

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

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Meeting Date: February 6, 2007	<input type="checkbox"/>	Consent	<input checked="" type="checkbox"/>	Regular
	<input type="checkbox"/>	Workshop	<input type="checkbox"/>	Public Hearing

Department:

Submitted By: ADMINISTRATION

Submitted For: ADMINISTRATION

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I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Support for State Legislation to amend the boundary of Palm Beach County and Broward County to allow 1949 acres of land south of the Hillsboro Canal within unincorporated Palm Beach County to be annexed into Broward County.

Summary: The Broward County City of Parkland has requested that the Board formally document its support for proposed legislation that would transfer legal authority over all of the 1949 acres of Palm Beach County land south of the Hillsboro Canal to Broward County, anticipating that at least 1450 acres of said land would be annexed into the City. As this land is physically separated from Palm Beach County by the Canal, provision of public services by us is problematical unless new bridge and roadway connections are constructed to allow ready access. There has been public and Board resistance to construction of such additional access west of State Road 7 due to traffic impacts on existing residential areas. The only financial/infrastructure concerns are previous County water utility investment to serve this area and the \$350,000 the County spent on Lox Road guardrails. An agreement has been negotiated with the private Parkland utility provider that we will provide bulk service to them which recovers that investment for us. The County could seek recovery of the guardrail expense. District 5 (DN)

Background and Policy Issues: A transfer of jurisdiction between counties is unusual. Upon development, tax dollars will be generated that would normally be viewed as attractive to supplement County revenues. In this case, the cost of providing services to this discrete and separate area would be higher than normal and resident dissatisfaction with services more likely unless access was improved through construction of one or more bridges across the Hillsboro. This appears unlikely. Parkland says that the proposed development plan being considered by Palm Beach County for the annexation area is compatible with their land use designations.

Attachments:

Map

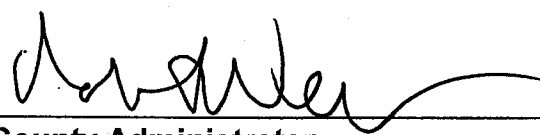
Resolution - City of Parkland

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Recommended by: _____

Department Director	Date
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Approved By: _____

	1/25/07
County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	=====	=====	=====	=====	=====
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes _____ No _____
Budget Account No.: Fund _____ Dept _____ Unit _____ Object _____
Program _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

The fiscal impact of the annexation including Ad Valorem revenues and services provided is undetermined at this time.

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Budget and/or Contract Development and Control Comments:

Elizabeth Glaser 1/30/07 N/A
OFMB/Budget Contract Development and Control
am 1-30-07 PM 1-30-07

