

**CITY OF GREENACRES COMPREHENSIVE PLAN**

# **ANNEXATION ELEMENT**

September 2008  
Amendments resulting from the 2006 EAR

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## I. INTRODUCTION

### A. PURPOSE OF ELEMENT

The City of Greenacres, as well as other municipalities in Palm Beach County, has recognized the undesirable impact that haphazard annexation growth has had on Florida's resources. Therefore, as one of many municipalities, the City of Greenacres has chosen to address its annexation plans in a more detailed outline within this Annexation Element. With the continuing evolution of the City, it is necessary to implement a defined annexation approach with the tools to enforce a blueprint for future annexation. As one of the underlying strategies in guiding the future growth of the City, the Palm Beach Countywide Planning Council adopted an annexation policy in 1989 in an effort to alleviate interjurisdictional incompatibilities between municipalities. The policy links future proposed annexation areas to several elements of the Comprehensive Plan, which were targeted by the Council in an effort to review the plans of the local governments. The Palm Beach Countywide Planning Council's policy purposes were as follows: "To encourage interjurisdictional planning for annexation, to reduce annexation conflicts, to encourage coordinated planning for the provision of capital facilities and services for proposed annexation areas, to facilitate orderly transition of service provision and to discourage the creation of hard to serve enclaves."

### B. ISSUES

1. Three aspects of future growth, (timing, direction, and intensity), are tied closely to the Growth Management Act and the application of the concurrency requirement. The key to a successful approach to the concurrency requirement is having a sound plan for effectively eliminating existing deficits and providing infrastructure for new development within a reasonable period of time. The concurrency issue will aid in determining the aggressive or passive character of the City of Greenacres annexation policy.
2. The success of any annexation policy is achieved only through interjurisdictional planning efforts. The City of Greenacres policy is based upon the productive coordination of intergovernmental activities
  - a) Through coordination with Palm Beach County, the county encourages the annexation of unincorporated enclaves within municipalities, consistent with planning principles and requirements of Chapter 171, F.S.
  - b) To prevent other municipalities from annexing land within designated areas and to prevent the formation of new municipalities within these areas. Coordination with Palm Beach County planning efforts is of great importance to Greenacres, and is a requirement of the Florida State Local Government Comprehensive Planning Act.

To achieve these goals, the City coordinated its future annexation boundaries with the

Countywide Planning Council in 1989 at the time of plan adoption.

## **II. DEFINITION OF RELEVANT TERMS**

- A. ANNEXATION - is defined as the adding of real property to the boundaries of the City. The addition of the real property in every way becomes a part of the City.
- B. COMPACTNESS - is defined as 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.
- C. CONTIGUOUS - is defined in Florida Statutes Chapter 171.
- D. ENCLAVE - is defined as any unincorporated Palm Beach County area which is totally enclosed within and bounded by a City. Also, any unincorporated Palm Beach County area which is totally enclosed within and bounded by a City and a natural or man-made obstacle which prohibits the passage of vehicle traffic to that unincorporated area unless the traffic passes through that City.
- E. FINGER PATTERN - is defined as an annexation area whereby major features such as a body of water or man-made obstacles (etc.) limit future annexations so that the land use pattern approximates a human hand. The fingers are generally the extension by annexation and the palm represents the main city core.
- F. INTERJURISDICTIONAL INCOMPATIBILITY - is defined as potential implementation of a local plan which could adversely impact another local government.
- G. MUNICIPALITY - is defined as a municipality created pursuant to general or special law authorized or recognized pursuant to S.2 or S.6, Art. VIII of the State Constitution.
- H. POCKET AREA - is defined as any unincorporated area which is bounded on at least three (3) sides by a single municipality.

## **III. INVENTORY**

### **A. PAST ANNEXATIONS**

In the past, the City of Greenacres annexation policy has been to leave the initiation of annexations up to the property owners. The City of Greenacres views annexation as an action which is positive and beneficial to the City, and as a result, is receptive to proposals for annexation provided such proposals do not create undue hardship for service delivery.

The first annexation recorded in the City was Ord. No. 61, annexing 320 acres into the City on December 13, 1960; which more than doubled the size of the City. Since that time, the City has grown through additional annexations.

Table No. 1 reflects a breakdown of this growth by size and zoning classification of the acquired land. Of all the land annexed into the City between 1960 and FY 2007, seventy-

nine (79%) is classified “Residential”.

Map No. 1 shows the extent, pattern, and year this growth occurred in the City. Presently, the City is 5.78 square miles (3,703.15 acres), inclusive of roadways.

