



# PALM BEACH COUNTY ZONING APPLICATION STAFF REPORT

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ZONING COMMISION, OCTOBER 3, 2024

## A. Application Summary

### I. General

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**Application Name:** Whitworth AGR-PUD, PDD/DOA-2024-00581  
**Control Name:** Whitworth AGR-PUD (2021-00031)  
**Applicant/Owner:** Boynton Beach Associates 30 LLLP  
**Agent:** Boynton Beach Associates 30 LLLP - Ryan Vandenburg - Gladys DiGirolamo  
**Project Manager:** Imene Haddad, AICP, Senior Site Planner

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**Title:** an Official Zoning Map Amendment **Request:** to allow rezoning from the Agriculture Reserve (AGR) Zoning District to the Agriculture Reserve Planned Unit Development (AGR-PUD) Zoning District on 417.52 acres

**Title:** a Development Order Amendment **Request:** to modify the Overall Master Plan to add land area (417.52 acres) to a previously approved 722.51-acre AGR-PUD, to add units and access points, and to modify Conditions of Approval on 1,140.03 acres

**Title:** a Release of Conservation Easement **Request:** to allow full release of a Conservation Easement for Preserve 3 recorded in ORB 33583, Pg. 318 on 132.84 acres, a partial release of a Conservation Easement for Preserve 10 recorded in ORB 34404 Pg. 79 on 35.09 acres, and a partial release of a Conservation Easement for Preserve 2 recorded in ORB 33583 Pg. 0296 for 0.132 acres

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**Application Summary:** The proposed application is for the Whitworth AGR-PUD Development. The development was originally approved by the Board of County Commissioners (BCC) on September 29, 2021, for a rezoning to the Agricultural Reserve Planned Unit Development (AGR-PUD) with 277 dwelling units. The BCC approved modifications in January 11, 2023.

The request proposes to modify the overall Master Plan by rezoning and adding land area (417.52 acres) and residential units (481 units) for a total of 1,140.03 acres and 1,140 units. In addition, the request includes a Full and Partial Releases of Conservation Easements for previously approved Preserve Parcels that will become part of the Development Area.

The Preliminary Master Plan indicates 9 Residential Pods, 2 Civic Pods, and associated water retention and landscape buffers. The proposed gross acreage 1,140.03 acres is comprised of 455 acres of Development Area and 682.50 acres of Preserve Area. Access to the Development Area is from State Road 7 and Lyons Road.

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### II. Site Data

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**Acres:** 1,140.03 acres  
**Location:** West side of Lyons Road, approximately 1 mile south of Boynton Beach Boulevard  
**Parcel Control:** Various (see legal description)  
**Future Land Use:** Agricultural Reserve (AGR)  
**Zoning District:** Agricultural Reserve (AGR) and Agricultural Reserve Planned Unit Development (AGR-PUD)  
**Proposed Zoning:** Agricultural Reserve (AGR-PUD)  
**Tier:** Ag Reserve  
**Utility Service:** Palm Beach County Water Utilities  
**Overlay/Study:** N/A  
**Neighborhood Plan:** N/A  
**CCRT Area:** N/A  
**Comm. District:** 5, Mayor Maria Sachs

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### III. Staff Assessment & Recommendation

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**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-1 and C-2.

**STAFF RECOMMENDATION:** Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibits C-1 and C-2.

**PUBLIC COMMENT SUMMARY:** At the time of publication, Staff had received two contacts from the public regarding this application regarding security concerns while construction is ongoing and a general inquiry for the new Civic Pod use.

### IV. Hearing History

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**ZONING COMMISSION:** *Scheduled for October 3, 2024*

**BCC HEARING:** *Scheduled October 24, 2024*

### B. Data & Analysis

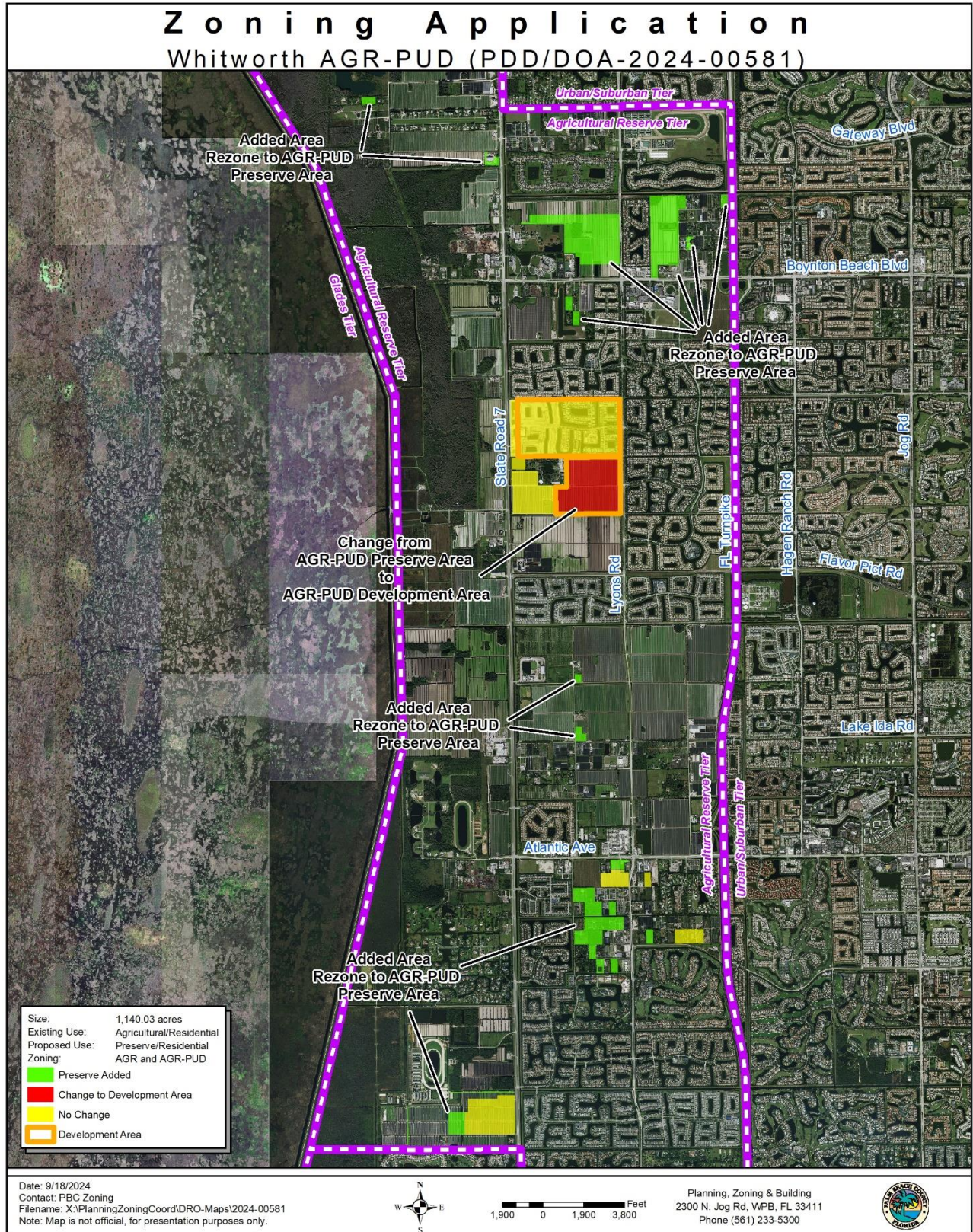
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The supporting data and analysis is provided within the following Exhibits.

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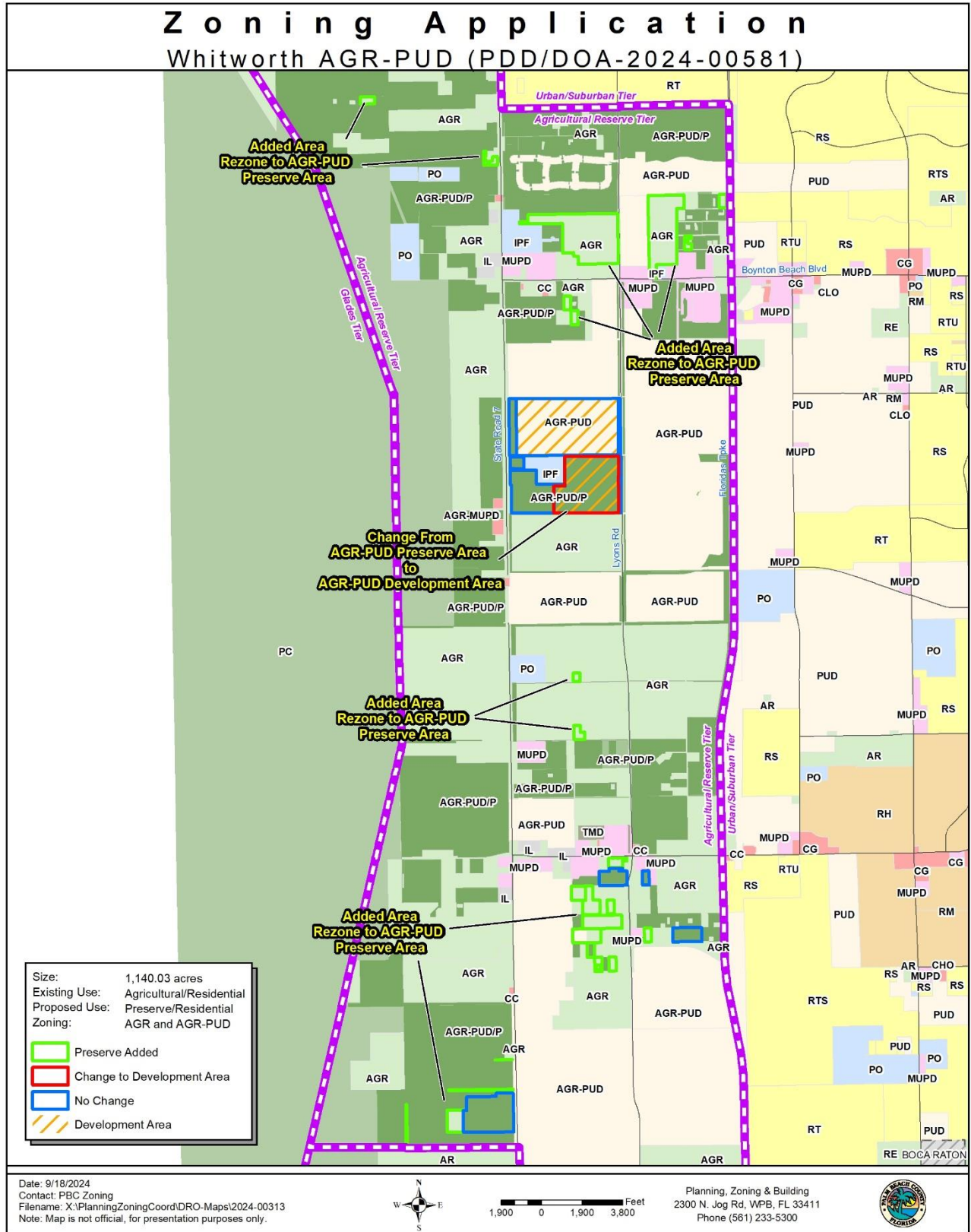


# Exhibit A - Future Land Use Map





# Exhibit A - Zoning Map





## Exhibit B - Standards Analysis & Findings

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### 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. 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.*
- o *Consistency with the Comprehensive Plan:* The proposed uses and amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.
  - o *Density & AGR Preserves:* The subject request is for 1,140 units on the 1,140.028 acres and includes 37 preserve parcels totaling 682.502 acres. The subject project has a prior BCC approval (R-2021-1400; R-2023-50; R-2023-51) for 704 units on 722.513 acres, which included 11 preserve parcels totaling 432.909 acres. A subsequent ZAR 2023-741 approved a reduction to 659 dwelling units. The current request seeks to add 27 preserves, 481 dwelling units and modify or release previously recorded Agricultural Conservation Easements. Overall, the request will remove 168.062 acres from AGR preserve designation and add 417.515 acres to the project.

The modification of previously approved Agricultural Conservation Easements is as follows:

- Preserve P2 Rural Parkway is partially releasing 0.132 acres to accommodate a right turn lane on Lyons Road and adding 0.136 acres. The new acreage for the Rural Parkway along the southern portion of the overall project is 6.071 acres, an overall increase of 0.004 acres.
- Preserve P3 Whitworth Southeast is requesting a full release of 132.84 acres in what is to become Development Area for the current request. P3 is being replaced with new preserve Hyder West Three.
- Preserve 10 Whitworth Southwest is requesting a partial release of 35.09 acres in what will become Development Area for the current request. The new acreage for P10 is 89.997 acres.

Per FLUE Policy 1.5.1-d, the maximum density of an AGR-PUD is one dwelling unit per acre of land, provided it meets the 60/40 requirements. This project is eligible to develop up to 1,140 dwelling units, and the Applicant is proposing 1,140 units. The Applicant is requesting to amend Planning condition 1 to reflect the increase in density.

- o *60/40 Development Option:* Per Policy 1.5.1-i. the Applicant is required to provide a minimum of 60% of preserve area and 40% maximum developable area. The Preserve areas are not required to be contiguous with the development area. The 60/40 breakdown is as follows:

Total acreage:	1,140.028 acres
<u>Less ROW:</u>	<u>2.525 acres</u>
Net acreage	1,137.503 acres

Net acreage x 60%: 1,137.503 ac. x 60% = 682.502 acres (proposed 37 preserves totaling 682.502 acres or 60%)

Net acreage x 40%: 1,137.503 ac. x 40% = 455.001 acres (proposed 455.001 acres in the development area or 40%)

- o *Special Overlay District / Neighborhood Plan / Planning Study Area:* The subject property is located within the boundaries of the West Boynton Area Community Plan, which is administered by the Coalition of Boynton West Residents Association (COBWRA). The subject request is not inconsistent with the neighborhood plan. The Applicant was advised to meet with the neighborhood group responsible for implementing the Neighborhood Plan. No letters in support or objection have been received as of the writing of this report.
- o *Planning Conditions:* Conditions 2 through 10 are associated with the prior approval, for what is now known as Whitworth North, and will be carried forward. Conditions 1 and 11 through 23 are for the overall subject project and the new portion known as Whitworth South. These address the total proposed units and the requirements associated with Agricultural Conservation Easements and Rural Parkways.

**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.***

○ *Property Development Regulations (Development Area and Preserve Parcels):* Article 3.E.2.F.2: Development Options indicates that, two different options are allowed within the AGR FLU designation: 80/20 and 60/40. The Applicant has opted to develop the land with the 60/40 option which will required to have 60% of the development as a Preservation Area and 40% as Development Area. The DOA request seeks to add an additional 417.52 acres of development and preserve area for a total of 1,140.03 acres. This area located directly south of the northern portion of the previously approved development area. The 455.00-acre Development Area contains Residential, Public Civic, and Recreation Pods which meet the requirements pursuant to Table 3.E.2.D, PUD Property Development Regulations.

○ *Public Civic Pod Requirement:* The Public Civic Pod requirement for AGR-PUDs is based upon the acreage of the Development Area. This application represents the third time the site and civic pod requirements have been presented to the BCC. The initial application for the Whitworth AGR-PUD (Phase 1) was approved for a Development Area of 145.40 acres with a 2% public civic requirement of 2.91 acres. The BCC approved the Applicant's request for a cash-out of this civic requirement on January 27, 2022. Subsequently on January 11, 2023, the BCC approved a DOA (Phase 2) to add 144.2 acres to the Development Area with a 2% public civic requirement of 2.88 additional acres. The current application (Whitworth South) proposes to add 167.92 acres to the Development Area with a 2% public civic requirement of 3.36 additional acres. The Applicant is requesting a cash out of the 3.36 acres. If the BCC approves the cash out, the Applicant can request an administrative application to modify the site plan to eliminate the 3.36 acre civic pod and utilize this land area within a Recreation Pod or Residential Pod; however, no additional units can be created. PREM has included conditions of approval for civic pods, and has provided the analysis below. The Applicant has not submitted a request to cash out the 2.88 acre civic pod.

○ *PREM/FDO Analysis.* Based upon the development area of 457.526 gross acres, and 2% public civic obligation per ULDC Table 3.E.2.C. and Articles 3.E.2.E.4., 3.E.2.F.2.c. and 3.E.2.F.4., the total public civic obligation is 9.15 acres. The current approval provides for a 2.88-acre public civic pod along SR 7/US 441 and a cash-out equivalent to 2.91 acres was approved by the BCC on January 27, 2022 and subsequently paid. The 3.36-acre balance generated by the subject application is proposed in the southeast corner of the site fronting Lyons Road. The applicant has indicated an intent to request the cash-out of the 3.36-acre public civic requirement generated by the subject application. Staff has identified no current or anticipated future governmental facility need for the property, and combined with the 2.88-acre forthcoming conveyance, recommends approval of the cash out. An appraisal of the 3.36-acre civic pod will be provided to establish the value of the civic pod, consistent with BCC direction provided August 28, 2024. Standard PREM conditions of approval have been applied both allowing for cash out and to address conveyance should the BCC not approve or the applicant not ultimately opt to cash out the public civic obligation.

○ *AGR-PUD Development Areas:* The proposed development complies with Art. 3.E.2.F.4., for Location and Configuration. The site has frontage on both Lyons Road and State Road 7, and provides pedestrian connectivity from the Pods connecting to the Rural Parkway located on both frontages. The development parcel is located south of and adjacent to the LWDD L-27 Canal and north of and adjacent to the LWDD L-28 Canal which provide additional buffering for the development. The DOA, will incorporate an additional 481 detached Single Family units in addition to the already approved 659 units, totaling 1,140 units.

○ *Preserve Areas:* The proposed 60/40 AGR-PUD requires 60% of the total development to be dedicate as preserved area for a total of 682.50-acres less right-of-way dedications. A total of 682.50-acres of preservation land is being proposed to satisfy this requirement. The Preserve Area is consistent with Art. 3.E.2.F.3. Preserve Area. Each of the 37 Preserve Parcels are in the AGR Tier with an AGR FLU designation, and are accessible by a street. The uses of the preserve parcels are consistent with the Art. 4 Use Regulations for Bona Fide Agricultural uses.

All preserve lands meet the minimum requirements as outlined in Table 3.D.1.A, Property Development Regulations.

- Parcel's 1, 2 and 4 through 11 are existing preserved for the approved development.
- Parcel 1, 2, 5 and 10 are contiguous to the development.
- Parcel 1 and 2 consist of Rural Parkways meeting the exemption under Art. 3.E.2.F.3.C.a., with both parcels being 100 ft. wide and have a land area of just over 6.0-acres each.
- Preserve Parcel 2 will have partial conservation easement release of 0.132-acres for a right turn lane into the development.
- Previously approved Preserve Parcel 3 (Whitworth Southeast) containing 132.84-acres will be removed as a preserve with a subsequent conservation easement release in order to be utilized as a portion of the new Development Area.



