AGENDA ITEM SUMMARY

Meeting Date: 10/21/03  [ ] Consent  [ ] Regular  [X] Public Hearing

Department:  Planning, Zoning and Building
Submitted By:  Planning
Submitted For:

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends a motion TO NOT ADOPT: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA ESTABLISHING A COMMUNITY DEVELOPMENT DISTRICT OVER THE REAL PROPERTY LEGALLY DESCRIBED ON EXHIBIT "A" TO THIS ORDINANCE COMPRISING OF APPROXIMATELY 52.34 ACRES; NAMING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS OF THE DISTRICT; ESTABLISHING THE NAME OF THE DISTRICT AS CYPRESS LAKES COMMUNITY DEVELOPMENT DISTRICT; DESIGNATING THE PURPOSE OF THE DISTRICT; DESIGNATING THE POWERS OF THE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Summary: The BCC has been petitioned to grant the establishment of the Cypress Lakes Community Development District (CDD) to finance and construct community services for a residential development to be located on the west side of State Road 7 between Lake Worth and Lantana roads. The proposed services include water distribution and wastewater systems, surface water management, and other minor facilities. After a thorough review, the Planning Division has found the petition for the proposed CDD to be insufficient and inconsistent with recent policy direction by the BCC. Staff is thus recommending denying the petition. (BB, District 3)

Background and Policy Issues: Chapter 190, Florida Statutes, states that the creation of a Community Development District (of less than 1,000 acres) shall be accomplished through the enactment of a BCC ordinance after a public hearing. The statutes require the County to make a determination to grant or deny the petition based on several factors including comprehensive plan consistency as spelled out in Sec. 190.005.E.1-6, F.S.

At a BCC Workshop held on September 24, 2002, the Board expressed strong concerns regarding the proliferation of special districts in the County and the overburden to County taxpayers, particularly to low and moderate income residents, resulting from the additional taxes or assessments imposed by CDDs and other special districts. At the end of the workshop, the Board provided direction to staff to limit the approval of CDDs to non-residential projects and to projects that promote mixed used developments that work as functional, interrelated communities, as required in the statutes. The Board also directed staff to include additional and detailed disclosure requirements in the adopting ordinance of CDDs allowed by the Board, and to monitor the implementation of the disclosures and any other conditions stipulated in the adopting ordinance through the Monitoring Section of the Planning, Zoning and Building Department. For a detailed analysis of the petition see the attached staff report.

Attachments:  1. Staff Report  2. Proposed Ordinance

Recommended by:  

Executive Director  9/29/03

Approved By:  

[Signature]  10/16/03
II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

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# ADDITIONAL FTE POSITIONS (Cumulative)

Is Item Included In Current Budget? Yes _____ No _____ X _____

Budget Account No.: Fund _____ Agency _____ Org. _____ Object _____

Reporting Category

B. Recommended Sources of Funds/Summary of Fiscal Impact:

There is no fiscal impact associated with this item

C. Departmental Fiscal Review: 

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

B. Legal Sufficiency:

C. Other Department Review:

Department Director
ORDINANCE 2003-053

AN ORDINANCE OF THE BOARD OF COUNTY
COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA
ESTABLISHING A COMMUNITY DEVELOPMENT DISTRICT
OVER THE REAL PROPERTY LEGALLY DESCRIBED ON
EXHIBIT "A" TO THIS ORDINANCE COMPRISING OF
APPROXIMATELY 52.34 ACRES; NAMING THE INITIAL
MEMBERS OF THE BOARD OF SUPERVISORS OF THE
DISTRICT; ESTABLISHING THE NAME OF THE DISTRICT AS
CYPRUS LAKES COMMUNITY DEVELOPMENT DISTRICT;
DESIGNATING THE PURPOSE OF THE DISTRICT;
DESIGNATING THE POWERS OF THE DISTRICT; PROVIDING
FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN
CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature created and amended Chapter 190, Florida Statutes to
provide an alternative method to finance and manage basic services for community
development; and

WHEREAS, Westbrooke Homes, a Florida general partnership ("Petitioner"), has
petitioned Palm Beach County, Florida (the "County"), to grant the establishment of the Cypress
Lakes Community Development District (the "District"); and

WHEREAS, a public hearing has been conducted by the Board of County Commissioners
of Palm Beach County, Florida (the "Board"), in accordance with the requirements and
procedures of Section 190.005(1)(d), Florida Statutes; and

WHEREAS, all statements contained within the petition have been found to be true and
correct; and

