



PALM BEACH COUNTY ZONING APPLICATION STAFF REPORT

ZONING COMMISSION, OCTOBER 3, 2025

A. Application Summary

I. General

Application Name:	Tropical Lakes PUD, DOA-2024-01618
Control Name:	Tropical Lakes PUD (1992-00026)
Applicant:	Palm Beach Bath & Tennis Homeowners Assn
Owner:	Palm Beach Bath & Tennis Homeowners Assn
Agent:	Keiser Legal PLLC - Heather Jo Allen Esq
Project Manager:	Joyce Lawrence, Senior Site Planner

Title: a Development Order Amendment **Request:** to modify the overall Planned Unit Development (PUD) to delete land area from the overall PUD, the Recreation and Civic Pods, to reduce the open space and to modify a Condition of Approval on 27.19 acres

Application Summary: The application is for Tropical Lakes PUD. The Planned Unit Development (PUD) was originally approved by the Board of County Commissioners (BCC) on December 6, 1993 to allow an Official Zoning Map Amendment to rezone the property from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) Zoning District.

The request proposes to modify the boundary of the PUD, to delete land area within the Private Recreation and the Civic Pods, and to amend a Condition of Approval (Site Design). The Preliminary Master Plan indicates a residential Pod (92 ZLL units, and 44 Multi Family dwelling units) for a total of 136 units, with no change to the dwelling units, a Private Civic and Recreation Pods, and an existing Lake. Access to the site will remain from Via Delray Road, and Crestwood Avenue.

II. Site Data

Acres:	27.19 acres
Location:	North side of Via Delray approximately 0.62 miles west of Military Trail
Parcel Control:	00-42-46-11-23-001-0000; 00-42-46-11-23-015-0010 00-42-46-11-24-001-0000; 00-42-46-11-24-002-0000 00-42-46-11-24-005-0000; 00-42-46-11-24-010-0000 00-42-46-11-24-017-0000
Future Land Use:	Medium Residential with an underlying 5 units per acre (MR-5)
Zoning District:	Residential Planned Unit Development District (PUD)
Tier:	Urban/Suburban
Utility Service:	Palm Beach County Water Utilities
Overlay/Study:	N/A
Neighborhood Plan:	N/A
CCRT Area:	N/A
Comm. District:	5, Commissioner Maria Sachs

III. Staff Assessment & Recommendation

ASSESSMENT: Staff has evaluated the standards listed under Article 2.B., and determined that the requests meet the standards of the ULDC subject to Conditions of Approval as indicated in Exhibit C.

STAFF RECOMMENDATION: Staff recommends approval of the request, subject to the Conditions of Approval as indicated in Exhibit C.

PUBLIC COMMENT SUMMARY: At the time of publication, Staff had received no contact from the public regarding this application.

IV. Hearing History

ZONING COMMISSION: *Scheduled for October 3, 2025*

BCC HEARING: *Scheduled October 23, 2025*

B. Data & Analysis

The supporting data and analysis is provided within the following Exhibits.

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E.1	Preliminary Master Plan dated July 28, 2025	E-1
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E.4	Drainage Statement	E-4

Exhibit A-1 - Future Land Use Map



Exhibit A-2 - Zoning Map

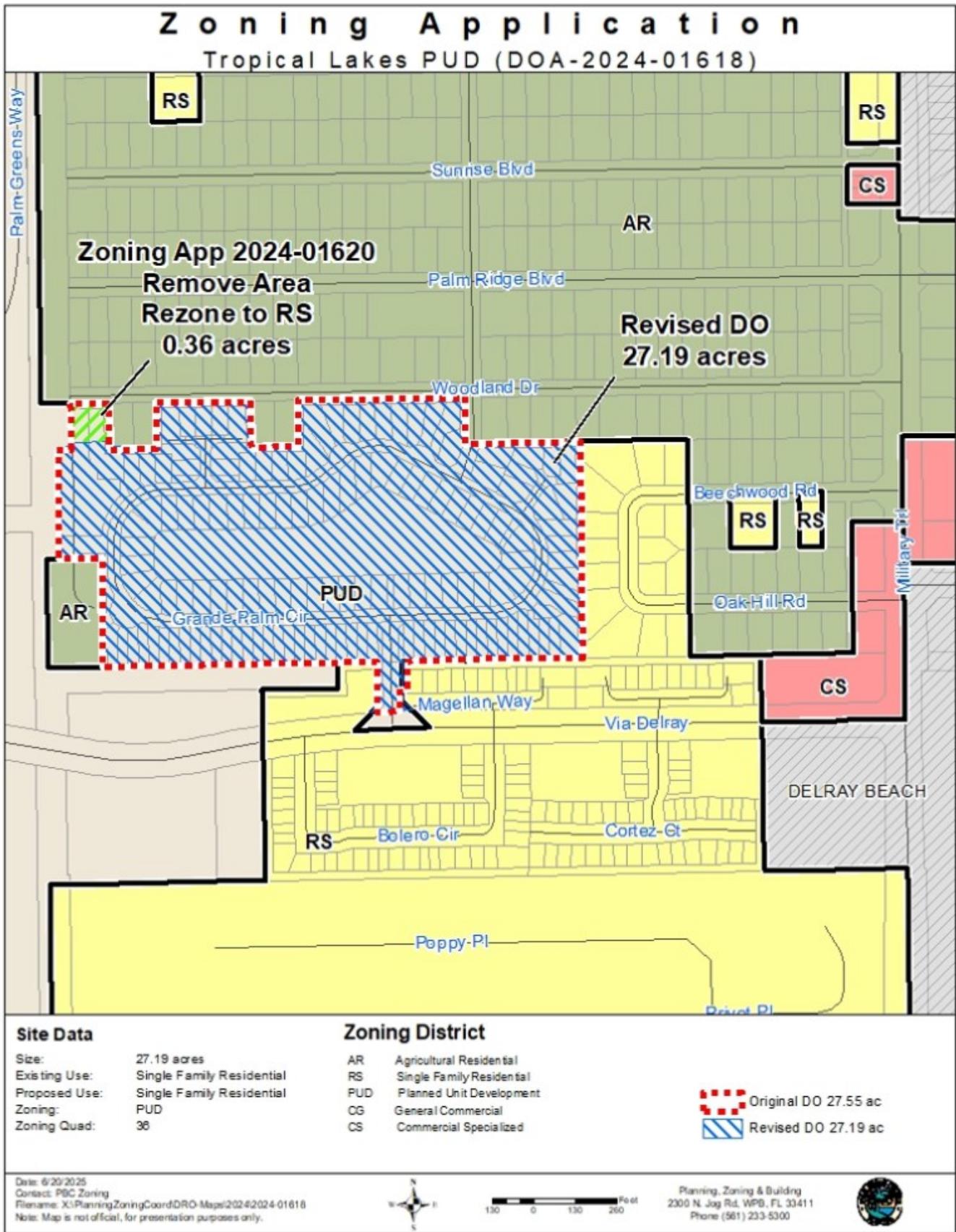


Exhibit B - Standards Analysis & Findings

FINDINGS:

