



**Palm Beach County  
Annual Annexation Report  
October 1, 2012 - September 30, 2013**

**Palm Beach County, Florida  
Planning, Zoning & Building Department  
Planning Division  
October 2013**

## **CREDITS AND ACKNOWLEDGMENTS**

The preparation of this report required the time, cooperation, and collective effort of many individuals. Appreciation is extended to all who participated.

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**October 2013**

# TABLE OF CONTENTS

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I.	INTRODUCTION.....	1
II.	ANNEXATION ACTIVITY .....	1
III.	GENERAL ANNEXATION ADMINISTRATION .....	2
IV.	INTERLOCAL AGREEMENTS.....	2
V.	COUNTY/MUNICIPAL INTERACTION.....	3
VI.	TRENDS.....	4
	APPENDIX A – OVERVIEW OF CHAPTER 171, FLORIDA STATUTES.....	8
	APPENDIX B – COMPREHENSIVE PLAN ADOPTED ANNEXATION POLICIES.....	10
	APPENDIX C – ANNEXATION REVIEW PROCESS.....	12
	APPENDIX D – ADOPTED ANNEXATIONS SUMMARY FISCAL YEAR 2013 .....	14
	APPENDIX E – FAILED OR WITHDRAWN ANNEXATIONS SUMMARY YEAR 2013 .....	15
	APPENDIX F – MAPS FISCAL YEAR 2013 .....	16

## TABLES

TABLE 1 – PALM BEACH COUNTY ADOPTED ANNEXATIONS, FY 2013.....	1
TABLE 2 – NUMBER BY TYPE OF ANNEXATIONS BY MUNICIPALITY 1989–2013 .....	6
TABLE 3 – ACRES BY TYPE OF ANNEXATION OR INCORPORATION BY MUNICIPALITY 1989–2013 .....	7

## I. INTRODUCTION

Intergovernmental Coordination Policy 1.4-k of the County's Comprehensive Plan requires that the Planning Division monitor annexations within the County, update the Board of County Commissioners (BCC) on annexation activity, and recommend to the Board modifications to the annexation policy, when warranted. Chapter 171, Florida Statutes (F.S.), which is summarized in Appendix A, governs annexations in the State of Florida. The adopted policies in the Palm Beach County Comprehensive Plan are provided in Appendix B. Planning Division and the County Attorney's office reviews each proposed annexation for consistency with Chapter 171, and notify the BCC of each proposed amendment within their districts on an ongoing basis. Planning staff notifies the entire Board of each proposed annexation that violates Chapter 171 in order to seek direction on whether to oppose the annexation. Appendix C contains an overview of the County procedures and programs.

## II. ANNEXATION ACTIVITY

This section of the report identifies all annexation activity from October 1, 2012 to September 30, 2013, and is the basis for the County's required Annual Annexation Report to the Board of County Commissioners. **Table 1** provides a listing of municipalities that have annexed properties during this fiscal year and identifies the number of annexations, the total acreage and the types of annexation undertaken.

**Table 1 – Palm Beach County Adopted Annexations, FY 2013**

<b>Municipality</b>	<b>Total</b>	<b>Acres</b>	<b>Voluntary</b>	<b>Referendum/ Involuntary</b>	<b>Interlocal Agreement</b>
Belle Glade	1	0.13	1	0	0
Jupiter	2	5.16	2	0	0
Lake Worth	1	1.14	1	0	0
Palm Beach Gardens	1	0.41	1	0	0
Palm Springs	9	6.11	8	0	1
Tequesta	1	0.73	1	0	0
<b>Total Annexed</b>	<b>15</b>	<b>13.68</b>	<b>14</b>	<b>0</b>	<b>1</b>

During Fiscal Year 2013, a total of 18 new proposed annexations were received for review. There were a total of 15 adopted annexations (constituting approximately 13.68 acres) adopted by 6 municipalities. Although there was an increase in discussions of potential annexations and annexation conflicts, there was a decrease in acres of land annexed, as well as the number of adopted annexations, from the previous year. The majority of the annexations were voluntary. The Village of Palm Springs was responsible for the highest number of annexations, with 9 annexations totaling approximately 6.11 acres. In total, 34 annexations were pending this year, including 15 adopted, 4 withdrawn, 2 failed by referendum, and 13 still in process and will move forward to the next fiscal year. Appendix D & E summarizes each of these items by municipality.

### III. GENERAL ANNEXATION ADMINISTRATION

Per objective 1.4 of the Palm Beach County Comprehensive Plan, the County implements strategies that (a) support municipal efforts to secure boundary changes and (b) maintain cost-effective service delivery, assist in the elimination of enclaves, pockets, and finger-like areas and ensure consistency between municipal and county land use.

