

	DEVELOPMENT & NEIGHBORHOOD SERVICES STAFF REPORT AND RECOMMENDATION
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Subject/Agenda Item:
Ordinance 2023-21: ANX-23-03, 4901 and 4977 S. 56th Terrace City-Owned Parcels and LWDD Voluntary Annexation

A voluntary annexation of three (3) parcels of unincorporated Palm Beach County, including two (2) city-owned parcels adjacent to the existing city hall and a Lake Worth Drainage maintenance parcel of land totaling approximately 12.8627 acres to reduce an existing enclave. Please see "Exhibit A" for location map.

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- Recommendation to APPROVE
 Recommendation to DENY
-
- Quasi-Judicial
 Legislative
 Public Hearing
-

<p>Originating Department: Planning & Engineering</p> <p>Project Manager</p> <p>_____</p> <p>Gionni Gallier, Senior Planner</p>	<p>Reviewed By:</p> <p>Director of Development & Neighborhood Services (DNS)</p> <p>_____</p> <p>Denise Malone, AICP, Director DNS</p>
<p>Approved By:</p> <p>City Manager</p> <p>_____</p> <p>Andrea McCue</p>	<p>Public Notice: <input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required Date: 12/28/23 Paper: Lake Worth Herald</p> <p>Mailing <input type="checkbox"/> Required <input checked="" type="checkbox"/> Not Required Notice Distance: 300'</p>
<p>Attachments:</p> <ul style="list-style-type: none"> Ordinance 2023-21 Annexation Information Sheets Location Maps 	<p>City Council Action:</p> <p><input type="checkbox"/> Approval <input type="checkbox"/> Approve with conditions <input type="checkbox"/> Denial <input type="checkbox"/> Continued to: _____</p>

I. Executive Summary

The proposed annexation involves multiple parcels, totaling approximately 12.8627 acres, located within unincorporated Palm Beach County and identified within the City's Future Annexation Area. These parcels are part of an existing Palm Beach County enclave adjacent to the City's boundaries and consequently, the proposed annexation will reduce the size of an existing enclave. The City purchased two (2) of the properties on November 18, 2022, which are directly adjacent to City Hall and will allow for the expansion of the existing site in the future to address future demands of the City. The City contacted the Lake Worth Drainage District (LWDD) who gave consent to voluntarily annex their adjacent Right of Way which is adjacent to the City's property and extends east along the canal 14 right-of-way to Haverhill Road.

The applicants are proposing a voluntary annexation as provided for in Section 171.044, Florida Statutes. This annexation proposal was advertised in the Lake Worth Herald on December 28, 2023. Additionally, the proposal was submitted to the County Administrator and to County Planning staff on December 29, 2023 via certified return receipt. To date, Staff has not received any objections to the request.

II. Site Data:

Property Information:	See Exhibit A
Size:	12.8627 total acres

III. Annexation/Zoning History:

This collection of properties, currently part of unincorporated Palm Beach County, encompasses multiple parcels totaling 12.8627 acres. These parcels include both developed lands, featuring single-family homes, and a parcel owned and utilized by LWDD to maintain their adjacent Canal 14. They are all situated within the designated Future Annexation Area of the City, forming part of several Palm Beach County enclaves adjacent to the City's limits.

The first City-owned parcel, located at 4901 South 56th Terrace, is developed with a 4,356 square foot single family home including a 936 square foot detached garage. The second parcel, located at 4977 South 56th Terrace, is developed with a 3,329 square foot single-family home with a 725 square foot detached garage. The parcels are accessed via a access easement across the rear properties of three single-family lots located on Misty Pines Trail in unincorporated PBC. The two (2) properties are directly adjacent to the existing Greenacres City Hall. The adjacent parcel to the south, owned by LWDD, is clear of any development so that it can be utilized by LWDD to maintain their Canal 14 right-of-way.