WHEREAS, the creation of the District is not inconsistent with any applicable element or
portion of the effective Palm Beach County Comprehensive Land Use Plan, as amended; and

WHEREAS, the area of land within the District is of sufficient size, is sufficiently compact
and is sufficiently contiguous to be developable as one functional interrelated community; and

WHEREAS, the creation of the District is the best alternative available for delivering the
community development services and facilities to the area that will be served by the District; and

WHEREAS, the District will constitute a timely, efficient, effective, responsive and
economic way to deliver community development services in the area; and

WHEREAS, the proposed services and facilities to be provided by the District will be
compatible with the capacity and uses of existing local and regional community development
services and facilities; and

WHEREAS, the area that will be served by the District is amenable to separate special
district government; and

WHEREAS, the District desires to levy special assessments on purchasers of benefited
land within the District to pay for infrastructure constructed and/or acquired by the District; and
WHEREAS, the District shall acquire or construct potable water and wastewater facilities in accordance with the County’s Water Utilities Department’s standards and procedures to enable the County to provide potable water and wastewater services to the District; and

WHEREAS, the District does not have any zoning or development permitting power and the establishment of the District is not a development order; and

WHEREAS, all applicable planning and permitting laws, rules, regulations and policies control the development of the land to be serviced by the District; and

WHEREAS, the Board has considered the record of the public hearing and has decided that the establishment of the District is the best alternative means to provide certain basic services to the community; and

WHEREAS, the Board finds that the District shall have the general powers described in Section 190.011, Florida Statutes; and

WHEREAS, the exercise by the District of any powers other than the powers set forth in Sections 190.011 and 190.012(1), Florida Statutes, shall require consent by the Board of County Commissioners of Palm Beach County by ordinance or resolution.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA:

Section 1. The Petition to establish the Cypress Lakes Community Development District over the real property described in Exhibit “A” attached hereto, which was filed by Westbrooke Homes, on August 28, 2003 and which Petition is on file at the Office of the County Administrator, is hereby granted.

Section 2. The external boundaries of the District shall be as depicted on the location map attached hereto and incorporated herein as Exhibit “B.”

Section 3. The initial members of the Board of Supervisors shall be as follows:

Harold Eisenacher
David Webber
Russell Barnes
Mark Bidwell
Claudia Feldman

Section 4. The name of the District shall be “Cypress Lakes Community Development District.”

Section 5. The District is created for the purposes set forth in and prescribed in the petition.

Section 6. The Board hereby grants to the District all general powers authorized pursuant to Section 190.011, Florida Statutes, and hereby finds that it is in the public interest of citizens of the County to grant such general powers. The Board further grants the District the
special powers provided for in Section 190.012(1), Florida Statutes, Section 190.012(2)(a), Florida Statutes, and Section 190.012(2)(b), Florida Statutes, but only with respect to water mains and fire plugs.

Section 7. Notwithstanding Section 6 as set forth hereinabove, Petitioner, as the contract purchaser or the District, shall enter into a Standard Potable Water and Wastewater Development Agreement with the County for the provision of water and wastewater facilities. Petitioner shall pay all fees and charges as set forth in said Agreement and shall abide by all terms and conditions therein including, but not limited to, constructing or acquiring the water and wastewater facilities in accordance with the Water Utilities Department's Uniform Policies and Procedures; providing the County with appropriate easements for said facilities; and providing the County with a deed to said water and wastewater facilities at no cost to County. Palm Beach County's Water Utilities Department shall operate and maintain said water and wastewater facilities and provide water and wastewater service upon receipt of all fees and charges, upon completion of construction and upon receipt of said deed.

Section 8. Pursuant to Section 190.004(4), Florida Statutes, the charter for the District shall be Sections 190.008 through 190.041, Florida Statutes, including the special powers provided by Section 190.012(1), Florida Statutes, Section 190.012(2)(a), Florida Statutes, and Section 190.012(2)(b), Florida Statutes, but only with respect to water mains and fire plugs. The exercise by the District of any other special powers set forth in Section 190.012(2) shall require consent by the Board of County Commissioners. Such consent shall only be provided by resolution or ordinance after specific petition to the Board.

Section 9. The District is solely responsible for the implementation of special assessments upon benefited property within the District's internal boundaries. The Petitioner, its successors and assigns and shall provide notice of said special assessments to all prospective purchasers of said property. Special assessments payable by homeowners in the District will not be used to pay for the financing or cost of improvements located outside the boundaries of the District.

