

## **Annexation Frequently Asked Questions**

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### **What types of annexations are affected by the County's Exclusive Method of Annexation?**

- Only voluntary annexations are affected by the charter amendment and implementing ordinance. The requirements for other types of annexations, such as enclave interlocal annexations and referendum annexations, remain the same as Chapter 171, F.S.

### **How does the County's Exclusive Method of Annexation vary from State Statutes?**

- The Implementing Ordinance directs that Voluntary Annexations are subject to Ch. 171.044, F.S., but require additional notification for all annexations. Annexations in the rural areas of the County also require Board of County Commissioner consent, and in rural residential neighborhoods, resident approval is also required.

### **What are the notification requirements for Voluntary Annexations?**

- All Voluntary Annexations within Palm Beach County are bound by the notification requirements in the Implementing Ordinance.
  - The County's Implementing Ordinance requires that within ten calendar days of receipt of a voluntary annexation petition that bears the signatures of all owners of property in the area proposed to be annexed, the annexing municipality shall submit a copy of the said petition to the County Administrator and the County Planning Director.
  - Chapter 171.044(6) states that "Not fewer than 10 days prior to publishing or posting the ordinance notice required under subsection (2), the governing body of the municipality must provide a copy of the notice, via certified mail, to the board of the county commissioners of the county wherein the municipality is located." The County's Implementing Ordinance is consistent with the Statute deadlines, but specifies that the notification shall be sent to the County Administrator and the County Planning Director.
  - Chapter 171.044(6) states that the notice provision "may" be the basis for a cause of action invalidating the annexation. The County's Implementing Ordinance specifies that failure to comply with the notice provisions "shall" be the basis for a cause of action invalidating the voluntary annexation.

### **What types of Voluntary Annexations require Board of County Commissioners consent?**

- Voluntary annexations in the rural areas of the County require Board of County Commissioner approval prior to adoption. Only voluntary annexations within the Unincorporated Protection Area, the unincorporated lands outside of the County's Urban Service Area Boundary, require consent by the Board of County Commissioners prior to annexation.

### **Where is the Unincorporated Protection Area?**

- The boundaries of the Unincorporated Protection Area are adopted as part of the Implementing Ordinance, and consist of the unincorporated area outside the County's Urban Service Area Boundary.

### **Which municipalities are adjacent to the Unincorporated Protection Area?**

- At the time of the adoption of the Implementing Ordinance, nearly 80% of the municipalities in Palm Beach County are not contiguous to the Unincorporated Protection Area. Voluntary annexations by these municipalities would not likely be within the Unincorporated Protection

Area, and consequently, would not require approval by the Board of County Commissioner prior to adoption.

- The following municipalities are adjacent to the Unincorporated Protection Area, and are more likely to be affected should they pursue annexations within the Unincorporated Protection Area:

- Jupiter
- Palm Beach Gardens
- West Palm Beach
- Royal Palm Beach
- Loxahatchee Groves
- Wellington
- South Bay
- Pahokee
- Belle Glade

**What types of Voluntary Annexations require the consent of the surrounding neighborhood(s) in addition to Board of County Commissioners consent?**

- Voluntary annexations in designated rural neighborhoods within the Unincorporated Protection Area of the County require neighborhood consent in addition to Board of County Commissioner approval prior to adoption. Only voluntary annexations within Unincorporated Rural Neighborhoods within the Unincorporated Protection Area require a vote of the electors of the entire neighborhood in addition to the consent of the Board of County Commissioners, prior to the annexation.

**What are the designated Unincorporated Rural Neighborhoods?**

- The boundaries of the Unincorporated Rural Neighborhoods are adopted as part of the Implementing Ordinance, and include rural neighborhoods with at least 25 dwelling units as of January 1, 2005. The following communities are designated Unincorporated Rural Neighborhoods in the Implementing Ordinance and on the associated map:
  - Palm Beach Country Estates
  - Caloosa
  - Jupiter Farms
  - Stonewal Estates (AKA- Bayhill Estates)
  - The Acreage
  - Kramer's U/R (AKA – Rustic Lakes)
  - Deer Run
  - Deer Run Plat 2
  - Sunny Urban Meadows
  - Fox Trail
  - Las Flores Ranchos
  - Entrada Acres
  - Mandell
  - Santa Rosa Groves
  - Tall Pine Acres U/R
  - Waite Sub U/R
  - Canal Pine Acres
  - Dellwood Estates
  - White Fence Estates
  - Homeland
  - Indian Lakes Estates
  - Oak Wood Lands