- **Annexation Conflict and Resolution** – During the fiscal year, many discussions regarding annexations take place that do not yield a result of an adopted annexation. Often these annexations are controversial due to the potential service delivery issues that may arise due to the annexation or that the annexation is not mutually beneficial to the property owner or the County. Through the County's Voluntary Annexation Review Process, many of the issues raised by the County were resolved prior to the adoption of the annexations. In these cases, participating municipalities had provided notification to the County in advance of the first reading, and County staff identified potential problems, such as the creation of enclaves and/or pockets.
- **Future Annexation Area Conflict** – Many municipalities have adopted future annexation area boundaries in their comprehensive plans. As shown on the attached *Future Annexation Area Map* (Appendix F), many cities have overlapping future annexation areas where two or three cities have identified parcels as their future territory. At this time, the County does not have a clearly defined role with these future annexation area conflicts between the cities.

### IV. INTERLOCAL AGREEMENTS

Per Policy 1.4-d, the County can pursue interlocal agreements with municipalities that have identified future land use designations for adjacent unincorporated areas. The County encourages interlocal agreements that include many planning considerations.

The principal goal of the Interlocal Service Boundary Agreement (ISBA) is to encourage local governments to jointly determine how to provide services to residents and property in the most efficient and effective manner while balancing the needs and desires of the community. ISBAs are used to establish a plan for the future when adjusting municipal boundaries and to address a wider range of the effects of annexation. The intended use is to encourage intergovernmental coordination in planning, service delivery, and boundary adjustments and to reduce intergovernmental conflicts and litigation between local governments. ISBAs are to be used to promote sensible boundaries that reduce the costs of local governments, to avoid duplicating of local services, and to prevent inefficient service delivery and an insufficient tax base to support the delivery of those services.

The ISBA process is primarily directed by the municipalities, with assistance and participation from the County. Due to varying reasons, including changing of city staff and change in annexation direction, the cities have paused negotiations with the County until further notice. Negotiation processes are on hold for three of the potential agreements including the cities of Belle Glade, South Bay and Boynton Beach. County staff is currently in discussion on the ISBA process with the City of Lake Worth and renewing the existing negotiations with the Village of Palm Springs for the next fiscal year.

## V. COUNTY/MUNICIPAL INTERACTION

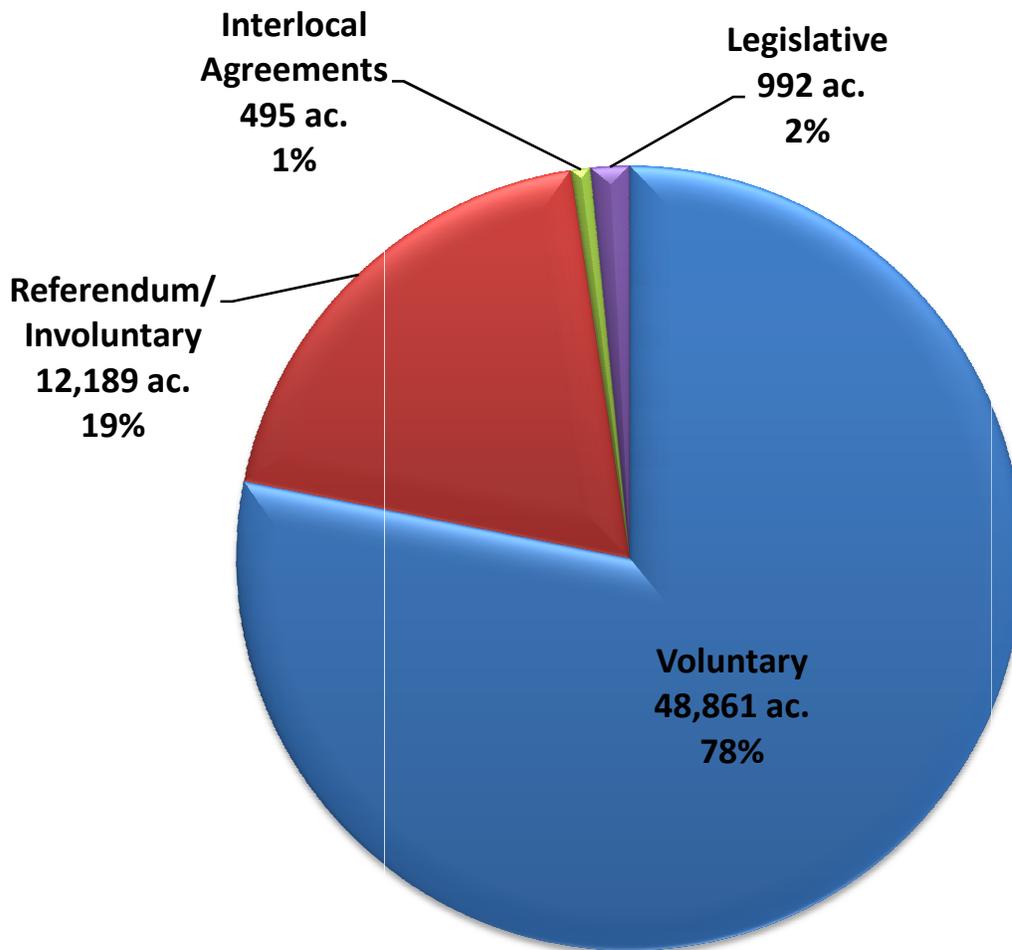
This section summarizes the highlights of the County's intergovernmental coordination over the past fiscal year. The County coordinated annexation efforts with several municipalities. Per Policy 1.4-b and 1.4-l, the County works to reach general agreement on ultimate municipal boundaries and works to resolve issues related to any statutory deficiencies or conflicts.