B. Legal Sufficiency:

DM Nieman 1/31/07
Assistant County Attorney

C. Other Department Review:

Department Director

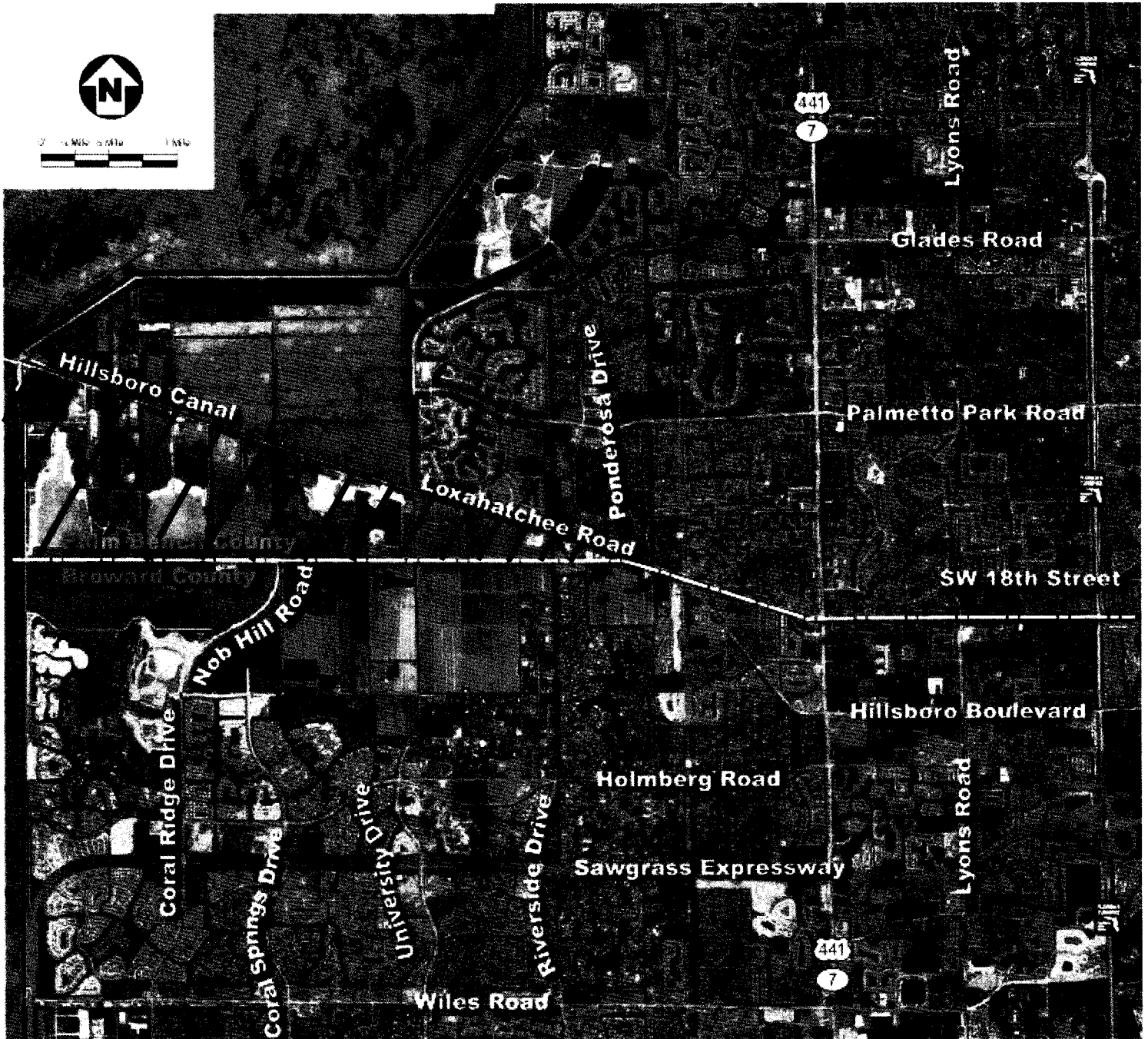
REVISED 9/03

ADM FORM 01

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)

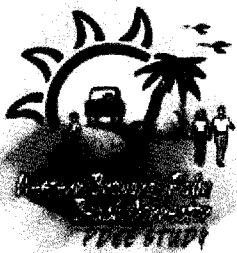


0 100 200 300 400 500
Feet

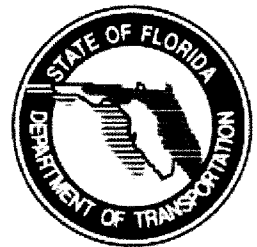


**Western Broward/Palm Beach
Connector PD&E Study**
From South of Sawgrass Expressway
to Ponderosa Drive

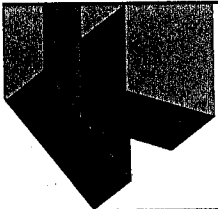
FM 22822212201 & 22984112201
FAP 6703-009U & 9048-046C



September 17, 2002



"No Build Option"
(No Improvements Made)




Kilday & Associates
Landscape Architects / Planners

1551 Forum Place, Suite 100A
West Palm Beach, Florida 33401
(561) 689-5522 • Fax (561) 689-2592
E-Mail: info@kildayinc.com

January 4, 2007

Mr. Robert Weisman
County Administrator
Palm Beach County
301 N. Olive Avenue
West Palm Beach, FL 33401

Re: Attached Resolution of the City of Parkland

Dear Mr. ~~Weisman~~, 

Attached you will find a copy of the Certified Resolution No. 2006-117 adopted by the City Commission of Parkland on December 20, 2006. The Resolution concerns the 1949 acres of property currently located in unincorporated Palm Beach County south of the Hillsborough Canal and currently accessed from Lox Road through Broward County. As stated in the Resolution, the City of Parkland is actively supporting state legislation in the upcoming Session to move the Palm Beach County/Broward County line in this area to include this property in Broward County and annex the property into the City of Parkland. The Resolution also includes the City's qualified support of Land Use Amendments currently being processed in Palm Beach County concerning both the affected properties and amending the Thoroughfare Plan to remove University Drive and Riverside Drive. My office represents several of the property owners in the affected area and they are supportive of this Resolution.

