

# Annexation Petition Summary



<b>Municipality</b>	<b>Greenacres</b>	<b>Fiscal Year</b> 2023
<b>Annexation Name</b>	<b>Lake Worth Plaza West Outparcels Enclave</b>	<b>Status</b> Adopted
<b>Annexation ID</b>	2023-18-001	
<b>Acres</b>	7.96	
<b>Location</b>	Southeast corner of Lake Worth Rd & S Jog Rd, 4180 S Jog Rd	

<b>First Reading</b>	11/7/2022	<b>Second Reading</b> 12/20/2022
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<b>Type</b>	Interlocal	<b>Auto Id Number</b> 1133
<b>Intake Date</b>	10/20/2022	<b>Petition Number</b>
<b>Existing Use</b>	Commercial - Retails, Banks, Gas station	
<b>County FLU</b>	Commercial High with underlying LR1&MR5(CH/1,CH-5)	
<b>County Zoning</b>	Commercial General (CG)	
<b>Proposed Use</b>	Commercial	
<b>Proposed FLU</b>	Commercial (CM)	
<b>Proposed Zoning</b>	Commercial Intensive (CI)	
<b>Commissioner</b>	Dave Kerner	<b>District</b> 3
<b>Adoption Date</b>	1/20/2023	<b>Completed?</b> <input type="checkbox"/>
<b>Ordinance Number</b>	R2022-1532	<b>Objections?</b> <input type="checkbox"/>

00424422000005250

00424427000001290

00424427000001330

00424427000001360

00424427330010000

00424427340010000

## Comments

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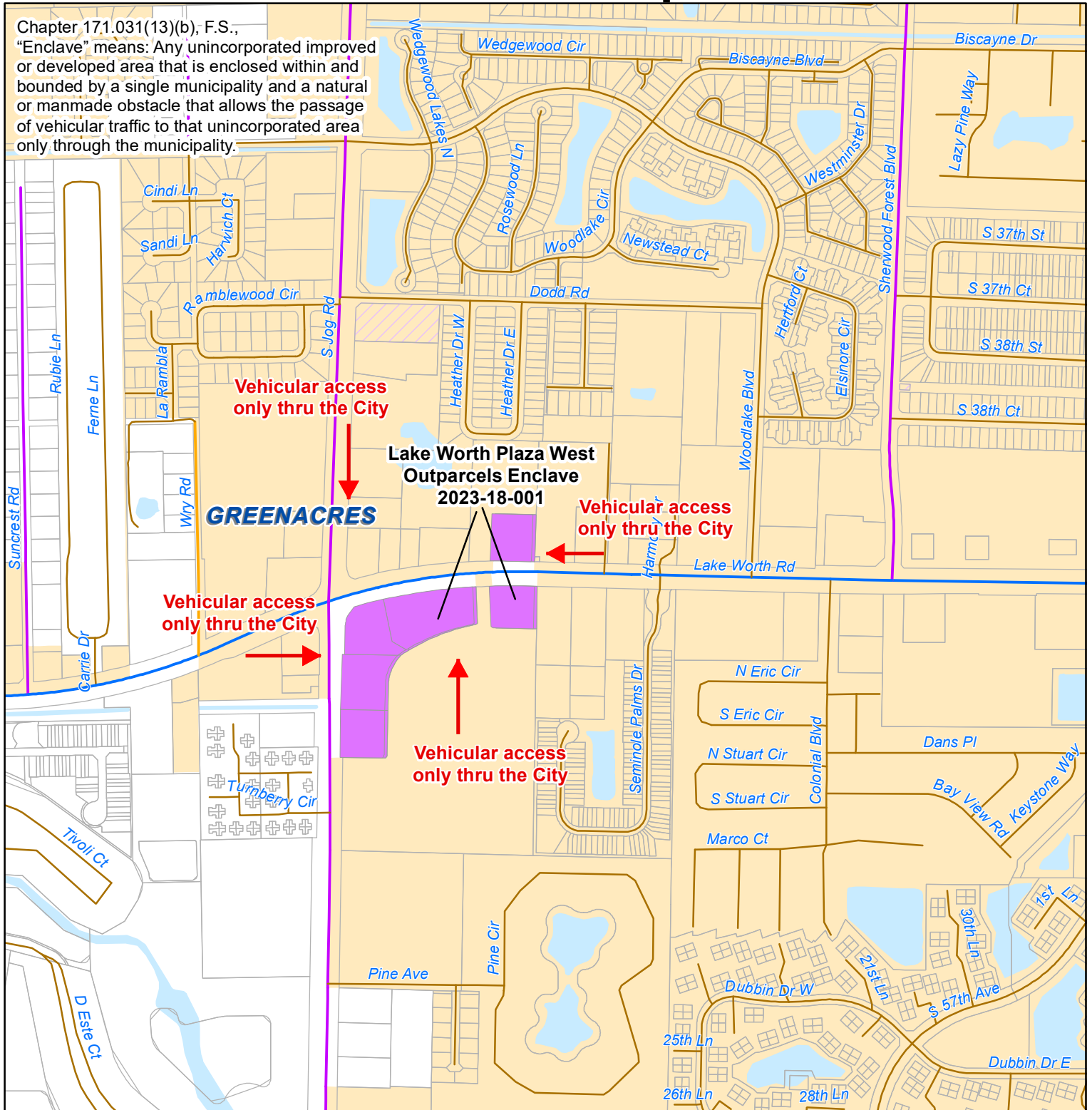
City Council Hearing: 11/7/2022 - Res. 2022-60

BCC Hearing: 12/20/2022

This annexation was processed within the guidelines of the ISBA adopted on August 15, 2022.