**TABLE I  
ANNEXATION HISTORY**

	<b>TOTAL AC.</b>	<b>Commercial</b>		<b>Public Buildings</b>		<b>Residential</b>		<b>Rec./Open</b>	
		No.	%	No.	%	No.	%	No.	%
1960-1969	320.00	35.00	10.9%	2.00	0.6%	281.00	87.8%	2.00	0.6%
1970-1974	1,533.23	145.60	9.5%	16.82	1.1%	1343.62	87.6%	27.19	1.8%
1975-1979	30.55	20.90	68.4%	0.00	0.0%	9.65	31.6%	0.00	0.0%
1980-1984	345.65	49.93	14.4%	0.00	0.0%	295.72	85.6%	0.00	0.0%
1985-1988	23.08	3.31	14.3%	0.00	0.0%	19.77	85.7%	0.00	0.0%
1989-1993*	114.30	16.93	14.8%	49.64	43.4%	47.52	41.6%	0.21	0.2%
1994-June 1997	63.87	0.94	1.5%	9.17	14.4%	53.76	84.2%	0.00	0.0%
June 1997-2007	770.48	53.04	6.9%	230.62	29.9%	480.02	62.3%	6.8	0.9%
<i>Subtotal</i>	<i>3,201.16</i>	<i>325.65</i>	<i>10.2%</i>	<i>308.25</i>	<i>9.6%</i>	<i>2,531.06</i>	<i>79.1%</i>	<i>36.20</i>	<i>1.1%</i>
Original Town	263.00	13.08	5%	8.04	3.1%	234.92	89.3%	6.96	2.6%
<b>TOTAL</b>	<b>3,464.16**</b>	<b>338.73</b>	<b>9.8%</b>	<b>316.29</b>	<b>9.1%</b>	<b>2,765.98</b>	<b>79.8%</b>	<b>43.16</b>	<b>1.2%</b>

Source: City of Greenacres and Planning and Engineering Department, February 2008.

Note: 1. All "Total Acreage" figures are based on an inventory of annexation cases and do not include all R.O.W

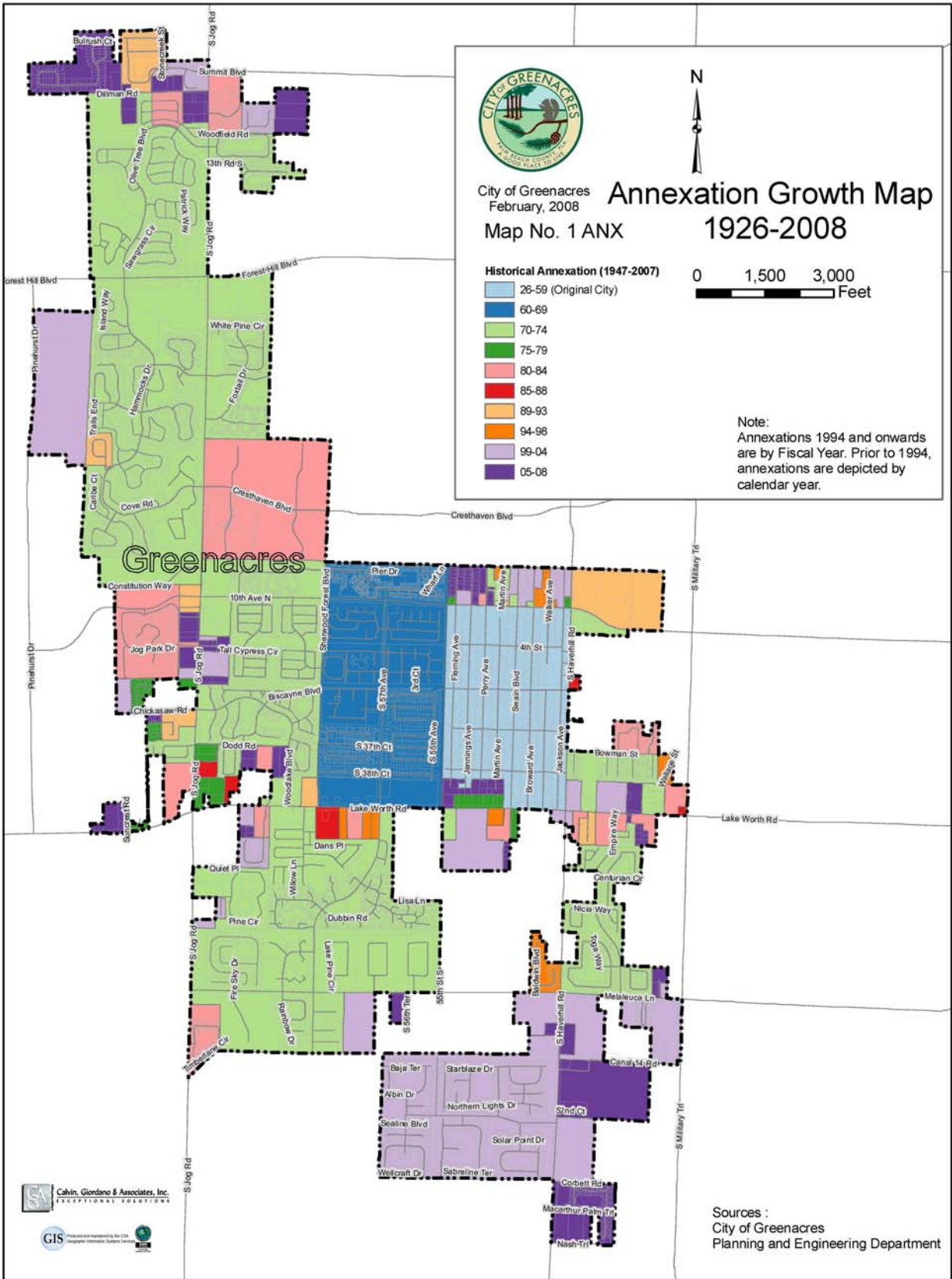
2. Acreage for land use types, were taken from PBC Property Appraiser figures and current zoning.