Conditional Uses, Official Zoning Map Amendment to a PDD or TDD and Development Order Amendment:

Article 2.B.7.B, Standards for Rezoning to a PDD or a TDD, a Conditional Use, or a Development Order Amendment are indicated below with Staff Analysis. Conditional Use requests for Density Bonus pursuant to Art. 5.G.1, Workforce Housing Program (WHP) are subject to not subject to these Standards, and are subject to the Findings of Fact in Article 5.G. A request that fails to meet any of these Standards shall be deemed adverse to the public interest and shall not be approved by the Commission.

- a. **Consistency with the Plan** – *The proposed use or amendment is consistent with the purposes, goals, objectives and policies of the Plan, including standards for building and structural intensities and densities, and intensities of use.*
- *Consistency with the Comprehensive Plan:* The proposed amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.
 - *Relevant Comprehensive Plan Policies:* The subject site is located within the Urban Suburban Tier and has a Future Land Use (FLU) designation of Medium Residential, 5 units per acre (MR-5). Per Future Land Use Element (FLUE) Table 2.2.1-j.1, Residential Future Land Use - Zoning Consistency, the existing Planned Unit Development (PUD) Zoning District is consistent with the MR-5 FLU designation.
 - *Density:* The request proposes to remove 0.36 acres from an existing 27.55-acre PUD in order to allow for the development of a single-family home outside the boundaries of the PUD. The maximum density currently allowed in the PUD as configured is 138 dwelling units (27.55 x 5 du/ac = 137.75 or 138 rounded). With the deletion of 0.36 acres, the maximum allowed density would be 136 dwelling units (27.19 x 5 du/ac = 135.95 or 136 rounded). The PUD is currently developed with 136 single family homes and therefore complies with the density requirements.
 - *Special Overlay District/Neighborhood Plan/Planning Study Area:* The site is not located within any neighborhood plans, overlays or plan study areas as identified in the Comprehensive Plan.
- b. **Consistency with the Code** - *The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.*

The proposed amendment is within the Tropical Lakes PUD. The Applicant is proposing to delete land area (-0.36 acre) from the PUD Recreation and the Civic areas to support one single family dwelling unit through a concurrent Application, Z-2024-01620. The site is currently developed with 126 dwelling units (92 ZLL, and 44 MF). No modifications are proposed from the Residential Pod. As proposed, the amendment is consistent with the stated purpose and intent of the Unified Land Development Code (ULDC). With the proposed modification of the PUD to delete land area, Staff has generated a condition of approval (Planned Development - Unity of Control No. 1) that at time of final approval of the subdivision plan by the Development Review Officer (DRO), the Property Owner shall record in the public record a Unity of Control document recorded in a form and manner acceptable to the Zoning Division, Land Development Division, and County Attorney.

- *Property Development Regulations (PDRs):* The development is existing and was approved subject to Table 3.E.2.D – PUD Property Development Regulations. The proposed amendment to delete land area will not change the Property Development Regulations of the existing Residential development as it relates to the minimum lot dimensions (width and frontage), building coverage, and setbacks, other than what is indicated below.
- *Setbacks:* The proposed deletion of land from the PUD will not alter the existing setbacks and separation of the existing residential dwelling units. However, the Applicant is *proposing to modify one of the Conditions of Approval (Site Design No. 6) for consistency with the current ULDC requirements. Pursuant to ULDC Table 5.B.1.A-Setbacks “recreational amenities shall be setback twenty-five (25) feet from adjacent residential uses for recreation tracts greater than or equal to 7,500 square feet to less than one acre.”* Thus, the Applicant is proposing the following modification to the previously Site Design Condition No. 6 in compliance with current Code, and proposing to delete the shuffle board court. The proposed Condition (Site Design No. 6) will read as follows with the deleted text struck out, and added text underlined:

The minimum setback for all recreational facilities, structures, and accessory structures, and accessory structures shall be ~~fifty (50)~~ twenty-five feet from any required perimeter buffer adjacent to residential uses. ~~The setback area shall be for the exclusive use of landscaping.~~

Pending approval of the concurrent application, Z-2024-01620, Staff is recommending a Condition of Approval (Site Design No. 7) that at time of final approval of the subdivision plan, the plan shall be revised to delete the shuffle board court.

○ **Open Space:** Additionally, the development according to current Code shall comply with a minimum of 40% open space with the remaining 60% being development area. The Preliminary Master Plan (PMP) Exhibit E-2, indicates that the existing and the proposed Open Space is approximately 26%. At time of the original approval of this application in 1993, no open space was required. As indicated below, the previously approved development consisted of 27.55 acres with an approximately 26 percent (7.21 acres) of open space. The Applicant states in the Justification Statement that the proposed plan for the Tropical Lakes PUD reflects a total acreage of 27.19 acres of land including +/- 6.95 acres of open space pending the proposed deletion of land area (-0.36 acres) through a Concurrent Application Z-2024-01620. The proposed development area contains Residential, Recreation and Civic Pods and is subject to the BCC approval.

