

House Bill No. 1407

An act relating to Broward County; providing for extending the corporate limits of the City of Deerfield Beach; providing for annexation of specified unincorporated areas; providing for an interlocal agreement; providing for 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. That the following described lands shall be annexed into and a part of the City of Deerfield Beach effective September 15, 2004:

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

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

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

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

Thence along said municipal boundary the following two courses:

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

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

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

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

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

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

(1) The present land use designations and zoning districts provided for under the Broward County Comprehensive Plan and Code of Ordinances of Broward County shall remain the law governing the area described in section 1, notwithstanding the fact that the area described in section 1 is now a part of a municipality.

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

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

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

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

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

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

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

Approved by the Governor June 17, 2004.

Filed in Office Secretary of State June 17, 2004.