- Previously approved Preserve Parcel 10 (Whitworth Southwest) is being reduced from 125.08-acres to 89.997 to add 35.09-acres to the new Development as well and will also be subject to a partial conservation easement release.

Newly dedicated Parcel 3 and 12 through 37 are as follows:

Parcel 3 (Hyder West 3) is the replacement parcel of existing Parcel 3 and consists of (23.146-acres),

Parcel 12 (7.54-acres),	Parcel 13 (4.911 -acres),
Parcel 14 (5.136 -acres),	Parcel 15 (17.849-acres),
Parcel 16 (5.085-acres),	Parcel 17 (2.509-acres),
Parcel 18(4.816-acres),	Parcel 19 (4.816-acres),
Parcel 20 (9.635-acres),	Parcel 21 (10.119-acres),
Parcel 22 (10.199-acres),	Parcel 23 (5.114-acres),
Parcel 24 (5.062-acres),	Parcel 25 (5.11-acres),
Parcel 26 (4.817-acres),	Parcel 27 (5.094-acres),
Parcel 28 (77.59 acres),	Parcel 29 (5.014-acres),
Parcel 30 (4.999-acres),	Parcel 31 (101.582-acres),
Parcel 32 (147.881-acres),	Parcel 33 (5.345-acres),
Parcel 34 (6.221-acres),	Parcel 35 (4.841-acres),
Parcel 36 (4.79-acres),	Parcel 37 (2.885-acres).

Each of the preserves meet the property development regulations for size for an AGR-PUD preserve.

○ *Exemplary Design:* A rezoning to an AGR-PUD Zoning district must meet the exemplary standards outlined in Art. 3.E.2.A.4. As outlined in the Justification Statement, the Applicant proposes the following to satisfy the exemplary design criteria:

- The proposed density for the Whitworth development will be one unit per acre, which is consistent with neighboring developments. In addition, the Applicant has indicated that a significant of total units will be situated on a canal or a lake.
- A recreation parcel is exceeding Code requirements of the minimum required size.
- Pedestrian connections throughout the site and the Rural Parkway pathway within the preserve area to promote recreational opportunities such as running, walking, and biking.

○ *Performance Standards and Design Objectives:* The proposed development is subject to the PDD Design Objectives and Performance Standards pursuant to Art. 3.E.1.C., PDD Objective and Standards, along with the Art. 3.E.2.A.B Objectives and Standards for a PUD. The Applicant has met all these requirements by providing:

- A development that is predominantly residential;
- A continuous non-vehicular circulation system throughout the development and to Lyons Road;
- Establishing Code required landscape buffers along all adjacent perimeters to buffer existing development from proposed development;
- Decorative pavers are to be provided at the entrance to the development;
- A fountain will be provided in the largest waterbody proposed;
- All residential Pods will be located within 1,320 ft. of a recreation area or park;
- A focal point will be provided at the terminus of 15% of streets within the project.

○ *Landscape/Buffering:* Along the east property line of the development area fronting Lyons Road, a 100 ft. wide strip of land (Preserve Parcel 1 and 2) a Rural Parkway corridor exists. Art. 7.C.2.C.4.1.b.1 Buffer Width Reduction, allows for a 15 ft. wide landscape buffer to be permitted along a property line abutting a 100 ft. wide Rural Parkway. A 15 ft. wide buffer with a 6 ft. high wall is proposed along Lyons Road on the west side of the Rural Parkway. Art. 7.C.2.C.4.a.1.a. AGR-PUD Landscape Buffer, requires a minimum 50-foot wide landscape buffer along the perimeter of the development area of an AGR-PUD.

In addition the Applicant is also requesting a Type 1 Waiver to eliminate the Incompatibility Buffer along the proposed 7.07-acre Rec Pod.

○ *Signs:* The Preliminary Master Sign Plan (Exhibit H) proposes six Project Entrance Signs for the Lyons Road and State Road 7 entrances to the development. The Applicant proposes 13 On-site Directional signs for the individual pods and two for the recreation parcels. All signage are in compliance with the Code per Art. 8.G.2.C.A Entrance Signs, and Art.8.G.3. On-site Directional Signs.

**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 amendment to expand the existing PUD which will be compatible and consistent with all surrounding residential uses and previously approve developments within the area. Directly north of the subject development site is the existing Lyons West AGR-PUD development. North of the existing Lyons West AGR-PUD development is a residential development known as the Valencia Reserve community

within the AGR-PUD Zoning district (Lyons West AGR-PUD, Control No. 2005-0003). To the south of the proposed development is County owned farmland. The proposed development will have no impact on this use.

To the west of the new expansion are row crops on an existing preserve #10. The Applicant states “ *With the addition of the 50 ft. required buffer and extensive landscaping GL provides within these buffers, there should be no impact on new residents within this community, or the existing farming operation* “. To the east are the Canyon Isles (Control No. 2002-00068, Fogg Property Central PUD) and Canyon Springs (Control No. 2002-0069, Canyon Springs PUD) residential developments containing AGR-PUD zoning designations.

The north, east, and west properties contain the exact same AGR-PUD Zoning designation as the proposed Whitworth Property. The Lyons Road corridor consist of mainly single family residential detached residential and Zero Lot line communities. The proposed Single-Family development is consistent with the overall land uses within the vicinity of the subject 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 site design for the DOA and rezoning will be compatible and consistent with all surrounding uses and will minimize adverse impacts to adjacent lands. The site design proposes single family residential units which is consistent with the development on the surrounding properties. The proposed height for the units will not exceed 35 feet. The PMP provides the required perimeter buffers and includes a wall for visual screening to help mitigate adverse visual impacts.

The density is also consistent with that of the surrounding area and the proposed number of units seeks to lessen negative impacts of intensity of the subject site on the adjacent lands. No increased density bonuses are proposed as part of this request to exceed the number of allowable units.

**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:**

- *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 amendment will result in a logical, orderly, and timely development pattern.***

The proposed development will remain consistent with the development patterns of the overall area with the DOA and rezoning requests. Residential Planned Development Districts surround the site to the east and north and all along the Lyons Road corridor. Canyon Lakes (Canyon Lakes Control No. 2002-00067), Canyon Isles (Fogg Property Central PUD, Control No. 2002-00068), and Canyon Springs (Canyon Springs PUD, Control No. 2002-00069) are other AGR-PUD residential developments within close proximity of the proposed AGR-PUD, all of which were all approved for 500 dwelling units each. The proposed request is for 704 dwelling units. The adjacent communities within close proximity are consistent with the development patterns in the area by providing low-density detached housing with private recreation facilities.

As stated in the Compatibility with the Surrounding Uses section, Lyons West (also known as Valencia Reserve Community) to the north of the subject site was approved as a 1043 residentially unit Age Restricted community. Valencia Cove North/South is another Age Restricted residential development located just below Canyon Springs, which was approved for 1404 dwelling units (2004-00369, Valencia Cover AGR-PUD). The pattern in the area is age restricted so the expansion of this PUD is consistent with the pattern of age restricted communities in the area.



The request will remain in a consistent, logical, orderly, and timely development patter of the area. The Applicant proposes the same type of development that has received approvals in the same area previously. At this time, the request is appropriately proposed with the growing demand of the community it seeks to service

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

**ENGINEERING COMMENTS:**

The proposed age-restricted single-family residential development is expected to generate 2,073 net daily trips, 115 net AM peak trips, and 144 net PM peak hour trips. The build out of the project is assumed to be by 2028.

With already programmed improvements for Lyons Rd and Atlantic Ave, the significantly impacted links will meet adopted Level of Service (LOS) standards. The intersection of Boynton Beach Blvd and Lyons Rd will have background deficiency. The Property Owner will have to construct a north approach right turn land and a south approach left turn lane on Lyons Rd at the project entrance, along with providing a surety for any anticipated future signal at the entrance.

**ADJACENT ROADWAY LEVEL OF SERVICE (PM PEAK)**

Traffic volumes are in vehicles per hour

Segment: Lyons Rd from Boynton Beach Blvd to Atlantic Ave

Existing count: Northbound= 835, Southbound=649

Background growth: Northbound=242 , Southbound=227

Project Trips: Northbound=28, Southbound=44

Total Traffic: Northbound=1105 , Southbound=920

Present laneage: 1 in each direction

Assured laneage: 2 in each direction

LOS "D" capacity: 880/1960 (present/assured)

Projected level of service: LOS D or better in both directions with assured lanes

The Property Owner shall submit a drainage study that identifies historical flows that currently enter the site prior to the Final Subdivision Plan approval by the DRO.

The Property Owner shall plat the new added land area.

**DRAINAGE:** The Applicant's Engineer provides the following summary, "*The subject property is located within the South Florida Water Management District (SFWMD) C-15 Basin. A SFWMD permit will be obtained for this property to permit drainage to the surrounding Lake Worth Drainage District Canals. Proposed legal positive outfall will be provided to the adjacent L-27 Canal and/or L-28 Canal.*

*The on-site drainage system will consist of a series of catch basins and pipes which will route storm water runoff to the interconnected wet retention lake system. Lakes will have a design water elevation of 14.5' NAVD. The lakes will provide the necessary water quality treatment and provide the required storage for storm water runoff. No open space or buffer tracts will be graded to drain by overland flow through lots without the appropriate drainage easement. All drainage systems will be designed in accordance with Palm Beach County, SFWMD and LWDD criteria and all drainage facilities will be covered by the appropriate drainage easements."*

The entire statement is found in Exhibit J. Prior to issuance of any building permits, the development will have to obtain applicable approvals and permits from the Districts.

**WATER AND WASTEWATER:** a letter provided in Exhibit K, WUD states the PBCWUD has the capacity to provide the level of service required subject to a Capacity Reservation Agreement. Prior to issuance of a building permit, the Applicant must connect to water and wastewater service, and is subject to the permitting approval process of PBCWUD and their required Agreement.

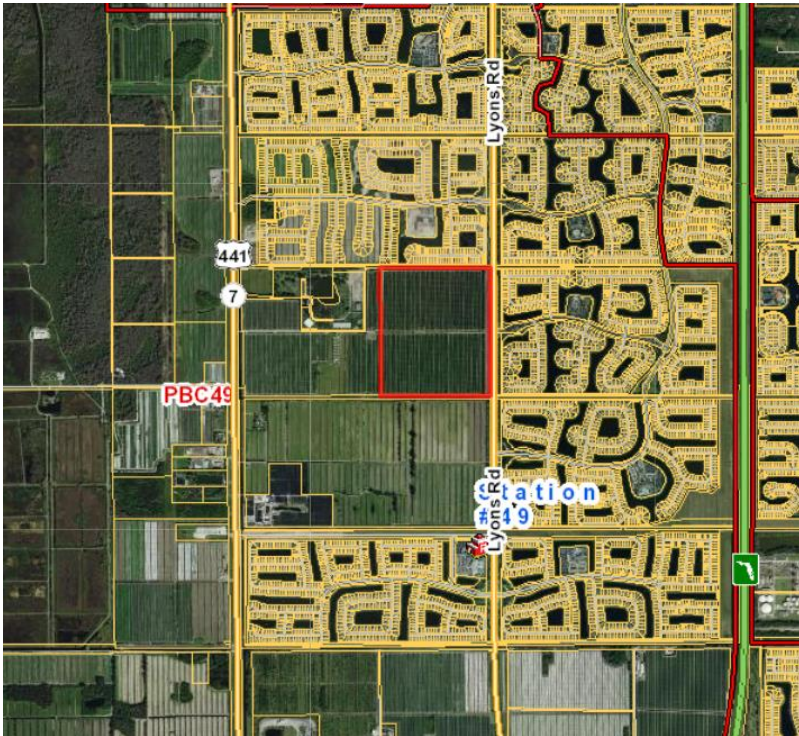
**PALM BEACH COUNTY HEALTH DEPARTMENT:**

Staff has reviewed this application and have no comment.

**FIRE PROTECTION:**

Staff has reviewed this application and have no comment. The subject site is located within the service boundaries of PBC Fire Rescue Station #49.



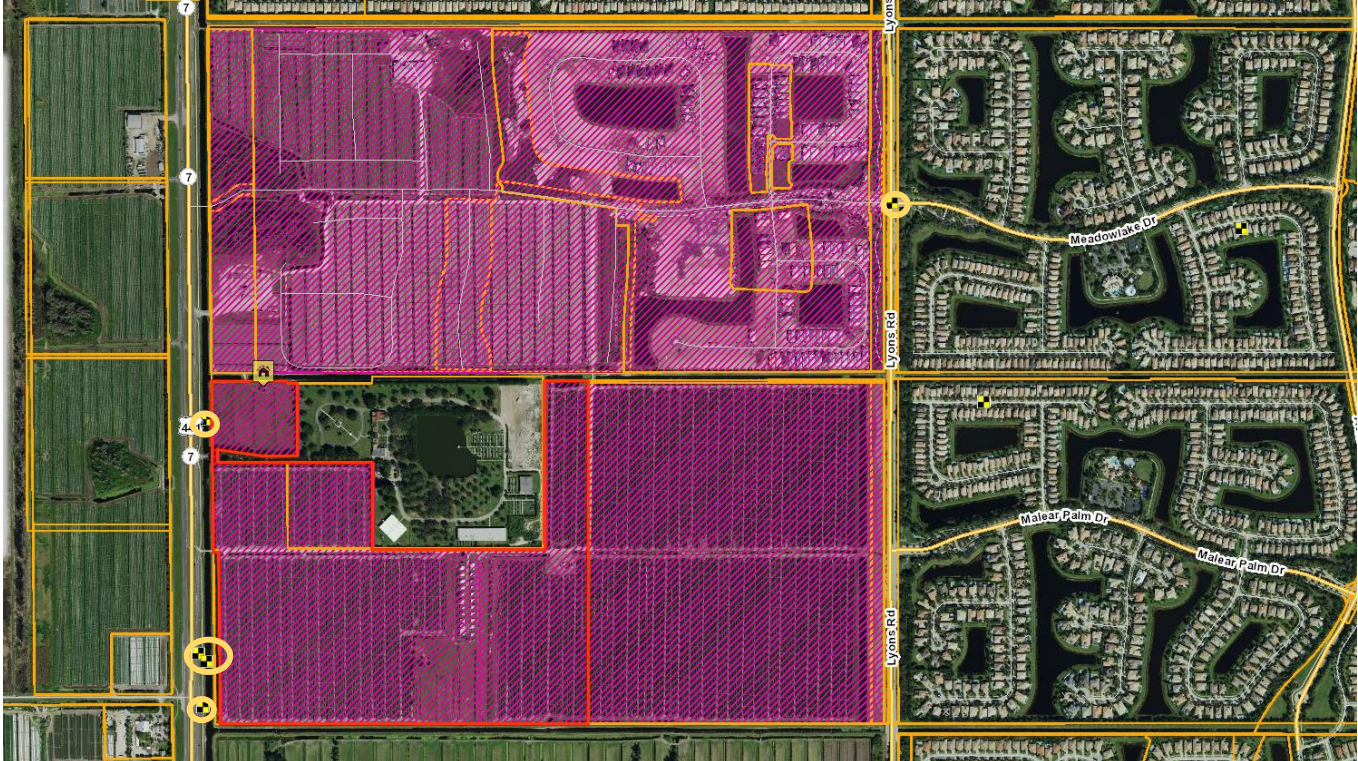


**PARKS AND RECREATION:**

The proposed project will be located south of the existing Whitworth Project and proposes 481 additional dwelling units requiring 2.88 acres of onsite recreation, the project proposes 6.79 acres of onsite recreation, therefore the recreational requirement is satisfied for the local level of service. Parks and Recreation Staff have also reviewed the development for compliance with the LOS for Regional, District and Beach parks and the proposed development is compliant with the LOS as described in the Plan.

**SCHOOL IMPACTS:**

The School Board has no issues with the proposed expansion of an age-restricted development. There are five Public School bus stop locations in proximity of the subject development, four along State Road 7/441 and one along Lyons' Road. Because the development is age restricted the SCAD analysis is not required.



**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 indicates the following justification for their changed conditions of circumstances: *"With the Applicants ability to acquire additional lands that could be used for preservation purposes, the Applicant has the opportunity to expand the development for Whitworth AGR-PUD. For the rezoning specifically, the changed circumstances is simply the ability to acquire additional lands that can be utilized as preserve areas for development within the AGR Tier. The additional preservation of lands provides a significant benefit to the Agricultural Reserve, as these lands will now have a Conservation Easement placed on them which limits the uses permitted, and preserving the land for agricultural, vacant, or agricultural-related purposes."*



## Exhibit C-1 - Conditions of Approval

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### Official Zoning Map Amendment on 417.52 acres

#### **DISCLOSURE**

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

## Exhibit C-2 Conditions of Approval

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### Development Order Amendment on 1,140.03 acres

#### ALL PETITIONS

1. Previous ALL PETITIONS Condition 1 of Resolution R-2023-51, Control No.2021-00031, which currently states:

The approved Preliminary Master Plan is dated October 12, 2022. 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.

#### Is hereby amended to read:

The approved Preliminary Master Plan is dated August 15, 2024. 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: MONITORING - Zoning)

2. Previous ALL PETITIONS Condition 2 of Resolution R-2023-51, Control No.2021-00031, which currently states:

All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2021-1400 (Control 2021-00031), 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 and the Board of County Commissioners, unless expressly modified.

#### Is hereby amended to read:

All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2023-0051 (Control 2021-00031), 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 and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING - Zoning)

#### ENGINEERING

1. Previous ENGINEERING Condition 1 of Resolution R-2023-51, Control No.2021-00031, which currently states:

In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after December 31, 2026, or as amended. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

#### Is hereby amended to read:

In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after December 31, 2028, or as amended. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

2. Prior to issuance of the first building permit for a residential unit for sale within the added land area, the Property Owner shall plat the subject property in accordance with provisions of Article 11 of the Unified Land Development Code, or as otherwise approved by the County Engineer. The platting of this property may be phased in accordance with a phasing plan acceptable to the Office of the County Engineer and approved by the Development Review Officer. A phase should not be larger than what would reasonably be expected to be completed within the time frame of the posted surety. (BLDGPM: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 2 of Resolution R-2023-51, Control No.2021-00031)

3. Prior to issuance of the first building permit for a residential unit for sale or within ninety (90) days of a request by the County Engineer, whichever shall occur first, the Property Owner shall provide to Palm Beach County Right of Way Section of Roadway Production Division by warranty deed additional right of way for the construction of a right turn lane on Lyons Road at the project's entrance road. This right of way shall be a minimum of 280 feet in storage length, a minimum of twelve feet in width and a taper length of 50 feet, or as approved by the County Engineer. Additional width may be required to accommodate paved shoulders. The right of way shall continue across the project entrance. This additional right of way shall be free of all encumbrances and encroachments and shall include Corner Clips where appropriate, as determined by the County Engineer. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. The Property Owner shall not record the required right of way or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents. (BLDGPMT/ONGOING: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-2023-51, Control No.2021-00031)

4. The Property Owner shall construct:

- i. a right turn lane north approach on Lyons Road at the project entrance road.
- ii. a left turn lane south approach on Lyons Road at the project entrance road.

Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit for residential units for sale. If approved by the County Engineer, the Property Owner may submit payment in lieu of construction in an amount approved by the County Engineer and the entire condition shall be considered satisfied. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED]

b. Construction shall be completed prior to issuance of the first Certificate of Occupancy for a residential unit for sale. (BLDGPMT/CO: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 4 of Resolution R-2023-51, Control No.2021-00031)

5. Prior to issuance of the first building permit for a residential unit for sale, the Property Owner shall provide to Palm Beach County sufficient public road drainage easement(s) through the project's internal drainage system, as required by and approved by the County Engineer, to provide legal positive outfall for runoff from those segments of Lyons Road along the property frontage; and a maximum of an additional 800 feet of these adjacent roadway(s), with an assumed impervious area of 95-percent, unless otherwise approved by the County Engineer. The limits of this additional 800 feet of drainage shall be determined by the County Engineer. Said easements shall be no less than 20 feet in width. Portions of such system not included within roadways or waterways dedicated for drainage purposes will be specifically encumbered by said minimum 20 foot drainage easement from the point of origin, to the point of legal positive outfall. The drainage system within the project shall have sufficient water quality, water quantity and, when necessary, compensating storage capacity within this project's system as required by all permitting agencies, as well as conveyance capacity to meet the storm water discharge and treatment requirements of Palm Beach County, the applicable Drainage District, and the South Florida Water Management District, for the combined runoff from the project to accommodate the ultimate Thoroughfare Plan Road Section(s) of the included segment. Specifically, one through lane must be open during the 25-year, 3-day storm and the elevation for the 3-year, 1-day storm event shall provide sufficient freeboard to allow for efficient roadway drainage system design. If required and approved by the County Engineer, the Property Owner shall construct within the proposed drainage easements a minimum of 24 inch closed piping system and appropriate wingwall or other structures as required by and approved by the County Engineer. Elevation and location of the entire drainage system shall be approved by the County Engineer. Any and all excess fill material from excavation by Palm Beach County within said easements shall become the property of Palm Beach County which at its discretion may use this fill material. The Property Owner shall not record these required easements or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 5 of Resolution R-2023-51, Control No.2021-00031)

6. MAJOR THOROUGHFARE ROAD DISCLOSURE

a. Prior to the recordation of the first plat, the Property Owner shall include in the homeowners documents and all sales contracts, as well as all sales brochures, Master Plans and related Site Plans or Subdivision Plans, a disclosure statement identifying Lyons Road as a planned thoroughfare roadway adjacent to or through this property. This shall also include the ultimate number of lanes for the road(s). Information



which appears in written form shall appear in bold print. (PLAT: ENGINEERING - Engineering) [Note: COMPLETED]

b. The Property Owner shall submit documentation of compliance with this condition prior to the first Certificate of Occupancy for a residential unit for sale. (BLDGPM/CO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 6 of Resolution R-2023-51, Control No.2021-00031)

7. The Property Owner shall construct:

i. a right turn lane south approach on SR-7 at the project entrance road.

ii. u-turn opportunities on SR-7 at two locations, north and south of the project entrance road, as approved by the FDOT

Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required from FDOT for this construction shall be obtained prior to the issuance of the 451st building permit for residential units for sale. If approved by the County Engineer, the Property Owner may submit payment in lieu of construction in an amount approved by the County Engineer and the entire condition shall be considered satisfied. (BLDGPM/CO: MONITORING - Engineering) [Note: COMPLETED]

b. Construction shall be completed prior to issuance of the 451st Certificate of Occupancy for a residential unit for sale. (BLDGPM/CO: MONITORING - Engineering) (Previous ENGINEERING Condition 7 of Resolution R-2023-51, Control No.2021-00031)

8. The Property Owner shall fund the cost of signal installation, if warranted, as determined by the County Engineer on Lyons Rd at Project entrance road. Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation and right of way or easement acquisition.

a. No Building Permits shall be issued until the Property Owner provides acceptable surety to the Traffic Division in an amount as determined by the Director of the Traffic Division. (BLDGPM/CO: MONITORING - Engineering)

a. No Building Permits shall be issued until the Property Owner provides acceptable surety to the Traffic Division in an amount as determined by the Director of the Traffic Division. (BLDGPM/CO: MONITORING - Engineering) [Note: COMPLETED]

b. In order to request release of the surety for the traffic signal at the above intersection, the Property Owner shall provide written notice to the Traffic Division stating that the final certificate of occupancy has been issued for this development and requesting that a signal warrant study be conducted at the intersection. The Traffic Division shall have 24 months from receipt of this notice to either draw upon the monies to construct the traffic signal or release the monies. In the event that the property is sold, the surety may be returned once the Traffic Division receives written documentation of the sale and a replacement surety has been provided to the Traffic Division by the new Property Owner. (ONGOING: MONITORING - Engineering)

b. In order to request release of the surety for the traffic signal at the above intersection, the Property Owner shall provide written notice to the Traffic Division stating that the final certificate of occupancy has been issued for this development and requesting that a signal warrant study be conducted at the intersection. The Traffic Division shall have 24 months from receipt of this notice to either draw upon the monies to construct the traffic signal or release the monies. In the event that the property is sold, the surety may be returned once the Traffic Division receives written documentation of the sale and a replacement surety has been provided to the Traffic Division by the new Property Owner. (ONGOING: MONITORING - Engineering) (Previous ENGINEERING Condition 8 of Resolution R-2023-51, Control No.2021-00031)

9. The Property Owner shall construct a vehicular bridge to connect to State Road 7. Any and all costs associated with the construction shall be paid by the Property Owner. Construction shall be completed prior to issuance of the 451st residential Certificate of Occupancy. (BLDGPM/CO: MONITORING - Engineering) (Previous ENGINEERING Condition 9 of Resolution R-2023-51, Control No.2021-00031)

10. The Property Owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The Property Owner shall provide drainage easements, as required, to accommodate offsite drainage.

a. Drainage study shall be provided to the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING - Engineering) [Note: COMPLETED]

b. Any required drainage easements shall be dedicated in conjunction with any required lot combination or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDGPM/PLAT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 10 of Resolution R-2023-51, Control No.2021-00031)

11. Landscape Within the Median of State Road 7

The Property Owner shall design, install and perpetually maintain median landscape within the median of all abutting right of way of State Road 7. This landscaping and irrigation shall strictly conform to the specifications and standards for the County's Only Trees, Irrigation, and Sod (OTIS) program. Additional landscaping beyond OTIS requires County Engineer approval. Median landscaping installed by Property Owner shall be perpetually maintained by the Property Owner, his successors and assigns, without recourse to Palm Beach County, unless the Property Owner provides payment for maintenance as set forth in Paragraph c below.

a. The necessary permit(s) for this landscaping and irrigation shall be applied for from the Florida Department of Transportation prior to the issuance of the 278th building permit for a residential unit for sale, or as approved by the County Engineer. (BLDGPM: MONITORING - Engineering) [Note: COMPLETED]

b. All installation of the landscaping and irrigation shall be completed prior to the issuance of the 278th certificate of occupancy of a residential unit for sale, or as approved by the County Engineer. (BLDGPM/CO: MONITORING - Engineering) [Note: COMPLETED]

c. Alternately, at the option of the Property Owner or if the construction of the required landscape and irrigation is not possible due to physical constraints, the Property Owner may make a contribution to Palm Beach County's Only Trees Irrigation and Sod, OTIS program, unincorporated thoroughfare beautification program prior to the issuance of the first Building Permit, or as approved by the County Engineer. This payment option is only available if the roadway segment is included in the County's current OTIS Master Plan or a corridor proposed to be added to the OTIS Master Plan and shall be based on the project's front footage along State Road 7. This payment shall be in the amount and manner that complies with the schedule for such payments as it currently exists or as it may from time to time be amended. (BLDGPM: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 11 of Resolution R-2023-51, Control No.2021-00031)

#### **ENGINEERING-WHITWORTH SOUTH**

12. The Property Owner shall construct i) right turn lane north approach on Lyons Rd at Whitworth South project entrance (across Malear Palm Dr ii) left turn lane south approach on Lyons Rd at Whitworth South project entrance (across from Malear Palm Dr). This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit for a residential unit for sale within the Whitworth South project. If approved by the County Engineer, the Property Owner may submit payment in lieu of construction in an amount approved by the County Engineer and the entire condition shall be considered satisfied. (BLDGPM: MONITORING - Engineering)

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy for Whitworth South project. (BLDGPM/CO: MONITORING - Engineering)

13. The Property Owner shall fund the cost of signal installation, if warranted, as determined by the County Engineer at Malear Palm Dr and Lyons Rd. Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation and right of way or easement acquisition.

a. No Building Permits for Whitworth South project shall be issued until the Property Owner provides acceptable surety to the Traffic Division in an amount as determined by the Director of the Traffic Division. (BLDGPM: MONITORING - Engineering)

b. In order to request release of the surety for the traffic signal at the above intersection, the Property Owner shall provide written notice to the Traffic Division stating that the final certificate of occupancy has been issued for Whitworth South project and requesting that a signal warrant study be conducted at the intersection. The Traffic Division shall have 24 months from receipt of this notice to either draw upon the monies to construct the traffic signal or release the monies. In the event that the property is sold, the surety may be returned once the Traffic Division receives written documentation of the sale and a replacement surety has been provided to the Traffic Division by the new Property Owner. (ONGOING: ENGINEERING - Engineering)

14. Prior to issuance of the first building permit for a residential unit for sale within the added land area, the Property Owner shall plat the subject property in accordance with provisions of Article 11 of the Unified Land Development Code, or as otherwise approved by the County Engineer. The platting of this property may be phased in accordance with a phasing plan acceptable to the Office of the County Engineer and approved by the Development Review Officer. A phase should not be larger than what would reasonably be expected to be completed within the time frame of the posted surety. (BLDGPM: MONITORING - Engineering)

15. The Property Owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The Property Owner shall provide drainage easements, as required, to accommodate offsite drainage.

- a. Drainage study shall be provided to the Land Development Division prior to final approval of the Subdivision Plan by the DRO. (DRO: ENGINEERING - Engineering)
- b. Any required drainage easements shall be dedicated in conjunction with any required lot combination or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDG/PMT/PLAT: MONITORING - Engineering)

16. Prior to issuance of the first building permit for a residential unit for sale within the added land area, or within ninety (90) days of a request by the County Engineer, whichever shall occur first, the Property Owner shall provide to Palm Beach County Right of Way Section of Roadway Production Division by warranty deed additional right of way for the construction of a right turn lane on Lyons Road at the Whitworth South project entrance road. This right of way shall be a minimum of 280 feet in storage length, a minimum of twelve feet in width and a taper length of 50 feet, or as approved by the County Engineer. Additional width may be required to accommodate paved shoulders. The right of way shall continue across the project entrance. This additional right of way shall be free of all encumbrances and encroachments and shall include Corner Clips where appropriate, as determined by the County Engineer. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney s fees as well as the actual cost of the clean up. The Property Owner shall not record the required right of way or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents. (BLDG/PMT/ONGOING: MONITORING - Engineering)

**LAKE WORTH DRAINAGE DISTRICT**

1. Previous LAKE WORTH DRAINAGE DISTRICT Condition 1 of Resolution R-2023-51, Control No.2021-00031, which currently states:

Prior to the platting of Plat Three of the Development Area, the PROPERTY OWNER shall convey an exclusive easement over the north 35.00-feet of the Development Parcel, for additional right-of-way on the L-26 Canal; Less existing LWDD R/W. (PLAT: ENGINEERING - Lake Worth Drainage District)

**Is hereby deleted.** [REASON: No longer need]

2. Previous LAKE WORTH DRAINAGE DISTRICT Condition 2 of Resolution R-2023-51, Control No.2021-00031, which currently states:

Prior to the platting of Plat Three of the Development Area, the PROPERTY OWNER shall convey an exclusive easement over the north 50.00-feet of Preserve Parcel 10, for additional right-of-way on the L-27 Canal; Less existing R/W (PLAT: ENGINEERING - Lake Worth Drainage District)

**Is hereby deleted.** [REASON: no longer needed]

3. Previous LAKE WORTH DRAINAGE DISTRICT Condition 3 of Resolution R-2023-51, Control No.2021-00031, which currently states:

Prior to the platting of Plat Three of the Development Area, the PROPERTY OWNER shall convey an exclusive easement over the West 40-feet of Preserve Parcel 5 and Preserve 10 for additional R/W on the E-1 Canal. (PLAT: ENGINEERING - Lake Worth Drainage District)

**Is hereby deleted.** [REASON: no longer needed]

4. Previous LAKE WORTH DRAINAGE DISTRICT Condition 4 of Resolution R-2023-51, Control No.2021-00031, which currently states:

Prior to the platting of Plat Three of the Development Area, the PROPERTY OWNER shall convey an exclusive easement over the north 35.00-feet of Preserve Parcel 5, for additional right-of-way on the L-26 Canal; Less existing LWDD R/W. (PLAT: ENGINEERING - Lake Worth Drainage District)

**Is hereby deleted.** [REASON: No longer needed]

5. Previous LAKE WORTH DRAINAGE DISTRICT Condition 5 of Resolution R-2023-51, Control No.2021-00031, which currently states:



Prior to the platting of Plat Three of the Development Area, the PROPERTY OWNER shall convey an exclusive easement over the south 5.00-feet of Preserve Parcel 10 for additional R/W on the L-28. (PLAT: ENGINEERING - Lake Worth Drainage District)

**Is hereby deleted.** [REASON: no longer needed]

## **PARKS**

1. No more than 281 residential building permits may be issued for this project until the recreational improvements have been completed in their entirety and open for use and accessible to the residents, unless a phasing plan for completion of the required recreation area is agreed to and approved by the Parks and Recreation Department.

(BLDGPMPT: MONITORING - Parks and Recreation) [Note: COMPLETED] (Previous PARKS Condition 1 of Resolution R-2023-51, Control No.2021-00031)

2. Completion of recreation facilities in phase one prior to issuance of 413st permit, per scheduling agreement. (BLDGPMPT: MONITORING - Parks and Recreation) [Note: COMPLETED] (Previous PARKS Condition 2 of Resolution R-2023-51, Control No.2021-00031)

## **PLANNING**

1. Previous PLANNING Condition 1 of Resolution R-2023-51, Control No.2021-00031, which currently states:

The PUD shall be limited to a maximum of 704 dwelling units and shall meet 60/40 AGR-PUD requirements. All units associated with the preserve parcels shall be assigned to the Development area. No approved, unbuilt units may be transferred outside the development area.

**Is hereby amended to read:**

The PUD shall be limited to a maximum of 1140 dwelling units and shall meet 60/40 AGR-PUD requirements. All units associated with the preserve parcels shall be assigned to the Development area. No approved, unbuilt units may be transferred outside the development area. (ONGOING: PLANNING - Planning)

2. Prior to Final Master Plan (FMP) approval by the Development Review Officer (DRO), the Property Owner shall provide a 100 foot Lyons Road Rural Parkway Landscape Plan with cross section details for the Parkway. All of these items shall be subject to approval by the Planning Division and Engineering Department. The Rural Parkway Landscape Plan to include, but not be limited to, the following items:

a. Flowering trees;

b. Undulating berms, no taller than five (5) feet and landscaped with native vegetation; and

c. Benches/pedestrian gathering area. One (1) pedestrian gathering area shall be provided within the 100-foot wide Lyons Road Rural Parkway along the Development Area project frontage.

d. The amount of landscape material in the Rural Parkway, when adjacent to a preserve, may contain a reduced amount of landscaped material, subject to approval by the Planning Division. However, one (1) bench and one (1) pedestrian gathering area, will still be required in the Rural Parkway adjacent to the Development Area.

e. The following are minimum quantities of vegetation that shall be required for the Rural Parkway adjacent to the development area:

1. Provide 1 canopy tree for each 1,200 square feet.

a. Up to 20 percent of canopy trees may be flowering.

b. Spacing of trees to be no more than 100' apart.

2. Small trees (maximum mature growth estimated to be no more than 12 feet) may be substituted for canopy trees at a rate of 2 for 1 not to exceed 20 percent of required canopy tree quantity.

3. Provide a minimum of one palm tree for each 4,000 square feet of area; palms to be clustered in groups of 3 minimum; no maximum or minimum spacing between clusters.

4. Provide one plant for each 200 square feet of area, utilizing a minimum of 50 percent of the required quantity in a layered design to include ground cover (mature or maintained growth not exceeding 24 inches, small shrubs (mature or maintained growth not to exceed 48 inches) and large shrubs (mature or maintained growth greater than 48 inches).

5. Undulating berms, where possible, no taller than 5 feet from adjacent roadway grade; waived within 200 feet of a development entry or other vehicular access-way.

6. Sod remaining area.

7. Minimum 90 percent native trees, 60 percent native shrubs.

f. The following are minimum quantities of vegetation that shall be required for the Rural Parkway adjacent to the AGR Preserve P9B at Atlantic and Lyons:

1. One canopy tree per 2,000 square feet.
2. Undulating berms, where possible, no taller than five (5) feet from adjacent roadway grade; waived within 200 feet of a development entry or other vehicular access-way.
3. Sod or seed remaining area.
4. Minimum 90 percent native trees, 60 percent native shrubs.

g. For the Rural Parkway Planting Plan, spacing requirements may be waived by the Planning Director, for those areas within 200 feet of the Development entry or other vehicular access points.