- **City of Boca Raton** - The City submitted an annexation for a property known as the Royal Palm Polo PUD, a 121-acre parcel located at the northeast corner of South Jog Road and Old Clint Moore Road. The unincorporated property was rezoned to a Planned Unit Development (PUD) in 2005 under County development standards but remained vacant. No issues were identified during the departmental review and the annexation was adopted in fiscal year 2014.
- **City of Delray Beach** – The City provided notification of a voluntary annexation that could potentially cause service delivery issues due to the creation of an unincorporated enclave. County and City staff discussed the potential problems and the city agreed to withdraw the annexation. The annexation will be annexed upon the annexation of the remaining unincorporated areas.
- **City of Lake Worth** - The City has renewed its interest in annexing the unincorporated areas within and adjacent to the Lake Worth Park of Commerce. City and County staff are currently in discussions regarding a possible Interlocal Service Boundary Agreement.
- **Village of Palm Springs** – Of the 38 municipalities in the County, the Village was the most active in pursuing annexations. This fiscal year, the BCC and the Village entered into one interlocal agreement to annex an enclave less than 10 acres. The Village provided notice of the voluntary annexation of a parcel on Lake Worth Road that potentially would cause service delivery problems due to the potential creation of an enclave. Planning worked with Village staff toward an alternative solution and the Village agreed to postpone the annexation until such time it is possible. Much of the coordination between county and city staff occurred through various meetings to try to resolve controversial annexation issues that would have resulted in inefficient service delivery.
- **Village of Tequesta** – The Village of Tequesta initiated the annexation through referendum of two neighborhoods consisting of 36.48 acres. The referendum failed when put to a vote in 2013. Additionally, the 2012 annexation of three unincorporated enclaves along County Line Road was challenged in 2013 by 1 of the 5 property owners. In August 2013, the Circuit Court Appellate Division quashed the annexation only as it relates to the objecting property owner. The Court ruled that there was no competent evidence in the record to demonstrate that the property met the definition of enclave. The Agreement remains in effect as it relates to the other four parcels specified in the agreement.
- **Wellington** - County and city staff had several discussions to address the annexation issues in an area known as the Medical Arts Districts. The County consented to annexation of a number of county-owned parcels, however, the city has not pursued the incorporation of these county-owned parcels nor the remaining area until all or a majority of the property owners in the vicinity have signed the annexation agreements. The annexation is still pending as of fiscal year 2013 and is carried forward to fiscal year 2014.

