

HB 1417

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

14  
15 Be It Enacted by the Legislature of the State of Florida:

16  
17 Section 1. Effective September 15, 2004, the following  
18 described lands shall be annexed into and become a part of the  
19 City of Pompano Beach:

20  
21 That portion of Sections 22, 23, 24, 25 and 26,  
22 Township 48 South, Range 42 East, Broward County,  
23 Florida, described as follows:

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BEGINNING at the intersection of the Easterly right-of-way line of the Florida East Coast Railway as described in Ordinance No. 80-38 of the City Commission of the City of Pompano Beach with the South right-of-way line of N.E. 24 Street (Copans Road), as described in said Ordinance No. 80-38;

Thence Northwesterly and Westerly along said South right-of-way line and along the municipal boundary of the City of Pompano Beach, as described in said Ordinance No. 80-38, through said Section 25 and into said Section 26, to the East line of the West half of said Section 26;

Thence Northerly along said East line and along the municipal boundary of the City of Pompano Beach, as described in Chapter 69-1513, Laws of Florida, to the North line of the West One-Half (W ½) of said Section 26;

Thence Westerly along said North line, along the South line of the Southeast One-Quarter (SE 1/4) of said Section 22 and along said municipal boundary, to the Easterly right-of-way line of the Seaboard Coastline Railroad;

51 Thence Northeasterly along said Easterly right-of-way  
 52 line and along the municipal boundary of the City of  
 53 Pompano Beach, as described in Chapter 2000-458, Laws  
 54 of Florida, to the Westerly right-of-way line of  
 55 Interstate 95 (State Road No. 9) as shown on Florida  
 56 Department of Transportation Right-of-way Map (Section  
 57 86070-2413);

58  
 59 Thence North 88°30'27" East along said Westerly right-  
 60 of-way line and the South line of a parcel described  
 61 in Ordinance No. 90-53 of the City Commission of the  
 62 City of Pompano Beach, Florida, a distance of 277.01  
 63 feet;

64  
 65 Thence North 59°00'27" East along said Westerly right-  
 66 of-way line and the Southerly line of said parcel, a  
 67 distance of 88.64 feet;

68  
 69 Thence North 29°30'27" East along said Westerly right-  
 70 of-way line and the Easterly line of said parcel, a  
 71 distance of 435.76 feet to the point of curvature of a  
 72 curve concave to the Southeast;

73  
 74 Thence Northeasterly along said Westerly right-of-way  
 75 line and the Easterly line of a parcel described in  
 76 Ordinance No. 90-54 of the City Commission of the City  
 77 of Pompano Beach, Florida, and along the arc of said  
 78 curve, having a radius of 772.00 feet and a central

79 | angle of 43°27'07", an arc distance of 585.47 feet to  
 80 | a point of tangency;

81 |  
 82 | Thence continuing along the boundary of said parcel  
 83 | described in said Ordinance No. 90-54, the following  
 84 | 12 courses;

85 |  
 86 | North 73°03'48" East along said Westerly right-of-way  
 87 | line, a distance of 679.79 feet to the point of  
 88 | curvature of a curve concave to the Northwest;

89 |  
 90 | Northeasterly along said Westerly right-of-way line  
 91 | and the arc of said curve, having a radius of 901.74  
 92 | feet and a central angle of 31°24'05", an arc distance  
 93 | of 494.20 feet to a point of tangency;

94 |  
 95 | North 41°39'43" East along said Westerly right-of-way  
 96 | line, a distance of 474.37 feet;

97 |  
 98 | North 37°39'43" East along said Westerly right-of-way  
 99 | line, a distance of 929.07 feet to a point of  
 100 | curvature of a curve concave to the Northwest;

101 |  
 102 | Northeasterly along the Westerly right-of-way line and  
 103 | the arc of said curve, having a radius of 3300.52  
 104 | feet, a central angle of 03°19'12", an arc distance of  
 105 | 191.25 feet to the North line of the Southwest One-  
 106 | Quarter (SW 1/4) of said Section 23;

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107  
108 South 88°36'48" West along said North line, a distance  
109 of 1242.61 feet to the East line of the West One-Half  
110 (W ½) of the Northwest One-Quarter (NW 1/4) of said  
111 Section 23;