Section 10. The Petitioner, its successors and assigns shall provide full disclosure of the public financing and maintenance of improvements undertaken by the District. This disclosure shall include a statement in bold print that special assessments imposed by the District will appear in the tax bill. This disclosure shall meet the requirements of Section 190.048, F.S., as amended from time to time, and shall be included in every contract for sale. Every recorded deed from the Petitioner and any deed resulting from the subsequent conveyance of the subject property shall include the disclosure and acknowledgment of the
special assessments by the grantee. The District shall record a notice of assessments in the
Public Records after any bond sale setting forth the maximum annual special assessment to be
paid in connection with such bonds.

Section 11. The Petitioner, its successors and assigns shall disclose the fact that the
development is located in a special taxing district and that a special assessment will be
assessed on the tax roll against all property owners within the District. This information shall be
in **BOLD** type in any sales brochures, in any sales information, on the front page of the
Declaration of Restrictive Covenants creating the Property Owner Association or Homeowner
Association, and on a 24" by 36" sign which shall be posted at all times at the entrance to the
sales office of the development providing the following disclosure:

"If you purchase a unit in this development you will be subject to additional costs. A
special assessment and or taxes will be added to your tax bill. This non-advalorem tax
assessment will be in addition to all other property taxes and assessments. This cost is
estimated at $100 per month or $1,200 per year and will be levied to pay debt service on the
bonds issued by the District."

Section 12. The Petitioner, its successors and assigns shall provide all the disclosure
statements required in Sections 10 and 11 above in a separate page as part of the contract for
purchase and sale of property within the District. The potential purchaser must sign this page.

Section 13. An affidavit of compliance shall be submitted annually to Palm Beach
County Monitoring Section beginning on November 1, 2003 until all units have been sold,
outlining the number of units sold, providing samples of the documents used in the closing
process and certifying compliance with the disclosure requirements contained in this ordinance.
The County shall have the right to audit the records of the Petitioner, its successors and assigns
upon 10 days written notice to verify the compliance with the disclosure requirements of this
ordinance. Failure to comply with the disclosure requirements in this ordinance shall be a
violation of a county ordinance and shall be punishable as provided by law, including but not
limited to enforcement procedures established in Article 14 of the Unified Land Development
Code.

Section 14. If any section, paragraph, sentence, clause, phrase or word of this
Ordinance is for any reason held by any court of competent jurisdiction to be unconstitutional,
inoperative or void, such holding shall not affect the remainder of this Ordinance.

Section 15. All local laws and ordinances applying to Palm Beach County in conflict
with any provision of this Ordinance are hereby repealed to the extent of the conflict.
Section 16. This ordinance shall take effect upon filing with the Department of State.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on this 21st day of October, 2003.

ATTEST:

By: [Signature]
Deputy Clerk

Palm Beach County, Florida, by its Board of County Commissioners

Karen T. Marcus, Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: [Signature]
County Attorney

EFFECTIVE DATE: Filed with the Department of State, State of Florida, on the ___ day of November______, 2003 at _______ m.
Account #  721381
Ad #      595781
Description: Cypress Lakes
Size:      2 x 10 = 20"
Amount:    $2,608.80
Published: Sept. 26, Oct. 3, 10, & 17, 2003

Legal Advertising Invoice

Account # 721381
Ad # 595781
Description: Cypress Lakes
Size: 2 x 10 = 20"
Amount: $2,608.80
Published: Sept. 26, Oct. 3, 10, & 17, 2003

Advertising Deadlines

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Greenberg Traurig, P.A.
Stephen Sanford
777 S. Flagler Drive, #300 East
West Palm Beach, FL 33401
STATE OF FLORIDA
COUNTY OF PALM BEACH

Before the undersigned authority personally appeared Tracey Diglio, who on oath says that she is Telephone Sales Supervisor of The Palm Beach Post, a daily and Sunday newspaper published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising, being Notice in the manner of Express Lades, was published in said newspaper in the issues of September 26, October 3, 10, & 17, 2003. Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/her has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 17th day of October, A.D. 2003

[Signature]

