

**PALM BEACH COUNTY  
PLANNING, ZONING AND BUILDING DEPARTMENT  
ZONING DIVISION**

**Application No.:** ABN/PDD-2022-01281  
**Application Name:** Trotting Center  
**Control No./Name:** 1983-00017 (South Florida Trotting Center)  
**Applicant:** Zuckerman Homes  
**Owners:** Lynx At Lake Worth LLC  
**Agent:** WGINC - Matthew Barnes  
**Telephone No.:** (561) 687-2220  
**Project Manager:** Imene Haddad, Senior Site Planner

**TITLE:** a Development Order Abandonment **REQUEST:** a Development Order Abandonment to abandon a horse breeding and training farm, including accessory buildings and structures, and an on-site water and sewage treatment plant on 105.58 acres

**TITLE:** an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District on 105.98 acres

**APPLICATION SUMMARY:**

The proposed requests are for the 105.98-acre Trotting Center development. The subject site was last approved by the Board of County Commissioners (BCC) on December 1, 1984 for an amendment to the prior approval for the horse breeding and training farm.

The requests for the Official Zoning Map Amendment from Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District will allow for a residential development with Single Family dwelling units. The Preliminary Master Plan (PMP) indicates one Residential Pod with 166 lots, open space which includes a lake tract, a tree preservation area, and a Recreational Pod. Access is proposed from State Road 7.

**SITE DATA:**

<b>Location:</b>	West side of State Road 7 approximately 2,000 feet south of Hypoluxo Road.
Property Control Number(s):	00-41-45-12-00-000-7210; 00-41-45-12-00-000-7230; 00-42-43-27-05-044-0170; 00-41-45-12-00-000-3091; 00-41-45-12-00-000-7390; 00-41-45-12-00-000-7380
Existing Future Land Use Designation:	Rural Residential (RR-10)
Proposed Future Land Use Designation:	Rural Residential (RR-10)
Existing Zoning District:	Agricultural Residential District (AR)
Proposed Zoning District:	Planned Unit Development (PUD)
Total Acreage:	105.98 acres
Affected Acreage:	105.98 acres
Tier:	Rural
Overlay District:	N/A
Neighborhood Plan:	West Boynton Community Plan
CCRT Area:	N/A
Municipalities within 1 Mile:	N/A
Future Annexation Area:	N/A

**RECOMMENDATION:** Staff recommends approval of the requests, subject to the Conditions of Approval as indicated in Exhibits C.

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

**PROJECT HISTORY:** On May 24, 1983 the BCC approved a Special Exception to allow Exception to allow horse breeding and training farm including accessory buildings and structures and on-site water and sewage treatment plant under Resolution R-1983-0612. On December 1, 1984 the BCC approved the modification of conditions No.2 and No. 3 under Resolution R-1984-1830.

**FINDINGS:**

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

When considering a Development Order application for a Rezoning to a PDD or a TDD, a Conditional Use, excluding Conditional Use requests for Density Bonus pursuant to Art. 5.G.1, Workforce Housing Program (WHF), or a Development Order Amendment, the BCC and ZC shall utilize the Standards a – h listed in Article 2.B.7.B, Standards. The Standards and Staff Analyses are indicated below. A Conditional Use, Rezoning to PDD or TDD, or Development Order Amendment that fails to meet any of these Standards shall be deemed adverse to the public interest and shall not be approved.

**a. Consistency with the Plan** – *The proposed use or amendment is consistent with the purposes, goals, objectives and policies of the Plan, including standards for building and structural intensities and densities, and intensities of use.*

○ *Consistency with the Comprehensive Plan:* The subject request is contingent upon an amendment to the Comprehensive Plan for the Future Land Use, as well as Text amendments. Planning Staff concluded for that application (LGA-2023-012) that the amendment does not promote the goal of the Tier, including the preservation of rural lifestyle choices, does not further the County’s Managed Growth Tier System and fails to provide a clear demarcation between Tiers. However, should the BCC approve the amendment and text modification requests, then the proposed amendment to the Zoning is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.

○ *Concurrent Land Use Amendments:* The site is the subject of a concurrent Large Scale Amendment known as Trotting Center (LGA 2023-012). The request seeks to establish an overlay within the Rural Tier to allow for a transitional density option and amend the land use from Rural Residential 1 unit per 10 acres to Low Residential 2 units per acre. The Board of County Commissioners voted 6-1 to Transmit the item to the DEO November 28, 2022 with the following conditions:

1. Residential dwelling units shall be limited to a maximum of 166 units with no further density increases permitted through density bonus programs.
2. The zoning development order shall require a minimum of 10% (17 units) of the total dwelling units to be provided as offsite workforce housing units. The workforce housing units are subject to the applicable requirements of the Workforce Housing Program (WHP) in Article 5.G.1 of ULDC.

○ *Relevant Comprehensive Plan Policies:* The subject Future Land Use Amendment also has a companion Comprehensive Plan Text amendment that establishes a new overlay within the Rural Tier in Objective 1.4.1 Trotting Center Overlay with subsequent policies that accommodate the request.

**NEW Policy 1.4.1-b:** Transitional Density Option. In order to provide a transition from the Urban Suburban Tier, the County shall allow residential development within the Trotting Center Overlay at transitional densities, subject to the following criteria:

1. **Approval Process.** A Future Land Use Atlas amendment shall be accompanied by a concurrent zoning application and master plan in order to demonstrate that the proposal meets the requirements of this policy;
2. **Acreage.** The site shall be a minimum of 100 contiguous acres;
3. **Density.** The maximum density is 2 units per acre with no further density increases permitted through density bonus programs, such as the Transfer of Development Rights Program, the Workforce Housing Program or the Affordable Housing Program. The maximum density shall be identified in the adopting ordinance;
4. **Workforce Housing.** Pursuant to Housing Element Policies 1.5-g and 1.5-i and ULDC Article 5, Chapter G, Sections 1 and 2, the Workforce Housing Program and Affordable Housing Program are not applicable in the Trotting Center Overlay;
5. **Location.** The site must be located contiguous to the Urban/Suburban Tier (contiguous includes being directly across a right-of-way) with frontage and access only onto State Road 7 and be located east of Park Lane and south of the LWDD Canal L-19 W;
6. **Design Features.** The lot sizes shall transition with the smallest lots located closest toward State Road 7 and the largest lots located towards the western property line. A minimum 20% of the residential development area within the Overlay shall be comprised of lots (including the associated roadways serving these lots) that are a minimum of 0.5 acres in size;
7. **Expanded Buffers.** Residential planned development within the Overlay shall provide increased buffers for property lines coterminous with the boundaries of the Overlay as provided below:
  - a. A minimum 50- foot buffer along the western property line;

- b. A minimum 50-foot buffer along the southern property line abutting single-family properties that predate the adoption of the Overlay;
  - c. A minimum 30-foot buffer for any other southern property line; and 23-A Amendment Staff Report E-8 Trotting Center (LGA 2023-012).
  - d. A minimum buffer pursuant to ULDC regulations along the northern property line.
8. **Native Vegetation.** A minimum of 100% of the landscaping within the perimeter buffers shall be native vegetation;
  9. **Access.** Access to development within the Trotting Center Overlay is limited to State Road 7; and,
  10. **Urban Services.** All development within the Trotting Center Overlay shall connect to County water and sewer services located within the State Road 7 right-of-way.

The request is within the maximum allowable 166 units, indicates 10% of the units (17 in all) as offsite WHP units, and includes expanded buffers in all applicable locations. Once a subdivision plan is proposed, the 0.50-acre lots will be identified, and the landscape plans will be required to demonstrate 100% native vegetation. Not all design features can be depicted on a conceptual master plan.

- *Density:* The request for 166 dwelling units is less than what the proposed LR-2 future land use would yield (105.98 acres x 2 DU/ac. = 211.96 or 212 DU); however, 166 units are the maximum allowable per amendment condition 1.

- *Workforce Housing Program (WHP):* While the provisions of the County's Workforce Housing Program (WHP) are applicable only in the Urban Suburban Tier, amendment condition 2 requires that 10% of the units are obligated to be provided as offsite workforce housing, for a total of 17 units. Further the condition requires compliance with the provisions of ULDC Article 5.G.1 for offsite WHP obligated units. The site plan and justification indicate that the obligated workforce housing units will be provided offsite. A condition of approval is included that requires the specific Offsite Option is indicated and properly addressed prior to final site plan approval.