(DRO: PLANNING - Planning) [Note: COMPLETED] (Previous PLANNING Condition 2 of Resolution R-2023-51, Control No.2021-00031)

3. Submit an approved Preserve Management Plan and Rural Parkway Management Plan prior to approval by the Development Review Officer (DRO) of the Final Master Plan for the development area. The management plans shall contain a legal description and sketch of the parcel, an inventory of existing uses and environmental assets on the site, and a plan for exotic removal and maintenance. The preserve management Plan shall be approved by ERM and the Rural Parkway Plan shall be approved by Planning. (DRO: PLANNING - Planning) [Note: COMPLETED] (Previous PLANNING Condition 3 of Resolution R-2023-51, Control No.2021-00031)

4. Prior to final site plan approval by the Development Review Officer (DRO), the Property Owner shall provide a Rural Parkway Landscape Plan, for the entire Rural Parkway Preserve area, subject to approval by the Planning Division, to include a minimum of 60% native shrubs and a minimum of 90% native trees and palms for the minimum required trees, palms and shrubs. (DRO: PLANNING - Planning) [Note: COMPLETED] (Previous PLANNING Condition 4 of Resolution R-2023-51, Control No.2021-00031)

5. Prior to or concurrent with the plat, the conservation easement for the 100' Lyons Road Rural Parkway Preserve Area, shall be recorded, as approved by the County Attorney's Office, the Engineering Department, and the Planning Division. The conservation easement for the 100 foot Lyons Road Rural Parkway Preserve Area shall contain:

a. A Rural Parkway Conceptual Landscape Plan to include, but not be limited to, the following items:

- i. Flowering trees;
- ii. Undulating berms, no taller than five feet and landscaped with native vegetation; and
- iii. Benches/pedestrian gathering area. One (1) pedestrian gathering area shall be provided within the 100-foot wide Lyons Road Rural Parkway along this project frontage.

b. The Rural Parkway easement shall not include:

- i. Walls;
- ii. No structures shall be allowed in the Rural Parkway Easement with the exception of a bus shelter, and benches/pedestrian gathering area.

c. The Rural Parkway easement may include:

- i. A ten (10) foot utility easement located adjacent to the Lyons Road right-of-way and a bus easement;
- ii. Other drainage/utility easements may only be permitted which transverse (run perpendicular to) the Lyons Road Rural Parkway Easement to place drainage/utilities in the developable portion of the PUD.
- iii. Other drainage easements may be permitted in the Rural Parkway Easement for the purposes of draining the Rural Parkway subject to approval by the County Engineering Department and the Planning Division.

d. A maintenance agreement for continual maintenance of the Rural Parkway that will contain language allowing for the transfer of maintenance to the Homeowners Association or; a deed to the County for the County's ownership and maintenance.

e. Title insurance for these easements shall be provided to Palm Beach County subject to approval by the County Attorney and in an amount acceptable to the Department of Environmental Resources Management and the Planning Division.

f. Should the 100-foot wide Lyons Road Rural Parkway conservation easement not be placed on this property in a form acceptable to the County Attorney, Engineering Department, and Planning Division, prior to November 1, 2023, then the approval of this Development Order (DO) shall be scheduled for review by the Board of County Commissioners with a recommendation by staff to revoke the Development Order.

(DATE/PLAT: MONITORING - Planning) [Note: COMPLETED] (Previous PLANNING Condition 5 of Resolution R-2023-51, Control No.2021-00031)

6. Prior to the recordation of the 1st Plat for the Development Area that includes Pods A, B, or C, all of the conservation easements for Preservation parcels 1 through 4 shall be recorded, as approved by the

County Attorney's Office, the Department of Environmental Resources Management, and the Planning Division.

a. The conservation easements for all of these preserve parcels shall contain:

- 1) a legal description, site location, including the address of the parcel and a sketch including the area subject to the easement depicting reference points such as main streets and showing the location of the preserve within the context of the Ag Reserve;
- 2) a list of permitted uses, uses not permitted, and prohibited activities.

b. Title insurance for these easements shall be provided to Palm Beach County subject to approval by the County Attorney and in an amount acceptable to the Department of Environmental Resources Management and the Planning Division.

(PLAT: MONITORING - Planning) [Note: COMPLETED] (Previous PLANNING Condition 6 of Resolution R-2023-51, Control No.2021-00031)

7. Prior to the 138th Building Permit, the Property Owner shall commence the construction of the Rural Parkway, through the Rural Parkway easements consistent with the Staff approved Rural Parkway Sketch and Landscape Plan. (BLDGPM: MONITORING - Planning) [Note: COMPLETED] (Previous PLANNING Condition 7 of Resolution R-2023-51, Control No.2021-00031)

8. Prior to the issuance of the 563rd Certificate of Occupancy (CO), the Property Owner shall complete construction of the Rural Parkway according to the approved landscape plans. (CO: MONITORING - Planning) [Note: COMPLETED] (Previous PLANNING Condition 8 of Resolution R-2023-51, Control No.2021-00031)

9. Title insurance for the Agricultural Conservation Easements are based on the cost of a single family TDR in effect at the time PDD/DOA-2022-213 was deemed sufficient (March 2, 2022). For for the new preserves, P5 through P11, the cost will be \$44,000 per acre. (ONGOING: PLANNING - Planning) [Note: COMPLETED] (Previous PLANNING Condition 9 of Resolution R-2023-51, Control No.2021-00031)

10. Prior to the recordation of the 1st Plat for the Development Area that includes Pods D, E, F, G, or H, all of the conservation easements for Preservation parcels 5 through 11 shall be recorded, as approved by the County Attorney's Office, the Department of Environmental Resources Management, and the Planning Division.

a. The conservation easements for all of these preserve parcels shall contain:

- 1) a legal description, site location, including the address of the parcel and a sketch including the area subject to the easement depicting reference points such as main streets and showing the location of the preserve within the context of the Ag Reserve;
- 2) a list of permitted uses, uses not permitted, and prohibited activities.

b. Title insurance for these easements shall be provided to Palm Beach County subject to approval by the County Attorney and in an amount acceptable to the Department of Environmental Resources Management and the Planning Division.

(PLAT: MONITORING - Planning) [Note: COMPLETED] (Previous PLANNING Condition 10 of Resolution R-2023-51, Control No.2021-00031)

11. Prior to Final Master Plan (FMP) approval by the Development Review Officer (DRO), the Property Owner shall provide a 100 foot Lyons Road Rural Parkway Landscape Plan with cross section details for the Parkway for all new or amended areas of the Parkway. All of these items shall be subject to approval by the Planning Division, Zoning Landscape Division and Engineering Department. The Rural Parkway Landscape Plan shall include a minimum of 60% native shrubs and a minimum of 90% native trees and palms for the minimum required trees, palms and shrubs consistent with the approved plans for the Whitworth North portion of the project. (DRO: PLANNING - Planning)

12. Submit an approved Preserve Management Plan and Rural Parkway Management Plan for all new and amended preserves (P2, P3, P10 and P12-37) prior to approval by the Development Review Officer (DRO) of the Final Master Plan for the development area. The management plans shall contain a legal description and sketch of the parcel, an inventory of existing uses, Farm Residences, special circumstances and environmental assets on the site, and a plan for exotic removal and maintenance. The Preserve Management Plan and the Rural Parkway Plan shall be approved by Planning. (DRO: PLANNING - Planning)

13. Prior to or concurrent with the recordation of the 1st Plat for the Development Area of Whitworth South, the conservation easement for the added/amended 100' Lyons Road Rural Parkway Preserve Area, shall be recorded, as approved by the County Attorney's Office, the Engineering Department, and the Planning Division. The conservation easement for the 100 foot Lyons Road Rural Parkway Preserve Area shall contain:



- a. A Rural Parkway Conceptual Landscape Plan to include, but not be limited to, the following items:
  - i. Flowering trees;
  - ii. Undulating berms, no taller than five feet and landscaped with native vegetation; and
  - iii. Benches/pedestrian gathering area. One (1) pedestrian gathering area shall be provided within the 100-foot wide Lyons Road Rural Parkway along this project frontage.
- b. The Rural Parkway easement shall not include:
  - i. Walls;
  - ii. No structures shall be allowed in the Rural Parkway Easement with the exception of a bus shelter, and benches/pedestrian gathering area.
- c. The Rural Parkway easement may include:
  - i. A ten (10) foot utility easement located adjacent to the Lyons Road right-of-way and a bus easement;
  - ii. Other drainage/utility easements may only be permitted which transverse (run perpendicular to) the Lyons Road Rural Parkway Easement to place drainage/utilities in the developable portion of the PUD.
  - iii. Other drainage easements may be permitted in the Rural Parkway Easement for the purposes of draining the Rural Parkway subject to approval by the County Engineering Department and the Planning Division.
- d. A maintenance agreement for continual maintenance of the Rural Parkway that will contain language allowing for the transfer of maintenance to the Homeowners Association or; a deed to the County for the County's ownership and maintenance.
- e. Title insurance for these easements shall be provided to Palm Beach County subject to approval by the County Attorney and in an amount acceptable to the Department of Environmental Resources Management and the Planning Division.  
(PLAT: MONITORING - Planning)

14. Prior to the recordation of the 1st Plat for the Development Area of Whitworth South, all of the conservation easements Preservation parcels (P2, P3, P10 and P12-37) shall be recorded, as approved by the County Attorney's Office and the Planning Division.

- a. The conservation easements for all of these preserve parcels shall contain:
  - 1) a legal description, site location, including the address of the parcel and a sketch including the area subject to the easement depicting reference points such as main streets and showing the location of the preserve within the context of the Ag Reserve;
  - 2) a list of permitted uses, uses not permitted, and prohibited activities.

- b. Title insurance for these easements shall be provided to Palm Beach County subject to approval by the County Attorney and in an amount acceptable to the County Attorney and the Planning Division.  
(PLAT: MONITORING - Planning)

15. Title insurance for the Agricultural Conservation Easements are based on the cost of a single family TDR in effect at the time PDD/DOA-2024-581 was deemed sufficient (April 17, 2024). For the new preserves, P3, P12 through P37, the cost will be \$57,500 per acre. (ONGOING: PLANNING - Planning)

16. Prior to the 138th Building Permit in Whitworth South (797th overall), the Property Owner shall commence the construction of the Rural Parkway consistent with the Staff approved Rural Parkway Easement and Landscape Plan. (BLDGPM: MONITORING - Planning)

17. Prior to the issuance of the 385th Certificate of Occupancy in Whitworth South (CO)(1,044th overall), the Property Owner shall complete construction of the Rural Parkway according to the approved Easement and Landscape Plans. (CO: MONITORING - Planning)

18. Prior to the recordation of the conservation Easement for P#24 Chen, all structures not associated with bona-fide agricultural uses, such as but not limited to, Single Family dwellings, pools and sheds shall either be converted to an allowable use with applicable agricultural permits as identified in the ULDC or removed, with all applicable approvals and/or completed demolition or removal permits prior to the recordation of the Plat for Whitworth South development area. In addition, existing septic tanks shall be abandoned in accordance with Health Department requirements. (PLAT: MONITORING - Planning)

19. Prior to the recordation of the conservation Easement for P#29 Schultz, all structures not associated with bona-fide agricultural uses, such as but not limited to, Single Family dwellings, pools and sheds shall either be converted to an allowable use with applicable agricultural permits as identified in the ULDC or removed, with all applicable approvals and/or completed demolition or removal permits prior to the recordation of the Plat for Whitworth South development area. In addition, existing septic tanks shall be abandoned in accordance with Health Department requirements. (PLAT: MONITORING - Planning)

20. Prior to the recordation of the conservation Easement for P#30 Koburger, all structures not associated with bona-fide agricultural uses, such as but not limited to, Single Family dwellings, pools and sheds shall either be converted to an allowable use with applicable agricultural permits as identified in the ULDC or removed, with all applicable approvals and/or completed demolition or removal permits prior to the recordation of the Plat for Whitworth South development area. In addition, existing septic tanks shall be abandoned in accordance with Health Department requirements. (PLAT: MONITORING - Planning)

21. Prior to the recordation of the conservation Easement for P#33 Manning, all structures not associated with bona-fide agricultural uses, such as but not limited to, Single Family dwellings, pools and sheds shall either be converted to an allowable use with applicable agricultural permits as identified in the ULDC or removed, with all applicable approvals and/or completed demolition or removal permits prior to the recordation of the Plat for Whitworth South development area. In addition, existing septic tanks shall be abandoned in accordance with Health Department requirements. (ONGOING/PLAT: MONITORING - Planning)

22. Prior to the recordation of the conservation Easement for P#35 Nguyen & Tran, all structures not associated with bona-fide agricultural uses, such as but not limited to, Single Family dwellings, pools and sheds shall either be converted to an allowable use with applicable agricultural permits as identified in the ULDC or removed, with all applicable approvals and/or completed demolition or removal permits prior to the recordation of the Plat for Whitworth South development area. In addition, existing septic tanks shall be abandoned in accordance with Health Department requirements. (PLAT: MONITORING - Planning)

23. Prior to the recordation of the conservation Easement for P#37 Bowman Trust, all structures not associated with bona-fide agricultural uses, such as but not limited to, Single Family dwellings, pools and sheds shall either be converted to an allowable use with applicable agricultural permits as identified in the ULDC or removed, with all applicable approvals and/or completed demolition or removal permits prior to the recordation of the Plat for Whitworth South development area. In addition, existing septic tanks shall be abandoned in accordance with Health Department requirements. (PLAT: MONITORING - Planning)

24. Prior to the recordation of the conservation Easement for P#28 Alderman Yee, all activities not associated with bona-fide agricultural uses, such as but not limited to, abandoned vehicles, boats, tires, and other non-farm related debris, shall be removed prior to the recordation of the Plat for Whitworth South development area. (PLAT: MONITORING - Planning)

**PROPERTY & REAL ESTATE MANAGEMENT-WHITWORTH NORTH - PHASE 1**

1. The Property Owner will be required to cash out the civic site subject to Board of County Commissioners approval. If approved, payment will be made 30 days of first plat recordation. If the civic site is not cashed out, a civic site that is acceptable to Palm Beach County Facilities, Development & Operations Department will be required. (DRO: PROPERTY REAL ESTATE MANAGEMENT - Property Real Estate Management) [Note: COMPLETED] (Previous PROPERTY & REAL ESTATE MANAGEMENT Condition 1 of Resolution R-2023-51, Control No.2021-00031)

**PROPERTY & REAL ESTATE MANAGEMENT-WHITWORTH NORTH - PHASE 2**

2. The Property Owner shall provide Palm Beach County Board of County Commissioners with a Statutory Warranty Deed on a net 2.26 acre public civic site (net usable area - including minimum required perimeter landscape buffers), in a location and form acceptable to Facilities Development & Operations Department (FD&O) by October 24, 2025 or other date that is mutually agreeable to the Property owner and FD&O. Property Owner to plat and dedicate the civic site to Palm Beach County prior to conveying the deed, and shall have satisfied each of the following conditions prior to deed conveyance:

a) Title

Property Owner to provide a title policy insuring marketable title to Palm Beach County for the civic site and any easements that service the civic site as required by the County Attorney's office. All title exception documentation to be provided to County. Policy is subject to Property & Real Estate Management (PREM) and County Attorney's approval. The title policy to be insured to Palm Beach County for a dollar value based on current market appraisal of the proposed civic site or the contract purchase price on a per acre basis if the contract purchase was concluded within the previous 24-month period. If an appraisal is required, it shall be obtained by the Property Owner. The Property Owner shall release the County from all Declarations of Covenants and Conditions of the P.U.D. or other restrictive covenants as they may apply to the civic site.

b) Concurrency

Property Owner to assign sufficient traffic trip capacity such that the traffic volume associated with a County facility shall be attached to the civic site and recorded on the concurrency reservation for the entire PUD. The Property Owner shall be provided with input as to the size of a structure (and proposed use) which the civic site would support and the corresponding amount of trips. If no County use is applied to the civic site, Property Owner shall assign sufficient traffic trip capacity equivalent to the number of units the civic site would support if it were a residential pod.

c) Taxes

All ad valorem real estate taxes and assessments for the year of acceptance shall be pro-rated to include the day of acceptance.

d) Site condition

Civic site to be free and clear of all trash and debris at the time of acceptance of the Statutory Warranty Deed.

e) Retention and Drainage

Property Owner shall provide all retention, detention, and drainage required for any future development of the proposed civic site by the County. Property Owner shall specifically address the following issues:

1) The discharge of surface water from the proposed civic site into the Property Owner's water retention basins.

2) An easement across Property Owner's property from the proposed civic site to the retention basins, if required.

f) On-Site Inspections

By acceptance of these conditions Property Owner agrees to allow the County to perform any on-site inspections and testing deemed appropriate to support the acquisition of the civic site.

g) Vegetation Permit

Property Owner to perform a tree survey and obtain a vegetation clearing permit. If it is determined by PREM that clearing is not required at time of conveyance, the cost of such clearing shall be paid to the County.

h) Buildable Grade

Prepare civic site to buildable grade under the direction of the FD&O Department. Site shall be stabilized with

1) sod and watered or,

2) seeded, mulched and watered (at the discretion of FD&O), all of which shall be to the satisfaction of FD&O.

The buildable grade elevation required will generally be the highest crown of road adjacent to the civic site, unless otherwise determined by PREM. Proposed County Critical Care Facilities may require higher elevations as determined by County, at County's sole discretion. Property Owner to provide:

1) In-place density test (density requirements as determined by PREM),

2) Soil placement monitoring report,

3) Test of materials used in the soil placement monitoring report,

4) Final survey to include topo results.

i) Water, Sewer and Reclaim Water

Property Owner to provide water, sewer, and reclaim water stubbed out to the property line and other required utilities as determined by PREM.

j) Irrigation

Property owner to provide an easement across Property Owner's property, from the proposed civic site to available retention basins, if requested by PREM. (DATE: MONITORING - Property Real Estate Management)

3. The Property Owner shall provide the County with a survey certified to Palm Beach County of the proposed civic site by April 24, 2025 or other date that is mutually agreeable to the Property Owner and FD&O. Survey shall reflect the boundary and topographical areas of the site and the surveyor shall use the following criteria:

a) The survey must meet the Standards of Practice set forth by the Florida Board of Professional Surveyors and Mappers in rule 5J-17.050-.052, Florida Administrative Code, pursuant to section 472.027, Florida Statutes.

b) If this parcel is a portion of Palm Beach Farms, sufficient data to make a mathematical overlay should be provided.

c) The survey should include a location of any proposed water retention area that will border the civic site and the proposed drainage easement area for storm water outfall from the proposed civic site to the development's storm water management system.

Survey is also subject to the County's approval of any proposed or existing easements within the proposed civic site and all title exceptions are to be shown on the survey.  
(DATE: MONITORING - Property Real Estate Management)

4. The Property Owner shall provide PREM with an Environmental Assessment certified to Palm Beach County of the proposed civic site by April 24, 2025 or other date that is mutually agreeable to the Property Owner and FD&O. The minimum assessment of the property will be a "Phase I Audit". The audit shall describe the environmental conditions of the property and identify the past and current land use. Prior use of the property (Example: Ag Production, golf course, other uses as determined by County) that creates the possibility of soil and groundwater impacts above environmental target clean up levels will require further soil and ground water investigation and testing, unless waived by County at County's sole discretion.

The assessment will include but not be limited to the following:

- a) Review of property abstracts for all historical ownership data for evidence of current and past land use of the proposed civic site.
- b) Review of local, state, and federal regulatory agency's enforcement and permitting records for indication of prior groundwater or soil contamination. Also, a review of the neighboring property that borders the proposed civic site will be required. The review shall include, but not be limited to, Palm Beach County Environmental Resources Management Department Records, and Florida Department of Regulation Records.

