

HB 1407

2004

1 A bill to be entitled
 2 An act relating to Broward County; providing for
 3 extending the corporate limits of the City of
 4 Deerfield Beach; providing for annexation of specified
 5 unincorporated areas; providing for an interlocal
 6 agreement; providing for continuation of certain
 7 Broward County regulations; providing for the transfer
 8 of public roads and rights-of-way; providing an
 9 effective date.

10

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

12

13 Section 1. That the following described lands shall be
 14 annexed into and a part of the City of Deerfield Beach effective
 15 September 15, 2004:

16

17 That portion of Sections 11, 13 and 14 Township 48
 18 South, Range 42 East, Broward County, Florida,
 19 described as follows:

20

21 BEGINNING at the intersection of the centerline of
 22 N.W. 36 Street (Sample Road) with the Easterly right-
 23 of-way line of the Seaboard Coastline Railroad, being
 24 a point on the municipal boundary of the City of
 25 Pompano Beach, as described in Chapter 2000-458, Laws
 26 of Florida;

27

28 Thence Northeasterly along said municipal boundary and
 29 along said Easterly right-of-way line to the North

30 right-of-way line of Sample Road, as described in said
 31 Chapter 2000-458, Laws of Florida;

32
 33 Thence Westerly along said North right-of-way line and
 34 said municipal boundary to the Westerly right-of-way
 35 line of the Seaboard Coastline Railroad, being a point
 36 on the municipal boundary of the City of Deerfield
 37 Beach, as described in Chapter 99-471, Laws of
 38 Florida;

39
 40 Thence along said municipal boundary the following two
 41 courses;

42
 43 Thence Northeasterly along said Westerly right-of-way
 44 line, to the South right-of-way line of N.W./N.E. 48
 45 Street (Green Road);

46
 47 Thence Easterly along said South right-of-way line to
 48 the Easterly right-of-way line of the Florida East
 49 Coast Railway;

50
 51 Thence Southwesterly along said Easterly right-of-way
 52 line to the centerline of N.E. 36 Street (Sample
 53 Road);

54
 55 Thence Westerly along said centerline of N.E./N.W. 36
 56 Street (Sample Road) to the POINT OF BEGINNING.

57
 58 Section 2. An interlocal agreement shall be developed

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59 between the governing bodies of Broward County and the City of
 60 Deerfield Beach and executed prior to the effective date of the
 61 annexation as provided for in section 1. The agreement shall
 62 include a financially feasible plan for transitioning county
 63 services, buildings, infrastructure, waterways, and employees.

64 Section 3. Upon annexation into the municipality, the
 65 following provisions shall govern the areas described in section
 66 1:

67 (1) The present land use designations and zoning districts
 68 provided for under the Broward County Comprehensive Plan and
 69 Code of Ordinances of Broward County shall remain the law
 70 governing the area described in section 1, notwithstanding the
 71 fact that the area described in section 1 is now a part of a
 72 municipality. The land use designations and zoning districts of
 73 Broward County shall be deemed the conforming laws of the
 74 municipality of which the area described in section 1 is now a
 75 part.

76 (2) Any change of zoning districts or land use
 77 designations may only be accomplished by enactment of the vote
 78 of the majority of the full governing body of the municipality
 79 plus one.

80 (3) Notwithstanding subsections (1) and (2), any use,
 81 building, or structure that is legally in existence at the time
 82 that the area described in section 1 becomes a part of the
 83 municipality shall not be made a prohibited use by the
 84 municipality, on the property of said use, for as long as the
 85 use shall continue, and said use shall not be voluntarily
 86 abandoned.

87 Section 4. Subsequent to the effective date of this act,

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88 no change in land use designation or zoning shall be effective
 89 within the limits of the lands subject to annexation herein
 90 until the area described in section 1 has been annexed into the
 91 municipality. No annexation within the area described in section
 92 1 by any municipality shall occur during the time period between
 93 the effective date of this act and the effective date of the
 94 annexation.

95 Section 5. Subsequent to the effective date of the
 96 annexation, any resident in the area to be annexed by this act
 97 into the City of Deerfield Beach shall be deemed to have met any
 98 residency requirements for candidacy for any municipal office.

99 Section 6. Nothing in this chapter shall be construed to
 100 affect or abrogate the rights of parties to any contracts,
 101 whether the same be between Broward County and a third party or
 102 between nongovernmental entities, which contracts are in effect
 103 prior to the effective date of the annexation.

104 Section 7. All public roads and the public rights-of-way
 105 associated therewith, on the Broward County Road System, lying
 106 within the limits of the lands subject to annexation herein, as
 107 described in section 1, are transferred from Broward County
 108 jurisdiction to the jurisdiction of the annexing municipality.
 109 All rights, titles, interests, and responsibilities for any
 110 transferred roads, including, but not limited to, the ownership,
 111 operation, maintenance, planning, design, and construction of
 112 said roads, and the rights-of-way associated therewith shall
 113 transfer from Broward County jurisdiction and ownership to the
 114 jurisdiction and ownership of the annexing municipality upon the
 115 effective date of the annexation.

116 Section 8. This act shall take effect upon becoming a law.