3. City parks are interspersed between “Public Buildings” and “Rec./Open” categories.

\* Anx 93-2 (J.I. Leonard H.S. 49.64 ac.) listed under "Public Buildings," includes former WIRK radio station consisting of 11.43 ac.

\*\* Total Acreage does not include all the public right-of-ways within City Limits.





B. ENCLAVE AREAS

1. Attempts To Annex

"The elimination of enclaves in any municipality is one of the tools that would effectively control urban sprawl and the undesirable impact that uncontrolled growth has had on Florida's resources."

Enclaves create confusion each time someone is in need of emergency services, such as medical/rescue, police or fire suppression. The confusion is apparent when deciding which government agency should respond to a request for emergency services, i.e. Palm Beach County or the City of Greenacres.

While most annexations have been voluntary, the City did utilize the provisions of the involuntary enclave annexation provisions in Chapter 171, Florida Statutes to annex many enclaves in 1994, 1997, 2000, 2005 and 2007.

2. Land Use

Within the City of Greenacres, there are two (2) enclaves of unincorporated land which comprise approximately 37.98 acres. The number of enclaves has decreased from nineteen (19) in 2006. The exact location of these enclaves is shown on Map No. 2. Of these 37.98 acres of land, 37.98 acres or 100% would be classified as "Residential" land use and 0 acres or 0% would be classified "Commercial" land use. Each individual enclave is exhibited in more detail in Table No. 2 and is based on the City's "Advisory Future Land Use" Map.