- *Special Overlay District/ Neighborhood Plan/Planning Study Area:* The request is located within the West Boynton Area Community Plan (WBACP), which is administered by the Coalition of West Boynton Residents Association. The southern half of Heritage Farms, which includes this project, is identified as being within the WBACP; however, no specific recommendations address Heritage Farms. The Applicant was advised to meet with the neighborhood group. No correspondence has been received by Staff regarding the request as of the writing of this report.

**b. Consistency with the Code - *The proposed amendment will not be in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.***

- *Overlays:* Through concurrent land use amendment, the Applicant is seeking an overlay within the Rural Tier to allow for a transitional density option and amend the land use from Rural Residential 1 unit per 10 acres to Low Residential 2 units per acre. The overlay would also allow the development of the site as a traditional Planned Unit Development.

- *Property Development Regulations:* The proposed request, with the modifications to the Plan, would allow for an Planned Unit Development as seen in our Urban Suburban Tier, rather than a Rural Residential PUD required in the Rural Residential Future Land Uses and Tier. The Applicant is proposing one Residential Pod. One Civic Pod, and two Recreational Pods.

The development must provide for a minimum 40% open space, with the remaining 60% being development area. The site proposes a total of 42.89 acres of open space, exceeding the 40% Open space requirement in in Table 3.E.2.C, PUD Land Use Mix by 0.5-acres. The 63.09 acres Development Area contains both Residential, Civic, and Recreation Pods which meet the requirements pursuant to Table 3.E.2.D, PUD Property Development Regulations. The 0.48 acres recreation Pod located at the southeast corner of the site does not meet the minimum 45 foot frontage requirement per Table 3.E.2.D of the ULDC. Staff has added a condition of Approval to require frontage requirements be met at DRO approval.

A Preliminary Subdivision Plan has not been provided, however the proposed Comp Plan lanaguage requires that the lot sizes shall transition with the smallest lots located closest toward State Road 7 and the largest lots located towards the western property line.

- *Exemplary Design:* A rezoning to a PUD Zoning district shall only be granted to a project that exceeds the goals, policies and objectives in the Plan and the minimum requirements of this code, and the design objectives and performance standards. This includes but is not limited to sustainability, trip reduction, cross access, buffering, aesthetics, creative design, vegetation preservation, recreational opportunities, mix of uses, mix of units, safety and affordable housing. The Applicant proposes the following to satisfy the exemplary design criteria:

- The proposed Trotting Center development will include 42.89 acres of open space which exceeds the ULDC requirement. In addition, the Applicant indicates that These open spaces are placed throughout the property and includes recreational pods, tree preservation areas, and lakes. The open space throughout the property promotes green space for vegetation, functional uses for residents such as recreation, and aesthetic value.
  - The PMP includes recreation 1.08-acres of recreational parcels (Figure 3), which exceeds Code requirements by as only 1 acre of recreational area is required.
  - The site design includes sidewalks and pedestrian pathways that encourage pedestrian circulation within the community to a centrally located Recreation area.
- *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 and exceeded these requirements by providing:
- A development that is predominantly residential;
  - A continuous non-vehicular circulation system throughout the development and to State Road 7;
  - Establishing Code and text amendment required landscape buffers along all adjacent perimeters to buffer existing development from the proposed development;
  - Decorative pavers are to be provided at the entrance to the development;
  - A fountain will be provided within Lake Parcel 3, the largest lake of the proposed development and is located centrally;
- A focal point will be provided at the terminus of 15% of streets within the project as shown in the Preliminary Street layout plan.

The proposed 166 unit residential development, meets the required performance standards:

- a. *Proximity to Other Uses:* All residential pods are located within 1,320 feet of a neighborhood park or recreation pod. There are 1.08 acres of recreation pods and 0.51 acres of neighborhood parks in the Preliminary Master Plan.
  - b. *Focal Points:* There are 12 streets within the community. A focal point is required at the terminus of 15 percent of the streets. The Preliminary Master Plan and Street Layout Plan show two focal points including one fountain within the largest centrally located lake.
  - c. *Neighborhood Park:* A 0.51 acre neighborhood parks is shown on the preliminary master plan.
  - d. *Decorative Street Lighting:* Decorative street lighting is provided at both entrances of the development.
  - e. *Decorative Paving:* Decorative paving are provided at the development entrances and within the Recreation Pod as required.
  - f. *Fountain:* One fountain is proposed within Lake 6 at the entrance.
  - g. *Benches or Play Structures:* Benches will be provided along the pedestrian pathway adjacent to the spine road within some of the focal points and along the pathway around the recreation pod per code requirement.
  - h. *Interspersed Housing:* The Applicant is choosing to provide the Workforce housing units offsite utilizing the Exchange Builder Option to meet this requirement. The development includes a 166 single-family dwelling units.
  - i. *Pedestrian Circulation System:* An interconnected pedestrian sidewalk, path, or trail system are required linking pods to recreation amenities within the development. The Street Layout Plan includes sidewalks on both sides of each 50 foot Right-of-Way and spinal road. In addition, a five foot sidewalk is provided on one side of each 40 foot wide residential access street and the perimeter of the recreation pod.
- *Landscape/Buffering:* Expanded buffers are required for all residential planned development within the newly proposed Trotting Center overlay exceeding the required ULDC buffering The proposed buffers are indicated on the Preliminary Site Plan (PSP), pursuant to the requirements of the proposed Plan text changes as follows:
- a 20-foot incompatibly buffer is provided along the north lot line;
  - a 50-foot buffer along the southern property line abutting existing single-family properties is also shown on the PMP;
  - a 20-foot wide Right-of-Way (R-O-W) buffer is provided along the east property line adjacent to State Road 7.
  - the required 50-foot is provided buffer is planned along the western property line;
  - a 30-foot buffer for all other southern property lines;
- *Signs:* The Preliminary Master Sign Plan (PSMP),Figure 7. proposes two Project Entrance Signs for State Road 7 entrance to the development. All signage will be code-compliant per Art. 8.G.2.C.A Entrance Signs, and Art.8.G.3.D.B.C 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 subject site is located in the southern portion of the Rural Tier, on the west side of State Road 7. This area consists primarily of residential, agricultural and equestrian uses. Directly to the east of the subject site across State Road 7, is the existing residential development known as the Ladera PUD (Control No. 2005-585) with a density of 2 units per acre and a mix of single family and Zero Lot Line housing units. Adjacent to the site to the southeast, are residential the Harvest Galleria MUPD (Control No. 2008-00052) with a mix of Retail and Office uses. To the west of the site are residential and agricultural uses. Active agricultural uses are present to the north and south of the site. The 35 acre site directly south of the subject site is partly a preserve area, known as Lipton Preserve. The 117 acre Walker Preserve south of that site has been utilized as a hydroponic farm since 2017. Directly north of the subject site are agricultural and residential uses that are located in the AR zoning district with a density of 1 unit per 10 acres (RR-10).

The proposed two units per acre yields a project that is much denser than the surrounding sites, which has a Rural Residential, 1 unit per 10 acres (RR-10) future land use. However, the purpose of the proposed overlay is to provide a transitional density residential option that is compatible with the low-density rural character of Heritage Farms. The overlay includes design features such as lot size transition from largest towards Park Lane Road and tapering to smaller adjacent to State Road 7. In addition, in order to increase compatibility between uses the Comprehensive Plan Amendment is requiring a 50 foot buffer along portions of the overlay boundary where there are existing single family homes.

- 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.*

As previously described, the subject site is a contiguous development to other residential development to the east of the subject site along State Road 7. The PMP indicates a number of site features that will provide visual buffering to the neighboring developments. Along the north property line, is a 20-foot wide incompatibility buffer, the buffer is adjacent to the 70-foot wide L-19 LWDD canal providing 90 ft. between the proposed residential homes and the surrounding agricultural uses. The significant distance between the two uses as well as the proposed buffers will reduce significantly any potential impacts to surrounding uses.

Along the western and the south property line where the site abuts residential properties is the expanded buffering of 50-foot wide. In addition, the development will include design features such as lot size transition from largest towards Park Lane Road and tapering to smaller lots adjacent to State Road 7 as required by the Text amendment.