Personally know as [XX] or Produced Identification

Type of Identification Produced
Exhibit B

LEGAL DESCRIPTION

KNOW ALL MEN BY THESE PRESENTS THAT ENGLE HOMES/PALM BEACH, INC., A FLORIDA CORPORATION, OWNERS OF THE LANDS SHOWN HEREON, BEING A REPLET OF ALL OF TRACTS 11, 14, AND 15 AND A PORTION OF TRACTS 12, 13, AND 18, IN BLOCK 35, OF PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGES 43-54, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND SHOWN HEREON AS "CYPRESS LAKES PRESERVE P.U.D.", AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 38, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE NORTH 01° 27' 15" EAST, ALONG THE EAST LINE OF SAID SECTION 38, A DISTANCE OF 2574.02 FEET; THENCE SOUTH 89° 00' 51" WEST, ALONG THE SOUTH LINE OF SAID TRACT 15 AND THE EASTERLY PROLONGATION THEREOF, A DISTANCE OF 222.21 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. 441 (STATE ROAD NO. 7) AS RECORDED IN OFFICIAL RECORDS BOOK 10507, PAGE 1304, OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89° 00' 51" WEST, ALONG THE SOUTH LINE OF SAID TRACTS 16, 15, 14, AND 13, A DISTANCE OF 2368.69 FEET; THENCE NORTH 02° 03' 40" EAST, ALONG A LINE 80 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE EAST ONE-HALF OF SAID SECTION 38, A DISTANCE OF 1206.39 FEET; THENCE NORTH 89° 01' 23" EAST, ALONG A LINE 25 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID TRACTS 12 AND 11, A DISTANCE OF 1342.75 FEET; THENCE SOUTH 01° 07' 08" EAST, ALONG THE EAST LINE OF SAID TRACT 11, A DISTANCE OF 634.59 FEET; THENCE NORTH 89° 00' 53" EAST, ALONG THE NORTH LINE OF SAID TRACT 15, A DISTANCE OF 660.51 FEET; THENCE SOUTH 01° 07' 53" EAST, ALONG THE EAST LINE OF SAID TRACT 15, A DISTANCE OF 450.72 FEET; THENCE NORTH 89° 00' 51" EAST, ALONG A LINE 200 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF TRACT 16, A DISTANCE OF 302.46 FEET; THENCE SOUTH 01° 28' 03" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE OF U.S. 441, A DISTANCE OF 49.52 FEET; THENCE SOUTH 01° 28' 24" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 150.66 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA, AND CONTAIN 52.342 ACRES, MORE OR LESS.
FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM
CODRS CODING FORM

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (904)-488-8427 or Suncom 278-8427.

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| COUNTY CODE NUMBER: ( ) |
| KEYFIELD 1 CODE: ( ) |
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I. REVIEW SUMMARY

A. BACKGROUND

Chapter 190, F.S., also known as the "Uniform Community Development District Act of 1980" (the Act), adopted procedures in the State Law for the use of independent districts as a reasonable alternative to the provision of urban services by a local government. The Act contains criteria for establishing, assigning powers, and providing limits to the operation and duration of independent districts in order to manage and finance basic community development services. The Act indicates that proposed Community Development Districts (CDDs) of less than 1,000 acres shall be created by County ordinance based upon a determination of applicable facts, as established in the Act.

At a BCC Workshop held on September 24, 2002, on CDDs, the Board expressed strong concerns regarding the proliferation of special districts in the County and the overburden to County taxpayers, particularly to low and moderate income residents, resulting from the additional taxes or assessments imposed by CDDs and other special districts. At the end of the workshop, the Board provided explicit direction to staff to limit the approval of CDDs to non-residential projects and to projects that promote mixed used developments that work as functional, interrelated communities, as required in the statutes. The Board also directed staff to include additional and detailed disclosure requirements in the adopting ordinance of CDDs allowed by the Board, and to monitor the implementation of the disclosures and any other conditions stipulated in the adopting ordinance through the Monitoring Section of the Planning, Zoning and Building Department.

B. THE PROPOSED COMMUNITY DEVELOPMENT DISTRICT

1. Petition Purpose and Summary

The purpose of the petition by Westbrook Homes to establish the Cypress Lakes Community Development District is to finance (i) surface water management and control systems, including required earthwork, (ii) water distribution, wastewater facilities and transmission facilities, (iii) other permitted public improvements and community facilities authorized by the Act, and (iv) related incidental costs for proposed residential development.
The CDD petition is being processed concurrent with an application to establish a residential planned unit development on 62.34 acres located in the west side of State Road 7 between Lake Worth and Lantana roads.

The complete text of the petition by Westbrooke Homes to establish the Cypress Lakes Community Development District can be viewed at the Planning Division or at the County Administration.

C. REVIEW OF THE FACTORS TO MAKE A DETERMINATION TO GRANT OR DENY THE PETITION AS SET FORTH IN CH. 190.005(1)(e)

Chapter 190.005(1)(e) lists six (6) factors that the County Commission shall consider in addition to the record of the public hearing in making a determination to grant or deny a petition for the establishment of a community development district. The following is a review of those factors and the findings made by staff on each factor:

a. Whether all statements contained within the petition have been found to be true and correct.