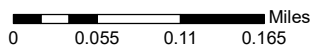
# Location Map

Chapter 171.031(13)(b), F.S.,  
 "Enclave" means: 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.



Updated: 10/25/2022  
 Contact: Nicole Delsoin  
 Filename: N:\DivProj\Annex\FY2023

Note: Map is not official, for informational purposes only  
 Source: ROW Maintenance Data PBC Engineering  
 Dept 2015 GISPROD SDE GEODATA.CENTERLINE\_LN



**Planning, Zoning  
 & Building**

2300 N. Jog Rd.  
 West Palm Beach, FL 33411  
 Phone (561) 233-5300



PALM BEACH COUNTY *MEM*  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

Meeting Date: 12/20/2022      ☒ Consent      ☐ Regular  
    ☐ Workshop      ☐ Public Hearing

**Department:** Planning, Zoning & Building Department

**Submitted By: Planning Division**

**Submitted For: Planning Division**

## I. EXECUTIVE BRIEF

**Motion and Title: Staff recommends motion to approve:** An Interlocal Agreement (ILA) with the City of Greenacres providing for the annexation of an enclave, known as the Lake Worth Plaza West Outparcels Enclave, generally located on the southeast corner of Lake Worth Road and South Jog Road, and providing for consent to the voluntary annexation of the unincorporated County-owned parcel, located at 6297 Lake Worth Road.

**Summary:** The City of Greenacres (City) adopted an interlocal agreement on November 7, 2022, for the annexation of an enclave consisting of six parcels totaling 7.96 acres, identified in Exhibit A of the Interlocal Agreement. This enclave is within the Municipal Service Area as defined by the Interlocal Service Boundary Agreement (ISBA) adopted by the City of Greenacres and the Board of County Commissioners on September 13, 2022. Per Chapter 171, Part II, F.S, the ISBA establishes the planning, service delivery, and boundary adjustments and identified the Municipal Service Area. The proposed annexation was processed per the terms of the ISBA, and an agreement with County Fire Rescue to coordinate the transition of fire rescue services. In addition, the agreement will provide consent to the voluntary annexation of a 0.01-acre county-owned parcel, located at 6297 Lake Worth Road as identified in Exhibit B. Palm Beach County does not transfer ownership rights of the County-owned parcel but rather consents to the property being annexed into, and included within, the municipal boundary of the City of Greenacres. The proposed annexation was processed through the County's reviewing departments, including Fire Rescue; Engineering; Planning, Zoning & Building; Environmental Resources Management; Parks and Recreation; Water Utilities; County Attorney; Property and Real Estate Management; Sheriff's Office; and the Office of Financial Management and Budget. The City provided written notice to all owners of real property located within the enclave. The proposed annexation meets the requirements of Chapter 171, F.S., as well as the requirements of the adopted ISBA, and is consistent with the Intergovernmental Coordination Element of the County's Comprehensive Plan. District 3 (DL)

**Background and Justification:** Chapter 171, Florida Statutes (F.S.), allows for annexation of enclaves less than 110 acres through an Interlocal Agreement between the annexing municipality and the County. This annexation meets the requirements of Chapter 171.046, F.S., for annexation by Interlocal Agreement, as it is less than 110 acres in size, and is developed properties. The annexation meets the definition of enclave as it is an unincorporated improved or developed area that is enclosed within and bounded by a single municipality and a natural or man-made obstacle that allows the passage of vehicular traffic to that unincorporated area only through the municipality. By Resolution No. 2022-60 adopted on November 7, 2022, the City has petitioned the County to enter into an interlocal agreement for the annexation of the enclave and a 0.01-acre County-owned parcel. The proposed annexation is consistent with the Intergovernmental Coordination Element, Objective 1.4, of the County's Comprehensive Plan, which encourages the elimination of enclaves. The proposed annexation is located within the City's Future Annexation Area.

**Attachments:** 1. City of Greenacres Resolution 2022-60  
2. Interlocal Agreement with Exhibits

Recommended By: [Signature] 11/23/2022  
Department Director Date

Approved By: Tae 12/14/22  
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS


A. Five Year Summary of Fiscal Impact:

Fiscal Years	2023	2024	2025	2026	2027
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income(County)					
In-Kind Match(County					
NET FISCAL IMPACT	* \$0	\$0	\$0	\$0	
#ADDITIONAL FTE					
POSITIONS (CUMULATIVE					

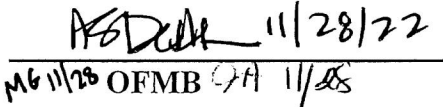
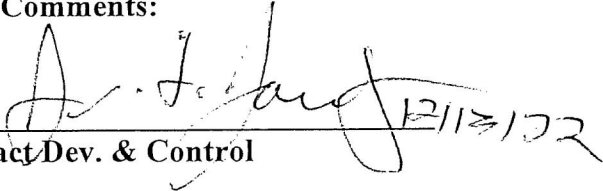
Is Item Included in Current Budget? Yes X No  
Does this item include the use of federal funds? Yes No X


Budget Account No:  
Fund                      Dept                      Unit

B. Recommended Sources of Funds/Summary of Fiscal Impact:  
\*There is no fiscal impact with annexation. Fire rescue will continue to service these areas.