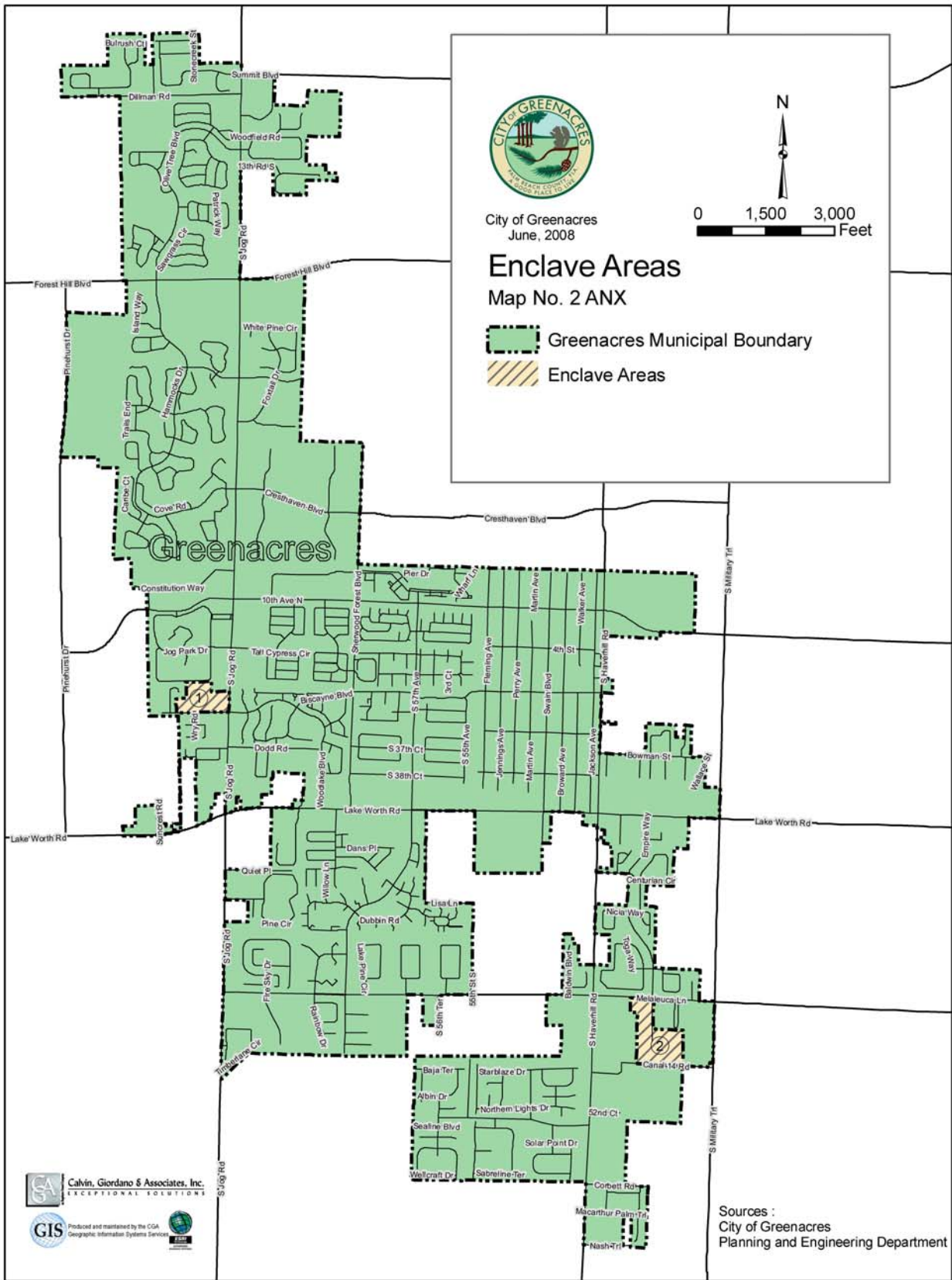
**TABLE 2  
ENCLAVE AREAS**

MAP I.D. #	# of Acres		
	Commercial	Residential	Total
1	0.00	13.64	13.64
2	0.00	24.34	24.34
<b>TOTAL</b>	<b>0</b>	<b>37.98</b>	<b>37.98</b>
<b>PERCENT</b>	<b>0.0%</b>	<b>100%</b>	<b>100.0%</b>

Source: City of Greenacres Planning and Engineering Department, February 2008

Note: 1. All "Acreage" figures are based on GIS data.

2. Land use was determined using the Advisory Future Land Use Map of the City of Greenacres revised in February 2008, with Jog Road Mixed Use allocated as residential.



### 3. Trends

Definite trends have been recognized in the City's annexation history.

- a) Arterial Networks - The first and most noticeable trend in the City and many other municipalities is the way growth follows the arterial roadways, north to south and east to west. State Road 802 (Lake Worth Road), is an east to west urban principal arterial and Jog Road is a north to south urban principal arterial. As would be expected, many of the current and former enclave areas in the City are adjacent to, or follow, these two (2) arterial roadways.
- b) Land Use Ratios - Another significant trend which has remained relatively constant throughout the City's annexation history has been the ratio of residential vs. commercial land acquired through new growth.

The percentage of commercial property annexed into the City is significantly lower than residential. The trend in the City has been approximately eighty percent (80%) residential to ten percent (10%) commercial, with the balance ten percent (10%) being primarily public buildings such as schools, with some park space also.

## C. POCKET AREAS

### 1. Defined

Pocket areas are generally located along the jagged edges of a city's outer perimeter. The annexation of these unincorporated "pockets" would add an additional 1,066.01 acres or 1.67 square miles of land to the inventory. The annexation of pocket areas is simply a squaring off of existing boundaries by filling in those irregular growth patterns, making the city limits more easily definable.