The parcels have a Palm Beach County (PBC) Land Use designation of LR-1, Low Residential, 1 unit per acre and a Palm Beach County Zoning designation of Agricultural (AR). Future planning applications for these parcels, including comprehensive plan amendments, zoning changes, and site and development plans, will be considered and processed following the successful annexation into the City. The proposed annexation of these parcels is a voluntary action by the applicants, in compliance with Section 171.044, Florida Statutes.

IV. Applicable Comprehensive Plan Provisions:

Annexation Element:

Objective 1, page ANX 19--	Addresses efficiency, concurrency and levels of service (LOS).
Objective 1, Policy c), page ANX 19--	Prohibits creating enclaves, or pocket areas which are not reasonably compact.
Objective 2, page ANX 19--	Encourages orderly annexation in the future annexation boundaries through coordination with adjacent municipalities and Palm Beach County.
Objective 4, page ANX 20--	Supports annexations which are deemed necessary to promote the orderly growth of the City and will not adversely impact the City's ability to fulfill other plans.
Objective 4, Policy a), page ANX 20--	Outlines six guidelines for annexations.

The proposed voluntary annexation is consistent with the Comprehensive Plan and the City's mapped Future Annexation Area.

V. Applicable City Code and Statutory Provisions:

Article III, Section 10 of the City Charter relating to annexation.
Sec. 16-8 of the City Code relating to zoning of annexed areas.
Chapter 171, Florida Statutes relating to voluntary annexation.

The proposed voluntary annexations are consistent with the City Code of Ordinances, comply with the Florida Statutes, and the City's procedures for annexation have been met.

VI. Staff Analysis:

Development Review Committee Comments:

The petition was informally reviewed by the Development Review Committee (DRC).

Planning and Engineering:	Incorporated into report
Building:	No objections
Public Works:	No objections
Fire Rescue:	No objections
PBSO District #16:	No objections

Background:

A voluntary annexation of two City owned parcels of land totaling 8.69 acres and an annexation of an adjoining Lake Worth Drainage District (LWDD) parcel totaling 4.1727 acres to further reduce the size of the current enclave. The three (3) parcels are 12.86 acres in total. The City purchased the two (2) properties on November 18, 2022, in order to be able to address the future service demands of the city. The properties will require site and development plan approval to develop in the future, which would address impacts on adjacent roadways and properties prior to approval. The LWDD parcel is currently clear of any development and it utilized to access and provide maintenance to the adjacent Canal 14 drainage right-of-way.

Annexation Findings of Fact:

The proposed annexation is consistent with the Goals, Objectives and Policies of the City's Comprehensive Plan. The parcel is contiguous to the City and is within the boundaries of the Future Annexation Area in the Annexation Element of the Comprehensive Plan. Please see attached Annexation Feasibility Study and Urban Services Report Chapter §171.042, F.S. for additional information.

In addition, the following six guidelines, as specified in Objective 4(a) on page 20 and 21 of the Annexation Element within the Comprehensive Plan, must be addressed. The guidelines apply to both City-initiated and voluntary annexations.

Specific Criteria Findings:

In all annexation requests, the City shall be guided by the following:

- (1) The area in question must meet statutory requirements pertaining to contiguity, compactness and irregular shape.**

Findings: The annexations are consistent with the provisions in Chapter 171, F.S., Specifically the subject properties are not irregular in shape, reasonably compact, and immediately contiguous to the City's municipal boundaries. The subject areas are located within an existing enclave, thus the proposed annexations will reduce the size of the existing enclave.

- (2) The petitioned area must have "a unity of interests with the City" and be "a logical extension" of the City's boundaries.**

Findings: The subject property has "a unity of interests with the City" and is "a logical extension" of the City of Greenacres' boundaries. The property is identified as part of the Future Annexation Area in the City's Comprehensive Plan. The sites are also an infill location contiguous to the City's boundary within an existing unincorporated pocket. The annexation of the parcels is a logical extension of the city limits and provides for the extension of the City's boundaries toward future annexation of the pocket area.