The assessment shall reflect whether the civic site or any bordering property is on the following lists:

- 1) EPA's National Priorities list (NPL)
  - 2) Comprehensive Environmental Response compensation and Liability Act system List (CERCLA)
  - 3) Hazardous Waste Data Management System List (HWDMS).
- c) Review of current and historical aerial photographs of the proposed civic site. Provide a recent aerial showing site and surrounding properties.
  - d) The results of an on-site survey to describe site conditions and to identify potential area of contamination.
  - e) Review of Wellfield Protection Zone maps to determine if property is located in a Wellfield Zone.  
(DATE: MONITORING - Property Real Estate Management)

5. Prior to Technical Compliance of the Plat, the Property Owner shall grant a Perpetual Access Easement from State Road 7 via Maple Valley Road as shown on PMP-1 to the County in a form, manner and configuration deemed acceptable to PREM to serve the public civic site. (TC: PROPERTY REAL ESTATE MANAGEMENT - Property Real Estate Management)

6. The Property Owner shall include in homeowners documents as well as all written sales brochures, sales contracts, Master Plans and related Site Plans a disclosure statement identifying and notifying prospective property owners that the community includes the public civic site and is designed to provide future ingress and egress serving the public civic site to and from State Road 7 via Maple Valley Road (external to community access gates). The Property Owner shall submit documentation of compliance with this condition on an annual basis to the Monitoring Section of Planning, Zoning and Building beginning on January 2, 2025 or other date that is mutually agreeable to the Property Owner and FD&O, and then continuing until all units have been sold. (DATE: MONITORING - Property Real Estate Management)

#### **PROPERTY & REAL ESTATE MANAGEMENT-WHITWORTH SOUTH**

7. The Property Owner shall provide Palm Beach County Board of County Commissioners with a Statutory Warranty Deed on a net 3.36-acre public civic site (net usable area - including minimum required perimeter landscape buffers), in a location and form acceptable to Facilities Development & Operations Department (FD&O) by October 24, 2026 or other date that is mutually agreeable to the Property owner and FD&O. Property Owner to plat and dedicate the civic site to Palm Beach County prior to conveying the deed, and shall have satisfied each of the following conditions prior to deed conveyance.

- a) Title  
Property Owner to provide a title policy insuring marketable title to Palm Beach County for the civic site and any easements that service the civic site as required by the County Attorney's office. All title exception documentation to be provided to County. Policy is subject to Property & Real Estate Management (PREM) and County Attorney's approval. The title policy to be insured to Palm Beach County for a dollar value based on current market appraisal of the proposed civic site or the contract purchase price on a per acre basis if the contract purchase was concluded within the previous 24-month period. If an appraisal is required, it shall be obtained by the Property Owner. The Property Owner shall release the County from



all Declarations of Covenants and Conditions of the P.U.D. or other restrictive covenants as they may apply to the civic site.

b) Concurrency

Property Owner to assign sufficient traffic trip capacity such that the traffic volume associated with a County facility shall be attached to the civic site and recorded on the concurrency reservation for the entire PUD. The Property Owner shall be provided with input as to the size of a structure (and proposed use) which the civic site would support and the corresponding amount of trips. If no County use is applied to the civic site, Property Owner shall assign sufficient traffic trip capacity equivalent to the number of units the civic site would support if it were a residential pod.

c) Taxes

All ad valorem real estate taxes and assessments for the year of acceptance shall be pro-rated to include the day of acceptance.

d) Site condition

Civic site to be free and clear of all trash and debris at the time of acceptance of the Statutory Warranty Deed.

e) Retention and Drainage

Property Owner shall provide all retention, detention, and drainage required for any future development of the proposed civic site by the County. Property Owner shall specifically address the following issues:

- 1) The discharge of surface water from the proposed civic site into the Property Owner's water retention basins.
- 2) An easement across Property Owner's property from the proposed civic site to the retention basins, if required.

f) On-Site Inspections

By acceptance of these conditions Property Owner agrees to allow the County to perform any on-site inspections and testing deemed appropriate to support the acquisition of the civic site.

g) Vegetation Permit

Property Owner to perform a tree survey and obtain a vegetation clearing permit. If it is determined by PREM that clearing is not required at time of conveyance, the cost of such clearing shall be paid to the County.

h) Buildable Grade

Prepare civic site to buildable grade under the direction of the FD&O Department. Site shall be stabilized with

- 1) sod and watered or,
- 2) seeded, mulched and watered (at the discretion of FD&O), all of which shall be to the satisfaction of FD&O.

The buildable grade elevation required will generally be the highest crown of road adjacent to the civic site, unless otherwise determined by PREM. Proposed County Critical Care Facilities may require higher elevations as determined by County, at County's sole discretion. Property Owner to provide:

- 1) In-place density test (density requirements as determined by PREM),
- 2) Soil placement monitoring report,
- 3) Test of materials used in the soil placement monitoring report,
- 4) Final survey to include topo results.

i) Water, Sewer and Reclaim Water

Property Owner to provide water, sewer, reclaim water stubbed out to the property line and other required utilities as determined by PREM.

j) Irrigation

Property owner to provide an easement across Property Owner's property, from the proposed civic site to available retention basins, if requested by PREM. (DATE: MONITORING - Property Real Estate Management)

8. The Property Owner shall provide the County with a survey certified to Palm Beach County of the proposed civic site by April 24, 2026 or other date that is mutually agreeable to the Property Owner and FD&O. Survey shall reflect the boundary and topographical areas of the site and the surveyor shall use the following criteria:

- a) The survey must meet the Standards of Practice set forth by the Florida Board of Professional Surveyors and Mappers in rule 5J-17.050-.052, Florida Administrative Code, pursuant to section 472.027, Florida Statutes.
- b) If this parcel is a portion of Palm Beach Farms, sufficient data to make a mathematical overlay should be provided.
- c) The survey should include a location of any proposed water retention area that will border the civic site and the proposed drainage easement area for storm water outfall from the proposed civic site to the development's storm water management system.

Survey is also subject to the County's approval of any proposed or existing easements within the proposed civic site and all title exceptions are to be shown on the survey. (DATE: MONITORING - Property Real Estate Management)

9. The Property Owner shall provide PREM with an Environmental Assessment certified to Palm Beach County of the proposed civic site by April 24, 2026 or other date that is mutually agreeable to the Property Owner and FD&O. The minimum assessment of the property will be a "Phase I Audit". The audit shall describe the environmental conditions of the property and identify the past and current land use. Prior use of the property (Example: Ag Production, golf course, other uses as determined by County) that creates the possibility of soil and groundwater impacts above environmental target clean up levels will require further soil and ground water investigation and testing, unless waived by County at County's sole discretion.

The assessment will include but not be limited to the following:

- a) Review of property abstracts for all historical ownership data for evidence of current and past land use of the proposed civic site.
- b) Review of local, state, and federal regulatory agency's enforcement and permitting records for indication of prior groundwater or soil contamination. Also, a review of the neighboring property that borders the proposed civic site will be required. The review shall include, but not be limited to, Palm Beach County Environmental Resources Management Department Records, and Florida Department of Regulation Records.

The assessment shall reflect whether the civic site or any bordering property is on the following lists:

- a. EPA's National Priorities list (NPL)
- b. Comprehensive Environmental Response compensation and Liability Act system List (CERCLA)
- c. Hazardous Waste Data Management System List (HWDMS).
- c) Review of current and historical aerial photographs of the proposed civic site. Provide a recent aerial showing site and surrounding properties.
- d) The results of an on-site survey to describe site conditions and to identify potential area of contamination.
- e) Review of Wellfield Protection Zone maps to determine if property is located in a Wellfield Zone. (DATE: MONITORING - Property Real Estate Management)

10. The Property Owner may request to exchange the required 3.36-acre on-site dedication of land for cash of equal value or off-site land equal in acreage, however, this option shall be used only upon County approval when the County has established that the cash or off-site land is the more viable option and enhances or supports a County property, facility or function in the general vicinity of the PUD. In addition, should the off-site land option be chosen, each PREM condition listed in numbers 7, 8 & 9 above will also apply. If the land off-site is of less cash value than the on-site dedication the Property Owner shall contribute cash equal to the difference in values. Valuation of the on-site and off-site land shall be subject to the County appraisal process and be at the cost of the Property Owner. If off-site land or cash contribution is accepted by Palm Beach County, the Property Owner shall be deemed to have satisfied the intent of the ULDC and PREM conditions 7, 8, 9, 11 and 12 herein. (ONGOING: PROPERTY REAL ESTATE MANAGEMENT - Property Real Estate Management)

11. Prior to Technical Compliance of the Plat, the Property Owner shall grant a Perpetual Access Easement from Lyons Road to the County in a form, manner and configuration deemed acceptable to PREM to serve the public civic site. (TC: PROPERTY REAL ESTATE MANAGEMENT - Property Real Estate Management)

12. The Property Owner shall include in homeowners documents as well as all written sales brochures, sales contracts, Master Plans and related Site Plans a disclosure statement identifying and notifying prospective property owners that the community includes the public civic site and is designed to provide future ingress and egress serving the public civic site from Lyons Road. The Property Owner shall submit documentation of compliance with this condition on an annual basis to the Monitoring Section of Planning, Zoning and Building beginning on January 2, 2026 or other date that is mutually agreeable to the Property Owner and FD&O, and then continuing until all units have been sold. (DATE: MONITORING - Property Real Estate Management)

### **SCHOOL BOARD**

1. The Property Owner shall provide a Declaration and Restrictive Covenant which prohibits children less than nineteen years of age from residing in the community no later than six (6) months after DRO Approval. This declaration shall be recorded in the public records for Palm Beach County in a form and manner acceptable to the School Board and the County Attorney and a copy of the recorded document shall be sent to the School Board's Planning and Intergovernmental Relations Department. (DATE: COUNTY ATTORNEY - School Board) [Note: COMPLETED] (Previous SCHOOL BOARD Condition 1 of Resolution R-2023-51, Control No.2021-00031)

### **SITE DESIGN**

1. Prior to final Development Review Officer approval, the Applicant shall modify the Master Plan to include the location of focal points per Art. 3.E.2.B.2.b. Focal Points. (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous SITE DESIGN Condition 1 of Resolution R-2023-51, Control No.2021-00031)

### **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
PDD-2021-00631	<b>Title:</b> an Official Zoning Map Amendment <b>Request:</b> to allow a rezoning from Agricultural Reserve (AGR) District to Agricultural Reserve-Planned Unit Development (AGR-PUD) District.	R-2021-01400	Adopted With Conditions	09/29/2021
PDD/DOA-2022-00213	<b>Title:</b> an Official Zoning Map Amendment <b>Request:</b> to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District on 143.90 acres	R-2023-00050	Adopted With Conditions	01/11/2023
PDD/DOA-2022-00213	<b>Title:</b> a Development Order Amendment <b>Request:</b> to modify Conditions of Approval; reconfigure the Master Plan; add land area, units, and access points on 722.51 acres	R-2023-00051	Adopted With Conditions	01/11/2023



## Exhibit E - Preliminary Master Plan

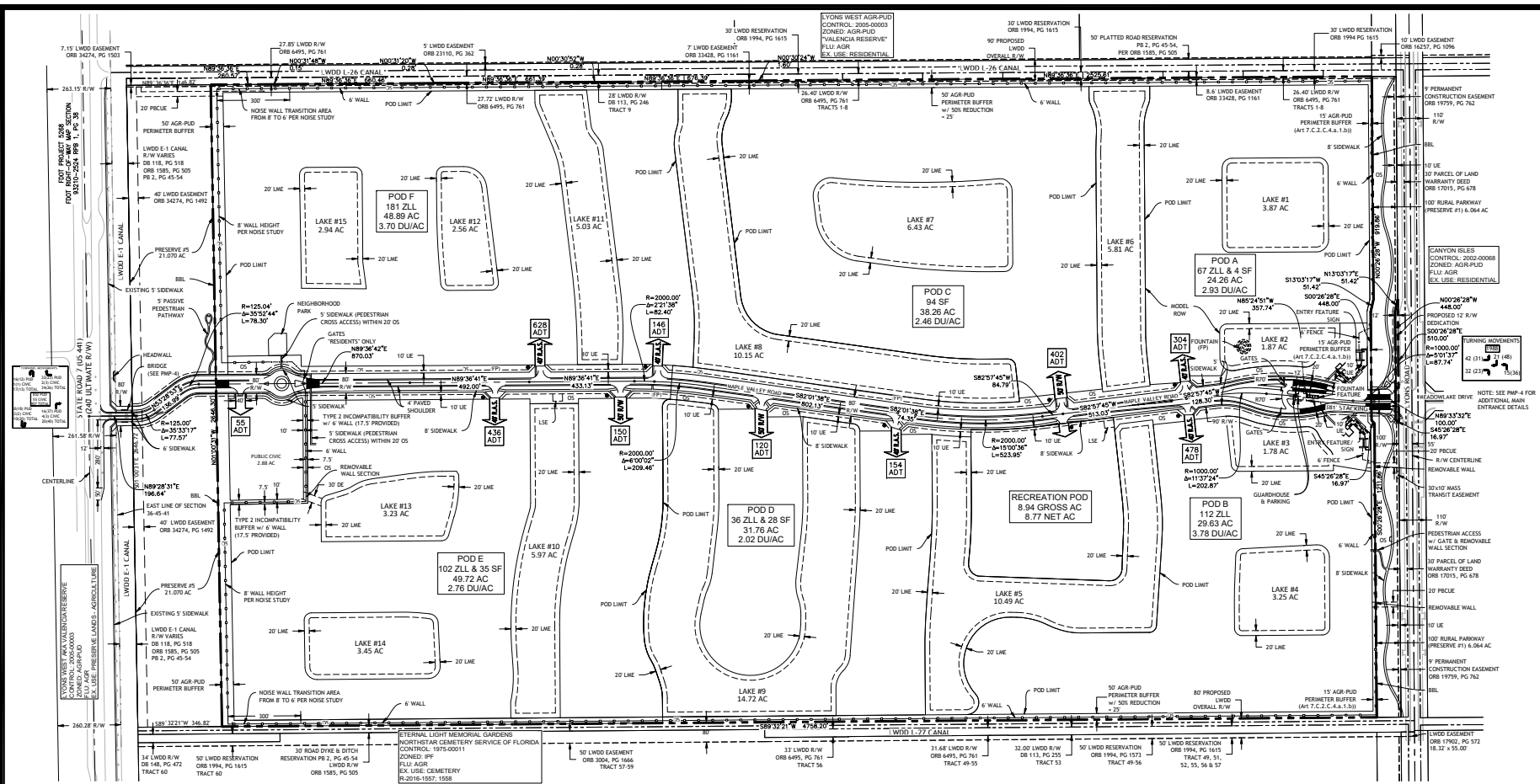
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**Consultants:**  
 CIVIL ENGINEER  
**GLH Engineering, LLC**  
 1600 Sawgrass Corporate Pkwy  
 Suite 400  
 Sunrise, FL 33323  
 954-753-1730  
 SURVEYOR  
**Sand and Hills Survey, Inc.**  
 8461 Lake Worth Road, Suite 410  
 Lake Worth, FL 33467  
 (561) 209-6048  
 TRAFFIC ENGINEER  
**Simmons and White**  
 2581 Metrocenter Blvd., Suite 3  
 West Palm Beach, FL 33407  
 (561) 478-7848

**Project:**  
 Whitworth  
**AGR-PUD**  
 (North)  
 Palm Beach County  
 Florida  
 Site title:  
**Preliminary  
 Master Plan**

**Date:**  
 2024-04-17  
**Revisions:**  
 2024-05-28 Resubmittal  
 2024-06-24 Resubmittal  
 2024-07-22 Resubmittal



**LEGEND**

- AC ACRES
- ADT AVERAGE DAILY TRIPS
- BEL BASE BUILDING LINE
- DB DEED BOOK
- DE DRAINAGE EASEMENT
- (FP) FOCAL POINT
- LMAE LAKE MAINTENANCE ACCESS EASEMENT
- LME LAKE MAINTENANCE EASEMENT
- LWDD LAKE WATER DRAINAGE DISTRICT
- LSE LIFT STATION EASEMENT
- ORB OFFICIAL RECORD BOOK
- OS ON SITE DIRECTIONAL SIGN
- OS OPEN SPACE
- PG PAGE
- PBOUC PALM BEACH COUNTY UTILITY EASEMENT
- PUD PLANNED UNIT DEVELOPMENT
- PB PLAT BOOK
- RAS RESIDENTIAL ACCESS STRAIT
- R/W RIGHT-OF-WAY
- SF SINGLE FAMILY
- SS SIDE STREET
- TYP TYPICAL
- UE UTILITY EASEMENT
- ZLL ZERO LOT LINE

**Whitworth (North)**

Site Area Breakdown	Acres	Open Space Provided (North)	Acres
Pod A (includes Lakes #1, #2)	24.26	Recreation Pod (net 6.77 Acres)	6.77
Pod B (includes Lakes #3, #4)	29.63	Public Civic Pod	2.88
Pod C (includes Lake #7)	38.26	Misc. Open Space (adjacent to Spine Rd.)	8.53
Pod D (includes Lake #9)	31.76	Miscellaneous Open Space	14.02
Pod E (includes Lake #10, #11, #14)	49.72	LWDD Easements (LWDD L-26)	0.87
Pod F (includes Lake #11, #12, #15)	48.89	<b>Total Open Space</b>	<b>126.00</b>
<b>Total Residential Pods</b>	<b>222.52</b>	Public Civic Pod	2.88
Recreation Pod (net = 6.77 Acres)	6.77	Lakes ("Outside of Pods")	26.45
Public Civic Pod	2.88	Spine Road	10.07
Lakes ("Outside of Pods")	26.45	Perimeter Buffers	9.21
Spine Road	10.07	Misc. Open Space (adjacent to Spine Rd.)	8.53
Perimeter Buffers	9.21	LWDD Easements (LWDD L-26)	0.87
Misc. Open Space (adjacent to Spine Rd.)	8.53	Lyons Road Turnlane	0.13
LWDD Easements (LWDD L-26)	0.87	<b>Total Gross Development Parcel</b>	<b>289.60</b>
Lyons Road Turnlane	0.13	Less Dedications	1.00
<b>Total Gross Development Parcel</b>	<b>289.60</b>	<b>Total Net Development Parcel</b>	<b>288.60</b>

**Recreation Required (.006 X 659 units)**

Required	Gross Acres	Net Acres
Required	N/A	3.95
Provided	8.94	8.77

Pods	Acres	ZLL	SF	Density
Pod A	24.26	67	4	2.93
Pod B	29.63	112	0	3.78
Pod C	38.26	26	94	2.46
Pod D	31.76	36	28	2.02
Pod E	49.72	102	35	2.78
Pod F	48.89	151	37	3.70
<b>Total</b>	<b>222.52</b>	<b>498</b>	<b>161</b>	<b>659</b>

**Lakes**

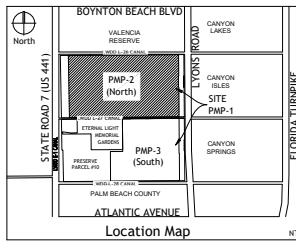
Lakes	Acres
1	3.87
2	1.87
3	1.78
4	3.25
5	10.49
6	5.81
7	6.43
8	10.15
9	14.72
10	5.97
11	5.03
12	2.56
13	3.23
14	3.45
15	2.94
<b>Total</b>	<b>81.55</b>

\* Outside of Pods

**SITE DATA**

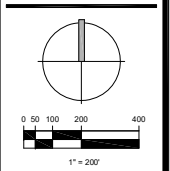
Application Name	Whitworth AGR-PUD
Control Number	2021-0031
Application Number	PDDDOA-2024-00581

- NOTES:**
- 1) Reductions to AGR Perimeter Buffers from 50 feet to 25 feet per Article 7.C.2.C.4.a.1.a)
  - 2) AGR-PUD Perimeter Buffer adjoining a Rural Parkway of 100 feet in width can be reduced to a min. of 15 feet per Article 7.C.2.C.4.a.1.b)
  - 3) Fountain locations are conceptual and may be positioned anywhere within the same lake.
  - 4) Rural Parkway pathway design is based on Rural Parkway Landscape Planning Plan.
  - 5) Civic Site Cash Out Phase 1 - BCC Approved January 27, 2022; paid March 1, 2022.