- 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 site contains native vegetation that is regulated by the ULDC, Article 14.C.7.C. There are native strangler figs, oaks, pines, and sabal palms. Species that cannot be relocated or preserved in place are being mitigated for in accordance with Table 14.C.7.C. of the ULDC. A Protection of Native Vegetation Approval application will need to be submitted prior to the final approval by the DRO.
- *Wellfield Protection Zone:* This property is not located within a Wellfield Protection Zone.
- *Irrigation Conservation Concerns And Surface Water:* All new installations of automatic irrigation systems shall be equipped with a water sensing device that will automatically discontinue irrigation during periods of rainfall pursuant to the Palm Beach County Mandatory Year-Round Landscape Irrigation Conservation Measures Ordinance, Ordinance No. 2022-007. Any non stormwater discharge or the maintenance or use of a connection that results in a non stormwater discharge to the stormwater system is prohibited pursuant to Palm Beach County Stormwater Pollution Prevention Ordinance No. 93-15.
- *Environmental Impacts:* There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.

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

Pursuant to the modifications to the Comprehensive Plan and the Future Land use and if approved by the BCC, the proposed rezoning would result in a logical, orderly and timely development pattern as determined by those modifications. The location of the proposed PUD development has frontage on State Road 7 and is surrounded by a mix of Agricultural and Residential uses which makes it possible to convert it for a residential uses. The Applicant states that the proposed development follows the development patterns of the area, on the east side of 441. However, the proposed request creates a new pattern for the small lot residential on the west side of 441, with the language proposed in the Plan. The Applicant states that the site, as it currently stands, no longer serve the community to its best. The BCC must render a favorable decision on the Future Land Use change, along with the text changes to the Plan, for this Plan to have a decision. If they support the modifications, the residential development is logical development pattern in the area.

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

**ENGINEERING COMMENTS:**

The proposed residential project on a site currently used as an equestrian training center is expected to generate additional 1,554 net new daily trips, 115 net new AM peak hour trips, and 154 net new PM peak hour trips. Overall, the project will generate 1,660 net daily, 123 net AM peak hour, and 165 net PM peak hour trips. The build out of the project is expected to happen by 2027.

The project meets the Traffic Performance Standards without need for any roadway or intersection improvements.

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

Segment: SR-7 from Hypoluxo Rd to Boynton Beach Blvd  
Existing count: Northbound=1996, Southbound=1039  
Background growth: Northbound=496, Southbound=300  
Project Trips: Northbound=58, Southbound=34  
Total Traffic: Northbound=2550, Southbound=1373  
Present laneage: 3 in each direction  
Assured laneage: 3 in each direction  
LOS "D" capacity: 4980 per direction  
Projected level of service: Better than LOS D in both directions

The Property Owner shall plat the property prior to the issuance of the building permit.

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

The Property Owner shall install landscaping within the median of State Road 7 along the project frontage in accordance with OTIS.

**PALM BEACH COUNTY HEALTH DEPARTMENT:**

This project has met the requirements of the Florida Department of Health.

**FIRE PROTECTION:**

Staff has reviewed this application and have no comment. The proposed development is within boundaries of PBC Fire Station #48.

**SCHOOL IMPACTS:**

The School Board has no issues with this rezoning request.

**PARKS AND RECREATION:**

Project proposes 166 dwelling units requiring 1.00 acres of onsite recreation, 1.08 acres of onsite recreation are provided, therefore the recreational is satisfied.



**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 that the area has experienced shifts in development patterns over time. The proposed rezoning from AR to PUD will allow the site to provide a compatible

residential use to the surrounding area. The current equestrian use of the site was previously a viable use of the property, however, the Applicant states that the development pattern has shifted. The site is located adjacent to low-density, planned residential uses to the east, and across 441 that are similar in character and density to the proposed master plan with the caveat that the proposed master plan is sensitive to transitioning lot sizes and density from smaller lots at the east close to SR 7/US 441 to larger lots at the west end. . The proposed Rezoning application is within an area that supports residential uses, as roads, utilities, and amenities such as shopping, medical, schools, and recreation are already in place.

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**CONCLUSION:** Staff have evaluated the standards listed under Article 2.B. and determined that there is a balance between the need for change and the potential impacts generated by this change. Therefore, if the BCC approves the Future Land Use change and the modifications to the Text, Staff is recommending approval of the request, subject to the Conditions of Approval in Exhibits C.

## CONDITIONS OF APPROVAL

### EXHIBIT C - PDD- Residential Planned Development District

#### ALL PETITIONS

1. The approved Preliminary Master Plan dated December 15, 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 or the Zoning Commission. (ONGOING: ZONING - Zoning)

#### SITE DESIGN

1. Prior to DRO approval, the 0.48-acres recreation Pod located at the southeast corner of the site does shall be relocated to meet frontage requirements per Art 3.E.2.D of the ULDC. (DRO: ZONING - Zoning)

2. Prior to DRO approval Preliminary Regulating Plan shall be updated to correctly label all Right-of-Way Buffers. (DRO: ZONING - Zoning)

#### ENGINEERING

1. 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, 2027, 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. If a direct connection to SR-7 from the civic site will be proposed, then a new FDOT driveway pre-approval letter must be obtained prior to Final Site Plan approval (DRO: ENGINEERING - Engineering)

3. The Property Owner shall maintain/modify the exiting right turn lane north approach on SR-7 and existing left turn lane south approach on SR-7 at project entrance. The length of these turn lanes shall be as required by the FDOT at permit approval.

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 FDOT this construction/modification, if required by the FDOT, shall be obtained prior to the issuance of the first building permit. (BLDGPM: MONITORING - Engineering)

b. Construction/modification, if required by the FDOT, shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPM/CO: MONITORING - Engineering)

4. Prior to issuance of the first building permit, 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)

5. Prior to the issuance of the first building permit, the Property Owner shall abandon or release, and relocate if necessary, any and all public easements shown in conflict with the existing or proposed structures. (BLDGPM: MONITORING - Engineering)

6. 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 first building permit, or as approved by the County Engineer. (BLDGPM: MONITORING - Engineering)



b. All installation of the landscaping and irrigation shall be completed prior to the issuance of the first certificate of occupancy, or as approved by the County Engineer. (BLDGPMT/CO: MONITORING - Engineering)

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. (BLDGPMT: MONITORING - Engineering)

7. 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)

b. Any required drainage easements shall be dedicated in conjunction with the plat or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDGPMT/PLAT: MONITORING - Engineering)

## **ENVIRONMENTAL**

1. Prior to Final Approval by the Development Review Officer, a Phase II Environmental Site Assessment shall be submitted to the Department of Environmental Resources Management (ERM). If the results of the Phase II Environmental Site Assessment indicate areas of on-site contamination, the project shall be referred to the Florida Department of Environmental Protection (FDEP) for the development of a mitigation plan and to oversee the remediation on the site. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

2. Prior to final approval by the Development Review Officer, a Tree Preservation Area Management Plan shall be provided to ERM for review and approval. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

3. All mitigation plantings shall be planted on-site or as approved by ERM. (VEGPMT: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

4. Prior to the final approval by the DRO, The Applicant shall provide a copy of a wetland jurisdictional determination from the Department of Environmental Protection, South Florida Water Management District and/or the Army Corps of Engineers. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

5. Prior to the final approval by the Development Review Officer, the Plans shall be revised to indicate an access easement with a minimum width of 10 feet to the Tree Preservation Area located at the south east portion of the project. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

6. The understory within the native tree preserve area shall be restored and reestablished with native species typically found in its respective land cover classification and/or as approved ERM, and shall remain in perpetuity. (ONGOING/VEGPMT: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

## **PARKS**

1. No more than 66 residential building permits shall be issued until the recreational improvements have been completed in their entirety and are open for use and accessible to the residents, unless a phasing plan for completion of the required recreation area is agreed upon and approved by the Parks and Recreation Department. (BLDGPMT: MONITORING - Parks and Recreation)

## **PLANNING**

1. Per LGA 2023-12, condition 1. Residential dwelling units shall be limited to a maximum of 166 units with no further density increases permitted through density bonus programs. (ONGOING: PLANNING - Planning)

2. Per LGA 2023-12, condition 2. The zoning development order shall require a minimum of 10% (17 units) of the total dwelling units to be provided as offsite workforce housing units. The workforce housing units are subject to the applicable requirements of the Workforce Housing Program (WHP) in Article 5.G.1 of ULDC. (ONGOING: PLANNING - Planning)

