

HB 1407

2004  
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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  
8 extending the corporate limits of the City of  
9 Deerfield Beach; providing for annexation of specified  
10 unincorporated areas; providing for an interlocal  
11 agreement; providing for continuation of certain  
12 Broward County regulations; providing for the transfer  
13 of public roads and rights-of-way; providing an  
14 effective date.

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

17  
18 Section 1. That the following described lands shall be  
19 annexed into and a part of the City of Deerfield Beach effective  
20 September 15, 2004:  
21

22 That portion of Sections 11, 13 and 14 Township 48  
 23 South, Range 42 East, Broward County, Florida,  
 24 described as follows:

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

32  
 33 Thence Northeasterly along said municipal boundary and  
 34 along said Easterly right-of-way line to the North  
 35 right-of-way line of Sample Road, as described in said  
 36 Chapter 2000-458, Laws of Florida;

37  
 38 Thence Westerly along said North right-of-way line and  
 39 said municipal boundary to the Westerly right-of-way  
 40 line of the Seaboard Coastline Railroad, being a point  
 41 on the municipal boundary of the City of Deerfield  
 42 Beach, as described in Chapter 99-471, Laws of  
 43 Florida;

44  
 45 Thence along said municipal boundary the following two  
 46 courses;

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

51  
 52 Thence Easterly along said South right-of-way line to  
 53 the Easterly right-of-way line of the Florida East  
 54 Coast Railway;

55  
 56 Thence Southwesterly along said Easterly right-of-way  
 57 line to the centerline of N.E. 36 Street (Sample  
 58 Road);

59  
 60 Thence Westerly along said centerline of N.E./N.W. 36  
 61 Street (Sample Road) to the POINT OF BEGINNING.

62  
 63 Section 2. An interlocal agreement shall be developed  
 64 between the governing bodies of Broward County and the City of  
 65 Deerfield Beach and executed prior to the effective date of the  
 66 annexation as provided for in section 1. The agreement shall  
 67 include a financially feasible plan for transitioning county  
 68 services, buildings, infrastructure, waterways, and employees.

69 Section 3. Upon annexation into the municipality, the  
 70 following provisions shall govern the areas described in section  
 71 1:

72 (1) The present land use designations and zoning districts  
 73 provided for under the Broward County Comprehensive Plan and  
 74 Code of Ordinances of Broward County shall remain the law  
 75 governing the area described in section 1, notwithstanding the

76 fact that the area described in section 1 is now a part of a  
 77 municipality.

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

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

89 Section 4. Subsequent to the effective date of this act,  
 90 no change in land use designation or zoning shall be effective  
 91 within the limits of the lands subject to annexation herein  
 92 until the area described in section 1 has been annexed into the  
 93 municipality. No annexation within the area described in section  
 94 1 by any municipality shall occur during the time period between  
 95 the effective date of this act and the effective date of the  
 96 annexation.

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

101 Section 6. Nothing in this chapter shall be construed to  
 102 affect or abrogate the rights of parties to any contracts,  
 103 whether the same be between Broward County and a third party or

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104 between nongovernmental entities, which contracts are in effect  
105 prior to the effective date of the annexation.

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

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