The development is compatible and consistent with other development in the City that desires the local support services such as recreation, parks, and local City Hall services. The interests of the existing and proposed community are congruent to the City's.

(3) The area shall have a growth potential sufficient to warrant the extension of services.

Findings: The area has a growth potential sufficient to warrant the extension of services. Development and redevelopment activity is taking place in the immediate vicinity and adjacent properties within the City are already receiving City services. Since the property is owned by the city, it will be utilized to meet the demands to meet all required level of service to the city residents.

(4) The deficit of income against expense to the City shall not be unreasonable.

Findings: The annexation of the subject property will not create an unreasonable expense or burden upon the City of Greenacres. Since the subject property is contiguous to developed parcels already in the City, and it is located in an existing unincorporated pocket, its annexation will not adversely affect the City's overall level of service, nor will it substantially increase costs to the City to warrant the annexation unreasonable.

(5) The advantages both to the City of Greenacres and to the petitioned area must outweigh the disadvantages.

Findings: The advantages to both the City of Greenacres and the proposed annexation area outweigh any potential disadvantages. The City will benefit by annexing land that is currently identified in the future annexation area and implementing goals, objectives and policies of the Annexation Element of the Comprehensive Plan to eliminate pocket areas. Further, the annexation of the subject property will allow the City to improve the identity of the area as being part of Greenacres and improve service delivery efficiency between the City and Palm Beach County.

(6) The City of Greenacres must be willing and able to provide City services as well as ensure that services provided by Palm Beach County are furnished to the newly annexed area within a reasonable time.

Findings: The City of Greenacres will be able to provide any required City services to the subject property without degrading any established levels of service, since the City is already providing governmental services to other developments in the immediate area of the subject parcels. Through zoning changes and site plan approval processes, any new development proposed for the properties must demonstrate that services can be provided at the established Level of Service.

Summary of Annexation Criteria:

The voluntary annexations meet all the guidelines specified in the City's Comprehensive Plan and Chapter 171 of the Florida Statutes for the annexation of property. It is a logical extension of the City's boundaries in locations identified as part of the City's future annexation area and will eliminate an existing enclave area.

VII. Staff Recommendation:

Approval of ANX-23-03 through the adoption of Ordinance 2023-21.

