

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: 3/6/2012 [] Consent [X] Regular [] Workshop [] Public Hearing

Department: Planning, Zoning and Building

Submitted By: Planning Division

Submitted For: Planning Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a Consent For Annexation into the Village of Wellington of two parcels owned by Palm Beach County, generally located west of State Road 7 and north of Forest Hill Blvd.

Summary: The Village of Wellington has requested the voluntary annexation of two county-owned properties totaling approximately 25 acres as described in Attachment A. These county-owned properties are part of the Village's planned Medical Arts District and are located west of State Road 7 and north of Forest Hill Blvd as identified in Attachment B. By signing the Consent for Annexation, Palm Beach County does not transfer ownership rights for the parcels, but rather consents to the properties being annexed into, and included within, the municipal boundary of the Village of Wellington. The County approved a Constrained Roadways at Lower Level Service designation (CRALLS) for this area, conditioned upon three major actions occurring. Annexation is one of the three actions. This annexation is consistent with the requirement of the utilization of the CRALLS as stated in the County's Comprehensive Plan Transportation Element Objective 1.2-44.d(1) "No County Traffic Performance Standards approval letter, development order or permit that is dependent on this CRALLS shall be issued unless and/or until: 1) all unincorporated properties located on the west side of State Road 7 between Old Hammock Way to the north and Forest Hill Boulevard to the south are annexed into Wellington". The annexation has been processed through the County's review departments, including Fire Rescue, Engineering, Planning, Zoning, Environmental Resources Management, Parks and Recreation, Water Utilities, County Attorney, Property and Real Estate Management and the Office of Financial Management and Budget Departments. None of the departments are opposed to the annexation. The proposed annexation meets the requirements of Chapter 171, F.S., and is consistent with the Intergovernmental Coordination Element, Objective 1.4, of the County's Comprehensive Plan. District 6 (RB)

Background and Policy Issues: The Village of Wellington identified the county-owned properties as eligible for annexation pursuant to Section 171.044, F.S., and is requesting the County's consent for the annexation of two parcels owned by Palm Beach County generally located west of State Road 7 and north of Forest Hill Blvd. The County approved a "conditional" Constrained Roadways at Lower Level Service designation (CRALLS) for this area. The annexation of these parcels is one of the requirements for the utilization of the CRALLS designation. These unincorporated parcels are within the Village's future annexation area. The proposed annexation meets the requirements of Chapter 171, F.S., for annexation and is consistent with the Intergovernmental Coordination Element, Objective 1.4, of the County's Comprehensive Plan, which supports municipal efforts to secure boundary changes that maintain cost-effective service delivery.

(continued on page 3)

Attachments:

- A. Petition for Annexation
B. Proposed Annexation Location Map

Recommended by: [Signature] Executive Director Date: 3-2-12

Approved By: [Signature] Deputy County Administrator Date: 3.5.12

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2012	2013	2014	2015	2016
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes _____ No _____

Budget Account No.: Fund _____ Agency _____ Org. _____ Object _____

Reporting Category _____

B. Recommended Sources of Funds/Summary of Fiscal Impact: There is no fiscal impact associated with this annexation. Fire/Rescue will continue to service this area.

C. Departmental Fiscal Review: Pat D'Agostino

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

WS 3/2/12 OFMB 3/2/12 2/12/12 Contract Dev. and Control 3/2/12

B. Legal Sufficiency:

Assistant County Attorney 3/2/12

C. Other Department Review:

Department Director

(Background and Policy Issues cont.): While the annexation of the property is consistent with the conditions of the CRALLS approval, once the property is annexed into the Village, the County will lose jurisdiction over future land use decisions and development approvals. As the owner of property being annexed, the County has expectations for a reasonable level of development approvals for the County's property consistent with the representations made by the Village with respect to their proposed Medical Arts District. However, the County has only minimal assurances those expectations will be met once the property is annexed. The CRALLS approval was also conditioned upon an agreement being reached amongst all property owners within the Medical Arts District on an allocation of development rights/traffic capacity. Up to this point, the Village has been advocating that traffic capacity be allocated amongst the properties within the Medical Arts District in a manner where all properties with existing approvals would keep their existing vested trips, and the additional trips created by the CRALLS would be allocated amongst all the properties proportionally by acreage. This creates a situation where properties with existing approvals may receive more traffic capacity than they can physically utilize and tends to favor properties with existing approvals. As the County's property has no existing approvals, the County property would receive less development rights/trips.