**Amendments:**

**Zoning Stamps:**



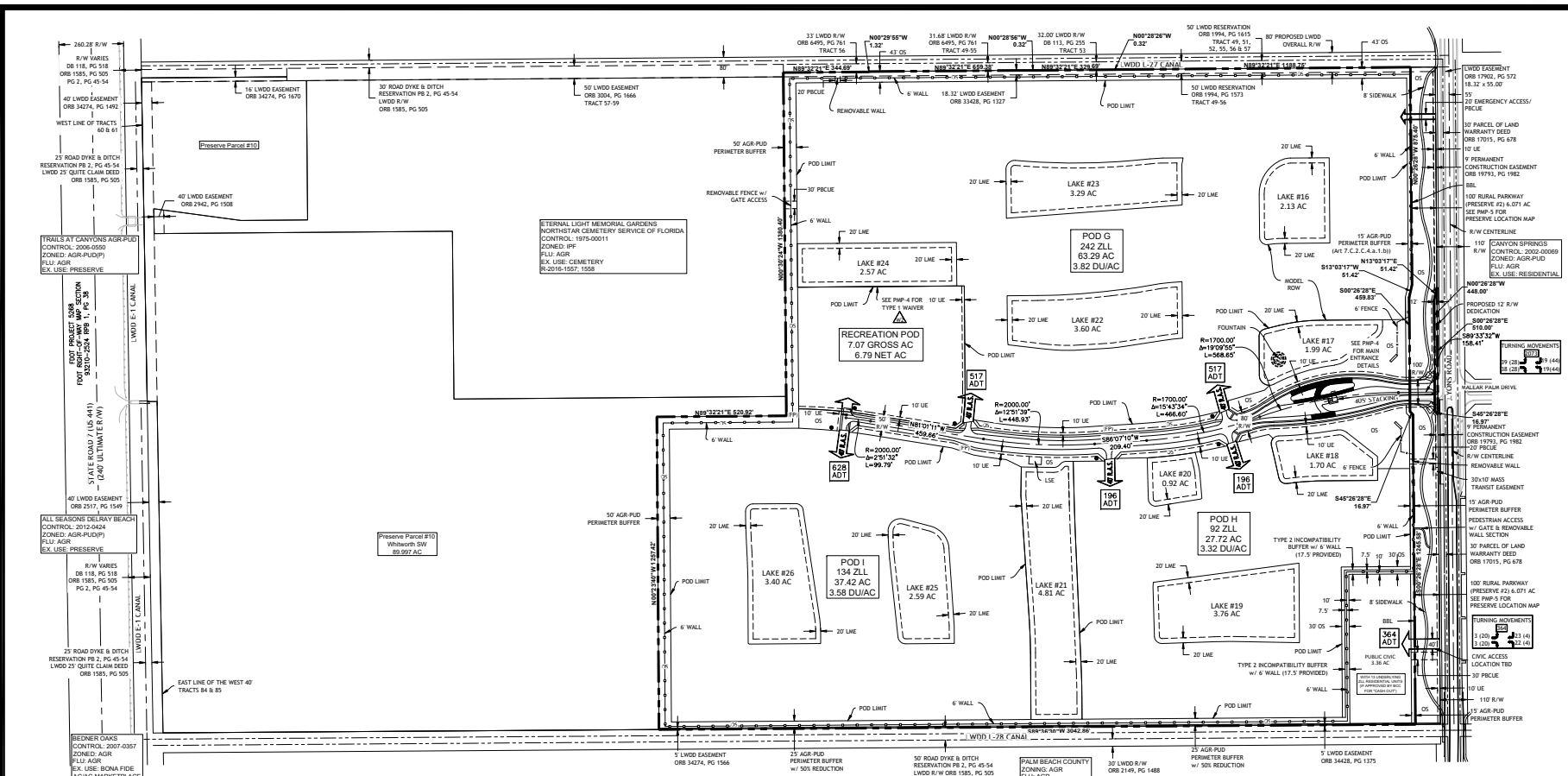
Sheet number:  
**PMP-2**  
 2 of 5

**Consultants:**  
**CIVIL ENGINEER**  
 GLH Engineering, LLC  
 1600 Sawgrass Corporate Pkwy  
 Suite 400  
 Sunrise, FL 33323  
 954-753-1730  
**SURVEYOR**  
 Sand and Hills Survey, Inc.  
 8461 Lake Worth Road, Suite 410  
 Lake Worth, FL 33467  
 (561) 209-6048  
**TRAFFIC ENGINEER**  
 Simmons and White  
 2581 Metrocentre Blvd, Suite 3  
 West Palm Beach, FL 33407  
 (561) 478-7848

**Project:**  
**Whitworth**  
**AGR-PUD**  
**(South)**  
**Palm Beach County**  
**Florida**  
**Sheet title:**  
**Preliminary**  
**Master Plan**

**Date:**  
 2024-04-17

**Revisions:**  
 2024-05-28 Resubmittal  
 2024-06-24 Resubmittal  
 2024-08-15 Minor Resubmittal



**LEGEND**

- AC ACRES
- ADT AVERAGE DAILY TRIPS
- BEL BASE BUILDING LINE
- DB DEED BOOK
- DE DRAINAGE EASEMENT
- (FP) FOCAL POINT
- LMAE LAKE MAINTENANCE ACCESS EASEMENT
- LME LAKE MAINTENANCE EASEMENT
- LWDD LAKE WATER DRAINAGE DISTRICT
- LSE LIFT STATION EASEMENT
- ORB OFFICIAL RECORD BOOK
- ON SITE DIRECTIONAL SIGN
- OS OPEN SPACE
- PG PAGE
- PBOUC PALM BEACH COUNTY UTILITY EASEMENT
- PUD PLANNED UNIT DEVELOPMENT
- PLAT BOOK
- RAS RESIDENTIAL ACCESS STREET
- R/W RIGHT-OF-WAY
- SF SINGLE FAMILY
- SS SIDE STREET
- TBD TO BE DETERMINED
- TYP TYPICAL
- UE UTILITY EASEMENT
- ZLL ZERO LOT LINE

**Whitworth (South)**

Site Area Breakdown	Acres
Pod G (includes Lakes #16, #22, #23, #24)	63.29
Pod H (includes Lakes #19, #20)	27.72
Pod I (includes Lakes #25, #26)	37.42
<b>Total Residential Ponds</b>	<b>128.43</b>
Recreation Pod (Net = 6.79 Acres)	7.07
Public Civic Pod	3.36
Perimeter Buffers	7.83
Misc. Open Space (adjacent to Spine Rd.)	6.13
Lyons Road Turnlane	0.13
LWDD Easements (LWDD L-27)	1.06
LWDD Easements (LWDD L-28)	0.36
Spine Road	5.08
Perimeter Buffers	7.83
Misc. Open Space (adjacent to Spine Rd.)	6.13
Lyons Road Turnlane	0.13
LWDD Easements (LWDD L-27)	1.06
LWDD Easements (LWDD L-28)	0.36
<b>Total Gross Development Parcel</b>	<b>167.93</b>
Less Dedications	1.53
<b>Total Net Development Parcel</b>	<b>166.40</b>

**Open Space Provided (South)**

Acres	
Lake Tracts	30.76
Recreation Pod (Net 6.79 Acres)	7.07
Public Civic Pod	3.36
Perimeter Buffers	7.83
Misc. Open Space (adjacent to Spine Rd.)	6.13
LWDD Easements (LWDD L-27)	1.06
LWDD Easements (LWDD L-28)	0.36
<b>Total Open Space</b>	<b>66.55</b>

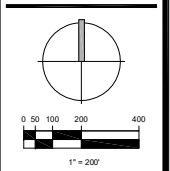
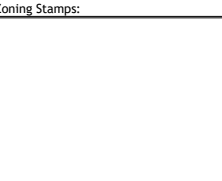
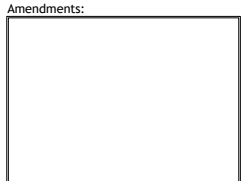
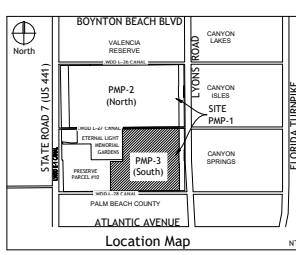
**Recreation Required (006 X 481 units)**

Acres	ZLL	Density	
Pod G	63.29	242	3.82
Pod H	27.72	92	3.32
Pod I	37.42	134	3.58
<b>Total</b>	<b>128.43</b>	<b>481</b>	

**SITE DATA**

Application Name	Whitworth AGR-PUD
Control Number	2021-0031
Application Number	PDDDOA-2024-00581

- NOTES:**
- 1) Reductions to AGR Perimeter Buffers from 50 feet to 25 feet per Article 7.C.2.C.4.a.1.a)
  - 2) AGR-PUD Perimeter Buffer abutting a Rural Parkway of 100 feet in width can be reduced to a min. of 15 feet per Article 7.C.2.C.4.a.1.b)
  - 3) Fountain locations are conceptual and may be positioned anywhere within the same lake.
  - 4) Rural Parkway pathway design is based on Rural Parkway Landscape Planning Plan.
  - 5) Civic Site Cash Out Phase 1 - BCC Approved January 27, 2022; paid March 1, 2022.
  - 6) All lakes proposed will meet or exceed the minimum setback required per Article 4.B.10.c.4.



Sheet number:  
**PMP-3**  
 3 of 5

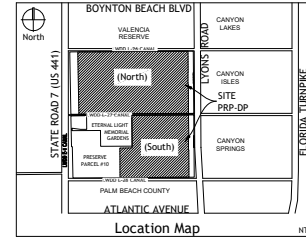






## Exhibit F - Preliminary Regulating Plan

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**GLHOMES**  
**GLH ENGINEERING LLC.**  
 1600 SAWGRASS CORPORATE PKWY  
 SUITE 400  
 SUNRISE, FLORIDA 33323  
 954-753-1730

**Consultants:**  
**CIVIL ENGINEER**  
 GLH Engineering, LLC  
 1600 Sawgrass Corporate Pkwy  
 Suite 400  
 Sunrise, FL 33323  
 954-753-1730  
**SURVEYOR**  
 Sand and Hills Survey, Inc.  
 8461 Lake Worth Road, Suite 410  
 Lake Worth, FL 33467  
 (561) 209-6048  
**TRAFFIC ENGINEER**  
 Simmons and White  
 2581 Metrocentre Blvd, Suite 3  
 West Palm Beach, FL 33407  
 (561) 478-7848

**Project:**  
 Whitworth  
 AGR-PUD  
 (Overall)  
 Palm Beach County  
 Florida

**Sheet title:**  
 Preliminary  
 Regulating Plan  
 Development Phasing (DP)

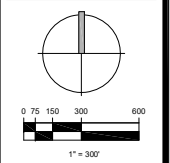
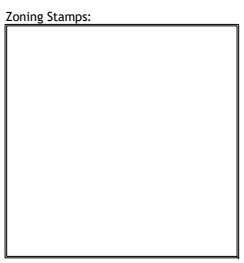
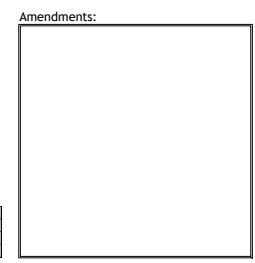
**Date:**  
 2024-04-17  
**Revisions:**  
 2024-05-28 Resubmittal

**Notes:**  
 1) Per Article 7.F.2.B, required Landscaping, including perimeter buffers, may be installed in phases as shown on the Development Phasing Plan.  
 2) Recreation Pod will be phased in accordance with an approved Final Site Plan showing phase lines and a phasing chart, and will be in accordance with the requirements of the ULDC Art. 5.D.2.F.1, which require Recreation Amenities to be completed prior to 40% of the residential building permits unless approved by Parks and Recreation Department.

Phase	Phasing Timeline	Proposed Uses	No. of Units	Buffers	Buffer Timeline	*Acres & Percentages of Land Area for each Phase
Phase 1	Plat 1 - Commencement Prior to January 27, 2026	Entry Feature/Sign Residential - ZLL	Pod G - 242 Units	Portion of East 15' Perimeter Buffer; and Portion of West 50' Perimeter Buffer	Required Perimeter Buffers to be installed prior to first CO (residential unit for sale) in Pod G	Phase 1 - 120.12 Acres (71.52%)
	Plat 1 - Commencement Prior to January 27, 2026	Residential - ZLL	Pod H - 92 Units	Portion of East 15' Perimeter Buffer; and Portion of South 25' Perimeter Buffer	Required Perimeter Buffers to be installed prior to first CO (residential unit for sale) in Pod H	
Phase 2	Plat 2 - Commencement Prior to January 27, 2026	Residential - ZLL	Pod I - 134 Units Civic - 13 Underlying Units	Portion of West 50' Perimeter Buffer; and Portion of South 25' Perimeter Buffer	Required Perimeter Buffers to be installed prior to first CO (residential unit for sale) in Pod I	Phase 2 - 40.74 Acres (24.26%)
Rec Pod (South)	Commencement Prior to January 27, 2027	Recreation	Recreation	See Note 2	See Note 2	Rec Pod - 7.07 Acres (4.21%)
						<b>Total Gross - 167.93 Acres (100%)</b>

\* Acreages include adjacent buffers and spine road where applicable

Application Name	Whitworth AGR-PUD
Control Number	2021-0031
Application Number	PDD/DOA-2024-00581

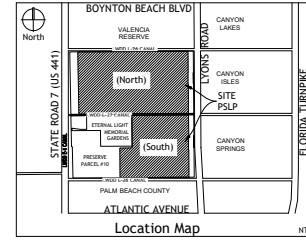


Sheet number:  
**PR-PDP**  
 1 of 1

## Exhibit G - Preliminary Master Street Layout Plan

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**GLHOMES**  
**GLH ENGINEERING LLC.**  
 1600 Sawgrass Corporate Pkwy  
 Suite 400  
 Sunrise, Florida, 33323  
 954-753-1730

**Consultants:**  
**CIVIL ENGINEER**  
 GLH Engineering, LLC  
 1600 Sawgrass Corporate Pkwy  
 Suite 400  
 Sunrise, FL 33323  
 954-753-1730

**SURVEYOR**  
 Sand and Hills Survey, Inc.  
 8461 Lake Worth Road, Suite 410  
 Lake Worth, FL 33467  
 (561) 209-6048

**TRAFFIC ENGINEER**  
 Simmons and White  
 2581 Metrocentre Blvd, Suite 3  
 West Palm Beach, FL 33407  
 (561) 478-7848

**LOCAL STREET DATA**

<b>Focal Point Calculation:</b>	
35 Streets x 15% = 6 Focal Points Required	
6 Focal Points Provided	
2 Fountain	
<b>PUD Cul-de-Sac Calculation:</b>	
14 35 Local Streets X 40% = 14 Cul-de-Sacs allowed	
8 Cul-de-Sacs provided	
-1 Whitworth AGR-PUD (North)	
8 Cul-de-Sacs counted or 8/35 = 22.9%	

**Notes:**  
 Art. 3 E. 1 C. 2 a. 5) states: Streets that terminate in a T-intersection providing access to less than four lots, or a cul-de-sac that abuts a minimum 20-foot-wide open space that provides pedestrian cross access between two pods shall not be used in the calculation of the total number of cul-de-sacs or dead-end streets.

**LEGEND - STREET LAYOUT PLAN**

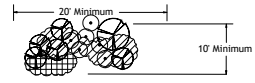
- (35)--- Street System with Street #
- 8 Cul-de-sac or Dead-end
- \* Focal Point
- F Fountain

**NOTE**

5' sidewalks shall be present on both sides of each 50' right of way and 5' sidewalks shall be present on both sides of the 80' non-plan collector road, or one 8' sidewalk on one side.

Limit of each area may vary but shall not be less than 10' in depth nor less than 20' in width. Each area shall contain a minimum planting palette as such:

- 3 Palm Trees (12' ht.)
- 2 Flowering trees (12' ht.)
- 2 Shade trees (12' ht.)
- 50 shrubs (18' ht.)
- 100 ground cover (6" ht.)