Tropical Lakes PUD: Open Space Data		
	Final Master Plan (1995 Approval)	Proposed Preliminary Master Plan
Landscape Buffers	1.54 ac	1.52 ac
Lake	4.30 ac	4.30 ac
Recreation Area	1.07 ac	0.83 ac
LWDD Easement	0.30 ac	0.30 ac
Total	7.21 ac	6.95 ac
Percentage of PUD	26% of 27.55 ac	26% of 27.19 ac

Additionally, the amendment continues to meet the requirements pursuant to Table 3.E.2.D – PUD Property Development Regulations for the following:

○ **Civic:** Pursuant to Table 3.E.2.C – PUD Land Use Mix, a minimum of 2% of Civic area is required (27.19 x 2% = 0.54 acres) for the development and the Applicant is providing 0.54 acres.

○ **Recreation:** Pursuant to Table 3.E.2.C – PUD Land Use Mix, a minimum of 0.006 acre per dwelling unit is required for the Recreation Area (136 x 0.006 = 0.82 acres). The Applicant is providing 0.83 acres of Recreation area as indicated below:

PUD Land Use Mix: Civic and Recreation Acreage Requirements				
	1992 ULDC		Current ULDC	
	Civic Area	Recreation Area	Civic Area	Recreation Area
Required:	0.54 acres	0.82 acres	0.54 acres	0.82 acres
ULDC Provision:	Table 6.8-4	Table 6.8-4	Table 3.E.2.C	Table 3.E.2.C
Calculation:	2% of 27.19 acres = 0.54 acres	110 SF x (2.4 persons/DU x 136 DU = 326 persons) = 35,860 SF or 0.82 AC	2% of 27.19 acres = 0.54 acres	0.006 AC/DU x 136 DU = 0.82 AC
Provided:	+/- 0.54 acres	+/- 0.83 acres	+/- 0.54 acres	+/- 0.83 acres

○ **Access:** Access and frontage of the subject site will remain from Via Delray Road and Crestwood Avenue. The existing access points are existing and satisfy the requirements of Art. 11.A.8.B.2., Legal Access.

○ **Use:** The existing development was approved in 1993 as a PUD with 136 dwelling units (Multi Family and Zero Lot Line). No change is proposed to the existing Residential Pod of the PUD. The request is pending approval of the deleted land area (-0.36 acre) from the PUD (Recreation and Civic areas) and is also subject to a Concurrent Application: Z-2024-01620, to create a stand-alone single family lot. Pending approval, the proposed lot will have no relation to the existing PUD development. The new pod boundary will be subject to Code requirements.

○ **Parking:** No change is proposed to the existing parking spaces. The PMP indicates a total of 272 required and proposed parking spaces. Pursuant to Art. 6.B.1.B. Minimum Parking Requirements, the site is in compliance with the required parking spaces by Code.

○ **Landscaping and Buffering:** The proposed amendment will affect only the northwestern portion of the perimeter buffer, approximately 122 feet from the west property line. Pending approval of the request, a 15-foot wide incompatibility landscape buffer is required, and is provided along this new property boundary at the north west corner of the PUD, directly adjacent to the Recreation and Civic areas. No

change is proposed to the remaining perimeter buffers. A 10-foot wide right of way buffer is provided along the Via Palm Beach entrance. To the northeast, south, east and along the west property lines, there are existing 15-foot wide incompatibility landscape buffers.

○ *Sign:* No change is proposed to the existing sign. Pursuant to existing Sign Condition 1 herein, the site is limited to a maximum of one monument style sign, six (6) feet in height, and a maximum sign face area of 54 square feet per side to be located on Via Delray Road.

c. Compatibility with Surrounding Uses – *The proposed use or amendment is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.*

The proposed development is predominantly surrounded by residential uses. The site was found and will remain compatible with the surrounding uses. To the north of the property is the Delray Gardens Estates, a residential development consisting of single family structures with a Medium Residential 5-units per acre (MR-5) Land Use Designation, and an Agricultural Residential (AR) Zoning District.

To the northwest corner of the site, is a proposed concurrent Zoning application (Z-2024-01620), supporting land area to be deleted from the PUD to allow a residential single family lot, with a Medium Residential 5-units per acre (MR-5) Land Use Designation and a proposed RS Zoning District. Additionally, the Applicant is proposing a 15-foot wide Type 2 Incompatibility Landscape Buffer between the proposed deleted land area and the existing remaining PUD. This will mitigate any negative impact from the existing PUD development to the proposed SFD lot, and in consistency with Table 7.C.2.C – Incompatibility Buffer Types. To the south is the Casa Del Rey PUD, (Control No. 1881-00088). To the east is Beechwood Estates Subdivision, (Control No. 1974-00131) and to the west across from the Lake Worth Drainage District (E-3) Canal is the Villa Del Ray PUD, (Control No. 1971-00013). The proposed amendment to delete land area from the PUD will remain compatible and consistent with the development in the area.

d. Design Minimizes Adverse Impact – *The design of the proposed use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.*

The proposed amendment will have minimal impacts on the neighboring areas. The property boundary to the northwest corner of the site will be modified to delete land area (0.36 acres). A 15-foot wide Type 2 Incompatibility Landscape Buffer is proposed along the new property boundary and will be in compliance with Code. As previously described, the subject site is a contiguous development to the existing adjacent residential developments. The Applicant states in the Justification Statement that no additional intensity or density is proposed within the Tropical Lakes PUD. No proposed site plan change is proposed to any of the existing and approved structures.

The request proposes to delete land area from the overall PUD development. Staff analyzed the proposed amendment and determined that the proposed minimizes adverse impacts, and intensity relative to the surrounding areas.

e. Design Minimizes Environmental Impact – *The proposed use and design minimizes environmental impacts, including, but not limited to, water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.*

ENVIRONMENTAL RESOURCE MANAGEMENT COMMENTS:

Environmental Resource Management Review Staff were provided this application for review and provided the following analysis:

- *Vegetation Protection:* The application request does not impact native vegetation.
- *Wellfield Protection Zone:* This property is not located within Wellfield Protection Zone.
- *Irrigation Conservation Concerns and Surface Water:* All new installations of automatic irrigation systems shall be equipped with a water sensing device that will automatically discontinue irrigation during periods of rainfall pursuant to the Palm Beach County Mandatory Year-Round Landscape Irrigation Conservation Measures Ordinance, Ordinance No. 2022-007. Any non stormwater discharge or the maintenance or use of a connection that results in a non stormwater discharge to the stormwater system is prohibited pursuant to Palm Beach County Stormwater Pollution Prevention Ordinance No. 93-15.
- *Environmental Impacts:* There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.