3. The request for a maximum of 166 units was calculated based on the 105.977-acre site with the proposed LR-2 Future Land Use Designation via LGA-2023-12. The Workforce Housing Program (WHP) obligation is subject to condition 2 of the ordinance which requires that 10% (17 units) of the total dwelling units be provided for the WHP obligation and that the units are to be provided offsite. (ONGOING: PLANNING - Planning)

4. Prior to final approval by the Development Review Officer (DRO), all-applicable conditions shall be applied consistent with the WHP disposition that is adopted by the BCC and all plans and documents shall be updated to be consistent with what was adopted by the Board of County Commissioners (BCC). (DRO: PLANNING - Planning)

5. Prior to final approval by the Development Review Officer (DRO), all-applicable documentation regarding the offsite WHP choice shall be submitted and all applicable conditions shall be applied. (DRO: PLANNING - Planning)

6. Once a subdivision plan is submitted it shall depict the area attributed to Policy 1.4.1.b.6 requiring 20% of the land area to be 0.50-acre lots. (ONGOING: PLANNING - Planning)

7. Prior to issuance of the Building Permit, the Property Owner shall submit the Landscape Plans and a plant species list, with prior approval from the Planning and Zoning Divisions, which shall be consistent with FLUE Policy 1.4.1.b-7 and 8, in effect at the time of BCC adoption, for expanded buffers and utilization of 100% native vegetation. (BLDGPM: MONITORING - Planning)

## **PROPERTY & REAL ESTATE MANAGEMENT**

### **1. Platting & Deed.**

The Property Owner shall provide Palm Beach County Board of County Commissioners with a Statutory Warranty Deed on a net 2.11 acre public civic site (net usable area - excluding required buffers), in a location and form acceptable to Facilities Development & Operations Department (FD&O) by August 23, 2024 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 onsite 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 FDO), 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 Sites to available retention basins, if requested by PREM. (DATE: MONITORING - Property Real Estate Management)

## 2. Survey

The Property Owner shall provide the County with a survey certified to Palm Beach County of the proposed civic site by February 23, 2024 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 and Countywide PPM CW0-058.
- 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)

## 3. Environmental Survey

The Property Owner shall provide PREM with an Environmental Assessment certified to Palm Beach County of the proposed civic site by February 23, 2024 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)

#### 4. Cash-Out

The Property Owner may request to exchange the required 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 offsite 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 1, 2 & 3 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. (TC: PROPERTY REAL ESTATE MANAGEMENT - Property Real Estate Management)

5. Prior to Technical Compliance of the Plat for the 80 R.O.W and intervening land area shown on the Master Plan to the north of the public civic site, the Property Owner shall grant a Perpetual Access Easement 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. Prior to Technical Compliance of the Plat for the 20 Access Easement shown on the Master Plan to the south of and abutting the public civic site, the Property Owner shall grant a Perpetual Access Easement to the County in a form, manner and configuration deemed acceptable to PREM and encumbering the entire Access Easement to serve the public civic site. (TC: PROPERTY REAL ESTATE MANAGEMENT - Property Real Estate Management)

7. 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 homeowners that the community includes the public civic site and is designed to provide future ingress and egress serving the public civic site from both the community entryway and dedicated emergency access. 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 August 23, 2024 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)

#### **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: ZONING - 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) (ONGOING: ZONING - Zoning)