### 2. Land Use

The exact location of all pocket areas are shown on Map No. 3. The acreage of these parcels was determined using figures from the Palm Beach County Property Appraiser GIS Maps. Each pocket identified on Map No. 3 is listed by number on Table No. 3 and is defined by land use and size.

Based on the current Future Land Use Maps of Palm Beach County, 111.78 acres or 10.49 percent of the total pocket area has a "Commercial" land use designation. In the case of pocket areas, the majority of commercial areas are located along the City's arterial roadways (Lake Worth Road, Jog Road and Military Trail). The remaining 954.23 acres have a "Residential" land use designation which includes single-family, duplex (two family), multi-family (three plus units), and mobile homes.

**TABLE 3  
POCKET AREAS**

MAP I.D. #	# of Acres			County
	Commercial	Residential	Total	Land Use
1	0.00	2.55	2.55	LR1
2	0.00	76.58	76.58	MR5
3	0.00	20.94	20.94	PARK
4	0.00	116.08	116.08	MR5/HR12
5	0.00	121.84	121.84	MR5/HR8/HR12
6	26.62	121.45	148.70	CH/CH8/MR5
7	3.90	42.01	45.91	CH8/LR3/HR8
8	3.25	0.09	3.34	CH8/HR12
9	2.93	0.00	2.93	CH8
10	40.89	2.12	43.01	CH1/CH5/MR5
11	0.00	5.39	5.39	LR1
12	0.00	343.33	343.33	LR1/LR2/LR3/HR8
13	34.19	57.70	91.89	CH8/LR3/MR5/HR8
14	0.00	41.63	41.63	LR2/MR5
15	0.00	2.52	2.52	MR5
<b>TOTAL</b>	111.78	954.23	1,066.01	
<b>PERCENT</b>	<b>10.49%</b>	<b>89.51%</b>	<b>100.00%</b>	

Source: City of Greenacres Planning and Engineering Department, February 2008

- Note:
1. All "Acreage" figures are based on GIS Data
  2. Land use was determined using the Current Future Land Use Map of Palm Beach County as of February 2008
  3. Park land use categorized as Residential (ID#3).