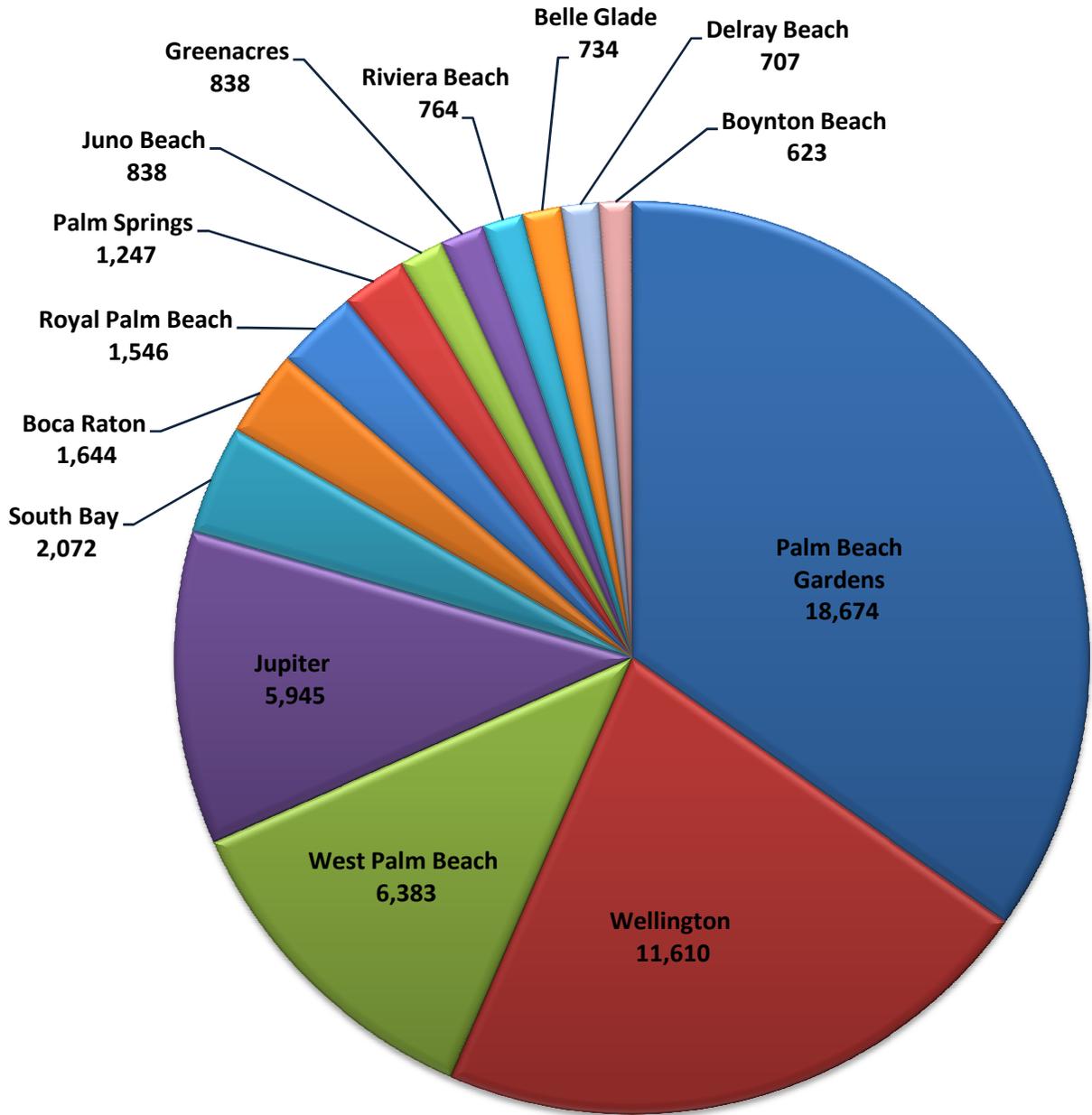
## VI. TRENDS

The number of voluntary annexations this fiscal year declined from previous years' levels. Continuing the trend observed in past years, **Table 2** demonstrates that of the 990 annexations approved since 1989, the vast majority (909) were voluntary. As indicated in **Table 3**, and as shown in the figure below, 78% of the acreage of all annexations (nearly 50,000 acres) has been annexed voluntarily.

**Acres by Type of Annexation 1989 – 2013**



## Acres Annexed by Municipality 1989-2013



*Note: Cities with annexations totaling 300 acres or less are not shown (includes Atlantis, Gulf Stream, Haverhill, Lake Park, Lake Worth, Lantana, North Palm Beach, Pahokee, and Tequesta).*

**TABLE 2 – Number by Type of Annexations by Municipality 1989–2013**

MUNICIPALITY	Voluntary		Referendum/ Involuntary		Interlocal		Legislative	
	1989-2012	2013	1989-2012	2013	1989-2012	2013	1989-2012	2013
Atlantis	4							
Belle Glade	19	1	1		1			
Boca Raton	4		5					
Boynton Beach	59				2			
Delray Beach	62				4			
Greenacres	65		2		7			
Gulf Stream	3		1					
Haverhill	5		1					
Juno Beach	10				1			
Jupiter	60	2	6		5			
Lake Park	2							
Lake Worth	15	1	2					
Lantana	1		1					
Loxahatchee Groves	0		1					
North Palm Beach	15		3					
Pahokee	9							
Palm Beach Gardens	16	1	3		1			
Palm Springs	413	8	3		22	1		
Riviera Beach	21				1			
Royal Palm Beach	34		1					
South Bay	2						1	
Tequesta	11	1	1		2			
Wellington	22		1					
West Palm Beach	43		1					
<b>Totals</b>	895	14	33	0	46	1	1	0
	909		33		47		1	
	<b>Grand Total: 990 Annexations</b>							

Note: This table does not include de-annexations or adopted annexations not yet in effect.

