commissioners of their desire to appear on the ballot as
 27 provided for in this act.

28 Section 2. The Broward County Board of County
 29 Commissioners shall schedule an election in accordance with the
 30 provisions of the law relating to elections currently in force
 31 in Broward County on November 2, 2004. The subject of said
 32 election shall be the annexation of the Broadview Park Area.
 33 Only registered voters residing in the Broadview Park Area as
 34 described in section 3 may vote in said election. On the ballot
 35 provided for in this section shall appear the name of each
 36 municipality which shall have informed the Broward County
 37 Legislative Delegation that it desires to appear on the ballot
 38 as provided for in section 1. The voters residing in the
 39 Broadview Park Area shall, by plurality vote of the voters
 40 participating in the election, choose to be annexed by one
 41 municipality effective September 15, 2005. In the event only one
 42 municipality shall have informed the Broward County Legislative
 43 Delegation that it desires to appear on the ballot as provided
 44 for in section 1, the voters residing in the Broadview Park Area
 45 shall, by majority vote of the voters participating in the
 46 election, choose whether to be annexed by that city on September
 47 15, 2005, or September 15, 2006. A mail ballot shall not be used
 48 in this election. However, voters may vote by absentee ballot as
 49 provided by law.

50 Section 3. The "Broadview Park Area" is described as:
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52 That portion of Sections 13, 14, 23 and 24, Township
 53 50 South, Range 41 East and Section 18, Township 50
 54 South, Range 42 East, Broward County, Florida,
 55 described as follows:

56
 57 Beginning at a point on the boundary of the City of
 58 Plantation established by Chapter 68-101 Laws of
 59 Florida, being the Southeast corner of Tract 1, Tier
 60 24, according to Newman's Survey of Section 14,
 61 Township 50 South, Range 41 East, as recorded in Plat
 62 Book 2, Page 26, Public Records of Dade County,
 63 Florida;

64
 65 thence continuing along the said boundary of the City
 66 of Plantation the following 6 courses;

67
 68 thence Northeasterly along the East line of said Tier
 69 24, to the North line of said Section 13;

70
 71 thence East along the said North line of Section 13 to
 72 a point of intersection with the Northerly extension
 73 of the Westerly line of Block 3, as shown by the plat
 74 of LAUDERDALE HIGHLANDS as recorded in Plat Book 12,
 75 at Page 37, Public Records of Broward County, Florida;

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 77 thence Southwesterly along the Westerly line of said
 78 Block 3 and its Northerly extension thereof, to the
 79 Southwesterly corner of Lot 11 of said Block 3;

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thence Easterly along the Southerly line of said Lot 11 and its Easterly extension thereof, to a point of intersection with the Easterly right-of-way line of Highland Avenue, as shown by said plat of LAUDERDALE HIGHLANDS;

thence Southwesterly along the Easterly right-of-way line of said Highland Avenue to a point of intersection with the South line of Block 1, as shown by said plat of LAUDERDALE HIGHLANDS;

thence Easterly along the South line of said Block 1 and its Easterly extension thereof to a point of intersection with the East right-of-way line of State Road No. 7, as described in City of Fort Lauderdale annexing Resolution No. 8519;

thence Southerly along the said east right-of-way line to the North right-of-way line of Riverland Road and the boundary of the Town of Davie as described in Chapter 84-420, Laws of Florida;

thence continuing along said boundary of the Town of Davie the following 10 courses;

106 | thence Westerly along the Westerly prolongation of the
 107 | said North right-of-way line to the West right-of-way
 108 | line of State Road No. 7;

109 |
 110 | thence Southerly along said West right-of-way line to
 111 | a point of intersection with a line 300 feet North of
 112 | the Southerly line of Tract 2, Tier 4, of said
 113 | Newman's Survey, as measured along the said Westerly
 114 | right-of-way line;

115 |
 116 | thence Northwesterly to a point on the Easterly right-
 117 | of-way line of Southwest 41st Avenue, being 298.34
 118 | feet Northerly from the Southwest corner of said Tract
 119 | 2, Tier 4;

120 |
 121 | thence Westerly to a point of intersection of the West
 122 | right-of-way line of Southwest 41st Avenue with the
 123 | North line of said Section 24;

124 |
 125 | thence Southwesterly along the said West right-of-way
 126 | line to the centerline of North New River Canal;

127 |
 128 | thence Southeasterly along said centerline to the
 129 | Westerly right-of-way line of State Road No. 7;

130 |
 131 | thence Southwesterly along said West right-of-line to
 132 | the South bank of the North New River Canal;

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134 thence Northwesterly along said South bank to the
 135 Northerly extension of the West line of the East One-
 136 Half of Tract 1, Tier 7 of said Newman's Survey;

137
 138 thence Southwesterly along said Northerly extension to
 139 the Northwest corner of the said East One-Half of
 140 Tract 1, Tier 7, also being on the South right-of-way
 141 line of North New River Canal;

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 143 thence Northwesterly along the said Southerly right-
 144 of-way line to the Easterly line of Tier 21 of said
 145 Newman's Survey;

146
 147 thence Northwesterly, continuing on the boundary of
 148 the Town of Davie, along the said Southerly right-of-
 149 way line to the intersection with the Southwesterly
 150 extension of the East line of the aforesaid Tract 1,
 151 Tier 24;

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 153 thence Northeasterly along said Southwesterly
 154 extension to the POINT OF BEGINNING.