- f. **Development Patterns** – *The proposed use or amendment will result in a logical, orderly and timely development pattern.*

The residential development has existed and approved since the early 90s. The development pattern within the immediate area is residential with different housing types. The amendment to delete land area that is designated as recreation and civic does not modify the development pattern to the north and to the east of the development. Though it reduces the recreation area, specifically for this Planned Unit Development, the deleted land area will be developed with one single family home. Prior to the approval of the PUD in 1993, the 0.36-acre parcel that is proposed to be deleted, were two platted lots that were part of the Garden Estates Plan recorded in 1951. Single Family dwelling units are developed along Woodland Drive and development of a SFR on that street would be logical.

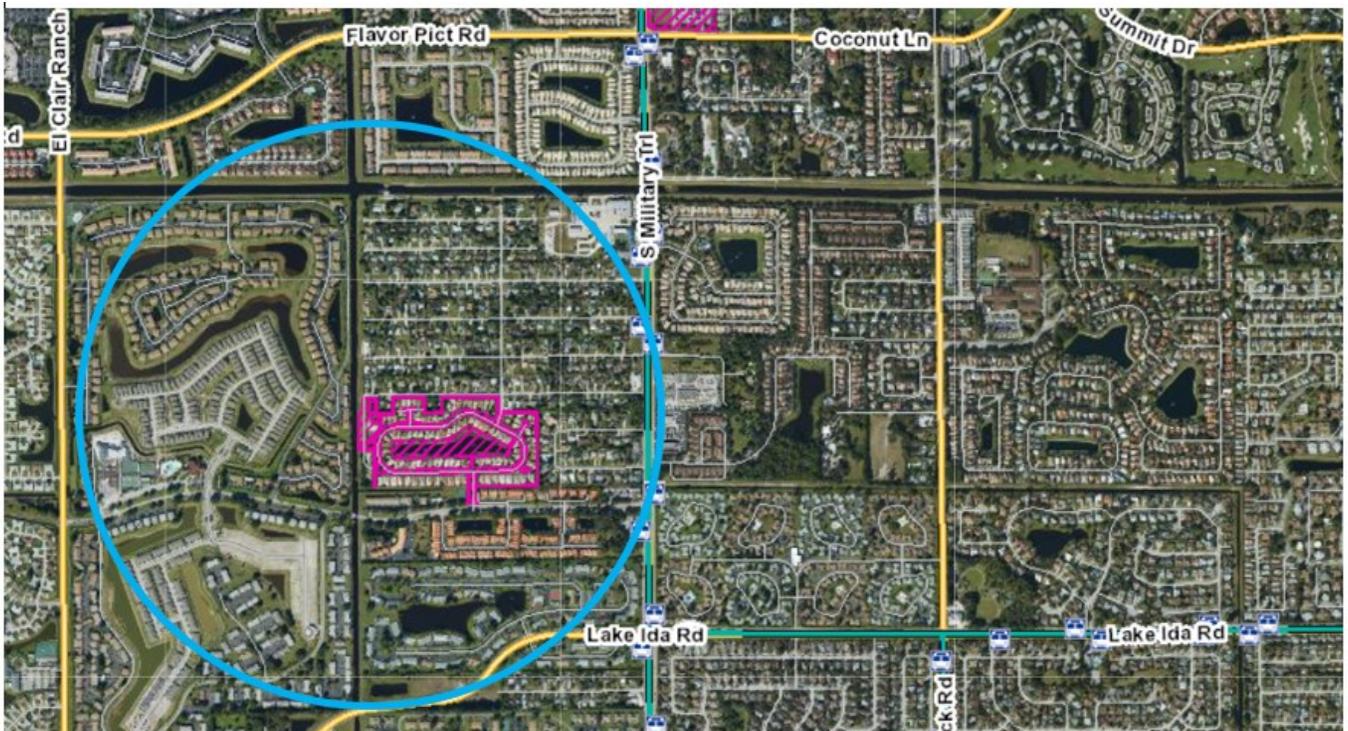
- g. **Adequate Public Facilities** – *The proposed amendment complies with Art. 2.F, Concurrency (Adequate Public Facility Standards).*

TRAFFIC DIVISION:

The Department of Engineering and Public Works Traffic Division were provided this application for review. They had no comments. There is no traffic impact related to the request to delete land area.

MASS TRANSIT:

Palm Tran Review Staff were provided with this application for review. During the review they had no comments. Bus Route 3 is just on the perimeter of a ½ mile to the east of the development along Military Trail. Bus Route 8 is further running east-west along Lake Ida Road.



LAND DEVELOPMENT:

The Department of Engineering and Public Works Land Development Division provided comments throughout the review of this application to remove land area from the existing PUD. The site is located within South Florida Water Management District (SFWMD) and Lake Worth Drainage District (LWDD) jurisdictional boundaries and there are no associated drainage improvements for this application.

The property associated with the application was found to comply with the regulations and code requirements of the ULDC under the authority of the Land Development Division, subject to the following conditions of approval: Prior to the issuance of the first building permit, the Property Owner shall configure the property into a legal lot of record in accordance with the provisions of Article 11 of the Unified Land Development Code, concurrently with the platting of Little Tropical Lakes (Control No. 2024-00138). The Property Owner shall provide a utility easement for sewer service connection for Little Tropical Lakes.

DRAINAGE DISTRICT:

The Lake Worth Drainage District Review Staff were provided with this application for review. During the review they provided the following, “*This petition is located on the north side of Lake Worth Drainage Districts (LWDDs) L-31 Canal and is adjacent.*” The Applicant’s Drainage Statement (Exhibit E.4) states: “*The existing drainage system for Tropical Lakes PUD will remain as is. The property does not currently use the portion of the lot to be subdivided for stormwater management. The site runoff will continue to be directed to inlets and culverts which outlet to the exiting on-site lake. The stormwater is held there for treatment and attenuation before discharging through an outlet control structure into a LWDD L-31 Canal.*”

WATER AND WASTEWATER PROVIDER:

PBCWUD Review Staff were provided with the application for review. During the review they had no comments. The development is connected with water and wastewater services, and the deleted land area will continue to have connection to water and wastewater services.