#### D. ANNEXATION PLAN

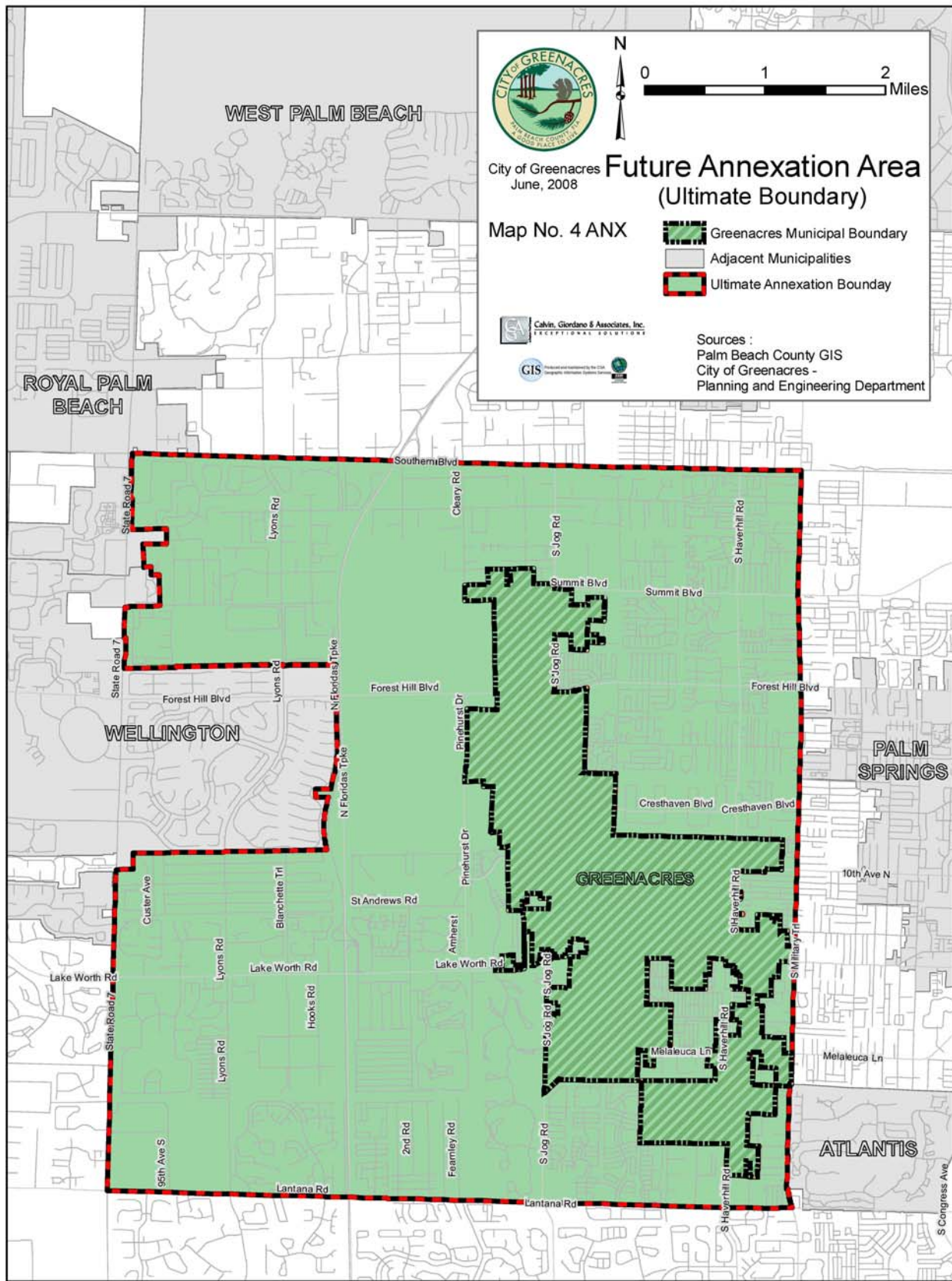
##### 1. Defined

The City of Greenacres annexation plan encompasses all unincorporated areas south of Southern Blvd., north of Lantana Road, east of State\_Road 7 and west of Military Trail, excluding those areas east of State Road 7 which have been annexed by Wellington and Royal Palm Beach. This area (which includes the enclaves and pockets discussed above) would add approximately 16,540.79 acres or 25.85 square miles of land to the existing inventory, for a total area of 20,240.38 acres or 31.63 square miles.

##### 2. Land Use

The limits of the Future Annexation Areas are illustrated on Map. The land uses within the ultimate annexation boundary are primarily residential, with commercial along the major road corridors. This area also contains Okeehetee Park, a 1,702 acre regional park.





## IV. ANALYSIS

### A. INTERGOVERNMENTAL COORDINATION

#### 1. Concurrency Management System

In future annexations, the City examines infrastructure in unincorporated lands which lie within the City of Greenacres future annexation boundaries, as it relates to the concurrency provisions of Chapter 163, and rule 9J-5 Minimum Criteria Rule F.A.C. Florida Statutes. In order to effectively manage new growth and development in the future, the timely provision of adequate facilities to accommodate growth must be required at the time of annexation.

The annexation of lands serviced by septic tanks and wellwater would have a negative impact on level of service standards for the City, which would hinder the issuance of development permits. Therefore, it would be counterproductive to annex unincorporated land without assurance that necessary facilities will be available within a reasonable period of time, if development is to occur.

#### 2. Chapter 171, Florida Statutes

The City of Greenacres Zoning Code Article 16, supports all "Prerequisites to Annexation" outlined in Chapter 171, Florida Statutes.

- a) Infrastructure - If extension of major trunk water mains and sewer mains into the area to be annexed is necessary, the City requires a proposed timetable for construction of such mains as soon as possible following the effective date of annexation.
- b) Character of Site - The character of an area to be annexed is defined in Chapter 171, Florida Statutes and is fully enforced by the City of Greenacres.

#### 3. Palm Beach County Interim Annexation Review Policy

The City of Greenacres recognizes Palm Beach County's Interim Annexation Review Policy, adopted on August 2, 1988, as a future annexation policy tool for both Palm Beach County and the City. This policy provides guidance for the adjustments to municipal boundaries that would best service all jurisdictions. In those instances, Palm Beach County will actively encourage orderly annexation by supporting "Joint Planning Areas," pursuant to Chapter 163.3171 F.S. This City and County joint effort would address issues of location and timing of annexation efforts, as well as, the extent to which annexation may potentially hinder Palm Beach County's ability to effectively and efficiently provide services and facilities to all citizenry in the unincorporated areas.

#### 4. Palm Beach Countywide Planning Council



Another important element of "intergovernmental coordination" was the Countywide Planning Council's Annexation Policy. This was a joint effort between Palm Beach County and municipalities "to reduce annexation conflicts, to encourage coordinated planning for the provision of capital facilities and services for proposed annexation areas, and to facilitate orderly transition of service."