112  
113 North 01°31'35" West along said East line, a distance  
114 of 1960.40 feet to the North line of the South One-  
115 Half (S ½) of the Northwest One-Quarter (NW 1/4) of  
116 the Northwest One-Quarter (NW 1/4) of said Section 23;

117  
118 South 88°40'22" West along said North line, a distance  
119 of 564.24 feet;

120  
121 North 01°17'56" West, a distance of 153.74 feet;

122  
123 South 88°42'03" West, a distance of 100.00 feet;

124  
125 South 01°17'56" East, a distance of 208.79 feet to a  
126 line 55.00 feet South of and parallel with the North  
127 line of the South One-Half (S ½) of the Northwest One-  
128 Quarter (NW 1/4) of the Northwest One-Quarter (NW 1/4)  
129 of said Section 23;

130  
131 South 88°40'22" West along said parallel line, a  
132 distance of 285.52 feet to the Easterly right-of-way  
133 line of the Seaboard Coastline Railroad, being a point  
134 on the municipal boundary of the City of Pompano

135 Beach, as described in Chapter 2000-458, Laws of  
 136 Florida;

137  
 138 Thence Northeasterly along said municipal boundary and  
 139 along said Easterly right-of-way line to the  
 140 centerline of N.W. 36 Street (Sample Road);

141  
 142 Thence Easterly along said centerline to the Easterly  
 143 right-of-way line of the Florida East Coast Railway,  
 144 being a point on the municipal boundary of the City of  
 145 Pompano Beach, as described in Chapter 2000-476, Laws  
 146 of Florida;

147  
 148 Thence Southwesterly along said Easterly right-of-way  
 149 line and along said municipal boundary to the POINT OF  
 150 BEGINNING.

151  
 152 Section 2. An interlocal agreement shall be developed  
 153 between the governing bodies of Broward County and the City of  
 154 Pompano Beach and executed prior to the effective date of the  
 155 annexation as provided for in section 1. The agreement shall  
 156 include a financially feasible plan for transitioning county  
 157 services, buildings, infrastructure, waterways, and employees.

158 Section 3. Upon annexation into the municipality, the  
 159 following shall govern the areas described in section 1:

160 (1) The present land use designations and zoning districts  
 161 provided for under the Broward County Comprehensive Plan and  
 162 Code of Ordinances of Broward County shall remain the law

163 governing the area described in section 1, notwithstanding the  
 164 fact that the area described in section 1 is now a part of a  
 165 municipality.

166 (2) Any change of zoning districts or land use  
 167 designations may only be accomplished by enactment of the vote  
 168 of the majority of the full governing body of the municipality  
 169 plus one.

170 (3) Notwithstanding subsections (1) and (2), any use,  
 171 building, or structure that is legally in existence at the time  
 172 that the area described in section 1 becomes a part of the  
 173 municipality, said use shall not be made a prohibited use by the  
 174 municipality, on the property of said use, for as long as the  
 175 use shall continue and not be voluntarily abandoned.

176 Section 4. Subsequent to the effective date of this act,  
 177 no change in land use designation or zoning shall be effective  
 178 within the limits of the lands subject to annexation herein  
 179 until the area described in section 1 has been annexed into the  
 180 municipality; and no annexation within the area described in  
 181 section 1 by any municipality shall occur during the time period  
 182 between the effective date of this act and the effective date of  
 183 the annexation.

184 Section 5. Subsequent to the effective date of the  
 185 annexation, any resident in the area to be annexed into the City  
 186 of Pompano Beach by this act shall be deemed to have met any  
 187 residency requirements for candidacy for any municipal office.

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

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

193 Section 7. All public roads on the Broward County Road  
194 System, and the public rights-of-way associated therewith, lying  
195 within the limits of the lands subject to annexation herein, as  
196 described in section 1, are transferred from Broward County  
197 jurisdiction to the jurisdiction of the City of Pompano Beach.  
198 All rights, title, interests, and responsibilities for such  
199 transferred roads, including, but not limited to, the ownership,  
200 operation, maintenance, planning, design, and construction of  
201 said roads and the rights-of-way associated therewith shall  
202 transfer from Broward County jurisdiction and ownership to the  
203 jurisdiction and ownership of the City of Pompano Beach upon the  
204 effective date of the annexation.

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