**DISCLOSURE**

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

Figure 1 - Land Use Map



Figure 2- Zoning Map

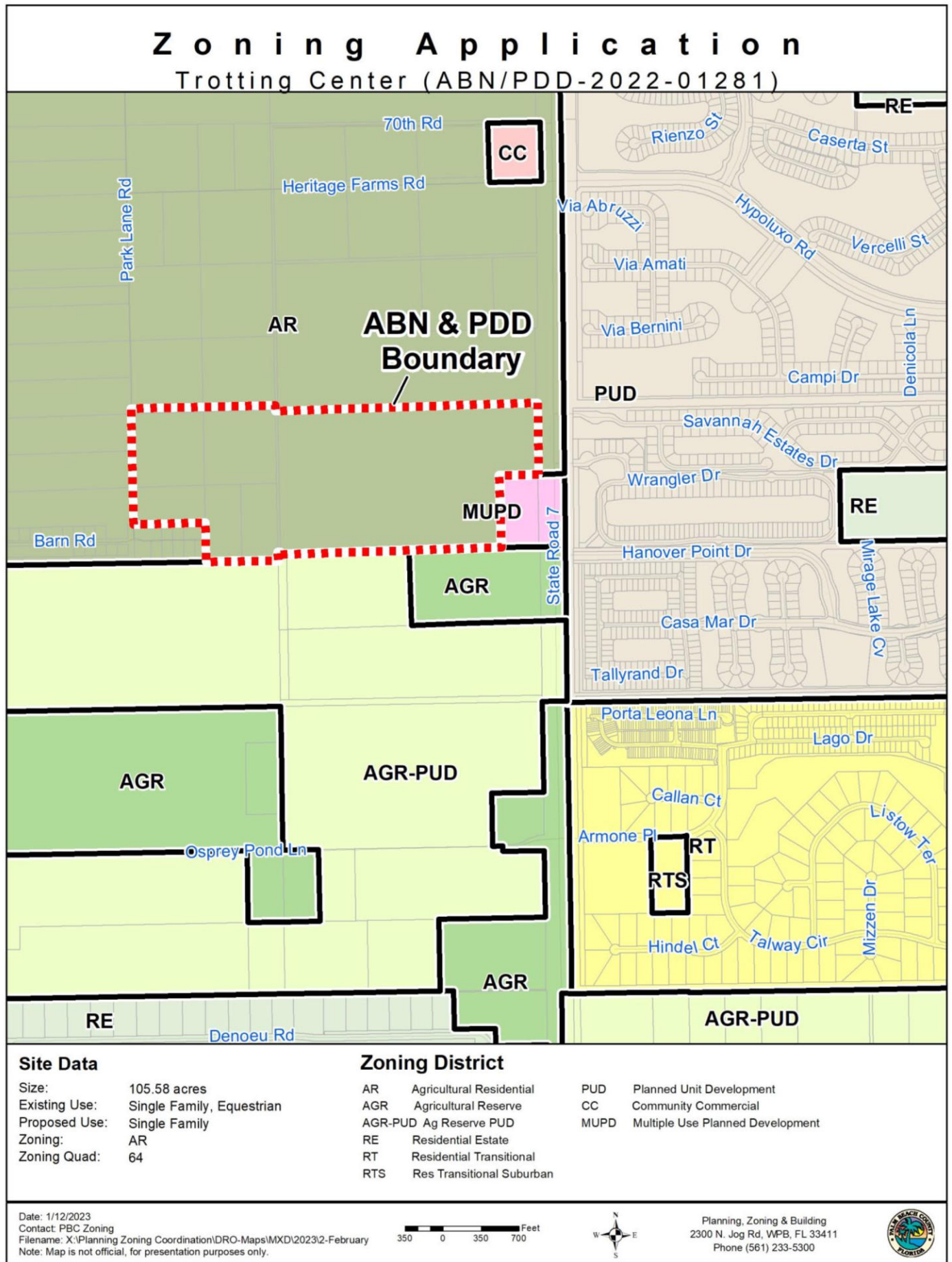


Figure 3- Preliminary Master Plan (PMP-1 of 3), dated December 15, 2022

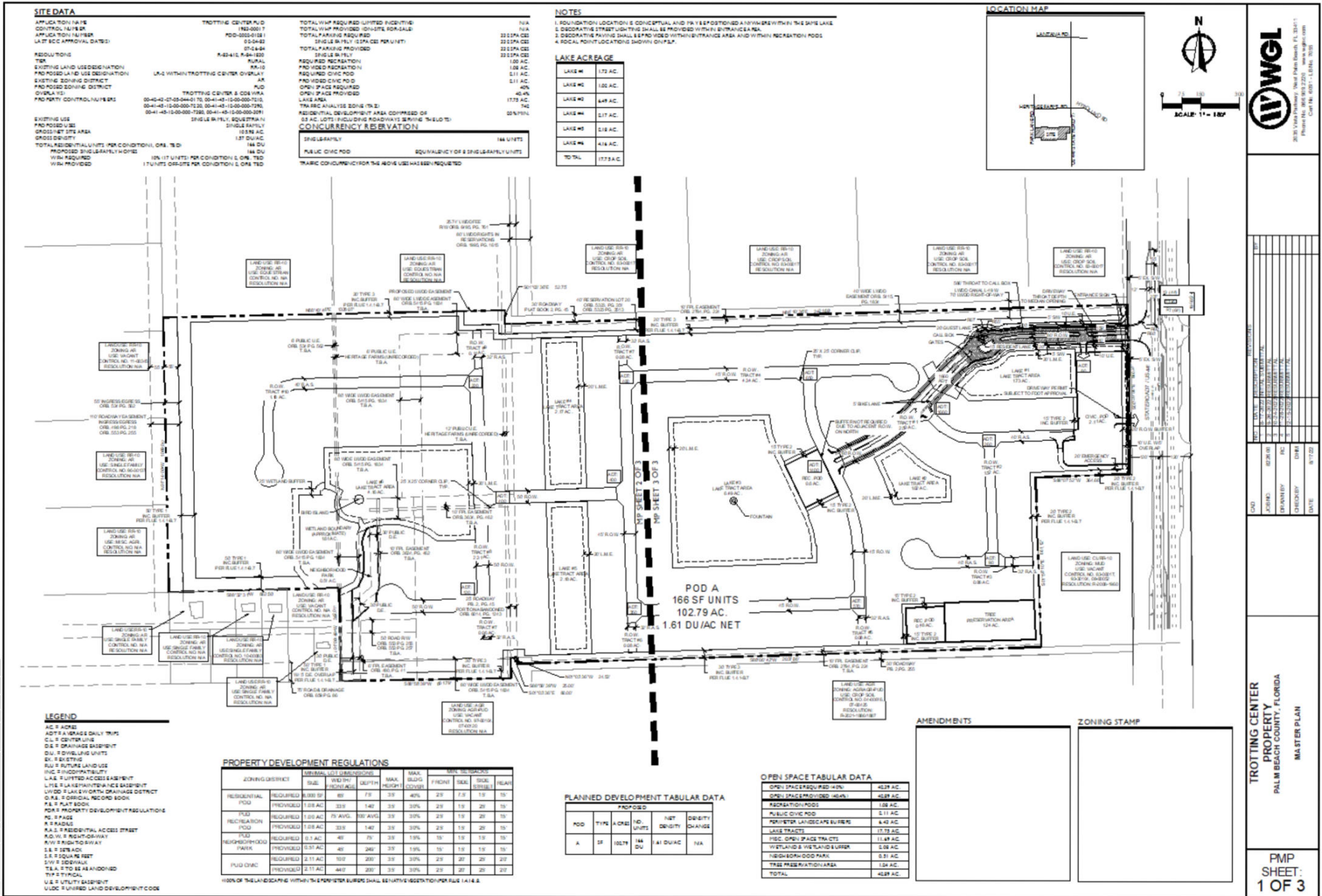
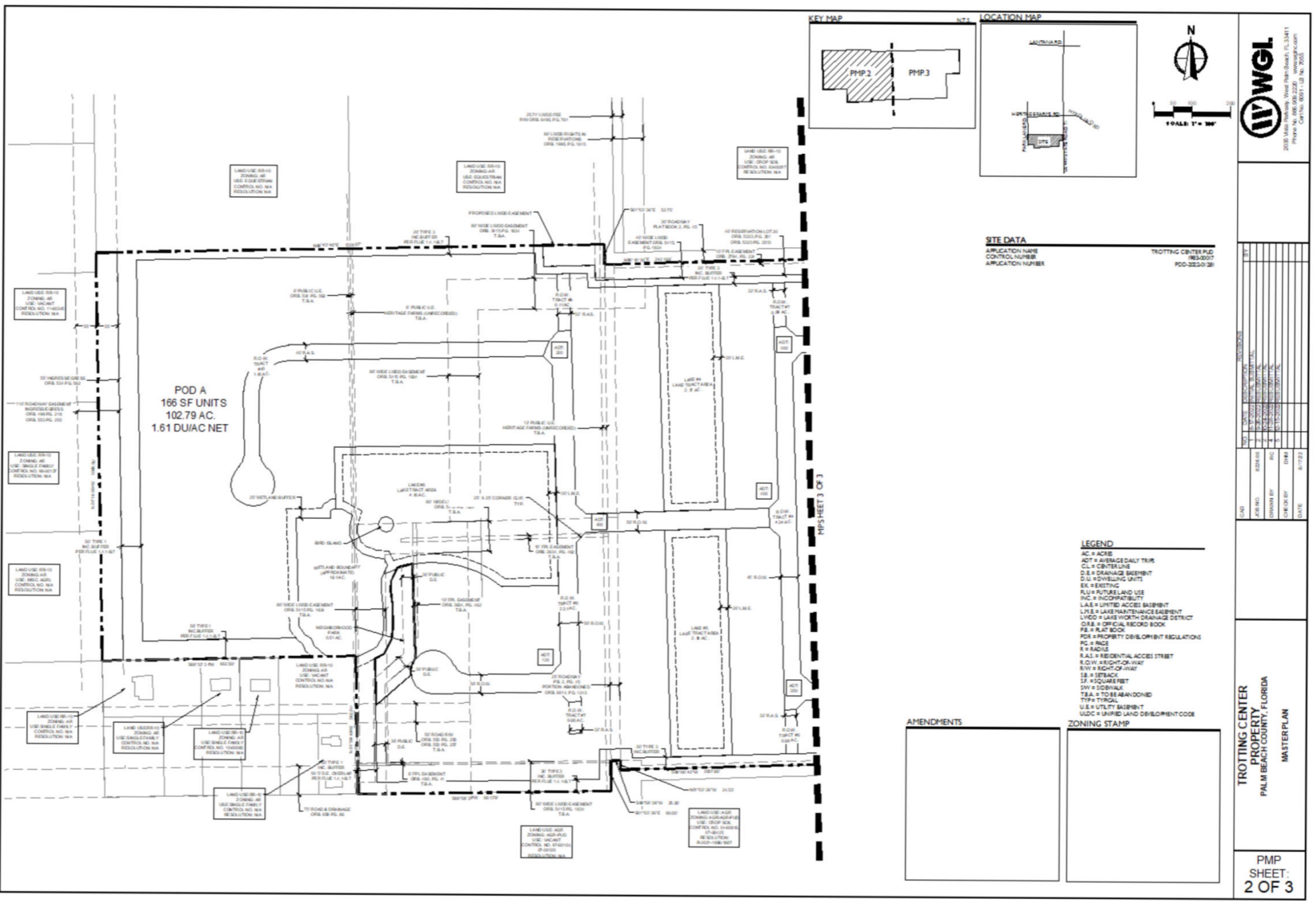




Figure 3- Preliminary Master Plan (PMP-2 of 3), dated December 15, 2022

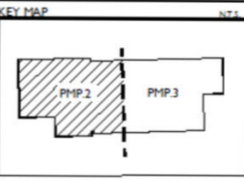
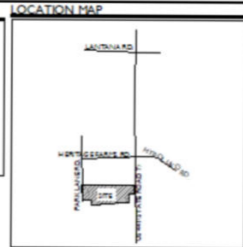


11411 S. Dixie Blvd., Suite 100, West Palm Beach, FL 33411  
 561.833.7000  
 www.tomati.com

NO.	DATE	DESCRIPTION	BY	CHKD.
1	12/15/22	ISSUED FOR REVIEW		
2	12/15/22	REVISIONS		
3	12/15/22	REVISIONS		
4	12/15/22	REVISIONS		
5	12/15/22	REVISIONS		
6	12/15/22	REVISIONS		
7	12/15/22	REVISIONS		
8	12/15/22	REVISIONS		
9	12/15/22	REVISIONS		
10	12/15/22	REVISIONS		