**TABLE 3 – Acres by Type of Annexation or Incorporation by Municipality 1989–2013**

MUNICIPALITY	Voluntary		Referendum/ Involuntary		Interlocal		Legislative	
	1989-2012	2013	1989-2012	2013	1989-2012	2013	1989-2012	2013
Atlantis	19.42							
Belle Glade	523.47	0.13	172.31		37.86			
Boca Raton	28.50		1,615.65					
Boynton Beach	605.79				16.75			
Delray Beach	679.21				27.50			
Greenacres	628.33		58.09		151.47			
Gulf Stream	3.09		12.83					
Haverhill	50.53		2.87					
Juno Beach	831.82				6.27			
Jupiter	4,905.65	5.16	981.38		53.06			
Lake Park	215.76							
Lake Worth	82.97	1.14	67.31					
Lantana	12.30		8.31					
Loxahatchee Groves*	-		8,148.07					
North Palm Beach	76.13		89.60					
Pahokee	81.87							
Palm Beach Gardens	18,376.33	0.41	294.49		2.59			
Palm Springs	1,065.41	5.94	13.04		162.21	0.17		
Riviera Beach	735.39				28.62			
Royal Palm Beach	1,498.43		47.52					
South Bay	1,079.60						992.00	
Tequesta	36.82	0.73	1.33		8.94			
Wellington	10,970.86		638.90					
West Palm Beach	6,352.96		29.76					
<b>TOTALS</b>	48,860.64	13.51	12,178.59	0.00	495.27	0.17	992.00	0.00
	48,874.15		12,178.59		495.44		992.00	
	<b>Grand Total: 62,540.18 acres</b>							

Note: This table does not include de-annexations.

\*Loxahatchee Groves acres indicate the incorporation of the municipality.

## APPENDIX A – Overview Of Chapter 171, Florida Statutes

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Chapter 171, Florida Statutes (F.S.) governs the annexation of land, and defines ‘annexation’ as “the adding of real property to the boundaries of an incorporated municipality, such addition making such real property in every way a part of the municipality.” This section provides key definitions in Chapter 171, F.S., describes the types of annexations authorized by the statute, and contains an assessment of the statute, including its limitations.

**A. Definitions** – Chapter 171 was established in 1974 to ensure sound urban development, establish legislative standards for the adjustment of municipal boundaries, ensure efficient provision of urban services, and ensure that areas are not annexed unless municipal services can be provided. According to the statute, a parcel of land proposed for annexation must meet the following definitions:

**Contiguous** “means that a substantial part of a boundary of the territory sought to be annexed by a municipality is coterminous with a part of the boundary of the municipality. The separation of the territory sought to be annexed from the annexing municipality by a publicly owned county park; a right-of-way for a highway, road, railroad, canal, or utility; or a body of water, watercourse, or other minor geographical division of a similar nature, running parallel with and between the territory sought to be annexed and the annexing municipality, shall not prevent annexation under this act, provided the presence of such a division does not, as a practical matter, prevent the territory sought to be annexed and the annexing municipality from becoming a unified whole with respect to municipal services or prevent their inhabitants from fully associating and trading with each other, socially and economically. However, nothing herein shall be construed to allow local rights-of-way, utility easements, railroad rights-of-way, or like entities to be annexed in a corridor fashion to gain contiguity; and when any provision or provisions of special law or laws prohibit the annexation of territory that is separated from the annexing municipality by a body of water or watercourse, then that law shall prevent annexation under this act.”

**Compactness** “means concentration of a piece of property in a single area and precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns. Any annexation proceeding in any county in the state shall be designed in such a manner as to ensure that the area will be reasonably compact.”

**Enclave** “means: (a) Any unincorporated improved or developed area that is enclosed within and bounded on all sides by a single municipality; or (b) Any unincorporated improved or developed area that is enclosed within and bounded by a single municipality and a natural or manmade obstacle that allows the passage of vehicular traffic to that unincorporated area only through the municipality.”

**B. Types of Annexations by Part I** – There are four different types of annexations provided by Part I of Chapter 171 listed below:

**Voluntary Annexation:** Voluntary annexations occur when a property owner petitions an adjacent municipality to be annexed. The voluntary annexation must be contiguous, reasonably compact and must not create enclaves. To complete a voluntary annexation, a municipality must adopt the annexation by ordinance. The municipality is required to first review the ordinance at a public

hearing (first reading) and then hold a separate public hearing (second reading) for the purpose of adopting the ordinance.

**Referendum/Involuntary:** Involuntary annexations occur when a municipality seeks to annex an area by passing an ordinance that schedules a referendum, or obtains consent from more than 50 percent of the property owners on land covering more than 50 percent of the total land area (in areas where there are no registered electors). In addition to the annexation being contiguous and reasonably compact, it must not be in the boundaries of another municipality, and part or all of the area must be developed for urban purposes. Prior to initiating an involuntary annexation, a municipality must file an urban services report with the Board of County Commissioners. The report is required to contain plans for providing urban services as well as setting forth the method of financing improvements.