PALM BEACH COUNTY HEALTH DEPARTMENT:

The Florida Department of Health Review Staff were provided with this application for review. During the review they provided the following, "The Florida Department of Health has no objections to this project."

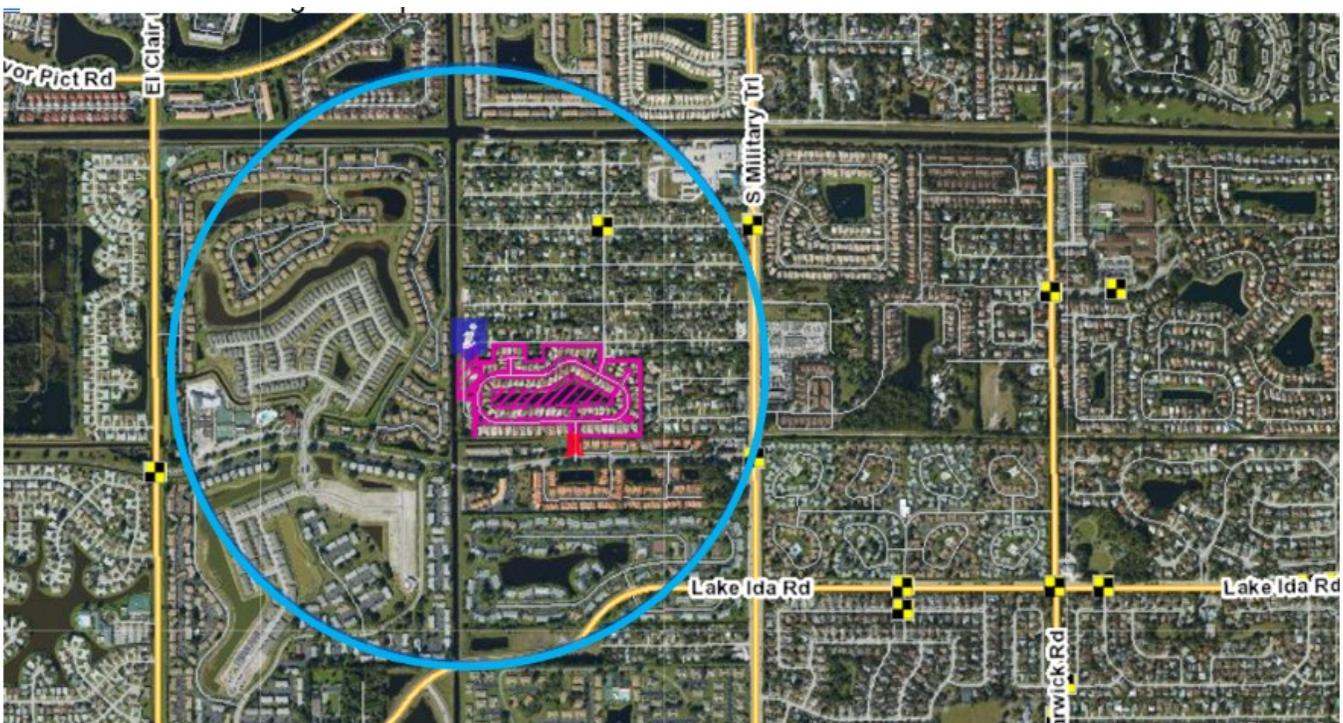
FIRE PROTECTION:

Fire Rescue Review Staff were provided with this application for review. During the review they had no comments. The development is within the service boundary of Palm Beach County Fire Rescue Station # 44.



SCHOOL IMPACTS:

The PBC School District Review Staff were provided with this application for review. During the review they stated, "The School Board has no issues with the requests." There are two school bus stop within a 1/2 miles of the existing development.



PARKS AND RECREATION: The Parks and Recreation Department Review Staff were provided this application for review. During the review they stated, *“After the PUD acreage removal, the site continues to provide 136 dwelling units, a minimum of 0.82 acres of recreation area is required. The project maintains the recreation requirement and continues to meet Parks ULDC Requirements. The Parks and Recreation Department has no issues with the removal of the shuffle board court.”*

h. Changed Conditions or Circumstances – *There are demonstrated changed site conditions or circumstances provided by the Applicant’s Justification Statement that necessitate the amendment.*

The Applicant’s Justification Statement states that: *“There are demonstrated changed site conditions or circumstances, provided by the Applicant’s Justification Statement that necessitate a modification. As noted herein, the Applicant is requesting the DOA to delete an unused and vacant +/- 0.36-acre parcel from the Tropical Lakes PUD to allow for its development with a single family home along with reconfiguration of the civic and recreation tracts and that portion of the perimeter buffer tract within the Affected Area and a modification to a condition of approval to ensure consistency with the applicable ULDC provisions. As demonstrated herein, the +/- 0.36-acre Lauer Lot is not needed to meet the 1992 ULDC’s requirements for density or the civic or recreational acreage requirements. This +/- 0.36- acre parcel is simply unused and vacant land that would be better suited for development with a single family home consistent with existing development along Woodland Drive. As population increases in the State of Florida generally and Palm Beach County specifically, it is in the County’s best interests to allow for development of land with its highest and best uses. The Palm Beach Bath and Tennis Homeowners Association, Inc., which is the HOA for the Tropical Lakes PUD, recently voted to remove this +/- 0.36-acre parcel from the PUD to allow for its sale in recognition that the highest and best use of this parcel is development with a single family home. As such, there are demonstrated changed site conditions and circumstances that necessitate the DOA.”*

Exhibit C - Conditions of Approval

Development Order Amendment on 27.19 acres

ALL PETITIONS

1. The approved Preliminary Master Plan is dated July 28, 2025. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)
2. All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-1993-1544 (Control 1992-00026), have been consolidated as contained herein. The Property Owner shall comply with all previous Conditions of Approval and deadlines previously established by Article 2.E of the Unified Land Development Code (ULDC) and the Board of County Commissioners, unless expressly modified. (ONGOING: ZONING - Zoning)