Annexation into the Village will allow the Village to proceed with actions that are required to further ultimate development of the Medical Arts District, including changing the boundaries of the ACME Improvement District to serve the Medical Arts District and Comp Plan and Zoning changes. Inclusion within the Medical Arts District will substantially increase the value of the County's property, assuming that the County property receives a fair allocation of development rights/traffic capacity. While there is some risk that the Village could revise its plans for the Medical Arts District after annexation or pursue an unfair allocation of development rights/trips, Staff believes that the risk is acceptable in light of the potential benefits to County's property from being included within the Medical Arts District and the protections afforded by the CRALLS requirement that all property owners agree upon an allocation of development rights/traffic capacity.

Attachment A
CONSENT FOR ANNEXATION – Palm Beach County Owned Land

To: Village Council, Village of Wellington, 12300 W. Forest Hill Blvd, Wellington, FL 33414

THE UNDERSIGNED, being the owner of the following premises located in unincorporated Palm Beach County and described as follows:

- 1) Parcel number 00-42-43-27-05-018-0040, situate, lying and being in Palm Beach County, Florida, and described as follows:

Tract 4 of Block 18, Palm Beach Farms Company Plat No. 3 as recorded in Plat Book 2, Pages 45 to 54, of the Public Records of Palm Beach County, Florida. The above being a portion of the real property described under Tax Certificate Number 701 in the Tax Deed recorded in Deed Book 838 Page 343 of the Public Records of Palm Beach County, Florida.

- 2) Parcel number 00-42-43-27-05-018-0040, situate, lying and being in Palm Beach County, Florida, and described as follows:

Tract 11 of Block 18, Palm Beach Farms Company Plat No. 3 as recorded in Plat Book 2, Pages 45 to 54, of the Public Records of Palm Beach County, Florida. The above being the real property described under Tax Certificate Number 817 in the Tax Deed recorded in Deed Book 987 Page 11 of the Public Records of Palm Beach County, Florida.

Hereby, respectfully request that said Properties, which are contiguous to the territorial limits of the Village of Wellington, Florida, be annexed to and included within the territorial limits of the Village of Wellington.

The undersigned further certify that they are the only owner of said properties. Dated this _____ day of _____, 2012. Property Owner: Palm Beach County, Florida

ACKNOWLEDGMENT

WHEREFORE, the said party hereto has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair or Vice-Chair of said Board, the day and year aforesaid.

