Agenda Item#<u>5</u>D-1

PALM	BEACH	COUNTY
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BOARD OF COUNTY COMMISSIONERS

## AGENDA ITEM SUMMARY

Meeting Date:	December 5, 2023	[] []	Consent Workshop	[X] []	Regular Public Hearing
Department:	Planning, Zoning & Building				
Submitted By:	Planning Division				
Submitted For:	Planning Division				
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**Motion and Title: Staff seeking direction:** regarding the county's position in support or opposition to an annexation by the Village of Wellington (Village), including the annexation of certain county owned parcels into the Village.

**Summary:** Palm Beach County has received a filing for annexation from the Village (November 14<sup>th</sup>.) The Village seeks to involuntarily annex approximately 257.9 acres of land at the intersection of Southern Boulevard and Seminole Pratt Whitney Road. The Village has scheduled their first hearing for December 5<sup>th</sup>. The filing includes a complete feasibility report as required by the Florida Statutes. It is uncertain whether the proposed annexation area meets the requirement for compactness and contiguity with the rest of the Village, and whether the proposed annexation area is developed for urban purposes. District 6 (DL)

This general area has previously been the subject of annexation by the Village. Specifically, the Arden Development, approved by Ordinance 2004-66, modified the future land use designation from Rural Residential, 1 unit per 10 acres (RR-10), to the LR-2 future land use designation on December 13, 2004. This amendment was adopted following the removal of the site from the Central Western Communities Sector Plan boundaries, and in order to retain the site within unincorporated County since the property owners had been discussing annexation into the Village. The associated text created the Glades Area Protection Overlay and Limited Urban Service Area for the subject site and lands on the east and west side of the L-8 to create a barrier to limit development from encroaching into the agricultural production lands further west. This activity resulted in an amendment to the Palm Beach County Charter, which now requires an affirmative vote by at least five (5) County Commissioners for voluntary annexations. The proposed annexation requires a referendum by the area residents, and is therefore not subject to the provisions in the Charter. Also beginning in 2004, Wellington has completed several voluntary annexations south of SR80 (Southern Blvd) which are contiguous with their municipal boundaries. These Wellington annexations add up to 8,900 acres, of which 8,262 remain undeveloped. Additionally, two municipal incorporations took place. The following table reflects Wellington annexations as well as the incorporation of City of Westlake, and Town of Loxahatchee Groves.

Year	Municipality	Acres	Method
2004	STA1 & East & Section 24 (Wellington)	6,584.00	Voluntary
2004	STA1 & East & Section 24 (3) (Wellington)	1,478.00	Voluntary
2004	Rustic Ranches (Wellington)	638.90	Voluntary
2004	Mickelson Property (Wellington)	80.00	Voluntary
2005	McCarty Annexation (Wellington)	120.00	Voluntary
2006	Loxahatchee Groves (incorporation)	8,148.07	Referendum
2016	Westlake (incorporation)	4,047.67	Referendum

**Background and Policy Issue:** Florida Statutes allows annexation in certain circumstances using a referendum; the Village has indicated that more than 70% of land is owned by non-registered voters and the Village has secured enough (more than 50% of land area) of the owners' consent to annex the subject area to proceed to a referendum. The area includes two (2) county owned parcels totaling approximately 10.2 acres that are used for off-site stormwater retention ponds.

Attachment(s): Area Maps of proposed annexation areas

Recommended B		11/27/2023	
	Department Director	Date	
Approved by:	Pre	12/1/23	_
	Assistant County Administrator	Date	-

## II. FISCAL IMPACT ANALYSIS

## A. Five Year Summary of Fiscal Impact:

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

Is Item Included in Current Budget? Is this item using Federal Funds? Is this item using State Funds?

Yes	No_	_X
Yes	No_	X
Ves	No	x

Budget Account No: Fund Dept

Unit

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

There is no fiscal impact to this agenda item. If there is a change to the fiscal impact, a new agenda item will be presented to the Board. C. Departmental Fiscal Review: DFMB 1130[23

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**III. REVIEW COMMENTS:** 

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

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В. Legal Sufficienc

Assistant County Attorney

C. Other Department Review

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**Department Director** 

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