ENGINEERING

1. The Property owner shall construct Crestwood Avenue from Woodland Drive to Palm Ridge Drive. This construction shall meet local street standards, including a minimum of two (2) ten (10) foot travel lanes. The construction shall be concurrent with the paving and drainage improvements for the site. Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. Construction shall be completed prior to finalizing the first plat. (BLDGPM: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 1 of Resolution R-1993-1544, Control No.1992-00026)
2. The Property owner shall construct a right turn lane, east approach on Via Delray at the project's entrance road. Length of the turn lane shall be extended from Bolero Circle East to the project's entrance road. The construction shall be concurrent with the construction of paving and drainage improvements for the site. Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPM: MONITORING - Engineering) (Previous ENGINEERING Condition 2 of Resolution R-1993-1544, Control No.1992-00026)
3. The Property owner shall construct a median opening on Via Delray Road at the project's entrance road to permit only left turns exiting the site. This shall be subject to the approval of the County Engineer. The construction shall be concurrent with construction of paving and drainage improvements for the site. Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit and construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPM/CO: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-1993-1544, Control No.1992-00026)
4. The Developer shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance as it presently exists or as it may from time to time be amended. The Fair Share fee for this project presently is \$73,095 (443 additional trips X \$165.00 per trip) and is paid at the time of the Building Permit (BLDGPM: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 4 of Resolution R-1993-1544, Control No.1992-00026)
5. The Lake Worth Drainage District is requesting the required right-of-way for Lateral Equalizing Canal No. E- 3, by Quit Claim Deed or an Easement Deed in the form provided by said District. If the property owner agrees the Lake Worth Drainage District requests that prior to June 1, 1991 that the right of way be conveyed. (DATE: MONITORING - Lake Worth Drainage District) [Note: COMPLETED] (Previous ENGINEERING Condition 5 of Resolution R-1993-1544, Control No.1992-00026)
6. Prior to Site Plan certification by the Development Review Committee the property owner shall submit verification of recorded safe sight easements at the project entrance and Via Delray. In addition the approved Site Plan shall contain a landscape plan for Casa Del Rey reflecting landscaping material proposed to be installed in the area between the project's entrance and Bolero Circle, the North right-of-way line of Via Delray Boulevard and the north edge of pavement. These landscape plans shall be approved by the Zoning Division and the County Engineer. Installation of any landscape material shall be subject to a valid permit issued by the County Engineer. (DRO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 6 of Resolution R-1993-1544, Control No.1992-00026)
7. Approval of this PUD is valid only with access onto both Via Delray and Crestwood Avenue. Should access onto either Via Delray or Crestwood Avenue be deleted, this petition shall be brought back to the Board of County Commissioners for reconsideration. (ONGOING: ENGINEERING - Engineering) (Previous ENGINEERING Condition 7 of Resolution R-1993-1544, Control No.1992-00026)

8. Prior to the approval of the Final Subdivision Plan, the subdivision plan shall be amended to show a utility easement for sewer service from the Tropical Lakes PUD to the adjacent 0.36 acre parcel proposed for deletion. (DRO: MONITORING - Engineering)

9. Prior to the approval of the Final Subdivision Plan, the Property shall submit an application for Technical Compliance. The application for Technical Compliance shall include engineering plans for the sanitary sewer connection. (DRO: MONITORING - Engineering)

10. Sanitary sewer shall be constructed from the Tropical Lakes PUD to the adjacent 0.36 acre parcel proposed for deletion. (ONGOING: LAND DEVELOPMENT - Land Development)

ENVIRONMENTAL

1. The petitioner shall preserve or relocate existing native sabal palms on site and shall incorporate them into the project design. (BLDGPM: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management) [Note: COMPLETED] (Previous VEGETATION PRESERVATION Condition 1 of Resolution R-1993-1544, Control No.1992-00026)

2. Prior to issuance of a Vegetation Removal Permit, the petitioner shall complete the following:

a. All sabal palms to be relocated or preserved shall be identified in the field, tagged and numbered.
b. The sabal palms shall receive appropriate protection during site development. No clearing shall commence until all protection devices are installed by the petitioner, and inspected and approved by the Zoning Division. (BLDGPM: ENVIRONMENTAL RESOURCES MANAGEMENT - Zoning) [Note: COMPLETED] (Previous VEGETATION PRESERVATION Condition 2 of Resolution R-1993-1544, Control No.1992-00026)

3. All prohibited species shall be removed from the property prior to the issuance of the first Certificate of Occupancy (C.O.). (CO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management) [Note: COMPLETED] (Previous VEGETATION PRESERVATION Condition 3 of Resolution R-1993-1544, Control No.1992-00026)

GENERAL

1. To insure compliance with the requirements of the ULDC and all conditions of approval, prior to certification by the DWC, the petitioner shall amend the Preliminary Development Plan to indicate the location of the required civic site pursuant to Section 6.8 of the ULDC. (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous GENERAL Condition 1 of Resolution R-1993-1544, Control No.1992-00026)

HEALTH

1. Sewer service is available to the property. Therefore no septic tank shall be permitted on this site. All existing onsite sewage disposal systems must be abandoned in accordance with Chapter 10D-6, FAC., and Palm Beach County ECR-I. [Note: COMPLETED] (Previous HEALTH Condition 1 of Resolution R-1993-1544, Control No.1992-00026)

2. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water. All existing onsite potable water supply systems must be abandoned in accordance with Palm Beach County ECR-11. [Note: COMPLETED] (Previous HEALTH Condition 2 of Resolution R-1993-1544, Control No.1992-00026)

IRRIGATION QUALITY WATER

1. When irrigation quality water is available within 500 feet of the property, the petitioner shall connect to the system subject to permitting and/or requirements of the Florida Department of Environmental Regulations and/or the South Florida Water Management District. The cost for connection shall be borne by the property owner. (ONGOING: PBC WATER UTILITIES - PBC Water Utilities) (Previous IRRIGATION QUALITY WATER Condition 1 of Resolution R-1993-1544, Control No.1992-00026)

LANDSCAPE – GENERAL

1. To Insure adequate buffering with adjacent single family residences, all trees required to be planted on site by this approval shall meet the following minimum standards at installation:

- a. Tree height: fourteen (14) feet.
- b. Trunk diameter: 3.5 inches measured 4.5 feet above grade.
- c. Canopy diameter: seven (7) feet. Diameter shall be determined by the average canopy radius at 3 points measured from the trunk to the outermost branch tip. Each radius shall measure at least 3.5 feet in length.
- d. Clear trunk: five (5) feet (BLDGPM: ZONING - Zoning) Previous LANDSCAPE GENERAL Condition 1 of Resolution R-1993-1544, Control No.1992-00026)

LANDSCAPING ALONG ALL PROPERTY LINES ABUTTING RESIDENTIAL

2. To insure adequate buffering with adjacent single family residences, landscaping along all property lines abutting residential uses shall be upgraded to include:

- a. One (1) native canopy tree planted every twenty (20) feet on center;
- b. One (1) native palm tree for each thirty (30) linear feet of frontage. A group of three or more palm trees may supersede the requirement for a native canopy tree in that location. No more than twenty five percent of the required trees may be superseded for this requirement; and
- c. Thirty (30) inch high shrub or hedge material spaced twenty-four (24) inches on center at installation to be maintained a minimum of sixty (60) inches in height. (BLDGPM: ZONING - Zoning) Previous LANDSCAPE PERIMETER Condition 1 of Resolution R-1993-1544, Control No.1992-00026)

LANDSCAPING ALONG THE ACCESS ROAD FROM VIA DELRAY ROAD

3. Landscaping shall be provided along both sides of the access road Via Delray Road to include:

- a. One (1) native canopy tree planted every twenty (20) feet on center;
- b. One (1) native palm trees for each thirty (:30) linear feet of frontage. A group of three or more palm trees may supersede the requirement for, a native canopy tree in that location; and,
- c. Thirty (30) inch high shrub or hedge material spaced twenty-four (24) inches on center at installation. (BLDGPM: ZONING - Zoning) Previous LANDSCAPE ALONG ACCESS ROAD Condition 1 of Resolution R-1993-1544, Control No.1992-00026)

PLANNED DEVELOPMENT – UNITY OF CONTROL

1. Prior to final approval of the subdivision plan by the Development Review Officer (DRO), the Property Owner shall record in the public record a Unity of Control indicating that all structures, uses and parking areas within the project are part of a single unified planned development, regardless of ownership and shall require architectural consistency between all buildings, signage and project identification. Consistency shall include, at a minimum, an overall unified image and character created by the use of common elements such as building materials, rooflines, muted colors, fenestration, architectural features, and architectural elements. The Unity of Control shall be recorded in a form and manner acceptable to the Zoning Division, Land Development Division, and County Attorney. The Unity of Control shall not be removed, altered, changed or amended without written approval from the Zoning Director. (DRO: ZONING - Zoning)

PLANNING

1. Prior to certification of a Preliminary Development Plan, Regulatory Plan or other required plan by the Development Review Committee (DRC), the petitioner shall execute a development agreement and obtain a Certificate for Concurrence Reservation from the Planning Division. [Note: COMPLETED] (Previous PLANNING Condition 1 of Resolution R-1993-1544, Control No.1992-00026)

SCHOOL BOARD

1. Sales and notice literature and purchase agreements for the within development shall include a statement/notice that students may not be assigned to the nearest school and that all prospective buyers are encouraged to contact the Palm Beach County School Board to determine which school assignment will apply to their children. (ONGOING: SCHOOL BOARD – School Board) (Previous SCHOOL BOARD Condition 1 of Resolution R-1993-1544, Control No.1992-00026)

2. Prior to master plan certification, petitioner(s) shall demonstrate that they have met with the School Board and discussed the potential of entering into an agreement to help achieve racial balance and allow the children who reside within the development to attend nearest available schools. [Note: COMPLETED] (ONGOING: MONITORING – School Board) (Previous SCHOOL BOARD Condition 2 of Resolution R-1993-1544, Control No.1992-00026)

SITE DESIGN

1. Street lights a maximum of twenty (20) feet in height, measured from finish grade, shall be installed, maintained and operated by the property owner along all platted access tracts, easements or road ways. (BLDGPM: BUILDING DIVISION - Zoning) (Previous SITE DESIGN Condition 1 of Resolution R-1993-1544, Control No.1992-00026)

2. Median landscaping, subject to permitting by the County Engineer, shall be provided within all applicable right-of-way pursuant to Section 6.8.23.d of the ULDC. Median landscaping shall, at a minimum, include:

- a. One (1) native tree for every thirty feet (30) of median;
- b. One (1) shrub for every one hundred fifty (150) square feet or one groundcover for every seventy five (75) square feet of median area;
- c. Lawn area planted by sod; and
- d. Detail median landscaping plans shall be submitted, installed and maintained pursuant to the standards set forth in Article 6.8.23.d(2) (a) of the Palm Beach County Unified Land Development Code. (BLDGPM:

BUILDING DIVISION - Zoning) (Previous SITE DESIGN Condition 2 of Resolution R-1993-1544, Control No.1992-00026)

3. Street trees shall be planted no more than fifty (50) feet on center along both sides of all streets within all platted rights-of-way or access tracts that are interior to the PUD subject to approval by the County Engineer. All required landscaping shall be installed prior to release of the performance bond or issuance of a certificate of completion, whichever occurs first, for the road intended to be landscaped. (BLDGPM: BUILDING DIVISION - Zoning) (Previous SITE DESIGN Condition 3 of Resolution R-1993-1544, Control No.1992-00026)

4. All utilities shall be underground pursuant to Article 6.8.23.d(5) of the Palm Beach County Unified Land Development Code. (BLDGPM: BUILDING DIVISION - Zoning) (Previous SITE DESIGN Condition 4 of Resolution R-1993-1544, Control No.1992-00026)

5. All two story units shall be located in the interior pods. (BLDGPM: BUILDING DIVISION - Zoning) (Previous SITE DESIGN Condition 5 of Resolution R-1993-1544, Control No.1992-00026)

6. Previous SITE DESIGN Condition 6 of Resolution R-1993-1544, Control No.1992-00026, which currently states:

The minimum setback for all recreational facilities, structures, and accessory structures shall be fifty (50) feet from any required perimeter buffer adjacent to residential uses. The setback area shall be for the exclusive use of landscaping.