The statements contained in the petition appear to be true and correct.

b. Whether the establishment of the district is inconsistent with any applicable element or portion of the state comprehensive plan or of the effective local government comprehensive plan.

The establishment of the district is not inconsistent with the effective Comprehensive Plan of Palm Beach County. However, the Board of County Commissioners (BCC) has expressed strong concern regarding the proliferation of special districts in the County and their potential burden on County taxpayers, contrary to State policy in the Act which indicates “that the needless and indiscriminate proliferation, duplication, and fragmentation of local, general-purpose government services by independent districts is not in the public interest.” To address these concerns the Board directed staff to limit the approval of CDD petitions to non-residential developments at a Workshop held on September 24, 2002.

c. Whether the area of land within the proposed district is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community.

A residential development might be functional, and depending on the design and interrelations with working, educational and recreational areas located in close proximity, it could be also an interrelated development. On the other hand, a functional and interrelated community is a compact and contiguous mixed-use development, where people can live, work, educate and recreate within the framework of the development. An example of mixed-use development which is a functional interrelated community in a compact, contiguous setting, is the City Place, in West Palm Beach. The proposed residential development is an enclosed planned unit development that is not functionally interrelated to the surrounding community and is designed to maximize the number of units within the development to be built in several phases.

d. Whether the district is the best alternative available for delivering community development services and facilities to the area that will be served by the district.
As indicated above in item b of this subsection, the Board is concerned with the proliferation of special districts and the overburden to the taxpayers. There are currently 65 special districts within the County boundaries, of which 12 are CDDs with 6 located in unincorporated County. The County and several municipalities have approved the majority of CDDs within the last four years. According to officials from the Department of Community Affairs, this increase in the use of CDDs is a statewide trend, but many of them are located in isolated areas of the state with no service providers, or in areas subject to revitalization projects, where CDDs are a better alternative. Most of the 75 districts in the County are also taxing districts, and several have overlapping boundaries, which result in the proliferation of taxing items in the tax bills for areas where jurisdictions overlap. Considering that the proliferation of special districts is contrary to State policy, the BCC directed staff to limit CDDs to non-residential ones. Under these circumstances the proposed district is not the best alternative for delivering community services to this residential development.

e. Whether the community development services and facilities of the district will be incompatible with the capacity and uses of existing local and regional community development services and facilities.

The infrastructure services and facilities for the proposed residential planned unit development are compatible with the capacity and uses of existing County infrastructure facilities.

f. Whether the area that will be served by the district is amenable to separate special-district government.

Although the area might be amenable of separate special district government, the proliferation of special districts in the County is contrary to State policy and is of great concern. Additional residential CDDs could overburden taxpayers in the area, which is considered to have moderate to low-income residents.

D. ASSESSMENT AND CONCLUSIONS

Chapter 190, Florida Statutes, states that the creation of a Community Development District (of less than 1,000 acres) shall be accomplished through the enactment of an ordinance after a public hearing of the applicable governing body, in this case Palm Beach County. The Statutes require the County to make a determination to grant or deny the petition based on the factors analyzed on section C above, including consistency with the County's Comprehensive Plan, and considering the entire record of public hearing. The Planning Division, after reviewing the petition has found the petition to be insufficient, inconsistent with recent policy direction by the Board of County Commissioners limiting CDDs to non-residential ones, and contrary to State policy indicating that proliferation of special districts is not in the public interest, as demonstrated in section C above. Staff is thus recommending denying the petition.

E. ALTERNATIVE ACTIONS

The following courses of action are available to the Board:

1. Recommendation to grant the creation of the CDD;

2. Recommendation to grant with modifications; or

3. Recommendation of denial.
November 19, 2003

Honorable Dorothy H. Wilken
Clerk to Board of County Commissioners
Palm Beach County
Post Office Box 4036
West Palm Beach, Florida 33402-4036

Attention: John W. Dame, Chief Deputy Clerk

Dear Ms. Wilken:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated November 17, 2003 and certified copies of Palm Beach County Ordinance Nos. 2003-053 and 2003-054, which were filed in this office on November 18, 2003.

Please be advised that the Florida County Ordinance Data Retrieval System (CODRS) Coding Forms were not received for the above mentioned ordinances.

Sincerely,

[Signature]

Liz Cloud
Program Administrator

[Stamp]