C. Departmental Fiscal Review:  


III. REVIEW COMMENTS:

A. OFMB Fiscal and/or Contract Dev. and Control Comments:  
 11/28/22  
11/28 OFMB CH 11/28  
 12/13/22  
Contract Dev. & Control

B. Legal Sufficiency  
  
Assistant County Attorney

C. Other Department Review  
  
\_\_\_\_\_  
Department Director

**RESOLUTION NO. 2022-60**

**A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF GREENACRES AND PALM BEACH COUNTY, PURSUANT TO CHAPTER 171.046, FLORIDA STATUTES, PROVIDING FOR THE ANNEXATION OF A PORTION OF AN ENCLAVE TOTALING APPROXIMATELY 7.9636 ACRES LOCATED AT 4148 S JOG ROAD, 4080 S JOG ROAD, 4020 S JOG ROAD, 6492 LAKE WORTH ROAD, 6350 LAKE WORTH ROAD, AND 6323 LAKE WORTH ROAD; PROVIDING FOR TRANSMITTAL TO THE PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS FOR SUBSEQUENT ACTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 171.046, Florida Statutes, provides for annexation of certain enclaves into a municipality by entering into an Interlocal Agreement between the Municipality and the County having jurisdiction over such enclaves; and

**WHEREAS**, Chapter 171.046, Florida Statutes, limits annexation by Interlocal Agreement to enclaves of one hundred and ten (110) acres or less in size; and

**WHEREAS**, Chapter 171.031(13)(a) and (b), Florida Statutes, defines enclaves as developed or improved property enclosed within and bounded on all sides by a single municipality, or enclosed within and bounded by a single municipality and a natural or manmade obstacle that allows passage of vehicular traffic to that unincorporated area only through the municipality; and

**WHEREAS**, it has been determined that the parcels to be annexed via this Interlocal Agreement meet the requirements set out in Sections 171.031(13)(a) and (b) and 171.046, Florida Statutes, as such enclave is developed or is improved, is one hundred and ten (110) acres or less in size, and is completely surrounded by the City or is surrounded by the City and a natural or manmade obstacle that allows passage of vehicular traffic to the enclave only through the City; and

**WHEREAS**, the City has determined that it is appropriate and will promote efficient provision of governmental services for the City to annex certain enclaves; and

**WHEREAS**, the City entered into an Interlocal Service Boundary Agreement (ISBA) adopted by the City of Greenacres on August 15, 2022 by City Ordinance 2022-01, and by the County on September 13, 2022, by Ordinance 2022-025; and

**WHEREAS**, it has been determined by the City and by the County that the parcels to be annexed via this interlocal Agreement meet the requirements set out in Section 171.031 (a) and (b) and 171.046, Florida Statutes (2022), as such enclaves are developed or are improved, are 110 acres or less in size, and are completely surrounded by the City or are surrounded by the City and a natural or manmade obstacle that allows passage of vehicular traffic to the enclaves only through the City; and

**WHEREAS**, the enclave identified herein is within the future annexation area of the City of Greenacres as set forth in the Annexation Element of the Comprehensive Plan; and

**WHEREAS**, the City Council of the City of Greenacres further finds that, in accordance with the Land Development Staff Report and Recommendation dated October 27, 2022, attached hereto as Exhibit "2" and by this reference made a part hereof, the proposed annexation of the subject property is in the best interest of the citizens of the City of Greenacres, and is in accordance with State and local law.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, THAT:**

**SECTION 1.** The City Council of the City of Greenacres hereby approves the Interlocal Agreement (incorporated and attached herein as Exhibit "1") with Palm Beach County for the annexation of six (6) parcels within an enclave totaling approximately 7.9636 acres located at

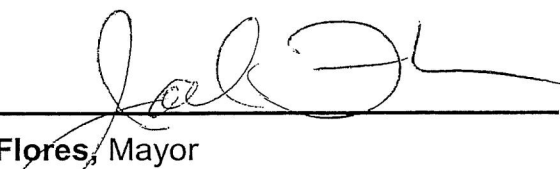
4148 S Jog Road, 4080 S Jog Road, 4020 S Jog Road, 6492 Lake Worth Road, 6350 Lake Worth Road, and 6323 Lake Worth Road.

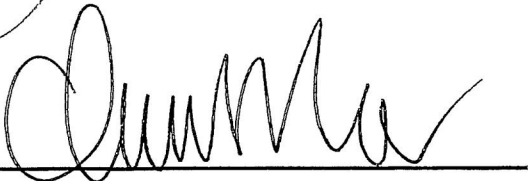
**SECTION 2.** The City Council of the City of Greenacres hereby authorizes the appropriate City officials to execute the Agreement on behalf of the City of Greenacres and to do all things necessary to effectuate the terms of the Agreement. The City Manager and City Attorney are hereby authorized to make any non-substantive changes to the Interlocal Agreement necessary to effectuate the terms authorized herein.