**Focal Point - Conceptual**  
 Not to scale

Amendments:

Zoning Stamps:

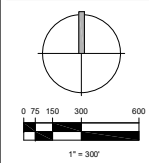
<b>SITE DATA</b>	
Application Name	Whitworth AGR-PUD
Control Number	2021-0031
Application Number	PDD/DOA-2024-00581

**Project:**  
 Whitworth  
 AGR-PUD  
 (Overall)  
 Palm Beach County  
 Florida

**Sheet title:**  
 Preliminary  
 Street Layout Plan

**Date:**  
 2024-04-17

**Revisions:**  
 2024-05-28 Resubmittal



Sheet number:  
**PSLP**  
 1 of 1

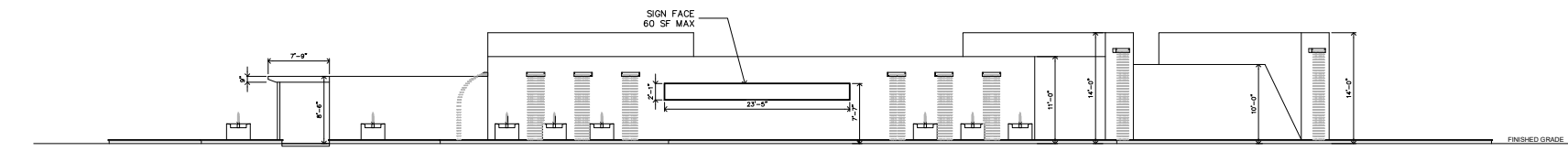
## Exhibit H – Preliminary Master Sign Plan

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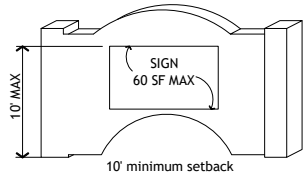
**Consultants:**  
 CIVIL ENGINEER  
 GLH Engineering, LLC  
 1600 Sawgrass Corporate Pkwy  
 Suite 400  
 Sunrise, FL 33323  
 954-753-1730  
 SURVEYOR  
 Sand and Hills Survey, Inc.  
 8461 Lake Worth Road, Suite 410  
 Lake Worth, FL 33467  
 (561) 209-6048  
 TRAFFIC ENGINEER  
 Simmons and White  
 2581 Metrocentre Blvd, Suite 3  
 West Palm Beach, FL 33407  
 (561) 478-7848

**Project:**  
 Whitworth  
 AGR-PUD  
 (Overall)  
 Palm Beach County  
 Florida  
**Sheet title:**  
 Preliminary  
 Master Sign Plan  
**Date:**  
 2024-04-17  
**Revisions:**  
 2024-05-28 Resubmittal

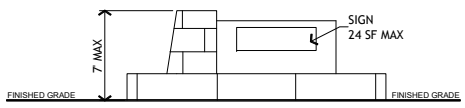
SITE DATA	
Application Name	Whitworth AGR-PUD
Control Number	2021-0031
Application Number	PDD/DOA-2024-00581



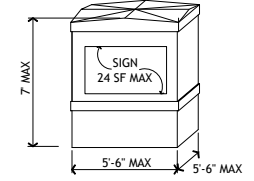
**A1** Entrance Sign (North)  
 Not to scale



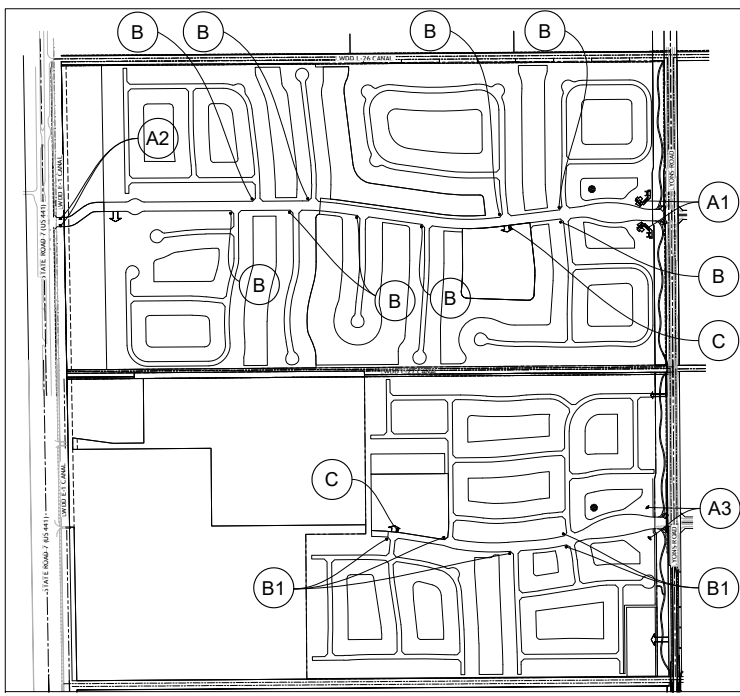
**A2** Entrance Bridge Sign (Two Sides) - State Road 7 (US 441)  
 Not to scale



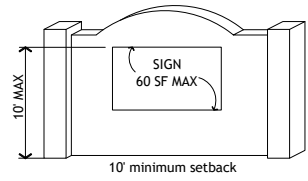
**B** On Site Directional (Pod Entry) Sign (North)  
 Not to scale



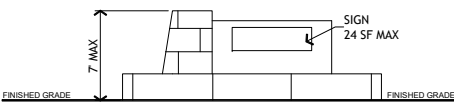
**C** On Site Directional (Rec Pod Entry) Sign  
 Not to scale



**Sign Location Map**  
 Not to scale



**A3** Entrance Sign (South)  
 Not to scale

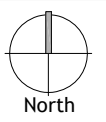


**B1** On Site Directional (Pod Entry) Sign (South)  
 Not to scale

Master Sign Plan - Whitworth AGR-PUD		
Entrance Signs - Art. 8.G.2.C (A)		
Max. No.	Permitted: 2 per entrance	Provided: 6 (one on either side of entrances)
Sign Face	60 SF	60 SF
Max. Ht.	10 feet (See Ht. Option Below)	See Below
Add. Ht. Option	Max sign height, excluding height of structure to which the sign is attached may be increased up to 10' for a RAW greater than 80' or up to 110', or 12' for a RAW greater than 110'.	10 feet (adjacent to Lyons Road)
Setback	25 feet if added height	25 feet
Location	Within 100 feet of entrance	Within 100 feet of entrance
On-site Directional Signs - Art. 8.G.3.D (B)(C)		
Max. No.	N/A	At entrances to Pods & Rec Pod
Sign Face	24 SF	24 SF
Max. Ht.	7 feet	7 feet

Amendments:

Zoning Stamps:



Sheet number:  
**PMSF**  
 1 of 1

## Exhibit I – Previously Approved Master Plan

---

Consultants:  
**CIVIL ENGINEER**  
 GLH Engineering, LLC  
 1600 Sawgrass Corporate Pkwy  
 Suite 400  
 Sunrise, FL 33323  
 954-753-1730

**SURVEYOR**  
 Sand and Hills Survey, Inc.  
 8461 Lake Worth Road, Suite 410  
 Lake Worth, FL 33467  
 (561) 209-6048

**TRAFFIC ENGINEER**  
 Simmons and White  
 2581 Metrocentre Blvd, Suite 3  
 West Palm Beach, FL 33407  
 (561) 478-7848

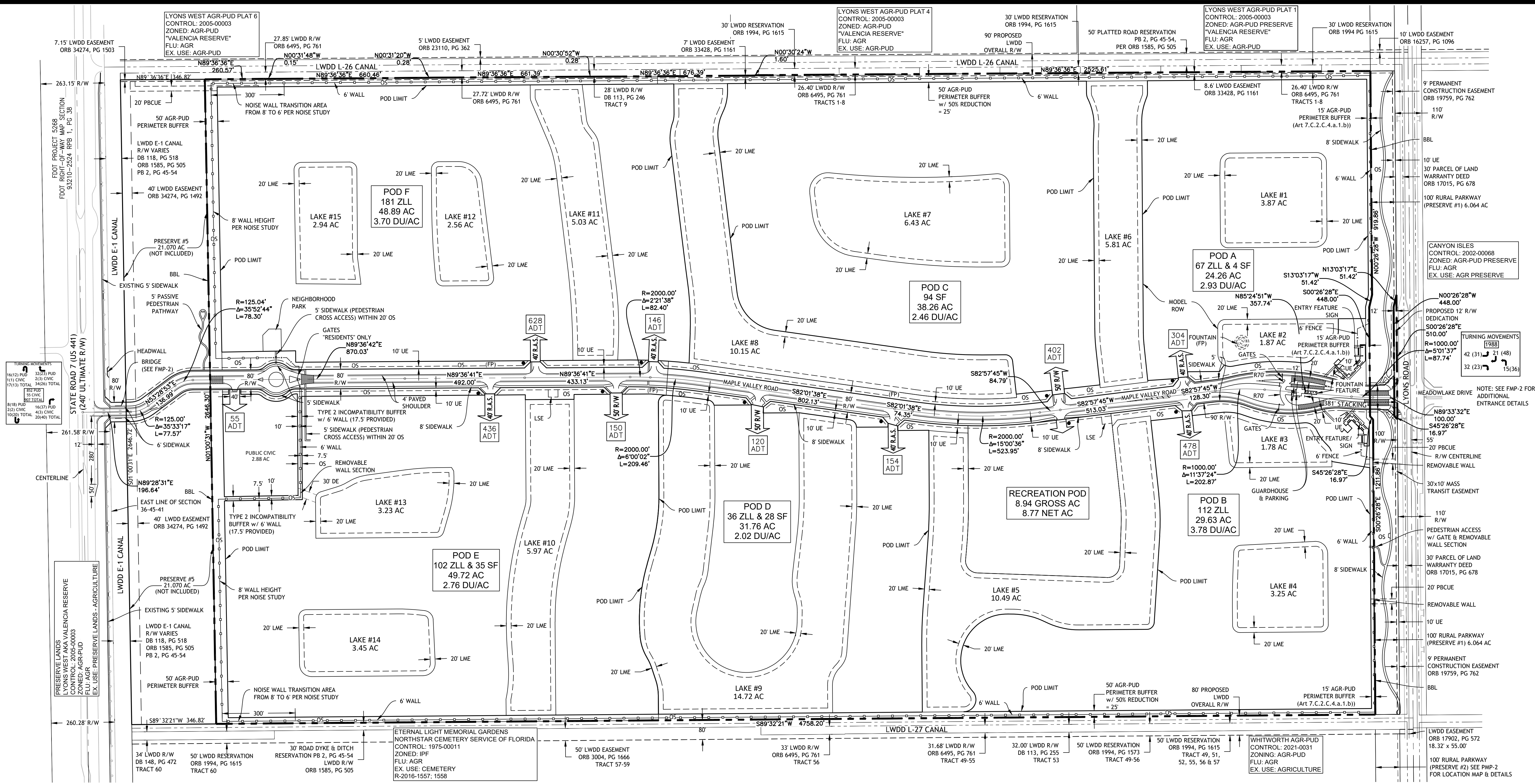
Project:  
**Whitworth  
 AGR-PUD**

Palm Beach County  
 Florida

Sheet title:  
**Final  
 Master Plan**

Date:  
**2023-01-23**

Revisions:  
 2023-01-23 Off the Board  
 2023-02-15 ZAR  
 2023-05-17 ZAR  
 2023-11-01 ZAR



**LEGEND**

- AC ACRES
- ADT AVERAGE DAILY TRIPS
- BBL BASE BUILDING LINE
- DB DEED BOOK
- DE DRAINAGE EASEMENT
- (FP) FOCAL POINT
- LMAE LAKE MAINTENANCE ACCESS EASEMENT
- LME LAKE MAINTENANCE EASEMENT
- LWDD LAKE WATER DRAINAGE DISTRICT
- LSE LIFT STATION EASEMENT
- ORB OFFICIAL RECORD BOOK
- ON SITE DIRECTIONAL SIGN
- OS OPEN SPACE
- PAGE
- PBCUE PALM BEACH COUNTY UTILITY EASEMENT
- PUD PLANNED UNIT DEVELOPMENT
- PB PLAT BOOK
- RAS RESIDENTIAL ACCESS STREET
- R/W RIGHT-OF-WAY
- SF SINGLE FAMILY
- SS SIDE STREET
- YP TYPICAL
- UE UTILITY EASEMENT
- ZLL ZERO LOT LINE

**TABULAR DATA**

Name of Project:	Whitworth AGR-PUD
Control/Petition No.:	2021-0031
Project/application Number:	DROEW-2023-00135
Tier:	Ag Reserve
Existing Use:	Vacant
Proposed Use:	Residential (age restricted)
Existing Zoning District:	AGR & AGR-PUD
Proposed Zoning District:	AGR-PUD
Future Land Use Designation:	AGR
Neighborhood Plan:	WBACP
Section Township Range:	27-43-42
Property Control Numbers*:	00-42-43-27-05-060-0011 00-42-43-27-05-060-0091
Total Gross Area:	722.513
Proposed Density:	.91 DU/Acre
Proposed Density:	.91 DU/Acre
Permitted Units (age restricted):	722
Provided Units (age restricted):	659
Last BCC Approval:	1/11/2023
Traffic Analysis Zone:	751
*See FMP-3 for Preserve Area PCNs	
<b>60 / 40 ACREAGE TABULAR</b>	<b>Acres</b>
AGR-PUD Gross Acreage	722.513
LESS LWDD Easement (LWDD L-26)	0.866
LESS Lyons Road Turnlane	0.132
LESS Total dedications	0.998
Total Net AGR-PUD	721.515
Preserve Area Required (60%)	432.909
Preserve Area Provided	432.909
Development Permitted (40%)	288.606
Development Area Provided (net)*	288.606

**Dwelling Units Permitted**

Gross Acres	722.513
Units Permitted	722
Zero Lot Line Units	498
Single Family Units	161
Total Units Provided (age restricted)	659
<b>Concurrency</b>	
Detached Single Family Units	161
Detached Zero Lot Line Units	498
Total Units (age restricted)	659
Civic Pod - Proposed Fire Station	751
Traffic Analysis Zone	751
Traffic Concurrency for the residential units and Fire Station has been approved. Traffic Concurrency for the Preserve Lands is shown on Preserve List.	
<b>Civic Requirements</b>	
2% of Gross Development (289.60 Acres)	
Civic Required	5.79
<b>Civic Provided</b>	
Civic Site Cash out Phase 1 (See Note 5)	2.91
Public Civic	2.88

**Site Area Breakdown**

Acres	Acres
Pod A (includes Lakes #1, #2)	24.26
Pod B (includes Lakes #3, #4)	29.63
Pod C (includes Lake #7)	38.26
Pod D (includes Lake #9)	31.76
Pod E (includes Lake #10, #13, #14)	49.72
Pod F (includes Lake #11, #12, #15)	48.89
<b>Total Residential Pods</b>	<b>222.52</b>
Recreation Pod (Net = 8.77 Acres)	8.94
Public Civic Pod	2.88
Lakes (*Outside of Pods)	26.45
Spine Road	10.07
Perimeter Buffers	9.21
Misc. Open Space (adjacent to Spine Rd.)	8.53
LWDD Easements (LWDD L-26)	0.87
Lyons Road Turnlane	0.13
<b>Total Gross Development Parcel</b>	<b>289.60</b>
Less Dedications	1.00
<b>Total Net Development Parcel</b>	<b>288.60</b>
<b>Open Space Tabular</b>	
40% of Net Development (288.60 Acres)	
Open Space Required	115.44
<b>Open Space Provided</b>	<b>116.06</b>
Lake Tracts	81.55
Recreation Pod (Net 8.77 Acres)	8.94
Public Civic Pod	2.88
Perimeter Buffers	9.21
Misc. Open Space (adjacent to Spine Rd.)	8.53
Miscellaneous Open Space	4.08
LWDD Easements (LWDD L-26)	0.87
<b>Total Open Space</b>	<b>116.06</b>

**Lakes**

Lakes	Acres
1	3.87
2	1.87
3	1.78
4	3.25
*5	10.49
*6	5.81
7	6.43
*8	10.15
9	14.72
10	5.97
11	5.03
12	2.56
13	3.23
14	3.45
15	2.94
<b>Total</b>	<b>81.55</b>

\* Outside of Pods

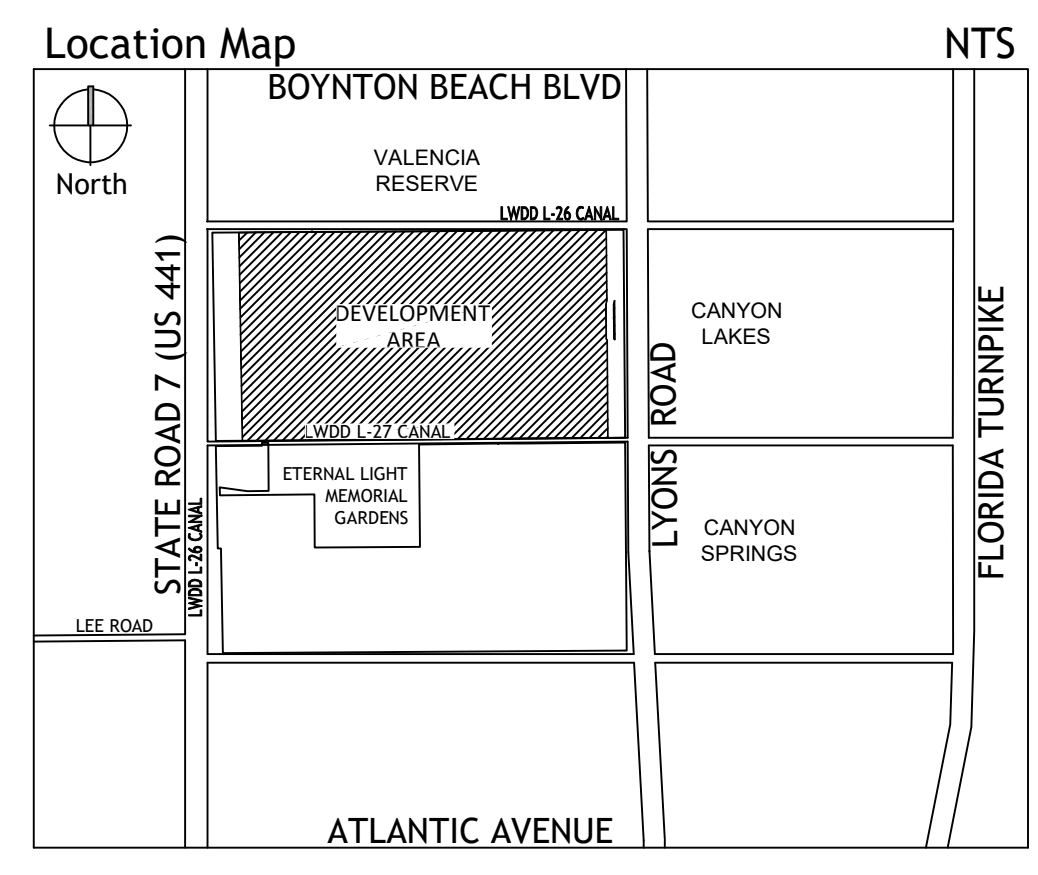
**Pods**

Pods	Acres	ZLL	SF	Density
Pod A	24.26	67	4	2.93
Pod B	29.63	112	0	3.78
Pod C	38.26	94	2	2.46
Pod D	31.76	36	28	2.02
Pod E	49.72	102	35	2.76
Pod F	48.89	181	1	3.70
<b>Total</b>	<b>222.52</b>	<b>498</b>	<b>161</b>	<b>659</b>

**Recreation Required (0.06 X 659 units)**

Required	Gross Acres	Net Acres
	N/A	3.95
Provided	8.94	8.77

- NOTES:**
- 1) Reductions to AGR Perimeter Buffers from 50 feet to 25 feet per Article 7.C.2.C.4.a.1.a)
  - 2) AGR-PUD Perimeter Buffer abutting a Rural Parkway of 100 feet in width can be reduced to a min. of 15 feet per Article 7.C.2.C.4.a.1.b)
  - 3) Fountain location is conceptual and may be positioned anywhere within same lake.
  - 4) Rural Parkway pathway design is based on Rural Parkway Landscape Planting Plan.
  - 5) Civic Site Cash Out Phase 1 - BCC Approved January 27, 2022; paid March 1, 2022.

