# PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

#### **AGENDA ITEM SUMMARY**

Meeting Date:	November 21, 2023	[]	Consent Workshop	[X]	Regular Public Hearing
Department:	Planning, Zoning & Building				
Submitted By:	Planning Division				
Submitted For:	Planning Division				

#### I. EXECUTIVE BRIEF

**Motion and Title: Staff seeking direction:** regarding the proposed annexations by City of Palm Beach Gardens and Village of North Palm Beach, and more specifically, whether Palm Beach County, as the owner of property within the proposed Palm Beach Gardens annexation area, is in opposition or support of such annexations.

**Summary:** Palm Beach County received annexation feasibility studies from Palm Beach Gardens and North Palm Beach on October 17, 2023, and October 26, 2023, respectively. North Palm Beach updated its feasibility study and forwarded it to the County on November 2, 2023. Both cities annexation proposals will require a referendum amongst the annexation areas registered voters. All but one of North Palm Beach's proposed annexation areas overlap with some of the annexation areas proposed by Palm Beach Gardens. Additionally, North Palm Beach's proposed Area 1 (Portage Landing, and Hidden Key) may not meet the statutory requirement that the proposed annexation be contiguous with the annexing municipality's boundaries. <u>District 1</u> (DL)

**Background and Policy Issue:** Palm Beach Gardens wants to annex five separate areas: Cabana Colony, Frenchmen, and Hidden Key; McLaren Road and Ellison Wilson Road; Pirates Cove Canal Road; Monet Acres and Monet Heights; and Monet Gardens. Together, these areas are over 1,300 acres and include six Palm Beach County owned parcels located in proposed annexation Area 1 (which includes Cabana Colony) that provide services to nearby residents (County owned parcels noted in chart below).

Property Control #	Address	Acre	Existing Use	Department of Control
00434131040000030	3855 Holiday Rd Park	1.47	Park (Cabana Colony Park)	Parks & Recreation
00434129000005300	Flamingo Dr	0.10	Row Buffer	
00434204280000020	11646 Ellison Wilson Rd	3.22	Conservation (Pawpaw Preserve Natural Area)	Environmental Resources Management
00434131030000090	12180 Alternate A1A	0.47	Gov't Facilities (Leased to PBSO for the Police Athletic League Program, PAL, Cabana Colony)	Facilities Development and Operation
00434132000007060	Lone Pine Rd	1.50	Government Lands (Prosperity Oaks Natural Area)	Environmental Resources Management
00434132000005070	2090 Juno Rd	13.96	Park (Juno Park)	Parks & Recreation

(Continued on Page 3)

Attachment(s): 1. Palm Beach Gardens proposed annexation map

2. North Palm Beach proposed annexation map

Recommended By:

Department Director

Date

Approved by:

Assistant County Administrator

Date

### II. FISCAL IMPACT ANALYSIS

## A. Five Year Summary of Fiscal Impact:

Fiscal Years	2024	2025	2026	2027	2028
Capital Expenditures	-0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	-0-	-0-	-0-	-0-	-0-
#ADDITIONAL FTE	-0-	-0-	-0-	-0-	-0-
POSITIONS (CUMULATIVE	-0-	-0-	-0-	-0-	-0-

(CUMULATIVE	-0-							
Is Item Included in Cu	rrent Budge	t? Yes	No_ <u>X</u>					
Is this item using Federal Funds?		Yes	No_X_					
Is this item using State	e Funds?	Yes	No <u>_X</u> _					
Budget Account No:								
Fund De	ept	Unit						
B. Recommended  There is no fiscation new agenda iter  C. Departmental F	al impact to n will be pre	this agenda i esented to the	•	-	o the fiscal impa	act, a		
III. REVIEW COMMENTS:								
A. OFMB Fiscal and/or Contract Dev. and Control Comments:								

B. Legal Sufficiency

**Assistant County Attorney** 

C. Other Department Review

**Department Director** 

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

### Background and Policy Issue: (Cont'd from page 1)

Palm Beach Gardens unanimously approved each of the proposed annexation ordinances at first reading on November 2, 2023. They will hold their second, and final, reading on December 6, 2023. Assuming the annexation ordinances are approved at second reading, Palm Beach Gardens will hold a referendum in each annexation area on March 19, 2024. The majority of votes cast in each annexation area will have to be in favor of annexation for the annexation to be effective in that particular annexation area.