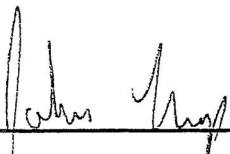
**SECTION 3.** Upon execution of the Interlocal Agreement, the City Clerk is hereby directed and authorized to transmit sufficient copies of same to the appropriate officials of Palm Beach County for the County's consideration and execution.

**SECTION 4.** This resolution shall be effective upon its adoption.

RESOLVED AND ADOPTED this 7th of day of November, 2022.

  
Joel Flores, Mayor

Attest:   
Quintella Moorers, City Clerk


  
John Tharp, Deputy Mayor

  
Peter Noble, Council Member, District II




  
Judith Dugo, Council Member, District III

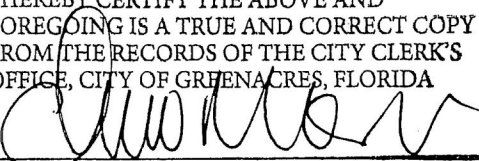
  
Susy Diaz, Council Member, District IV

  
Paula Bousquet, Council Member, District V

Approved as to Form and Legal Sufficiency:

  
Glen J. Tercivia, City Attorney



I HEREBY CERTIFY THE ABOVE AND  
FOREGOING IS A TRUE AND CORRECT COPY  
FROM THE RECORDS OF THE CITY CLERK'S  
OFFICE, CITY OF GREENACRES, FLORIDA  
  
QUINTELLA L. MOORER, CMC  
CITY CLERK

**Exhibit A**  
**Parcel within Enclaves**

Map ID	PCN	Address	Owner	Acres	Assessed Value	PBC Land Use	PBC Zoning	Proposed Land Use	Proposed Zoning
1	00-42-44-27-33-001-0000	4148 S Jog Road	BB & T	1.1522	\$1,048,614	CH/1	CG	CM	CI
2	00-42-44-27-00-001-1330	4080 S Jog Road	4080 South Jog Inc.	1.38	\$1,196,067	CH/1	CG	CM	CI
3	00-42-44-27-34-001-0000	4020 S Jog Road	RPG Lake Worth LLC	1.2546	\$3,244,137	CH/1	CG	CM	CI
4	00-42-44-27-00-000-1290	6492 Lake Worth Road	Great Western Bank	2.1208	\$1,179,061	CH/1	CG	CM	CI
5	00-42-44-27-00-000-1360	6350 Lake Worth Road	American Savings & Loan Assn of FL	1.0046	\$1,043,200	CH/1	CG	CM	CI
6	00-42-44-22-00-000-5250	6323 Lake Worth Road	Spa Hospitality LLC	1.0514	\$1,277,281	CH/5	CG	CM	CI

**Exhibit B**  
**County-owned parcel for which consent to the voluntary annexation is provided to the City**

Map ID	PCN	Address	Owner	Acres	Assessed Value	PBC Land Use	PBC Zoning	Proposed Land Use	Proposed Zoning
7	00-42-44-22-00-000-5270	6297 Lake Worth Road	Palm Beach County	0.0143	\$388	CH/5	CG	CM	CI

	Site Address	Owner Address	Parcel Control Number	Legal Description	Acre	Exist. FLU	Exist. Zoning	Proposed FLU	Proposed Zoning	Existing Use	Taxable Value	Tax Difference
1	4148 S Jog Road	BB & T PROPERTY TAX COMPLIANCE C/O PO BOX 167 WINSTON SALEM NC 27102 0167	00-42-44-27-33-001-0000	OUT-PARCEL TO LAKE WORTH PLAZA TR A K/A ALL OF PLAT	1.1522	CH/1	CG	CM	CI	Bank	\$1,153,467	\$ 3,393.36
2	4080 S Jog Road	4080 South Jog Inc. 4080 S JOG RD LAKE WORTH FL 33467 4035	00-42-44-27-00-001-1330	27-44-42, SLY 268.93 FT OF N 653.08 FT OF ELY 271.16 FT OF W 351.16 FT OF NW 1/4 OF NE 1/4	1.38	CH/1	CG	CM	CI	Animal Clinic	\$1,315,674	\$3,870.58
3	4020 S Jog Road	RPG Lake Worth LLC 2020 WOLVERTON A BOCA RATON FL 33434 4565	00-42-44-27-34-001-0000	WALGREENS AT LAKE WORTH PLAZA WEST TR 1	1.2546	CH/1	CG	CM	CI	Retail/Pharmacy	\$ 3,568,551	\$10,498.32
4	6492 Lake Worth Road	Great Western Bank INDUSTRY CONSULTING GROUP, INC C/O PO BOX 1919 WICHITA FALLS TX 76307 1919	00-42-44-27-00-000-1290	27-44-42, TH PT OF NW 1/4 OF NE 1/4 LYG S OF LAKE WORTH RD (LESS 60 FT L-12 CNL R/W) AS IN OR3027P616)	2.1208	CH/1	CG	CM	CI	Bank/Financial Institution	\$1,296,967	\$3,815.55
5	6350 Lake Worth Road	American Savings & Loan Assn of FL	00-42-44-27-00-000-1360	27-44-42, TH PT OF NW 1/4 OF NE 1/4 LYG S OF LAKE WORTH RD (LESS 60 FT L-12 CNL R/W) AS IN OR3027P616)	1.0046	CH/1	CG	CM	CI	Bank/Financial Institution	\$1,147,520	\$8,469.02
6	6323 Lake Worth Road	Spa Hospitality LLC PO BOX 1206 KEMAH TX 77565 1206	00-42-44-22-00-000-5250	22-44-42, SLY 226.68 FT OF ELY200.13 FT OF W 320 FT OF SE 1/4 OF SW 1/4 OF SE 1/4 LYG N OF & ADJ TO LAKE WORTH RD R/W	1.0514	CH/5	CG	CM	CI	Fuel Station and Retail	\$ 1,405,009.00	\$4,133.40
				TOTAL ACERAGE	7.9636							