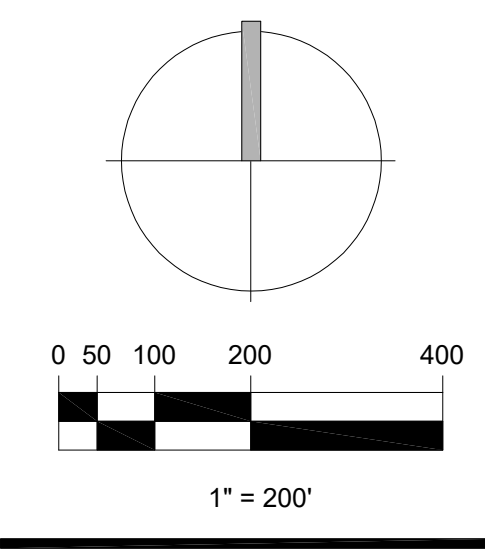


**NTS Amendments:**

ZAR 2023-0304 03-28-2023 ZP  
 ZAR 2023-0741 06-27-2023 NFB  
 ZAR 2023-1634 11-20-2023 VD

**Zoning Stamps:**

PROJECT #: 05921-000  
 CONTROL#: 2021-00031  
 APPLICATION #:  
 DROEW-2023-00135  
 RESOLUTION #: R-2023-0050;  
 R-2023-0051  
 EXHIBIT #: 37 (1 of 3)  
 SUPERSEDES EXH #: 32 (1 of 3)  
 DATE APPROVED: 2-3-2023  
 PROJECT MANAGER: Z. Persaud



Sheet number:  
**FMP-1**  
 1 of 3



## Exhibit J - Disclosure

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PALM BEACH COUNTY - ZONING DIVISION

FORM # 9

### DISCLOSURE OF OWNERSHIP INTERESTS - 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 N. Maria Menendez, hereinafter referred to as "Affiant," as Vice President of G.L. Homes of Palm Beach Corporation, a Florida corporation, the general partner of G.L. Homes of Palm Beach Associates, Ltd., a Florida limited partnership, who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the Vice President of G.L. Homes of Palm Beach Corporation, a Florida corporation, the general partner of G.L. Homes of Palm Beach Associates, Ltd., a Florida limited partnership, that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
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 Property. 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 application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property 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.

FURTHER AFFIANT SAYETH NAUGHT.

N. Maria Menendez

N. Maria Menendez, as Vice President of G.L. Homes of Palm Beach Corporation, a Florida corporation, the general partner of G.L. Homes of Palm Beach Associates, Ltd., a Florida limited partnership, Affiant

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 22 day of <sup>May</sup>~~April~~ 2024, by N. Maria Menendez, as Vice President of G.L. Homes of Palm Beach Corporation, a Florida corporation, the general partner of G.L. Homes of Palm Beach Associates, Ltd., a Florida limited partnership,  who is personally known to me or  who has produced \_\_\_\_\_ as identification and who did take an oath.

Kandida Rinker Jollay  
Notary Public

Kandida Rinker Jollay  
(Print Notary Name)

NOTARY PUBLIC  
State of Florida at Large  
My Commission Expires: 7.13.27



**EXHIBIT "A"**

**PROPERTY**

**WHITWORTH PRESERVE #3 – Hyder West Three**

LEGAL DESCRIPTION:

PARCEL A

BEING THE WEST 44.88 FEET OF TRACTS 13, 36 AND 37, AND A PORTION OF A ROAD, DYKE AND DITCH RESERVATION 30 FEET IN WIDTH, LYING BETWEEN SAID TRACTS 13 AND 36, ALL IN BLOCK 69, PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 36, TOWNSHIP 46 SOUTH, RANGE 41 EAST; THENCE SOUTH 00°52'07" EAST, ALONG THE WEST LINE OF SAID SECTION 36, A DISTANCE OF 686.00 FEET; THENCE NORTH 89°36'38" EAST ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID TRACT 13, A DISTANCE OF 23.64 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°36'38" EAST, ALONG SAID NORTH LINE OF TRACT 13, A DISTANCE OF 44.88 FEET; THENCE SOUTH 00°45'03" EAST, ALONG A LINE 44.88 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE WEST LINE SAID TRACTS 13, 36 AND 37, A DISTANCE OF 2013.16 FEET; THENCE SOUTH 89°34'36" WEST, ALONG THE SOUTH LINE OF SAID TRACT 37, A DISTANCE OF 44.88 FEET; THENCE NORTH 00°45'03" WEST, THE WEST LINE SAID TRACTS 13, 36 AND 37, A DISTANCE OF 2013.18 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.074 ACRES, MORE OR LESS.

TOGETHER WITH;

PARCEL B

BEING A PORTION OF TRACTS 16 AND 17, A PORTION OF TRACTS 32 AND 33, AND A PORTION OF ROAD, DYKE AND DITCH RESERVATIONS, 30 FEET IN WIDTH, WHICH ABUT SAID TRACTS, ALL LYING WITHIN BLOCK 69, PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTH LINE OF TRACT 48 OF SAID BLOCK 69 AND THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 7 AS SHOWN ON THAT RIGHT-OF-WAY MAP PREPARED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION, SECTION NO. 93210-2515 AND ACCORDING TO THAT ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 10622, PAGE 830, SAID PUBLIC RECORDS; THENCE SOUTH 89°34'36" WEST, ALONG SAID SOUTH LINE OF TRACTS 41 THROUGH 48 SAID BLOCK 69, A DISTANCE OF 2385.49 FEET; THENCE NORTH 00°25'24" WEST, A DISTANCE OF 683.15 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°34'36" WEST, A DISTANCE OF 756.32 FEET; THENCE NORTH 00°22'42" WEST, A DISTANCE OF 1050.90 FEET; THENCE NORTH 89°34'36" EAST, A DISTANCE OF 924.09 FEET; THENCE SOUTH 00°22'32" EAST, A DISTANCE OF 22.60 FEET; THENCE SOUTH 89°36'38" WEST, A DISTANCE OF 168.57 FEET; THENCE SOUTH 00°25'24" EAST, A DISTANCE OF 1028.40 FEET TO THE POINT

OF BEGINNING.

CONTAINING 18.324 ACRES, MORE OR LESS.

TOGETHER WITH;

PARCEL C

BEING A PORTION TRACTS 1 THROUGH 9 AND A PORTION OF THAT ROAD, DYKE & DITCH RESERVATION 30 FEET IN WIDTH, LYING WESTERLY OF AND ABUTTING SAID TRACT 8, ALL IN BLOCK 69, PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE NORTH LINE OF SAID TRACT 1 AND THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 7 (AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, PROJECT NO. 93210-2515), THENCE SOUTH 01°06'45" EAST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 7, A DISTANCE OF 40.92 FEET; THENCE SOUTH 89°25'29" WEST, A DISTANCE OF 134.84 FEET; THENCE NORTH 00°21'58" WEST ALONG THE WEST LINE OF SAID TRACT 1, A DISTANCE OF 1.32 FEET; THENCE SOUTH 89°25'29" WEST, A DISTANCE OF 660.22 FEET; THENCE SOUTH 00°22'07" EAST ALONG THE WEST LINE OF SAID TRACT 3, A DISTANCE OF 0.40 FEET; THENCE SOUTH 89°25'29" WEST, A DISTANCE OF 330.11 FEET; THENCE NORTH 00°22'12" WEST ALONG THE WEST LINE OF SAID TRACT 4, A DISTANCE OF 0.40 FEET; THENCE SOUTH 89°25'29" WEST, A DISTANCE OF 660.22 FEET; THENCE SOUTH 00°22'22" EAST ALONG THE WEST LINE OF SAID TRACT 6, A DISTANCE OF 0.40 FEET; THENCE SOUTH 89°25'29" WEST, A DISTANCE OF 330.11 FEET; THENCE NORTH 00°22'27" WEST ALONG THE WEST LINE OF SAID TRACT 7, A DISTANCE OF 0.40 FEET; THENCE SOUTH 89°25'29" WEST, A DISTANCE OF 345.11 FEET; THENCE NORTH 00°22'32" WEST ALONG THE CENTERLINE OF SAID ROAD, DYKE & DITCH RESERVATION 30 FEET IN WIDTH, LYING WESTERLY OF AND ABUTTING SAID TRACT 8, A DISTANCE OF 5.28 FEET; THENCE SOUTH 89°25'29" WEST, A DISTANCE OF 557.59 FEET; THENCE NORTH 00°54'18" WEST, A DISTANCE OF 34.32 FEET; THENCE NORTH 89°25'29" EAST ALONG THE NORTH LINE SAID TRACTS 1 THROUGH 9, A DISTANCE OF 3017.99 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.686 ACRES, MORE OR LESS.

TOGETHER WITH;

PARCEL D

BEING A PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 334, PAGE 565, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING A PARCEL OF LAND LYING WITH IN SECTION 25, TOWNSHIP 46 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 25, THENCE SOUTH 89°25'29" WEST, ALONG THE SOUTH LINE OF SAID SECTION 25, A DISTANCE OF 220.66 FEET; THENCE NORTH 01°06'44" WEST, ALONG THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 7, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION STATE PROJECT NO. 93210-2515 RIGHT-OF-WAY MAP, A DISTANCE OF 1353.55 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°23'04" WEST, A DISTANCE OF 815.23 FEET; THENCE NORTH 88°54'56" EAST, A DISTANCE OF 448.86 FEET; THENCE NORTH 88°55'00" EAST, A

DISTANCE OF 366.34 FEET; THENCE SOUTH 01°06'44" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE OF STATE ROAD 7, A DISTANCE OF 6.66 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.062 ACRES, MORE OR LESS.

CONTAINING A TOTAL OF 23.146 ACRES, MORE OR LESS.

**WHITWORTH PRESERVE #17 - Paradise Properties**

LEGAL DESCRIPTION:

TRACT 71, OF THE PALM BEACH FARMS CO. PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 26, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LAND LYING AND BEING IN SECTION 19, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.

LESS THE NORTH 36.00 FEET OF SAID TRACT 71.

LESS THE WEST 159.30 FEET OF SAID TRACT 71.

CONTAINING 2.509 ACRES, MORE OR LESS.

**WHITWORTH PRESERVE #25 – All Three**

LEGAL DESCRIPTION:

TRACT NO. 126, IN SECTION 19, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, ACCORDING TO THE PLAT OF PALM BEACH FARMS CO. PLAT NO. 1, RECORDED IN PLAT BOOK 2, PAGE 26, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH AND SUBJECT TO 60 FOOT ROAD EASEMENT CONTAINED IN DECLARATION OF EASEMENT RESERVATIONS RECORDED IN OFFICIAL RECORDS BOOK 2467, PAGE 945.

CONTAINING 5.110 ACRES MORE OR LESS.

**WHITWORTH PRESERVE #33 - Manning**

LEGAL DESCRIPTION:

TRACT 17, BLOCK 53, OF THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH

THE EAST 15.00 FEET OF A ROAD, DYKE AND DITCH RESERVATION, 30 FEET IN WIDTH, AND THE NORTH 15.00 FEET OF A ROAD, DYKE AND DITCH RESERVATION, 30 FEET IN WIDTH, LYING ADJACENT TO SAID TRACT 17, ALL LYING WITH SAID BLOCK 53 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGIN AT THE NORTHWEST CORNER OF SAID TRACT 17; THENCE SOUTH 00°23'27" EAST, ALONG THE WEST LINE OF SAID TRACT 17, A DISTANCE OF 660.01 FEET; THENCE NORTH 89°36'33" EAST, ALONG THE SOUTH LINE OF SAID TRACT 17, A DISTANCE OF 329.92 FEET; THENCE SOUTH 00°23'27" EAST, ALONG THE SOUTHERLY PROLONGATION OF THE EAST LINE OF SAID TRACT



17, A DISTANCE OF 15.00 FEET; THENCE SOUTH 89°36'33" WEST, ALONG THE SOUTH LINE OF SAID NORTH 15.00 FEET OF A ROAD, DYKE AND DITCH RESERVATION, 30 FEET IN WIDTH, A DISTANCE OF 344.92 FEET; THENCE NORTH 00°23'27" WEST, ALONG THE WEST LINE OF SAID EAST 15.00 FEET OF A ROAD, DYKE AND DITCH RESERVATION, 30 FEET IN WIDTH, A DISTANCE OF 675.01 FEET; THENCE NORTH 89°36'33" EAST, ALONG THE WESTERLY PROLONGATION OF THE NORTH LINE OF SAID TRACT 17, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 5.345 ACRES, MORE OR LESS.

**EXHIBIT "B"**

**DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY**

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. 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.

1. Itzhak Ezratti, having an address of 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
2. Maya Ezratti, individually and/or through trusts for her interests, having an address of 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
3. Misha Ezratti, individually and/or through trusts for his interests, having an address of 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
4. Maxie Ezratti, individually and/or through trusts for her interests, having an address of 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.

## Exhibit K - Drainage Statement

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GLH Engineering, LLC

Florida Certificate of Authorization No. 27459

April 2, 2024

### DRAINAGE STATEMENT

#### SITE DATA

Whitworth AGR-PUD (Control No. 2021-0031) consists of the previously approved Whitworth North and the newly proposed Whitworth South. This drainage statement will only address Whitworth South since Whitworth North's stormwater management system has already been reviewed and approved. Whitworth South is a proposed residential development consisting of 481 units on approximately 166.40 acres (net development portion). The project is located between U.S. 441 (S.R. 7) and Lyons Road, south of Boynton Beach Blvd. in Palm Beach County, Florida.

The Property Control Numbers for the Whitworth South property are 00-42-43-27-05-060-0493 and a portion of 00-42-43-27-05-060-0561.

#### DRAINAGE STATEMENT

The subject property is located within the South Florida Water Management District (SFWMD) C-15 Basin. A SFWMD permit will be obtained for this property to permit drainage to the surrounding Lake Worth Drainage District Canals. Proposed legal positive outfall will be provided to the adjacent L-27 Canal and/or L-28 Canal.

The property will be designed to meet the following criteria:

1. All discharge to the adjacent LWDD Canals will be through a control structure(s) with discharge limited to 70.0 CSM at the 25-year, 3-day storm event.
2. Minimum finished floor elevation for any structure will be set above the 100-year, 3-day, zero discharge storm event or 18 inches above the adjacent crown of road, whichever is higher.
3. A continuous berm will be constructed around the project with a top elevation set at or above the 25-year, 3-day storm event to prevent unauthorized discharge from the site.
4. The minimum crown of road elevations for the onsite residential access streets shall be set above the calculated 3-year, 1-day storm event.

The on-site drainage system will consist of a series of catch basins and pipes which will route storm water runoff to the interconnected wet retention lake system. Lakes will have a design water elevation of 14.5' NAVD. The lakes will provide the necessary water quality treatment and provide the required storage for storm water runoff. No open space or buffer tracts will be graded to drain by overland flow through lots without the appropriate drainage easement. All drainage systems will be designed in accordance with Palm Beach County, SFWMD and LWDD criteria and all drainage facilities will be covered by the appropriate drainage easements.

HISTORICAL DRAINAGE ANALYSIS

The Whitworth South property has existing farm ditches that address onsite drainage for the farm only. These existing ditches do not provide drainage for offsite entities outside of the property boundary. These ditches will be filled in with the development and replaced with the proposed onsite drainage infrastructure system for the property.

Whitworth South is surrounded by Lake Worth Drainage District Canals on the north, west and south property boundaries. The cross sections for the E-1, L-27 and L-28 Canals have all been approved by Lake Worth Drainage District. The east property boundary is adjacent to Lyons Road. Lyons Road drainage is included in the surface water management system of Canyon Springs, the development on the east side of Lyons Road. This system is permitted from South Florida Water Management District under the Permit Number 50-06370-P, Application Number 050805-1. This permit was then modified to have Palm Beach County as the permittee for the surface water management infrastructure within the right-of-way of Lyons Road under Permit Number 50-08615-P, Application Number 100412-1. The west property boundary is adjacent to Eternal Light Memorial Gardens, whose surface water management system is permitted from South Florida Water Management District under Permit Number 50-00154-S, Application No. 020131-4.

Based on the above information there is no historical drainage issue for this proposed Whitworth South development.

GLH Engineering, LLC

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Heather Swanson, P.E.  
Florida Registration #87351  
FL Authorization No. 27459

Heather Swanson  
State of Florida, Professional Engineer,  
License No. 87351

This item has been electronically signed and sealed  
by Heather Swanson, PE on the date indicated here.  
Printed copies of this document are not considered  
signed and sealed and the signature must be  
verified on any electronic copies.

Digitally signed by  
Heather Swanson  
Date: 2024.04.02  
09:56:29-04'00'

## Exhibit L - Utility Letter



### Letter for Concurrency Reservation

**To: Zoning Division  
PBC Planning, Zoning, & Building Department**

**From: Ebony M. Foreman, Director  
Finance and Administration  
PBC Water Utilities Department**

**Date: April 29, 2024**

**Control # 00219**

**Re: PZ&B Application #: DOA/PDD-2024-00581  
Project Name – Whitworth AGR PUD South**

The Palm Beach County Water Utilities Department is willing and able to provide the following utility service(s) to the property identified below, and will reserve the indicated utility capacity, in Equivalent Residential Connections (ERCs), for a period not to exceed five (5) years from the date of this letter:

<u>Service Type</u>	<u>Capacity (in ERCs)</u>
Potable Water	<u>530.90</u>
Wastewater	<u>525.10</u>
Reclaimed Water	<u>N/A</u>

An Equivalent Residential Connection represents a system capacity equivalency unit that corresponds to the peak design demand of the 5/8 x 3/4 inch meter sub-category of customer usage. This system capacity equivalency unit is utilized to establish the system demand for various sized connections for the purpose of assessing fees and designing the capacity of capital facilities.

The above capacity is reserved for the following property:

**00-42-43-27-05-060-0561, 00-42-43-27-05-060-0493**

Before the five (5) year period expires, the Developer must pay all Service Initiation Fees and connect to the Department's facilities, or for projects greater than 18.3 ERCs, enter into a Standard or Non-Standard Development Agreement to maintain this capacity reservation. This memorandum does not represent a contract for service, and the Developer remains obligated to meet all of the requirements of the Water Utilities Department prior to obtaining utility service.

Approved By:   
Director of Finance & Administration

Date: 29 Apr 24

