Public Hearing 6 P.M. or as soon thereafter as the agenda permits. The City Commission will conduct these public hearings in its dual capacity as Local Planning Agency and City Commission.

10/21/2025

City of Boynton Beach
Agenda Item Request Form

Meeting Date: 10/21/2025

Proposed Ordinance No. 25-022- Second Reading, An Ordinance of the City of Boynton Beach, Florida, Voluntarily Annexing Approximately 0.36 Acres of Unincorporated Territory Located at 3604 Boynton Beach Boulevard, into the Corporate Limits of the City Pursuant to Section 171.044, Florida Statutes; Providing for the Annexation of the Property Described Herein; Providing Publication of Notice of the Proposed Annexation; Directing the City Clerk to Record this Ordinance with the Clerk of the Circuit Court, with the Chief Administrative Officer of Palm Beach County, and with the Department of State; Providing a Business Impact Estimate; Providing for Codification; Conflicts; Severability; and an Effective Date.

Requested Action: Staff recommends approval of Proposed Ordinance No. 25-022, at second reading.

Explanation of Request:

The subject area is located in unincorporated Palm Beach County and is contiguous to the City of Boynton Beach on the eastern boundary. The site is currently ahs a Palm Beach County Future Land Use designation of CH/8 and is zoned Palm Beach County CHO. The parcel is currently developed with an existing 1,250 square foot structure with ancillary site improvements. The applicant has submitted an application to voluntarily annex the property into the City of Boynton Beach and change the future land use and zoning to LRC and C-3, respectively, which would permit a Medical Marijuana Treatment Center at this location.

An application for a voluntary annexation is required to be accompanied by a Future Land Use Map Amendment and Rezone. As such, the application is requesting a C-3 zoning designation. However, in order to rezone, the site must meet the requirements of the zoning district requested. As the site is already developed, the current location of the structure is 9.1 feet from the rear property line, while the C-3 zoning districts requires a minimum of 20 feet. The applicant is requesting a Variance for the rear yard setback of 9.1 feet where 20 feet is required.

Review of the proposed annexation by staff finds the application meets the statutory

conditions: the parcel is contiguous to the City boundary and “reasonably compact” in that it does not create enclaves or pockets. Voluntary annexations are regulated by Chapter 171.044, Florida Statutes; additional directions regarding the process are contained in the Palm Beach County Ordinance 2007-018. Pursuant to these requirements, on July 21, 2025 staff sent a preliminary notification of the proposed annexation to the Palm Beach County Administrator and Planning Director and on September 12, 2025 notification of the Public Hearing was sent via certified mail. Comments will be provided to City Commission once received.

How will this affect city programs or services? If approved the City would be responsible for all services including but not limited to Police, Fire, and Solid Waste. All applicable departments have reviewed this application and currently have the necessary resources to service this area.

Account Line Item and Description: N/A

Fiscal Impact: N/A

Attachments:
Ordinance No. 25-022 Annexation- Curaleaf Florida, LLC
Attachment 1 - Ownership Consent Form
Attachment 2 - Petition for Annexation
Attachment 3 - Contiguity Map - Curaleaf Florida LLC Annexation
Attachment 4 - Location Map - Curaleaf Florida LLC Annexation
Attachment 5 - Project Statement - Curaleaf Florida LLC Annexation
Attachment 6 - Exhibit A - Curaleaf Florida LLC Annexation - Legal Description and Survey
Attachment 7 - Existing and Proposed Future Land Use Map
Attachment 8 - Existing and Proposed Zoning Map.pdf
Attachment 9 - Rear Setback Variance Request
Attachment 10 - SITE PLAN - Variance Request
Staff Report - Curaleaf Florida, LLC