Lake Worth Plaza West Comprehensive Site  
and Interlocal Agreement

EX-22-01

Figure 1 - Location

Prepared By:  
Planning and Engineering Department  
City of Greenacres  
5800 Melaleuca Lane  
Greenacres, FL 33463





LAND DEVELOPMENT STAFF REPORT AND RECOMMENDATION

**Subject/Agenda Item:**  
**Resolution 2022-60: 2019 Interlocal Annexation – ANX-22-01 Lake Worth West Outparcels and Shell Station**  
**Consideration of Approval:** A city-initiated request to annex an enclave through an Interlocal Agreement with Palm Beach County. The six (6) parcels are located at 4148 S Jog Road, 4080 S Jog Road, 4020 S Jog Road, 6492 Lake Worth Road, 6350 Lake Worth Road, and 6323 Lake Worth Road.

☒ Recommendation to APPROVE

☐ Recommendation to DENY

☐ Quasi-Judicial

☒ Legislative

☐ Public Hearing

<b>Originating Department: Planning &amp; Engineering</b>  Project Manager  Kara Ferris	<b>Reviewed By:</b>          
<b>Approved By:</b>  City Manager  Andrea McCue	<b>Public Notice:</b> <input type="checkbox"/> Required <input checked="" type="checkbox"/> Not Required Date: Paper:  Mailing <input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required

<b>Attachments:</b> <ul style="list-style-type: none"><li>• Resolution 2022-60</li><li>• Interlocal Agreement (Exhibit 1)</li><li>• Property Data List (Exhibit A and B)</li><li>• Location Map</li></ul>	<b>City Council Action:</b> <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Approve with conditions <input type="checkbox"/> Denial <input type="checkbox"/> Continued to: _____
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**I. Executive Summary**

The approximately 7.9636 total acres proposed for annexation are contiguous to the City, and the identified enclave is less than one hundred and ten (110) acres in size. In accord with the provisions of Chapter 171.046(2)(a), enclaves one hundred and ten (110) acres or less in size may be annexed through an Interlocal Agreement between the City and the County. The proposed annexation will eliminate an existing enclave, which the Florida Legislature has determined can create significant problems in planning, growth management, and service delivery.

**II. Site Data:**

Property Data:	See Exhibit A
Size:	7.9636 acres

**III. Annexation/Zoning History:**

The subject properties are currently in unincorporated Palm Beach County and are considered to be within an enclave. In accord with Chapter 171.031(13)(a) and (b), the subject properties are enclosed within and bounded on all sides by the City or enclosed within and bounded by the City and a natural or manmade obstacle which allows vehicular traffic to them only by passing through the City.

The parcels are also included within an Interlocal Service Boundary Agreement (ISBA) adopted by the City of Greenacres on August 15, 2022 by City Ordinance 2022-01, and by the County on September 13, 2022, by Ordinance 2022-025. The purpose of the Agreement was 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 to the area identified in the unincorporated area. The agreement established the means and process by which future annexations and planning activities would be accomplished. The ISBA set forth the proposed future land use and zoning as well as service delivery for all parcels within the Agreement.

**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.

**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 annexation

**VI. Staff Analysis:**

***Land Development Staff Comments:***

The annexation of the six (6) parcels were reviewed and discussed during the Interlocal Service Boundary Agreement process and all service delivery issues were determined and set forth in the ISBA.

Planning and Engineering Dept.:	No
Building Department:	No objections
Public Works Department:	No objections
Fire Rescue Department:	No objections
PBSO District #16:	No objections

***Background:***

The property data list (Exhibit A) contains the address, owner name, legal description, existing future land use designation, existing zoning designation, apparent existing use, and taxable value for each parcel. The list also contains a calculation of the property tax increase due to annexation based on deletion of the PBC Fire Rescue FY 2023 MSTU millage of 3.4581 and addition of the City's total FY 2023 millage of 6.3000 (a net increase in millage of 2.8419). Per the approved ISBA, the City will make payment to Palm Beach County for up to five years a sum equivalent to the Palm Beach County Fire Rescue MSTU for the annexed parcels. City Future Land Use and Zoning designations will be applied to the properties through a separate process in the near future.