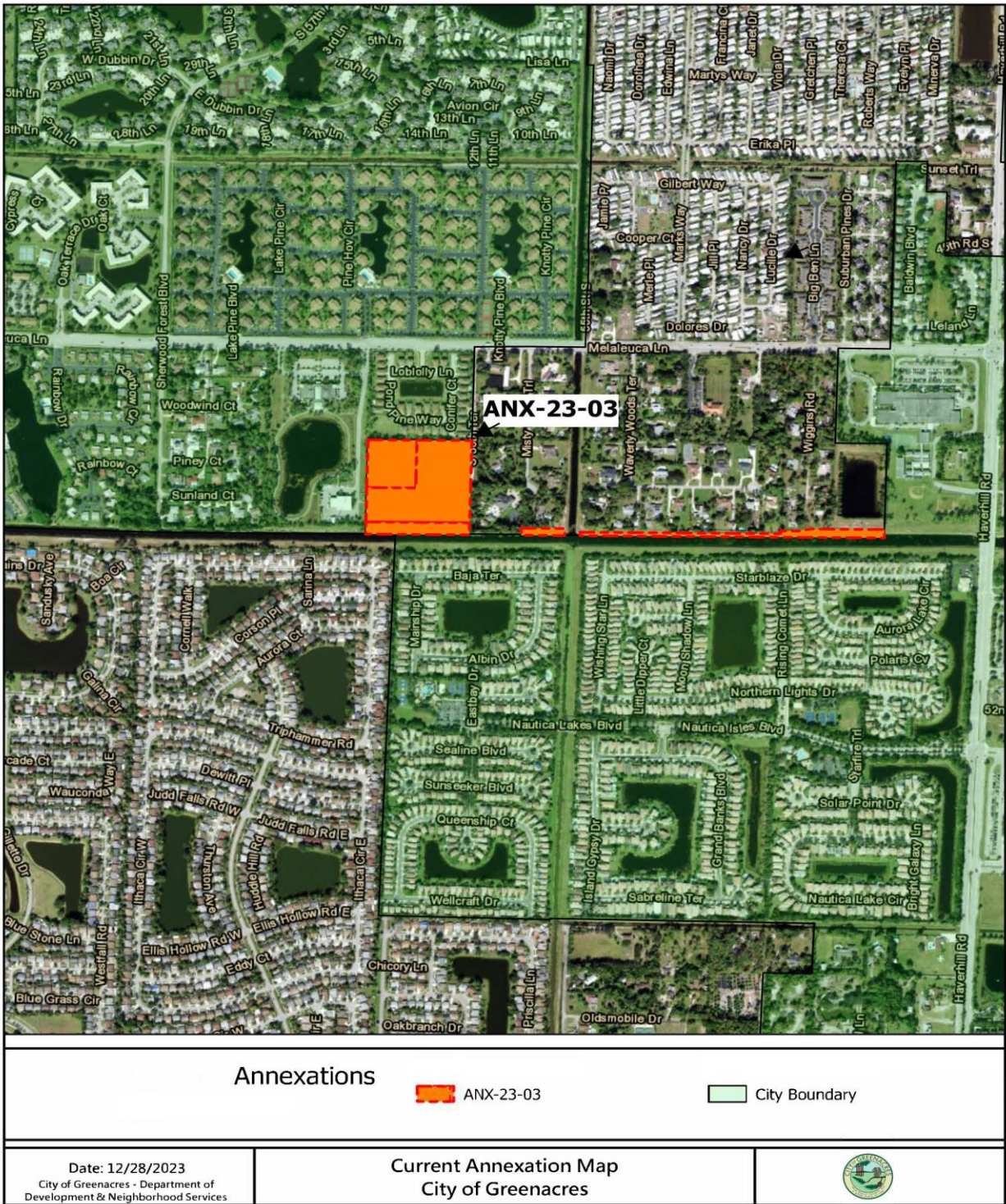
**PLANNING AND ZONING BOARD OF APPEALS
RECOMMENDATION – January 11, 2024**

The Planning Commission on a motion made by Commissioner Edmundson and seconded by Commissioner Fitzgerald, voting four (4) to one (1) with Commissioner Hayes dissenting, ***recommended approval*** of Annexation ***ANX-23-03*** (*4901 and 4977 S. 56th Terr/LWDD*), as presented by staff.

CITY COUNCIL ACTION 1st Reading – February 5, 2024

CITY COUNCIL ACTION Adoption Hearing –

Exhibit A (Voluntary Annexation Map and Information Sheet)



**Palm Beach County
Annexation Information Sheet**

Please submit the following information regarding each proposed annexation:

Annexation Name	ANX-23-03 City-owned Parcels (4901 & 4977 S 56th Terrace, LWDD Canal)
Annexation Type	Voluntary
Acres	12.8627 acres
Location	4901 & 4977 S 56th Terrace, south of Melaleuca Lane and adjacent LWDD canal right-of-way
Existing Use	Single-family, drainage easement
Proposed Use	Government Use
County Future Land Use	PBC LR-1 Low Residential, 1 Unit per Acre
County Zoning	PBC Agricultural Residential (AR)
City Future Land Use	Public Institution (PI)
City Zoning	Government Use (GU)
First Reading (if known)	February 5, 2024
Second Reading (if known)	March 4, 2024
Ordinance Num. (if known)	Ordinance 2023-21
Location Map	(Please Attach)
Parcel Control Numbers	00-42-44-26-00-000-7040 00-42-44-26-00-000-7100 00-42-44-26-00-000-5420