TROTTLING CENTER  
 PROPERTY  
 PALM BEACH COUNTY, FLORIDA  
 MASTER PLAN

PMP  
 SHEET:  
 2 OF 3



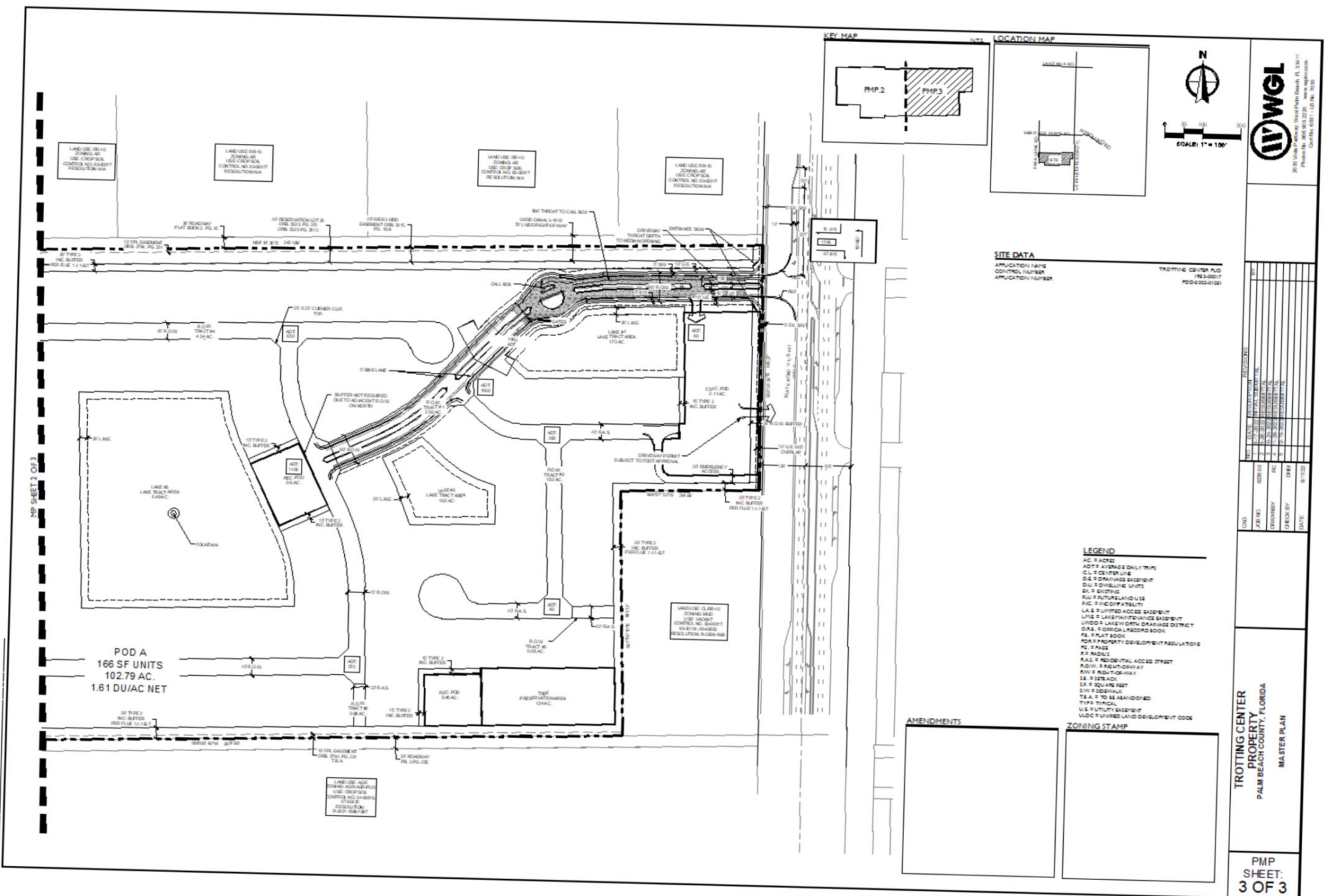
**SITE DATA**  
 APPLICATION NAME: TROTTLING CENTER PLD  
 CONTROL NUMBER: 198-2007  
 APPLICATION NUMBER: PDD-2022-01281

- LEGEND**
- AC = ACRE
  - ACT = AVERAGE DAILY TRIP
  - CL = CENTER LINE
  - DE = DRAINAGE EASEMENT
  - DU = DOWELLING UNITS
  - EX = EXISTING
  - FLU = FUTURE LAND USE
  - INC = INCOMPATIBILITY
  - LAE = LIMITED ACCESS BASIN
  - LWLD = LAKE WORTH DRAINAGE DISTRICT
  - OR = OFFICIAL RECORD BOOK
  - PLB = PLAT BOOK
  - PDR = PRIORITY DEVELOPMENT REGULATIONS
  - PG = PAGE
  - R = RADIUS
  - RAS = RESIDENTIAL ACCESS STREET
  - R.O.W. = RIGHT-OF-WAY
  - SB = SETBACK
  - SF = SQUARE FEET
  - SW = SIDEWALK
  - T.B.A. = TO BE ABANDONED
  - TYP = TYPICAL
  - UE = UTILITY EASEMENT
  - ULDC = UNIFIED LAND DEVELOPMENT CODE