***Annexation Findings of Fact:***

The proposed annexation is consistent with the Goals, Objectives and Policies of the City's Comprehensive Plan. The parcels are contiguous to the City and are within the boundaries of the Future Annexation Area in the Annexation Element of the Comprehensive Plan.

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 future 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 annexation petition is consistent with the provisions in Chapter 171, F.S., specifically because the subject properties are not irregular in shape, reasonably compact, and immediately contiguous to the City's municipal boundaries. In addition, the petition is consistent with Chapter 171.046(2)(a) because the identified enclave is one hundred and ten (110) acres or less in size.

- (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 properties have "a unity of interests with the City" and are "a logical extension" of the City of Greenacres' boundaries. The properties are identified as part of the Future Annexation Area in the City's Comprehensive Plan and the annexation of this area will allow the City to eliminate the existing enclave, which is consistent with the intent of both the City's Comprehensive Plan and Florida Statutes.

- (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 properties proposed for annexation are contiguous to the City and within existing enclave, there will be minimal effect upon infrastructure and services provided within the City.

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

***Findings:*** The annexation of the subject properties will not create an unreasonable expense or burden upon the City of Greenacres. Since the subject properties are contiguous to developed parcels already in the City, and they are located in an existing enclave, their 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. The City will also be provided with revenue from the property taxes of the subject properties and the elimination of an enclave will improve service delivery efficiency.

- (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 enclaves. 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 for 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 City services to the subject properties in accordance with the city’s established levels of service, since the City is already providing governmental services to other developments along Lake Worth Road, in the immediate area of the subject parcels.

***Summary of Annexation Criteria:***

The proposal meets all of 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 identified by the County.

**VII. Staff Recommendation:**

*Approval* of ANX-22-01 through the adoption of Resolution 2022-60 authorizing execution of an Interlocal Agreement with Palm Beach County per Chapter 171.046(2)(a) F.S. for the Annexation of six (6) parcels within an existing enclave.

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**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS' ACTION  
December 20, 2022**

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\_\_\_\_\_  
**Joel Flores, Mayor**

**Attest:**

\_\_\_\_\_  
**Quintella Moorer, City Clerk**

# R2022 1532

## INTERLOCAL AGREEMENT

**THIS INTERLOCAL AGREEMENT** is made on this \_\_\_\_ day of DEC 20 2022, 2022 between the CITY OF GREENACRES, a municipal corporation located in Palm Beach County, Florida, hereinafter referred to as "CITY," and PALM BEACH COUNTY, a political subdivision of the State of Florida, hereinafter referred to as "COUNTY", each entity constituting a "public agency" as defined in Part 1, Chapter 163, Florida Statutes (2022).

**WHEREAS**, Section 163.01, Florida Statutes (2022), known as the "Florida Interlocal Cooperation Act of 1969," as amended, authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage, and to thereby provide services and facilities which will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

**WHEREAS**, the "Florida Interlocal Cooperation Act of 1969" permits public agencies as defined herein to enter into interlocal agreements with each other to jointly exercise any power, privilege, or authority which such agencies share in common and which each might exercise separately; and

**WHEREAS**, Section 171.046, Florida Statutes (2022), provides for annexation of certain enclaves by entering into an interlocal agreement between the municipality and the county having jurisdiction over such enclave; and

**WHEREAS**, Section 171.046, Florida Statutes (2022), limits annexation by interlocal agreement to enclaves of 110 acres or less in size; and

**WHEREAS**, Section 171.031 (13) (a) and (b), Florida Statutes (2022), defines enclaves as developed or improved property bounded on all sides by a single municipality, or bounded by a single municipality and by a natural or manmade obstacle that allows passage of vehicular traffic to that incorporated area only through the municipality; and

**WHEREAS**, the County and the City have determined that it is appropriate and will promote efficient provision of governmental services for the City to annex certain enclaves; and

**WHEREAS**, the Board of County Commissioners entered into an Interlocal Service Boundary Agreement (ISBA) adopted by the City of Greenacres on August 15, 2022 by City Ordinance 2022-01, and by the County on September 13, 2022, by Ordinance 2022-025; and

**WHEREAS**, it has been determined by the City and by the County that the parcels to be annexed via this interlocal Agreement meet the requirements set out in Section 171.031 (a) and (b) and 171.046, Florida Statutes (2022), as such enclaves are developed or are improved, are 110 acres or less in size, and are completely surrounded by the City or are surrounded by the City and a natural or manmade obstacle that allows passage of vehicular traffic to the enclaves only through the City; and

**WHEREAS**, the enclaves identified for annexation in this Interlocal Agreement are in the City's future annexation area as provided for in the Annexation Element of the City's Comprehensive Plan; and

**WHEREAS**, the County and the City agree that the parcels to be annexed via this Interlocal Agreement are subject to the Land Use Atlas of the Palm Beach County Comprehensive Plan and County zoning and subdivision regulations until the City adopts a comprehensive plan amendment to include the parcels to be annexed into the comprehensive plan; and

**NOW, THEREFORE**, in consideration of the mutual representations, terms, and covenants hereinafter set forth, the parties hereby agree as follows:

Section 1. Purpose

The purpose of the Agreement is to allow annexation by the City of Greenacres of certain unincorporated enclaves which are identified in Exhibit "A" attached hereto and made a part hereof:

Section 2. Definitions

The following definitions shall apply to this Agreement:

1. The term "enclave" shall be defined as set forth in Section 171.031(13) (a) and (b), Florida Statutes (2016).
2. "Act" means Part 1 of Chapter 163, Florida Statutes (2016).
3. "Agreement" means this Interlocal Agreement, including any amendments or supplements hereto, executed and delivered in accordance with the terms hereof.