Because the actions supported in the Resolution include the passing of State Legislation, the City of Parkland is desirous of the Palm Beach County Board of County Commissioners discussing this matter and passing its own Resolution supporting the upcoming Legislation changing the County Boundaries. I have promised the City of Parkland, City Manager, Mark Lauzier, that I would forward this Resolution to your attention so that the matter may be placed on an upcoming Palm Beach County Commission Agenda and, therefore, I am forwarding this certified copy to you. Upon scheduling a time, I will make sure that City of Parkland representatives are informed so that they may attend the meeting. Thank you for your consideration.

Sincerely,


Kieran J. Kilday

CC: Chairperson Addie Greene; Palm Beach County Board of County Commissioners;
Vice Chairman Jeff Koons; Palm Beach County Board of County Commissioners;
Commissioner Burt Aaronson; Palm Beach County Board of County Commissioners;
Commissioner Karen Marcus; Palm Beach County Board of County Commissioners;
Commissioner Warren Newell; Palm Beach County Board of County Commissioners;
Commissioner Mary McCarty; Palm Beach County Board of County Commissioners;
Commissioner Jess R. Santamaria; Palm Beach County Board of County Commissioners;
Mayor Michael Udine; City of Parkland
Mark R. Lauzier, City Manager; City of Parkland

RESOLUTION NO. 2006- 117

Circledone's Clerk
On this 3 day of Jan 2007
this document is a true and correct copy of
the public records of the City of Parkland
S. Cougour
Designated Custodian of the City Records

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, SUPPORTING THE ANNEXATION OF 1,949 ACRES OF LAND LOCATED WITHIN UNINCORPORATED PALM BEACH COUNTY, INTO BROWARD COUNTY; SUPPORTING THE ANNEXATION OF 1,450 OF THESE ACRES INTO THE CORPORATE LIMITS OF THE CITY OF PARKLAND; AND SUPPORTING MODIFICATIONS TO THE PALM BEACH COUNTY THOROUGHFARE IDENTIFICATION MAP.

WHEREAS, 1,949 acres (+/-) of undeveloped land exists immediately adjacent to the northern corporate limits of the City of Parkland (the "City"), located within unincorporated Palm Beach County, and as depicted on Exhibit A attached hereto (the "Wedge Parcels"); and

WHEREAS, the Wedge Parcels are bounded on the north and east by the Hillsboro Canal, on the south by the Palm Beach County-Broward County boundary, and the west by the Loxahatchee National Wildlife Reserve/Water Conservation Area 2; and

WHEREAS, as a result of this location, the Wedge Parcels are isolated from the remainder of Palm Beach County and are a natural outgrowth of Broward County and the City; and

WHEREAS, several landowners representing 1,436 of the total 1,949 acres (the "Owners") collectively made an application to include their lands within the Palm Beach County Urban/Suburban Tier and to change the future land use of their portion of the Wedge Parcels from Rural Residential, 1 unit per 10 acres (RR-10) to Low Residential, up to 2 units per acre (LR-2) and Commercial High (CH) on their remaining 25 acres; and

WHEREAS, Palm Beach County's planning staff has previously expressed concern with these land use amendments to the extent that the provision of urban services to the Wedge Parcels is not practical because of their relative isolation from the remainder of Palm Beach County; and

WHEREAS, the City and the Owners acknowledge that the development of the Wedge Parcels would cause greater impact to the City than to Palm Beach County; and

RESOLUTION NO. 2006-117

Page 2 of 4

WHEREAS, the City and the Owners acknowledge that it is within their mutual interests that the City participate in the planning and development of the Wedge Parcels to ensure consistency and compatibility with the surrounding land uses; and

WHEREAS, the Owners desire to develop the Wedge Parcels consistent with the existing density and complementary to quality of design currently existing within the City; and

WHEREAS, the development of the Wedge Parcels within Broward County and the City of Parkland makes planning, economic and public policy sense; and

WHEREAS, the City and Owners acknowledge that the City is in the best position to offer municipal services to the Wedge Parcels; and

WHEREAS, the Owners wish to continue with the existing land use amendment process underway in Palm Beach County to completion; and