**AMENDMENTS**

**ZONING STAMP**

Figure 3- Preliminary Master Plan (PMP-3 of 3), dated December 15, 2022



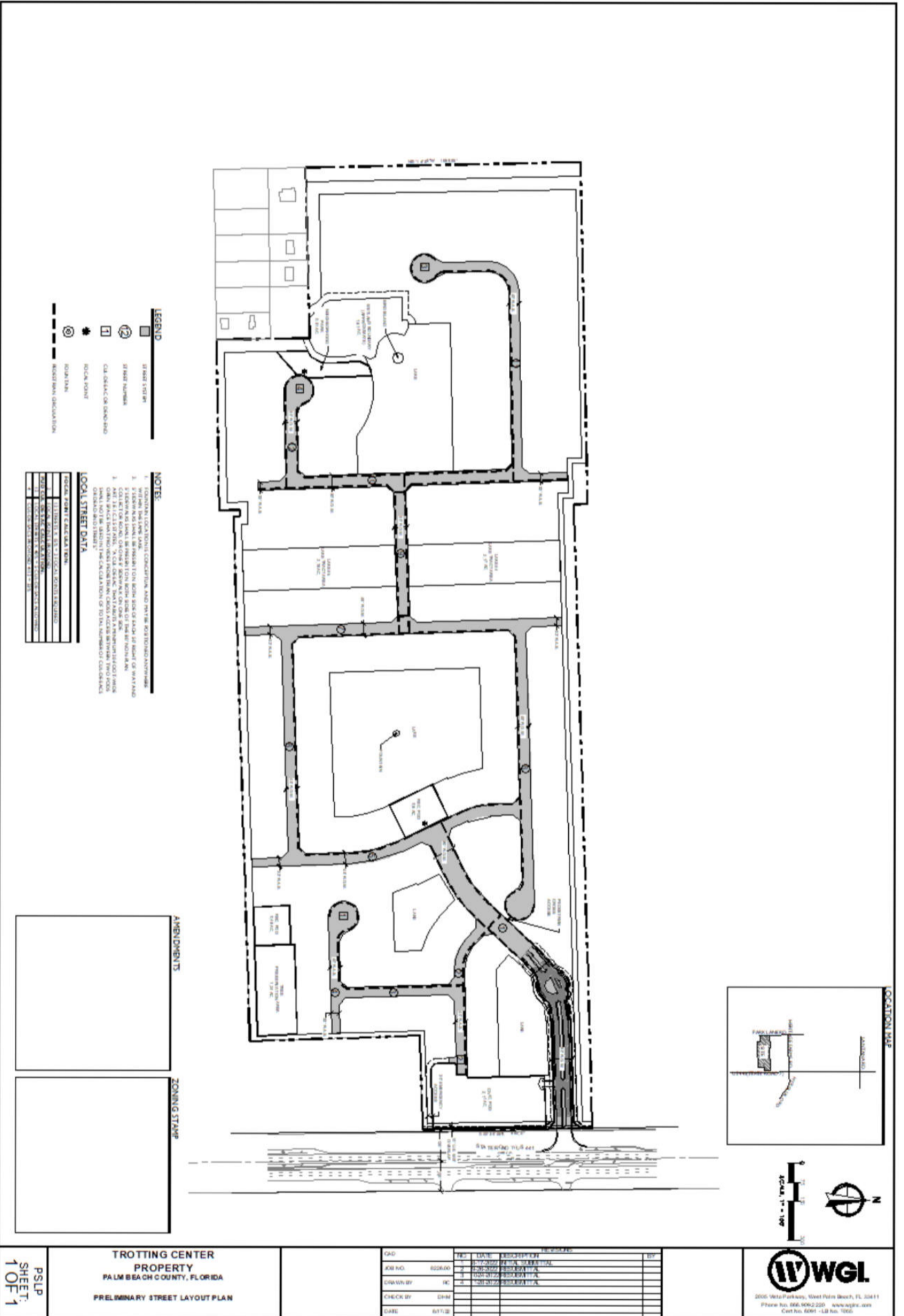


Figure 4 – Preliminary Street Layout Plan (PSLP), dated November 28, 2022

Figure 5 – Preliminary Master Sign Plan (PMSP), dated November 28, 2022

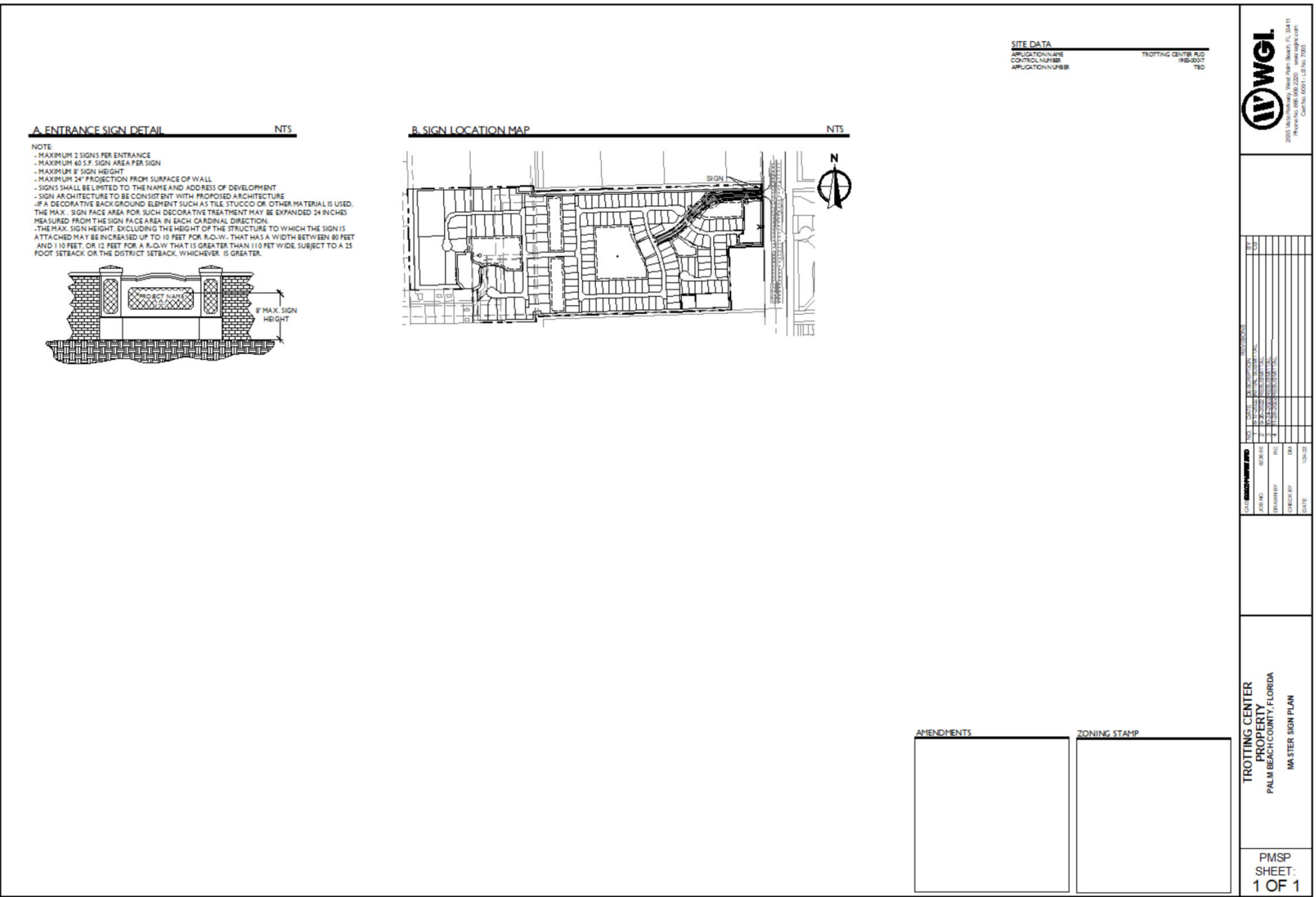


Figure 6 – Preliminary Regulating Plan (PRP), dated November 28, 2022 page 1 of 13

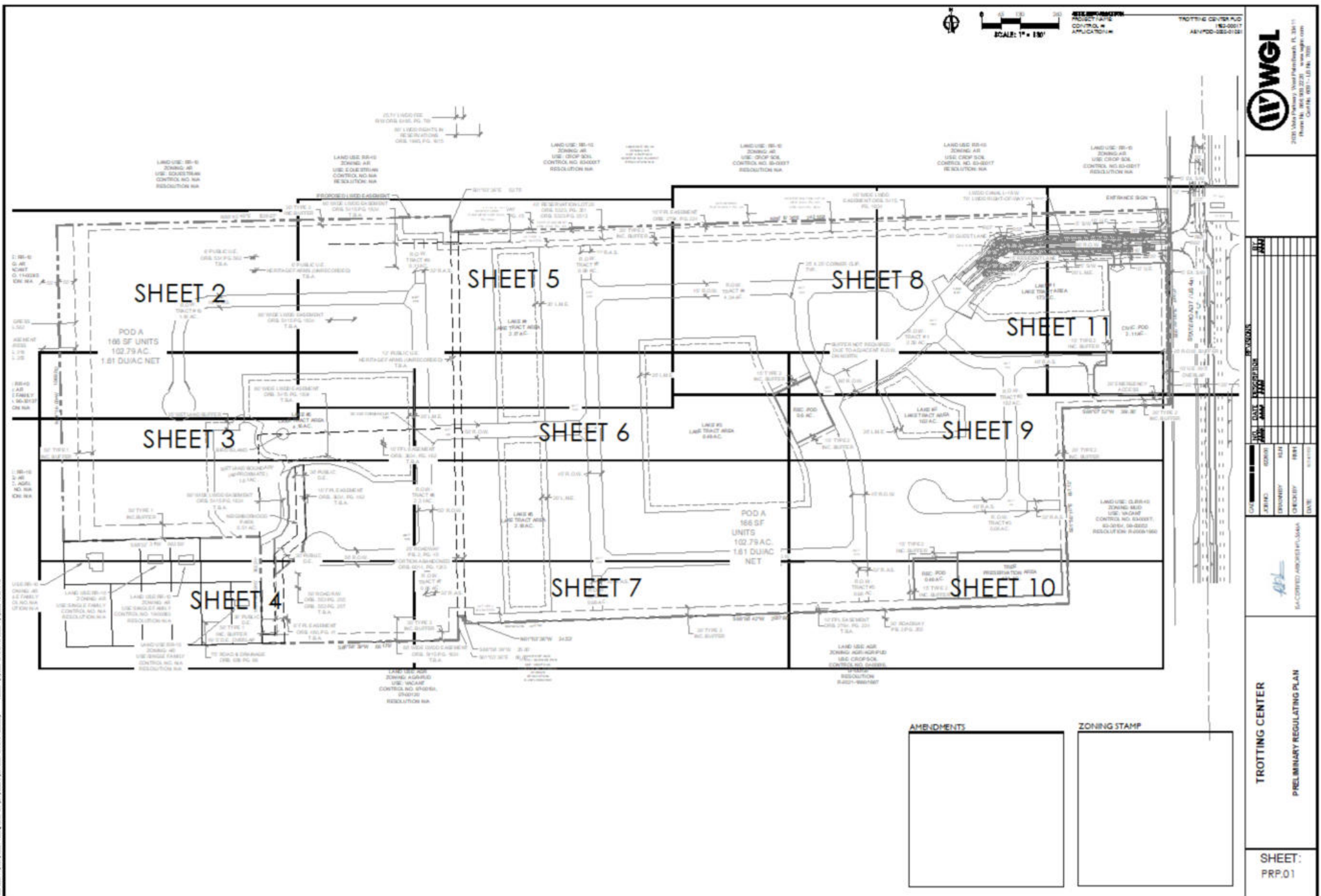


Figure 7 – Preliminary Regulating Plan (PRP), dated November 28, 2022 page 2 of 13