5. Interlocal Service Boundary Agreement

In 2007, Chapter 171 of the Florida Statutes was changed to add Part II which provides for a process to coordinate annexation and service delivery between municipalities, a county, and service providers. The agreement reached can also provide additional flexibility in annexation.

B. THE CITY OF GREENACRES ZONING CODE

Once an unincorporated parcel of land is formally annexed into the City, the parcel is given a Future Land Use Designation and a consistent Zoning District.

If development of the parcel has not been determined, the parcel is assigned the zoning District of Study Area Zone (SAZ). This district is designed as a holding zone which applies to lands on a temporary basis awaiting a rezoning or a zoning classification. Under the SAZ designation, no development can occur until the rezoning to another zoning district is adopted. SAZ designation has a time period not to exceed two (2) years.

C. ANNEXATION ANALYSIS

The analysis of "pocket", "enclave" and other areas is depicted in Table No. 5.

**TABLE 4  
ANNEXATION ANALYSIS**

PARCEL TYPE	ACRES	
	ANNEXATION SIZE	SQUARE MILES
City of Greenacres	3,703.15	5.78
Enclaves	37.98	0.06
Pockets	1,066.01	1.67
Other Areas	15,433.24	24.12
<b>TOTAL</b>	<b>20,240.38</b>	<b>31.63</b>

Source: City of Greenacres Planning and Engineering Department, February 2008

Note: All acreage figures include roadways.

## V. PLAN FOR ANNEXATION

### A. ANNEXATION APPROACH

Annexation is an important issue to the City. A proper planning approach will enable the City to: resolve a multitude of problems associated with the existing situation of enclaves and pocket areas; avoid future interjurisdictional incompatibilities; and grow in a manner that eliminates finger patterns and "leap frog" linear extensions. Therefore, the City's approach will be to plan for future annexation in a cautious, yet efficiently timed manner. Additionally, studies will be utilized to ascertain the viability, appropriateness and timing of future annexations.

#### 1. Phasing of Annexation - Planning Time Frame

To the extent permitted by law, the City will continue its efforts to annex all lands within the ultimate annexation boundaries as adopted on Map 4.

#### 2. Feasibility of Future Annexation

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

- a) The area in question must meet statutory requirements pertaining to contiguity, compactness and regular shape.
- b) The petitioned area must have "a unity of interests with the City" and be "a logical extension" of the City's boundaries.
- c) The area shall have a growth potential sufficient to warrant the extension of services.
- d) The deficit of income against expense to the City shall not be unreasonable.
- e) The advantages both to the City and the petitioned area must outweigh the disadvantages.
- f) The City 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.

#### 3. Annexation Feasibility Study (AFS)

In order to meet the guidelines under "2" above, the City shall undertake an annexation feasibility study (AFS) for every annexation request that is ten (10) acres or greater in size. The study shall determine the feasibility of annexation based upon a detailed report that addresses seven (7) broad areas outlined below:

- a) An inventory of the extent and quality of Palm Beach County and other government services and facilities already existing in the petitioned area.
  - (1) Such services and facilities would include, but not be limited to fire protection, police protection, sewage disposal, water supply, storm drainage, refuse and garbage collection and disposal, street paving and maintenance, street lights, schools, libraries, parks and recreation, etc.
- b) The services and facilities to be supplied upon and during the first five (5) years following annexation.
  - (1) This component would address the specific responsibilities for public improvements by the City, Palm Beach County, other governmental jurisdictions and the annexing property owners.
  - (2) A schedule of public improvements that would amend the Capital Improvements Element of the Comprehensive Plan and the City's Capital Improvements Program would also be formulated.
- c) The costs of furnishing needed services and facilities would be analyzed.
  - (1) City costs to be analyzed, but not be limited to include the provision of public safety services; infrastructure improvements and maintenance; leisure services (parks and recreation); and other general government services.
- d) The amount of potential revenue from the annexed area.
  - (1) Potential City revenues may include, but not be limited to ad valorem taxes, utility taxes, license and permit fees, charges and fines, user charges and impact fees.
- e) The costs and benefits of annexation to the annexing property owners.
  - (1) Such analysis would detail the potential additional costs to property owners and the potential benefits of being annexed into the City.
- f) The cost balance (excess of costs or excess of revenue) to the City.
- g) Other Special Factors
  - (1) This component would address special factors that may include, for example, new industry or development uses anticipated in the area(s) or the long term implications that such annexations may have on City affairs or future annexation efforts.