WHEREAS, the City is desirous of having the Wedge incorporated within the City and developed in a manner consistent with the intensity and quality of development that currently exists within the City; and

WHEREAS, the City finds that the Owners' desired land use category of up to LR-2 (2 units per acre) is generally compatible with the land use designations generally existing in the City of Parkland; and

WHEREAS, assuming commitments for needed parks, open space, public facilities, utilities, public education facilities and roads will also be provided, the City does not object to a land use designation of up to LR-2 by Palm Beach County, provided there are no policies, incentives, or other devices which would grant density bonuses or increased density and subject to the other conditions set forth herein; and

WHEREAS, based on the foregoing, the City, with the Owners' consent, and active support, has made a request of the Legislature of the State of Florida to enact a general law to amend the boundary of Palm Beach County and Broward County to have the Wedge Parcels annexed into Broward County and contemporaneously annexed into the corporate limits of the City; and

WHEREAS, the City is concerned regarding the potential adverse impacts to the quality of life of its residents as the result of the potential of University Drive being developed through its City and into Palm Beach County; and

WHEREAS, the City finds that the traffic impacts that will result from the development of the Wedge Parcels are best managed by modifications to the Palm Beach County Thoroughfare Identification Map; and

WHEREAS, the City desires to notify Palm Beach County, Broward County, and the State of Florida of its finding that the Owners' land use amendment application and the annexation of the Wedge Parcels into Broward County and into the City, together with the mitigation of certain of the road impacts of the annexation through amendment of the Palm Beach County Thoroughfare Identification Map, are generally compatible with the City's development objectives with the stipulations set forth below;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, that:

SECTION 1. The foregoing recitals are hereby affirmed and ratified.

SECTION 2. The City of Parkland believes that a boundary change and annexation as described herein are in the public interest of both citizens of Palm Beach and Broward County.

SECTION 3. Based upon a successful boundary change, the City Commission of the City of Parkland would support the change in land use of the Wedge Parcels from RR-10 (1 unit per acre) to R-2 (up to two units per acre), provided that the Land Use Amendment adopted by Palm Beach County allows the City of Parkland, upon annexation, to implement the City's zoning and land use regulations therein to assure development compatible with the pattern of development already existing in the City of Parkland and further provided that there are no overlays, density incentives or other provisions or policies which would increase density further as part of the land use plan amendment all of which would be opposed by the City.

SECTION 4. The City Commission hereby supports and encourages Palm Beach County to delete that section of University Drive, and that section of Riverside Drive, that crosses the Hillsboro Canal, from the Palm Beach County Thoroughfare Identification Map.

SECTION 5. The City of Parkland acknowledges that should the boundary change and annexation as contemplated herein occur and should the Palm Beach County land Use Plan be amended to up to LR-2, the property would come into the City with a land use designation of LR-2 (up to two units per acre) subject to the provisions of the general law. However, this Resolution shall not be construed to commit the City of Parkland to take any action with respect to any land use amendments or any zoning changes and shall vest no rights in any owner of said property to any future land use or zoning change by the City of Parkland or Broward County, as such matters must be subject to a separate and

RESOLUTION NO. 2006-117

Page 4 of 4

distinct application and review process. Together with the applicants for the Palm Beach County Land Use Plan Amendment, the City of Parkland states that any development of the Wedge Parcels shall require binding commitments for adequate school facilities, roads, parks, and public safety facilities as well as water and waste water facilities.

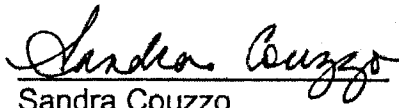
SECTION 6. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this 20 day of DECEMBER, 2007.

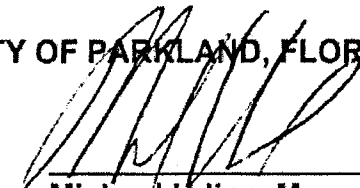
ATTEST:

CITY OF PARKLAND, FLORIDA

By:

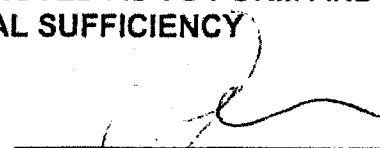

Sandra Couzzo
City Clerk

By:


Michael Udine, Mayor

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

By:


Andrew Maurodis, City Attorney