**Interlocal (Enclave) Annexation:** Enclaves, as defined by state statute, can result in problems related to service delivery. Part I of Chapter 171 allows for the annexation of enclaves less than 10 acres in size provided the area is developed or improved. Annexation can be accomplished either by an interlocal agreement between the municipality and county or by referendum in areas with less than 25 registered voters. To annex an area by referendum, 60 percent of the voters residing in the enclave must approve the annexation.

**Legislative Annexation:** In addition to the types of annexation addressed under Chapter 171, annexation can also be initiated by legislative act. For this type of annexation, the subject municipality requests that a member of the County legislative delegation sponsor a special act to enlarge its legal boundaries.

**C. Interlocal Service Boundary Agreements** – Part II of Chapter 171 is an alternative to part I regarding the annexation of territory into a municipality. This section establishes the Interlocal Service Boundary Agreement (ISBA) process as a flexible, joint planning option for counties and municipalities to cooperatively adjust municipal boundaries while planning for service delivery and land use changes. The municipality and county can identify lands that are logical candidates for future annexations; the appropriate land uses and infrastructure needs; the provider for such lands; to agree on certain procedures for the timely review and processing of annexations within those areas; to provide alternate annexation methodologies.

The ISBA provides a process for counties and municipalities to negotiate in good faith to enter into agreement to:

1. Identify municipal and unincorporated service areas;
2. Resolve which government is responsible for providing services; and
3. Establish processes for annexation and land use decisions.

**D. Assessment of Chapter 171, F.S.** – Chapter 171 provides definitions and legislative standards that assist in assessing an annexation proposed by a municipality. The statute encourages logical annexations which are contiguous, reasonably compact, and efficient in terms of service delivery. An amendment to Chapter 171 in 1993 created a mechanism to assist in the reduction of small enclaves by allowing enclaves of less than 10 acres to be annexed through interlocal agreement. Additionally, an amendment to Chapter 171 in 2006 created a mechanism to assist local governments in coordinating future land use, public facilities and services, and protection of natural resources in advance of annexation.

## APPENDIX B – Comprehensive Plan Adopted Annexation Policies

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### Intergovernmental Coordination Element OBJECTIVE 1.4: Annexation

Palm Beach County shall adopt policies and implementation strategies that support municipal efforts to secure boundary changes and that maintain cost-effective service delivery, assist in the elimination of enclaves, pockets, and finger-like areas and ensure consistency between municipal and county land use.

**Policy 1.4-a:** Palm Beach County shall support and encourage rational and logical annexation conducted in accordance with Chapter 171, F.S., and which maintains or enhances plan consistency and service delivery.

**Policy 1.4-b:** The County shall work to reach general agreement on ultimate municipal boundaries, to the maximum extent possible through, the Palm Beach County Intergovernmental Coordination Program, County Commissioner District meetings with municipalities and direct staff contact with municipal agencies.

**Policy 1.4-c:** The County shall work with municipalities to determine areas to be considered for annexation over the next five to ten years. These probable annexation areas or spheres of influence will be based on municipal service delivery areas and adopted future land use policies and municipal annexation plans or programs. The probable annexation areas will be used by the County for municipal notification and comment of development actions and review processes.

**Policy 1.4-d:** The County shall pursue interlocal agreements with municipalities that have identified future land use designations for adjacent unincorporated area. These agreements would establish Joint Planning Areas, pursuant to Chapter 163.3171, F.S. The County shall encourage joint planning agreements that include as many of the following planning considerations as are applicable. Additional items could be addressed at the concurrence of both parties.

- Cooperative planning and review of land development activities within areas covered by the agreement;
- Specification of service delivery transition or continuation;
- Elimination of enclaves, pockets or finger-like areas and incorporation of undesirable areas as well as desirable areas;
- Funding and cost sharing issues within Joint Planning Areas; and
- Enforcement/implementation.

**Policy 1.4-e:** The County's Engineering Department and Planning Division shall continue to use the Annexation Incentive Program to encourage annexation of service delivery enclaves. The Incentive Program requires active participation from municipalities and residents within those annexation areas. The incentive program will make use of Municipal Service Taxing Unit (MSTU) funds to improve infrastructure in unincorporated enclave areas, which are not within the Palm Beach County Water Utilities Department Service Area.

**Policy 1.4-f:** *deleted in Round 00-1*

**Policy 1.4-g:** The County shall work with the League of Cities, the Association of Counties and the Palm Beach Legislative Delegation to develop and support state legislation to resolve annexation

issues and shall work with the Municipal League to develop charter amendments to resolve annexation problems.