ATTEST:
SHARON R. BOCK, Clerk &
Comptroller

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

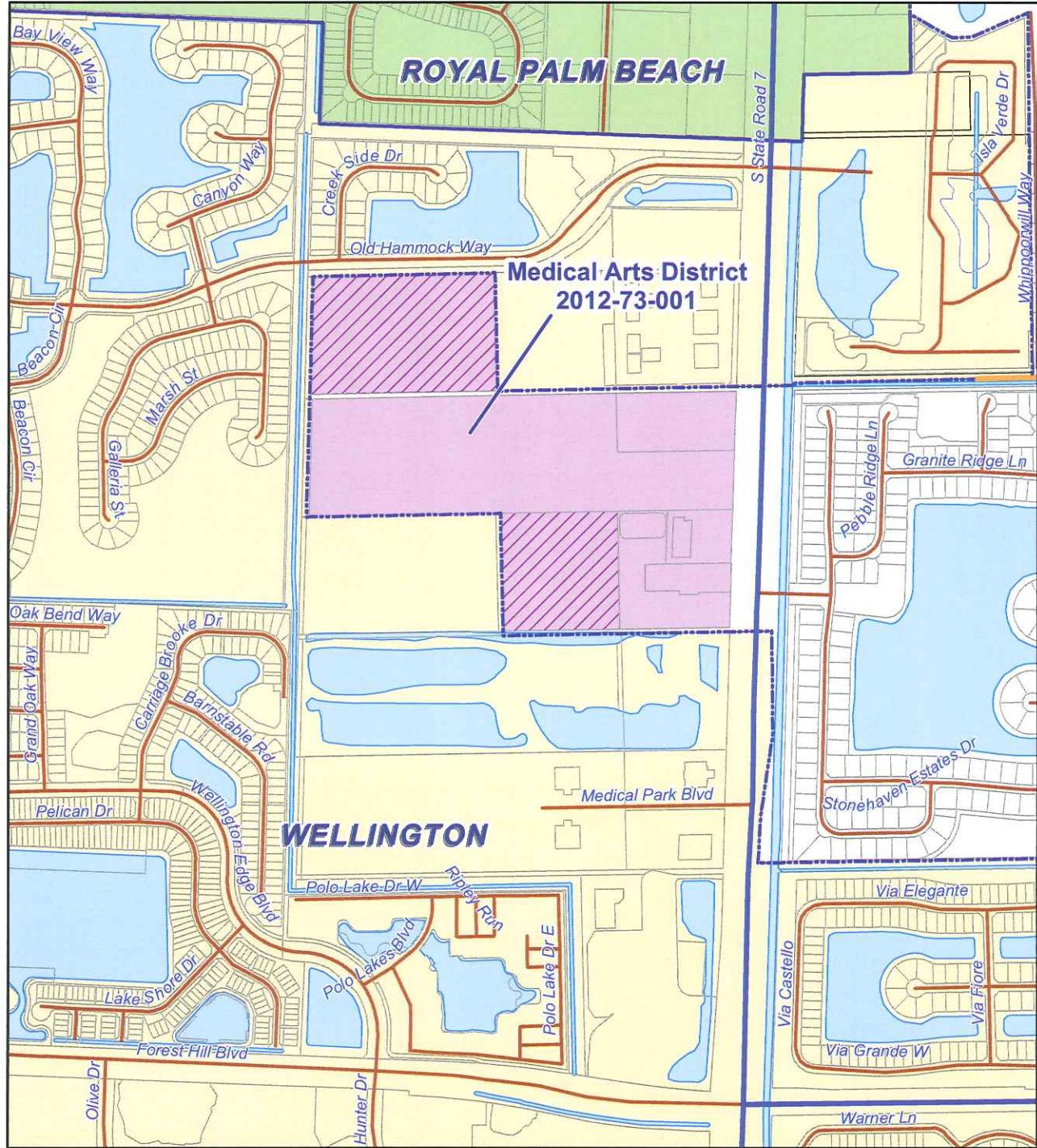
By: _____
Deputy Clerk

By: _____
Shelley Vana, Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: 
Assistant County Attorney

Annexation Location Map



- Newly Proposed Annexation
- Failed/Withdrawn Annexation
- Palm Beach County Owned Parcels

- Wellington
- Royal Palm Beach
- Water

- County ROW Maintenance**
- County Maintained
 - Courtesy Maintained
- Other ROW Maintenance**
- State Maintained
 - Other

Updated: 1/27/12
 Contact: Nicole Delsoin
 Filename: N:\Division Pr\Annex\FY2012
 Note: Map is not official, for informational purposes only
 Source: ROW Maintenance Data PBC Engineering
 Dept 2010 pbcgis1 SDE GEODATA.CENTERLINE_LN



Planning, Zoning & Building

2300 N. Jog Rd.
 West Palm Beach, FL 33411
 Phone (561) 235-5300