North Palm Beach wants to annex three separate areas: Portage Landing, and Hidden Key; Ellison Wilson Road; and Pirates Cove including six adjacent parcels. These areas total approximately 80 acres. Hidden Key, Ellison Wilson Road, and Pirates Cove (plus adjacent parcels) overlap with three of the areas that Palm Beach Gardens also seeks to annex. North Palm Beach postponed the first reading of its proposed annexation ordinances. It now expects to hold the first reading on November 15, 2023. North Palm Beach has not set a date for the second reading of their proposed annexation ordinances but will hold the referendum simultaneously with Palm Beach Gardens' referendum on March 19, 2024. As with Palm Beach Gardens, the majority of votes cast in each annexation area will have to be in favor of annexation into North Palm Beach for the annexation to be effective in that particular annexation area.

Under 171.043, F.S. a municipality may propose to annex unincorporated areas that are contiguous to its boundaries and are reasonably compact. In addition, municipalities may annex enclaves of 110 acres or less by interlocal agreement thus avoiding the need for a referendum. Here, some of the proposed Palm Beach Gardens annexation areas could be annexed as enclaves by interlocal agreement and one of the proposed North Palm Beach annexation areas may not be sufficiently contiguous to North Palm Beach's municipal boundaries to allow annexation.

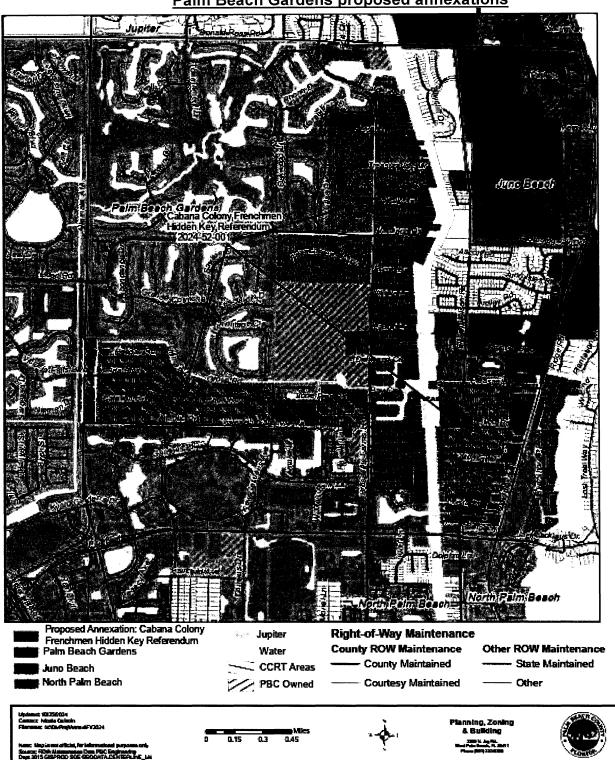
The following policies from the Palm Beach County Comprehensive Plan's Intergovernmental Coordination Element encourage and support annexation interlocal agreements:

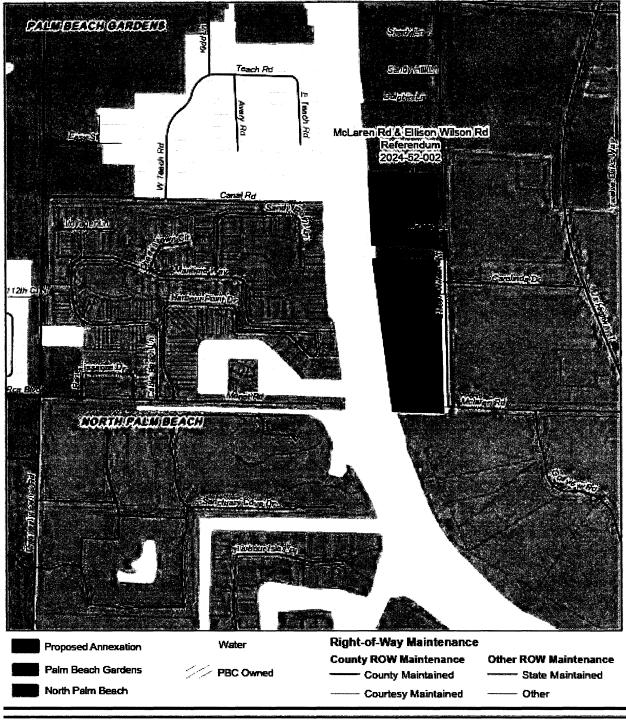
Policy 1.4-h: The County shall support and enter into interlocal agreement for the annexation of enclaves pursuant to §171.046 that are consistent with goals, objectives and policies of the County's Comprehensive Plan.