**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.

**Policy 1.4-j:** The County shall implement annexation review procedures for evaluating the consistency of proposed municipal annexations with Chapter 171 F.S., the County's Comprehensive Plan and for determination of service delivery impacts on annexed areas. The annexation review procedures shall address the following:

1. Inter-agency coordination;
2. Impact on service delivery;
3. Consistency with Chapter 171, F.S.;
4. Interlocal agreements for service delivery;
5. Consistency of future land use designations;
6. Facilitation/mediation of inter-jurisdictional conflicts resulting from annexation.

**Policy 1.4-k:** The County shall monitor implementation of each annexation policy and amend Comprehensive Plan annexation provisions when appropriate to insure that the policy directives are consistent with the needs of the County. The County's Planning Division will monitor annexation policy directives by:

1. Maintaining a monthly log of municipal annexations; and
2. Preparing a yearly evaluation report concerning annexation activity and impact on County land use for the Board of County Commissioners, the Municipal League and all municipalities.

**Policy 1.4-l:** The County will work with an annexing municipality to resolve issues related to any statutory deficiencies, or conflicts with the County's plan prior to the adoption hearing. If issues are unresolved, the County shall make use of conflict resolution measures identified under ICE (Intergovernmental Coordination Element) Objective 3.1, if the municipality withholds annexation to attempt agreeable resolution. If a municipality adopts an annexation that violates Chapter 171 F.S. and materially affects Palm Beach County, the Board of County Commissioners will determine whether to appeal the annexation pursuant to 171.081, F.S.

**Policy 1.4-m:** The County shall encourage the annexation of neighborhoods in the Revitalization and Redevelopment Overlay through the use of incentives. The Planning Division shall work in partnership with the municipalities to investigate and develop incentives which include, but are not limited to, collaborative code enforcement efforts, economic development, community outreach assistance and/or neighborhood revitalization and redevelopment programs.

## APPENDIX C – Annexation Review Process

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The Planning Division coordinates the Annexation Review Program. Proposed annexations are reviewed for consistency with Chapter 171, F.S., and the County's Comprehensive Plan to identify potential problems that could result from an annexation. This program is not a State requirement, but has been put into place to ensure:

- Smooth transition or transfer of land areas from County jurisdiction to the annexing municipality;
- Efficient service delivery; and
- Preempt or resolve potential legal disputes.

### A. The Process

The steps in the annexation review process are outlined below.

**Notification of Annexation:** The municipality is required to submit to the County the signed petition within 10 days of the municipality's receipt of a voluntary annexation. Subsequently, an additional notification must be made within 10 days prior to the publishing the legal notice. This notification must be sent to the County Administrator and the County Planning Director via certified mail.

**Notification to Commissioner:** Planning staff notifies the appropriate District Commissioner of the proposed annexation.

**Annexation Review:** Planning staff coordinates the review of proposed annexations with various County departments to determine whether the annexation meets statutory guidelines, and to ensure that the annexation will not negatively impact County services. In order to facilitate review, a summary description and map of the proposed annexation are placed on the County's web page (<http://www.pbcgov.com/pzb>). The following County departments participate in the review process:

- County Attorney
- Engineering
- Fire Rescue
- Sheriff's Office
- Environmental Resources Management
- Financial Management and Budget
- Parks and Recreation
- Water Utilities
- Zoning
- Redevelopment Section of Planning Division

**Comments Forwarded to Municipality:** After the comments are received from the reviewing agencies, a letter is forwarded to the municipality outlining any issues identified by the County. If an annexation creates an impact on County plans or services, County staff requests that the municipality address the impacts prior to completing the annexation or enter into an agreement with the County to resolve the issue.

**Identification of Significant Issues:** If there are significant issues to be resolved, and time allows it, staff brings the matter forward to the Board of County Commissioners (BCC) for direction and identification of an appropriate course of action. When time does not permit this step, staff brings the item to the BCC at the earliest opportunity.

**Objection to an Annexation:** If the BCC determines that an objection to the annexation is warranted, staff notifies the municipality in writing prior to the second reading of the ordinance and at the municipal public hearing. Staff will also meet with its municipal counterparts in an attempt to address the identified issue.

**Annexation and Land Use Change Monitoring:** Staff monitors the status of the annexation through the adoption process, as well as tracks the subsequent land use and zoning changes. The BCC has directed County staff to object to all land use changes that propose to increase the intensity of the property beyond the 2020 capacity of the transportation network (with or without a related annexation).

**Adoption of Annexation:** After the annexation is adopted, the ordinance is added to the Planning Division webpage for access by other County departments and the County's Future Land Use Atlas and Zoning Quad Maps are revised appropriately.