#### 4. Ultimate Annexation Boundaries

The City's ultimate annexation boundaries as depicted in Map No. 4, would add an aggregate 16,537.23 acres to the current City boundaries. Therefore, the City, which is currently 5.78 square miles, would increase to 31.63 square miles upon ultimate annexation.

#### 5. Coordination and Planning

Palm Beach County is the service provider for many basic services within and adjacent to the City of Greenacres. Because of this fact, the gravity of coordination and planning efforts between the City, Palm Beach County and other affected agencies is of paramount importance in achieving a successful annexation posture for the future.

### VI. GOALS, OBJECTIVES AND POLICIES

- A. GOAL: It shall be the goal of the City of Greenacres to control its growth and enhance the quality of life for present and future residents by developing an annexation program that emphasizes intergovernmental coordination, consistency, and provides for the balance of environmental, economic, and social needs of the City.

#### Objective 1

Annexation shall be carried forth in a manner that prevents decreases in service delivery efficiency and protects the levels of services provided to the residents of the City of Greenacres.

##### Policy a)

Where possible, the City shall assume responsibility for the provision of all City services upon the effective date of annexation.

##### Policy b)

The City shall ensure that future annexations will be in conformance with Chapter 171 F.S.

##### Policy c)

The City shall prohibit any annexation which creates an enclave, or pocket area that is not reasonably compact, as provided in Chapter 171, Florida Statutes.

##### Policy d)

The City shall delay the timing of any annexation petition that will lower service level until such service level adjustment measures are taken.

#### Objective 2

The City of Greenacres will actively pursue orderly annexation in the future annexation boundaries through coordination with adjacent municipalities and Palm Beach County.

Policy a)

Requests for annexations shall be coordinated with Palm Beach County and neighboring communities.

Policy b)

The City shall support and participate in "Joint Planning Agreements", between adjacent municipalities and the County pursuant to Chapter 163, F.S.

Policy c)

The City shall determine the land use of all land parcels by the Advisory Future Land Use map adopted as part of the Future Land Use Element, and an analysis of the concurrency implications, compatibility, and consistency with the Comprehensive Plan of the proposed future land use designation.

Policy d)

By the end of 2008, the City shall initiate negotiations with Palm Beach County to create an Interlocal Service Boundary Agreement in accordance with Chapter 171, Part II, Florida Statutes to facilitate and coordinate annexation within a portion of the Future Annexation Area.

**Objective 3**

The City shall undertake a rational and controlled expansion of municipal boundaries.

Policy a)

Annexation of unincorporated land outside of the boundaries depicted on the Future Annexation Area Map (Map 4), adopted as part of the Annexation Element, is prohibited.

**Objective 4**

The City shall support 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 established plans.

Policy a)

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.

- (2) The petitioned area must have "a unity of interests with the City" and be "a logical extension" of the City's boundaries.
- (3) The area shall have a growth potential sufficient to warrant the extension of services.
- (4) The deficit of income against expense to the City shall not be unreasonable.
- (5) The advantages both to the City of Greenacres and the petitioned area must outweigh the disadvantages.
- (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.

Policy b)

The City shall undertake an Annexation Feasibility Study (AFS) for every annexation request that is ten (10) acres or greater in size which documents that the guidelines in Section V A.3 a through g above are achieved.

## **VII. NOTES**

1. Countywide Planning Council By-Laws Committee, "Annexation Policy." (1.001) (1) Pg. 1.
2. Palm Beach County Comprehensive Plan 1980, (Goals, Objectives, Policies), Goal 1, Objective 1d.
3. Florida Statutes Chapter 171.022, Definitions (1) "Annexation".
3. HB539 - "An Act Relating To Municipal Annexation or Contraction"; Amending S171.031,
4. F.S.; Defining enclave; creating S.171.095, F.S.; providing for annexation of enclaves; providing an effective date. Florida House of Representatives - 1987.
5. Encyclopedia of Community Planning and Environmental Management.
6. Greenacres City Ord. No. 61, adopted 12-13-60.
7. Florida League of Cities, "1987 Policy Statement"; Annexation - 300.
8. Palm Beach County Interim Annexation Review Policy.
9. Palm Beach Countywide Planning Council, "Annexation Policy", 1.001 (2), PURPOSE AND INTENT.

## **REVISION HISTORY**

September 15, 2008      Ord. 2008-03