Policy 1.4-i: The County shall promote the use of County-city interlocal agreements with annexing municipalities to address service delivery issues where efficiency and effectiveness can be enhanced.

Neither Palm Beach Gardens nor North Palm Beach has reached out to Palm Beach County to discuss the possibility of entering into interlocal agreements to further the proposed annexations.

# Attachment 1 Palm Beach Gardens proposed annexations



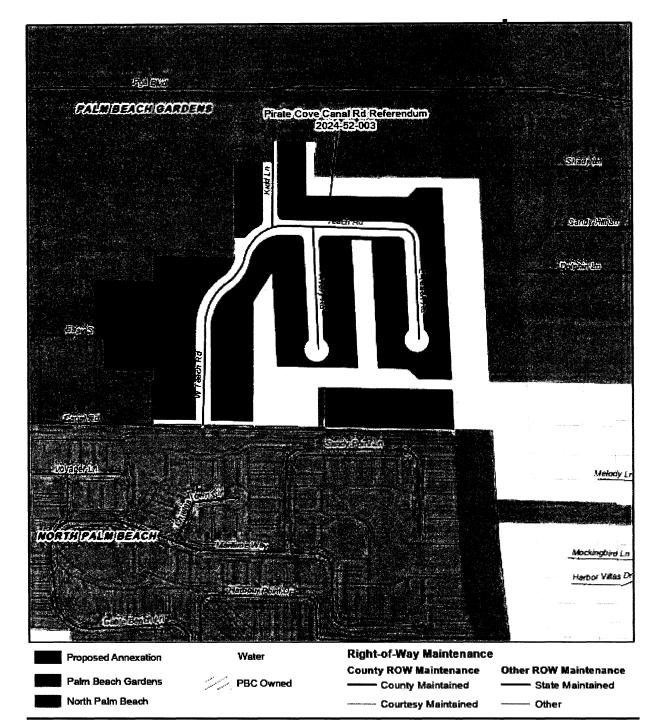


humo: May us not cificial, for informational purposes only Source: Ribth Materiatures Dann PEC Goglesoning Ongo 2015 GEEP CO SDE GEED DATA, CENTERALINE\_LIN

0.04 G.08







Liptome: 18/25/2034 Connect Menia Dalanis

Name: Alap is correlled, for informational purposes only Source: ROW bisinguation Curs. PRC Engineering Coast 2015 GISPROD SDE GEODATA.CEMERING\_EM