## **B. Chapter 171 Consistency**

In the event that a proposed annexation is not consistent with the provisions of Chapter 171, but the municipality approves the annexation, the County has 30 days in which to file a lawsuit appealing the action. The County can initiate legal action when an annexation clearly violates the requirements of state law and all efforts to resolve County concerns have been exhausted. The County has pursued legal action in three instances. In two of those cases, the courts rendered a decision in favor of the County. In the other instance, the municipality amended the annexation boundaries to address the concerns of the County, thus settling the lawsuit. These cases are summarized below:

- Norfolk, Shorewood, and Hartman Annexations - These annexations by the Town of Jupiter posed contiguity problems (point to point annexation). The County argued that the annexations were not substantially contiguous. The Court agreed with the County and nullified all three annexations.
- MacArthur Foundation Annexation - An annexation by the Town of Juno Beach created a large enclave resulting in service delivery problems. The County appealed the annexation based on the compactness requirement and prohibition against the creation of an enclave through a voluntary annexation. The Court ruled in favor of the County and invalidated the annexation. After litigation, the Town amended the annexation boundaries to include the enclave, and pursued the County's annexation incentive program to address the service delivery problems.
- Briger Annexation - A proposed voluntary annexation by the City of Palm Beach Gardens resulted in the creation of a new enclave. After the County filed suit, the City amended the boundaries of the area to be annexed, and initiated an involuntary annexation (referendum) for the entire unincorporated area, which settled the suit.

## APPENDIX D – Adopted Annexations Summary Fiscal Year 2013

<i>Municipality</i>	<i>AnnexID</i>	<i>Common Name</i>	<i>Acres</i>	<i>Ord. No.</i>	<i>Adoption</i>	<i>District</i>	<i>Type</i>
<i>Belle Glade</i>							
<b>1</b>	2012-04-002	Frank P Cote	0.13	12-06	1/7/2013	6	Voluntary
<i>Jupiter</i>							
<b>2</b>	2013-30-001	Island Way Holdings	5.04	25-13	6/18/2013	1	Voluntary
<b>3</b>	2012-30-002	Chasewood Plaza	0.12	34-12	12/4/2012	1	Voluntary
<i>Lake Worth</i>							
<b>4</b>	2012-38-002	Boutwell & Tenth S W Corner	1.14	2013-17	3/19/2013	3	Voluntary
<i>Palm Beach Gardens</i>							
<b>5</b>	2013-52-001	Shell Service Station Adopted	0.41	19-1967	8/14/1967	1	Voluntary
<i>Palm Springs</i>							
<b>6</b>	2012-70-001	Right-of-Way Segments	0.00	R2012-1201	9/11/2012	3	Voluntary
<b>7</b>	2012-70-012	Kirk Rd #3816	0.26	2012-22	10/11/2012	3	Voluntary
<b>8</b>	2012-70-013	Miller Rd R-O-W Buffer	0.17	R2012-1856	12/4/2012	3	Interlocal
<b>9</b>	2012-70-014	Kirk Rd #3522	0.50	2012-27	10/25/2012	3	Voluntary
<b>10</b>	2013-70-001	Military Trl #2838	0.96	2013-13	4/11/2013	3	Voluntary
<b>11</b>	2013-70-002	Second Ave #2862	1.04	2013-19	7/25/2013	3	Voluntary
<b>12</b>	2013-70-004	Military Trl #1616	0.31	2013-21	8/8/2013	2	Voluntary
<b>13</b>	2013-70-005	Lake Worth Rd 4111	0.57	2013-28	9/26/2013	3	Voluntary
<b>14</b>	2013-70-006	Lake Worth Rd 4020	2.30	2013-29	9/26/2013	3	Voluntary
<i>Tequesta</i>							
<b>15</b>	2013-60-001	US Highway Voluntary Involunt	0.73	15-12	11/8/2012	1	Other

## APPENDIX E – Failed or Withdrawn Annexations Summary Year 2013

<i>Municipality</i>	<i>AnnexID</i>	<i>Name</i>	<i>Acres</i>	<i>Status</i>	<i>District</i>	<i>Type</i>
<i>Greenacres</i>						
	2007-18-004	Greenlight Plaza	3.28	Withdrawn	2	Voluntary
	2007-18-005	Finkle Transportation	3.17	Withdrawn	2	Voluntary
	2007-18-006	The Boat Connection	3.94	Withdrawn	2	Voluntary
	2008-18-002	Avalon Property	10.25	Withdrawn	3	Voluntary
<i>Tequesta</i>						
	2013-60-002	Riverside Dr Area C Referendum	28.99	Failed	1	Referendum
	2013-60-003	Sandpointe Bay Referendum	7.49	Failed	1	Referendum

## **APPENDIX F – Maps Fiscal Year 2013**