Section 3. Annexation

The unincorporated enclaves identified in Exhibit "A", which is attached hereto and made a part hereof, are hereby annexed into and are included in the corporate boundaries of the City of Greenacres.

Section 4. Consent for Annexation of County-Owned Parcel

Palm Beach County hereby consents to the voluntary annexation of the unincorporated parcel identified in Exhibit "B", which is contiguous to the territorial limits of the City of Greenacres and is owned by Palm Beach County.

Section 5. Effective Date

This agreement shall take effect upon execution by both parties.

Section 6. Filing

Upon execution by both parties, a certified copy of this agreement shall be filed with the Clerk of Circuit Court in and for Palm Beach County.

Section 7. Notification

The City hereby acknowledges that it has provided written notice to all owners of real property located in the enclave identified in Exhibit "A" whose names and addresses are known by reference to the latest published ad valorem tax records of the Palm Beach County Property Appraiser. The

written notice described the purpose of the Interlocal Agreement and stated the date, time, and place of the meeting of the City Council of the City of Greenacres where this Interlocal Agreement is to be considered for adoption. The written notice also indicated the name and telephone number of the Palm Beach County staff person to contact regarding the date, time and place when the Board of County Commissioners is to consider the adoption of this Interlocal Agreement.

Section 8. Captions

The captions and section designations herein set forth are for convenience only and shall have no substantive meaning.

Section 9. Severability

In the event any section, paragraph, sentence, clause, or provision hereof is held by a court of competent jurisdiction to be invalid, such shall not affect the remaining portions of this Agreement, and the same shall remain in full force and effect.

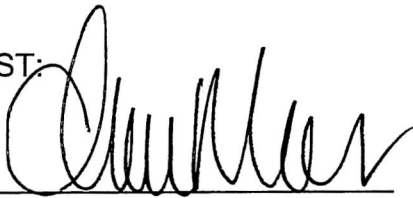
Section 10. Entire Agreement & Counterparts

This Agreement represents the entire understanding between the parties, concerning the subject, and supersedes all other negotiations, representation, or agreements, either written or oral, relating this Agreement. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

*Remainder of Page Intentionally Left Blank*

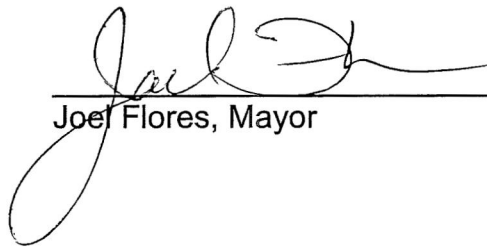
CITY OF GREENACRES

ATTEST:



Quintella Moorner, City Clerk

(Seal)



Joel Flores, Mayor

Approved as to Form and Legal Sufficiency



Glen J. Torcivia, City Attorney

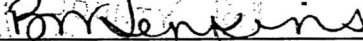
R2022-1532 DEC 20 2022

PALM BEACH COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

ATTEST:

Joseph Abruzzo  
Clerk & Comptroller




By:   
Deputy Clerk

By:   
Mayor Gregg Weiss

(SEAL)

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

APPROVED AS TO TERMS  
AND CONDITIONS

By: 

Darren Leiser  
Assistant County Attorney

By: 