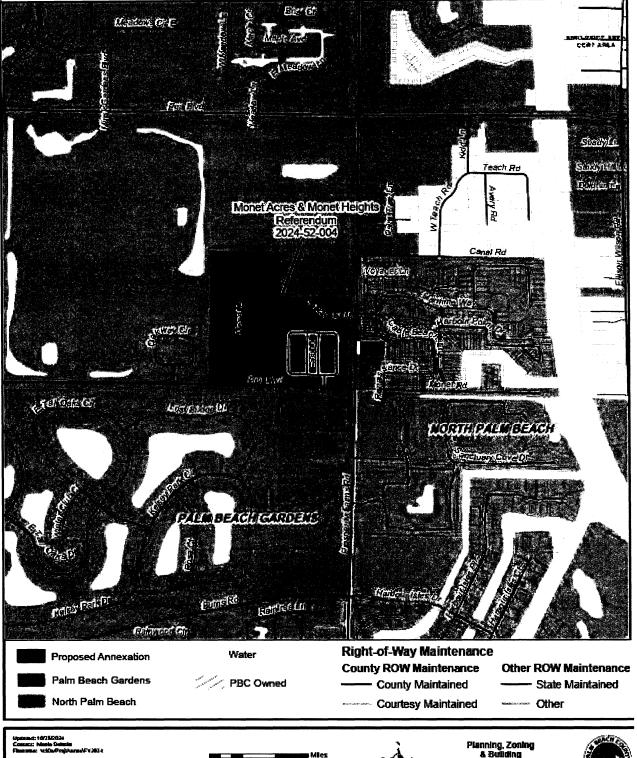
0 0.025

0.05 0.075

--

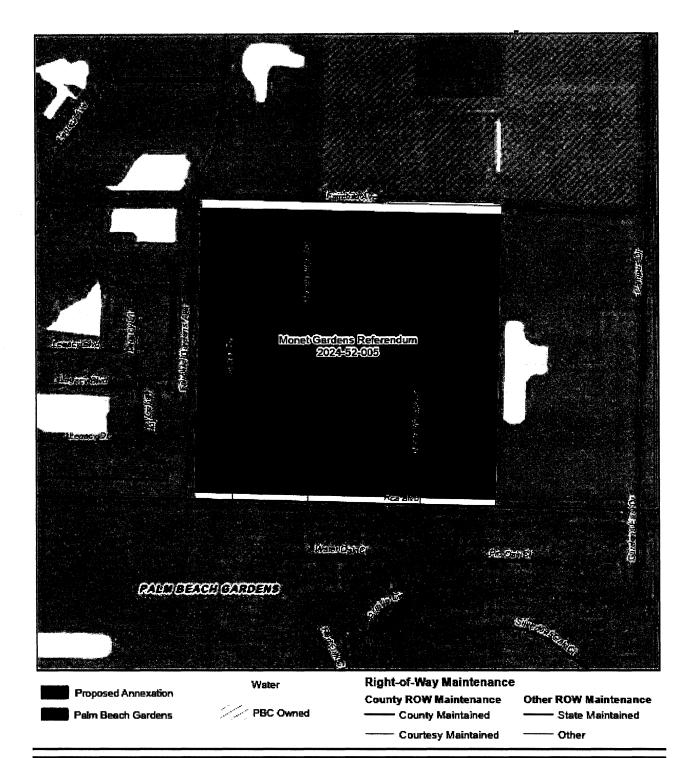
Planning, Zoning & Building





0.06 C.1Z





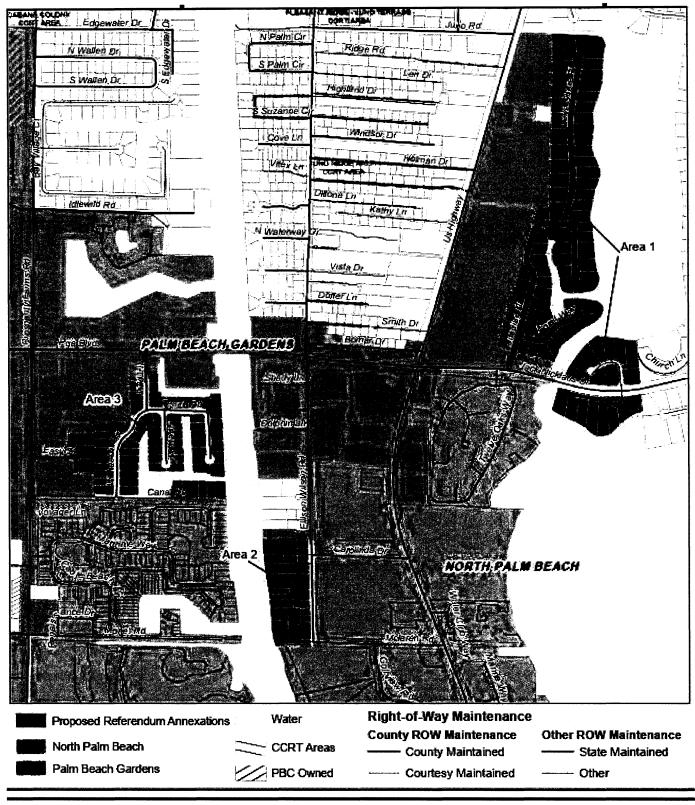
tene: Map is not official, for informational purposes only Seaster ROW Maintenance Costs PSC Engineering Copt 1945 GEP/ROD EDE GEODATALES MEERLING\_LIV

0.075 0.05

0.025



# Attachment 2 North Palm Beach proposed annexations



ispanie: +1(3)2023 Commes: Henin Onlinin Filmmus: helim@rojAnnodFy2824

non: kisp is no officel, for information purposes only Source: ROW Maleuments Date FBC Engineering Date: 2815 GIEPROD SBE GEODATA\_ESITERLINE\_LN 0 0.065 0.13 0.195



Planning, Zoning & Building