Is hereby amended to read:

The minimum setback for all recreational facilities, structures, and accessory structures, and accessory structures shall be twenty-five feet from any required perimeter buffer adjacent to residential uses. (BLDGPM: BUILDING DIVISION - Zoning)

7. Prior to final approval of the subdivision plan by the Development Review Officer (DRO), the Property Owner shall remove the shuffle board court from the plan. (DRO: ZONING - Zoning)

SIGNS

1. To ensure compliance with the regulating plan submitted by the petitioner, entry or project identification sign fronting on Via Delray Road shall be limited as follows:

- a. Maximum sign height, measured from finished grade - six (6) feet;
- b. Maximum sign face area per side - 54 square feet;
- c. Maximum number of signs - one (1) on Via Delray Road.
- d. Type - monument style only. (BLDGPM: BUILDING DIVISION - Zoning) (Previous SIGNS Condition 1 of Resolution R-1993-1544, Control No.1992-00026)

2. Prior to site plan certification, the petitioner shall submit a Master Sign Program to the Zoning Division which specifies sign location, sign dimensions, typical base planting details, and conformance to all signs related conditions of approval. (DRO – BUILDING DIVISION - Zoning) (Previous SIGNS Condition 2 of Resolution R-1993-1544, Control No.1992-00026)

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING – Zoning)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.

Exhibit D - Project History

PROJECT HISTORY:

Application No.	Title & Request	Resolution	Decision	Approval Date
Z/SE-1992-00026	Title: Residential Planned Development District Request: Rezoning from AR to RTU	N/A	Withdrawn	9/30/1992
PDD-1992-00026(A)	Title: Residential Planned Development District Request: Rezoning from AR to PUD	R-1993-01544	Approved	12/06/1993

Exhibit E-1 - Preliminary Master Plan

Exhibit E-2 - Previously Approved Master Plan

Exhibit E-3 – Disclosure of Ownership

DISCLOSURE OF OWNERSHIP INTERESTS – APPLICANT

[TO BE COMPLETED AND EXECUTED ONLY WHEN THE APPLICANT IS NOT THE OWNER OF THE SUBJECT PROPERTY]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared _____, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

- 1. Affiant is the [] individual or [] _____ [position—e.g., president, partner, trustee] of _____ [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership], (hereinafter, "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for real property legally described on the attached Exhibit "A" (the "Property").
- 2. Affiant's address is: _____

- 3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Applicant. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
- 4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of Applicant's application for Comprehensive Plan amendment or Development Order approval. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of the Applicant.
- 5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Applicant that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
- 6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
- 7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.



Ryan Lauer, Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of physical presence or
[] online notarization, this 16th day of June, 2025 by
Ryan Lauer (name of person acknowledging). He/she is personally
known to me or has produced FLORIDA DRIVERS LICENSE (type of identification) as
identification and did/did not take an oath (circle correct response).

Kalpna Patel

(Name - type, stamp or print clearly)

K Patel

(Signature)

My Commission Expires on: 07/18/2027

NOTARY SEAL LOCATION

EXHIBIT "A"

PROPERTY

Exhibit E-4 - Drainage Statement

May 20, 2024

Engineer's Drainage Statement

Subject: Little Tropical Lakes
5451 Grande Palm Circle
Delray Beach, FL 33484
KEITH Project No. 13436.00

Project Description:

The project site, located at 5451 Grande Palm Circle, Delray Beach, is a recreational area for the residential property known as Tropical Lakes P.U.D. The property owner plans to subdivide the northwest portion of the property, adjacent to Woodland Drive, and re-zone it as a new single-family lot. This portion of the property is not currently used by the development and is vacant wooded space. The total site consists of 27.55 acres. The section to be subdivided as the single-family lot is ± 0.36 acres.



Image 1 – Location Map

Existing Conditions:

The development consists of 136 total units, a 4.30-acre lake, a recreational area, and green space. The existing stormwater management system utilizes inlets and culverts to direct stormwater runoff to the lake for treatment and attenuation. Discharge from the lake goes into the LWDD L-31 Canal via an outlet control structure. The portion of the northwest corner of the development to be subdivided and rezoned is currently a wooded area with no impervious areas.

Proposed Conditions:

The area to be subdivided and rezoned as a single-family lot is ±0.36 acres (refer to survey attached). There are currently no plans to develop the lot. The existing development will maintain the existing requirements per the existing South Florida Water Management District permit, 50-03405-S. A portion of the approved permit is included for reference. Tropical Lakes P.U.D. will consist of 27.19 acres once the lot is subdivided. Calculations were run using Cascade and the Santa Barbara Urban Hydrograph Flood Routing to confirm maximum flood stages and maximum discharge will remain within the parameters of the existing permit. See table 2 below for permitted conditions and revised conditions. The datum conversion used is NAVD(88) + 1.52 = NGVD(29).

Table 1. Return Periods, Storm Events and Rainfall Data from SFWMD

RETURN PERIODS	RAINFALL
YEARS	INCHES
100 Year – 3 Day	16.0
25 Year – 3 Day	12.0
3 Year – 1 Day	6.5

Table 2. Flood Routing Results

FLOOD ROUTING RESULTS						
STORM EVENT	PERMITTED DESIGN STAGE (NAVD)	PEAK STAGE EL (NAVD) ORIGINAL PERMIT	DISCHARGE (CFS) ORIGINAL PERMIT	REVISED PEAK STAGE EL (NAVD) UNDER THIS APPLICATION	REVISED DISCHARGE (CFS) UNDER THIS APPLICATION	DESIGN CRITERIA
100 Year-3 Day	19.98'	19.38'	7.4	19.31'	6.64	Finished Floor Elevation
25 Year-3 Day	18.88'	18.88'	2.8	18.75'	2.71	Perimeter Berm
3 Year-1 Day	17.48'	15.98'	1.30	15.94'	1.27	Parking Area

Drainage Facilities:

The existing drainage system for Tropical Lakes PUD will remain as is. The property does not currently use the portion of the lot to be subdivided for stormwater management. The site runoff will continue to be directed to inlets and culverts which outlet to the exiting on-site lake. The stormwater is held there for treatment and attenuation before discharging through an outlet control structure into a LWDD L-31 Canal.

Sincerely,

KEITH & Associates, INC.
Consulting Engineers

Jorge Valle-Pellot, P.E.
 Florida Reg. No. 77039
 (For the firm)