Ramsay J. Bulkeley, Executive Director  
Planning, Zoning & Building

**Exhibit A**  
**Parcel within Enclaves**

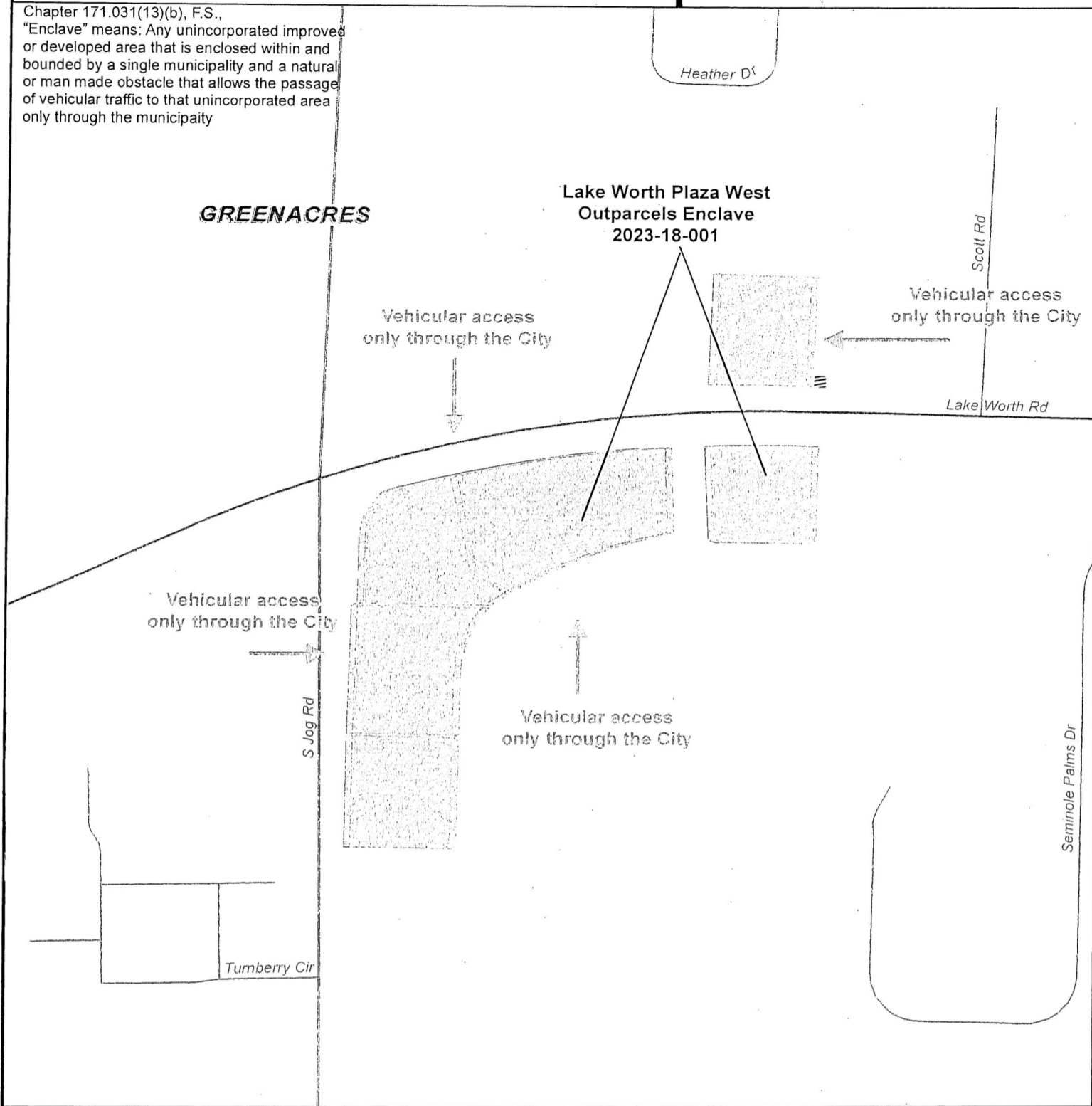
Map ID	PCN	Address	Owner	Acres	Assessed Value	PBC Land Use	PBC Zoning	Proposed Land Use	Proposed Zoning
1	00-42-44-27-33-001-0000	4148 S Jog Road	BB & T	1.1522	\$1,048,614	CH/1	CG	CM	CI
2	00-42-44-27-00-001-1330	4080 S Jog Road	4080 South Jog Inc.	1.38	\$1,196,067	CH/1	CG	CM	CI
3	00-42-44-27-34-001-0000	4020 S Jog Road	RPG Lake Worth LLC	1.2546	\$3,244,137	CH/1	CG	CM	CI
4	00-42-44-27-00-000-1290	6492 Lake Worth Road	Great Western Bank	2.1208	\$1,179,061	CH/1	CG	CM	CI
5	00-42-44-27-00-000-1360	6350 Lake Worth Road	American Savings & Loan Assn of FL	1.0046	\$1,043,200	CH/1	CG	CM	CI
6	00-42-44-22-00-000-5250	6323 Lake Worth Road	Spa Hospitality LLC	1.0514	\$1,277,281	CH/5	CG	CM	CI

**Exhibit B**  
**County-owned parcel for which consent to the voluntary annexation is provided to the City**

Map ID	PCN	Address	Owner	Acres	Assessed Value	PBC Land Use	PBC Zoning	Proposed Land Use	Proposed Zoning
7	00-42-44-22-00-000-5270	6297 Lake Worth Road	Palm Beach County	0.0143	\$388	CH/5	CG	CM	CI

# Location Map

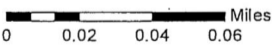
Chapter 171.031(13)(b), F.S.,  
"Enclave" means: Any unincorporated improved  
or developed area that is enclosed within and  
bounded by a single municipality and a natural  
or man made obstacle that allows the passage  
of vehicular traffic to that unincorporated area  
only through the municipaity



Proposed Enclave Annexation	PBC Owned Parcel	<b>Right-of-Way Maintenance</b>	
Municipality	Water	<b>County ROW Maintenance</b>	<b>Other ROW Maintenance</b>
		County Maintained	State Maintained
		Courtesy Maintained	Other

Updated: 11/14/2022  
Contact: Nicole Delsoin  
Filename: N:\Div\Proj\Annex\FY2023

Note: Map is not official, for informational purposes only  
Source: ROW Maintenance Data PBC Engineering  
Dept 2015 GISPROD SDE GEODATA.CENTERLINE\_LN



**Planning, Zoning  
& Building**

2300 N Jog Rd  
West Palm Beach, FL 33411  
Phone (561) 233-5300