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 156 Section 4. If the unincorporated area described in section
 157 3 is annexed by either the Town of Davie or the City of
 158 Plantation, the additional area described in section 5 shall be
 159 included in the annexation.

160 Section 5. The additional area shall be described as:
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162 That portion of Sections 7, 8, 14, 15, 16 and 17,
 163 Township 50 South, Range 41 East and Sections 2, 11
 164 and 12, Township 50 South, Range 40 East, Broward
 165 County, Florida, described as follows:

166
 167 Beginning at a point on the boundary of the City of
 168 Plantation established by Chapter 68-101, Laws of
 169 Florida, being the Southeast corner of Tract 1, Tier
 170 24, according to Newman's Survey of Section 14,
 171 Township 50 South, Range 41 East, as recorded in Plat
 172 Book 2, Page 26, Public Records of Dade County,
 173 Florida;

174
 175 thence Northwesterly along the North right of way line
 176 of the North New River Canal and along the boundary of
 177 the City of Plantation established by said Chapter 68-
 178 101 and by Ordinance 1008, Ordinance 568, and
 179 Ordinance 543, all as adopted by the City of
 180 Plantation, to the intersection with the West line of
 181 said Section 2;

182
 183 thence Southerly along the said West line to the South
 184 right of way line of the North New River Canal, being
 185 a point on the boundary of the Town of Davie
 186 established by Chapter 84-420, Laws of Florida;

187
 188 thence Southeasterly along the said South right of way
 189 line and along the boundary of the Town of Davie

190 established by said Chapter 84-420 and by Ordinance
 191 85-97, adopted by the Town of Davie, to the
 192 intersection with the Southwesterly extension of the
 193 East line of Tier 24 of said Newman's Survey;
 194
 195 thence Northeasterly along the said Southwesterly
 196 extension to the POINT OF BEGINNING.

198 Section 6. An interlocal agreement shall be developed
 199 between the governing bodies of Broward County and the annexing
 200 municipality and executed prior to the effective date of the
 201 annexation. The agreement shall address infrastructure
 202 improvement programs and include a financially feasible plan for
 203 transitioning county services, buildings, infrastructure,
 204 waterways, and employees.

205 Section 7. Upon annexation into the municipality, the
 206 following shall govern the areas described in sections 3 and 5:

207 (1) The present land use designations and zoning districts
 208 provided for under the Broward County Comprehensive Plan and
 209 Code of Ordinances of Broward County shall remain the law
 210 governing the Broadview Park Area, notwithstanding the fact that
 211 the Broadview Park Area is now a part of a municipality.

212 (2) Any change of zoning districts or land use
 213 designations may only be accomplished by enactment of the vote
 214 of the majority of the full governing body of the municipality
 215 plus one.

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

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218 that the Broadview Park Area becomes a part of the municipality
 219 shall not be made a prohibited use by the municipality, on the
 220 property of said use, for as long as the use shall continue, and
 221 not be voluntarily abandoned.

222 Section 8. Subsequent to the effective date of this act,
 223 no change in land use designation or zoning shall be effective
 224 within the limits of the lands subject to annexation herein
 225 until the Broadview Park Area has been annexed into the
 226 municipality; no annexation within the Broadview Park Area by
 227 any municipality shall occur during the time period between the
 228 effective date of this act and the effective date of the
 229 annexation.

230 Section 9. Subsequent to the effective date of the
 231 annexation, any resident in the area to be annexed by this act
 232 into the Town of Davie, the City of Fort Lauderdale, or the City
 233 of Plantation shall be deemed to have met any residency
 234 requirements for candidacy for municipal office.

235 Section 10. Nothing in this chapter shall be construed to
 236 affect or abrogate the rights of parties to any contracts,
 237 whether the same be between Broward County and a third party or
 238 between nongovernmental entities, which contracts are in effect
 239 prior to the effective date of the annexation.

240 Section 11. All public roads and the public rights-of-way
 241 associated therewith, on the Broward County Road System,
 242 including bridge structures 868303, 864024, 864022, 864096, and
 243 864097, lying within the limits of the lands subject to
 244 annexation herein, as described in either section 3 or section
 245 5, are transferred from Broward County jurisdiction to the

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246 | jurisdiction of the annexing municipality, except for those
247 | portions of Hiatus Road, Nob Hill Road, Pine Island Road, and
248 | Davie Boulevard and that portion of Peters Road west of the
249 | Peters Road/Davie Boulevard intersection lying within the limits
250 | of the annexation area. All rights, title, interests, and
251 | responsibilities for any transferred roads, including, but not
252 | limited to, the ownership, operation, maintenance, planning,
253 | design, and construction of said roads, and to the rights-of-way
254 | associated therewith, shall transfer from Broward County
255 | jurisdiction and ownership to the jurisdiction and ownership of
256 | the annexing municipality upon the effective date of the
257 | annexation.

258 | Section 12. This act shall take effect upon becoming a
259 | law.