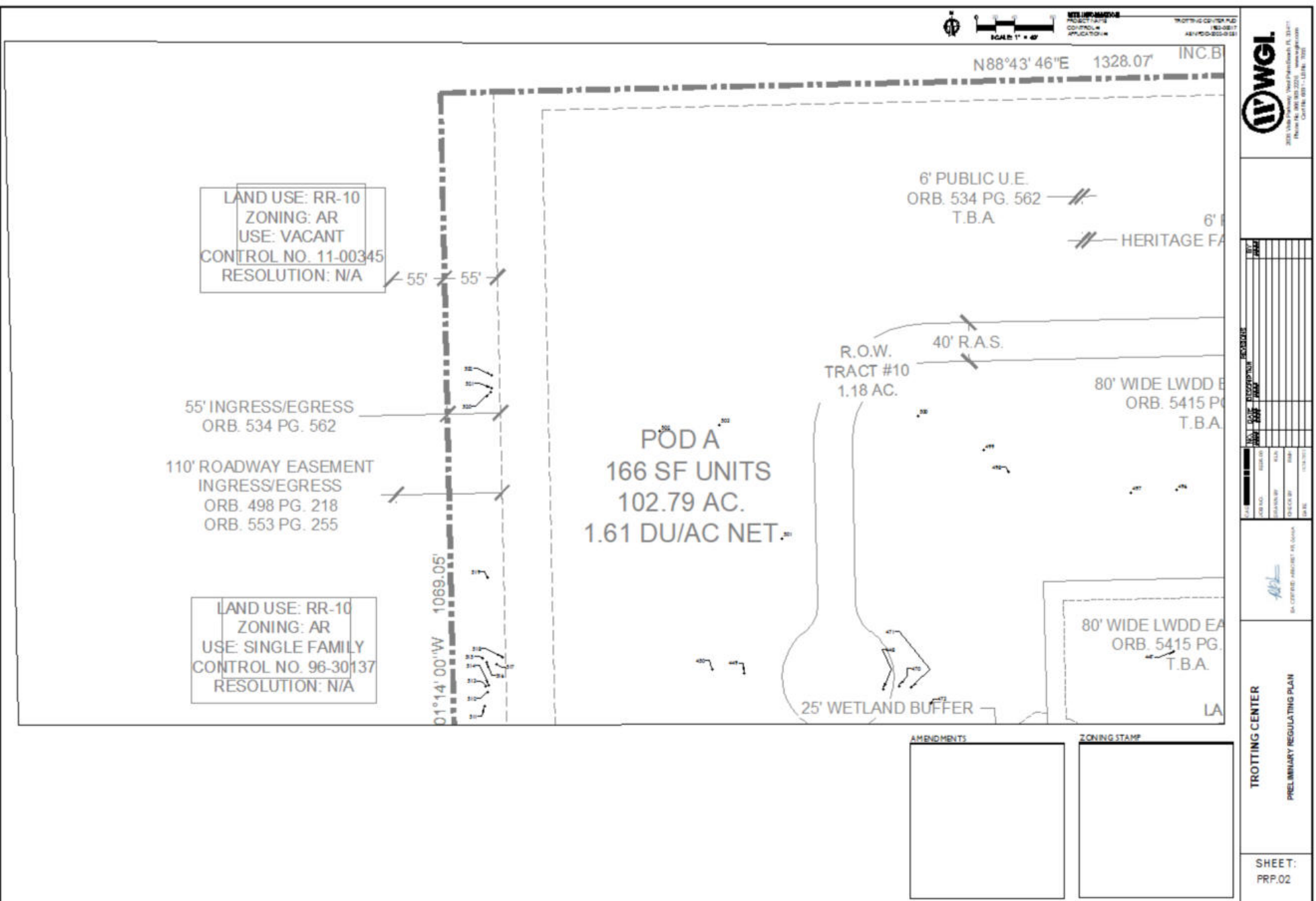


Figure 8 – Preliminary Regulating Plan (PRP), dated November 28, 2022 page 3 of 13

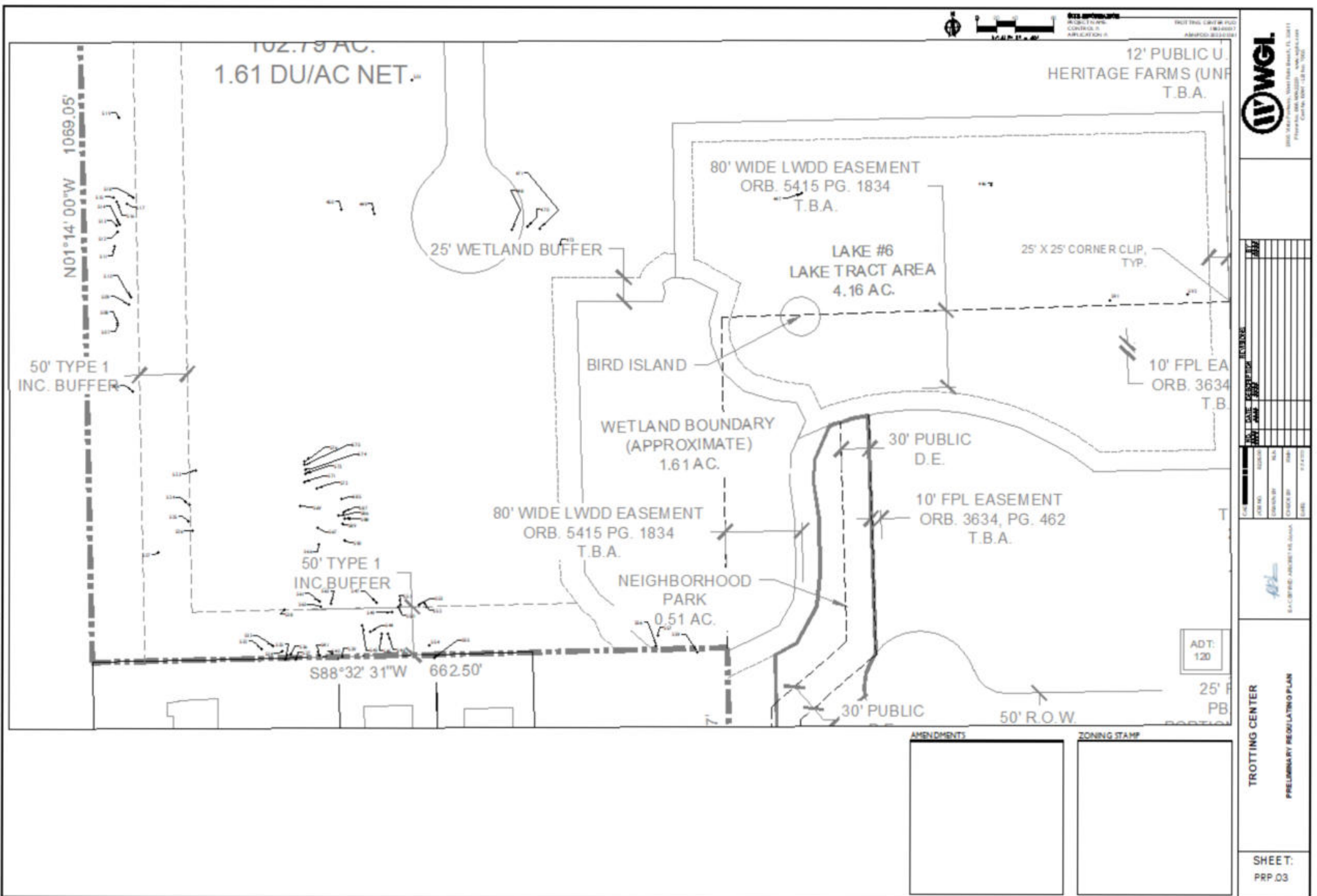


Figure 9 – Preliminary Regulating Plan (PRP), dated November 28, 2022 page 4 of 13

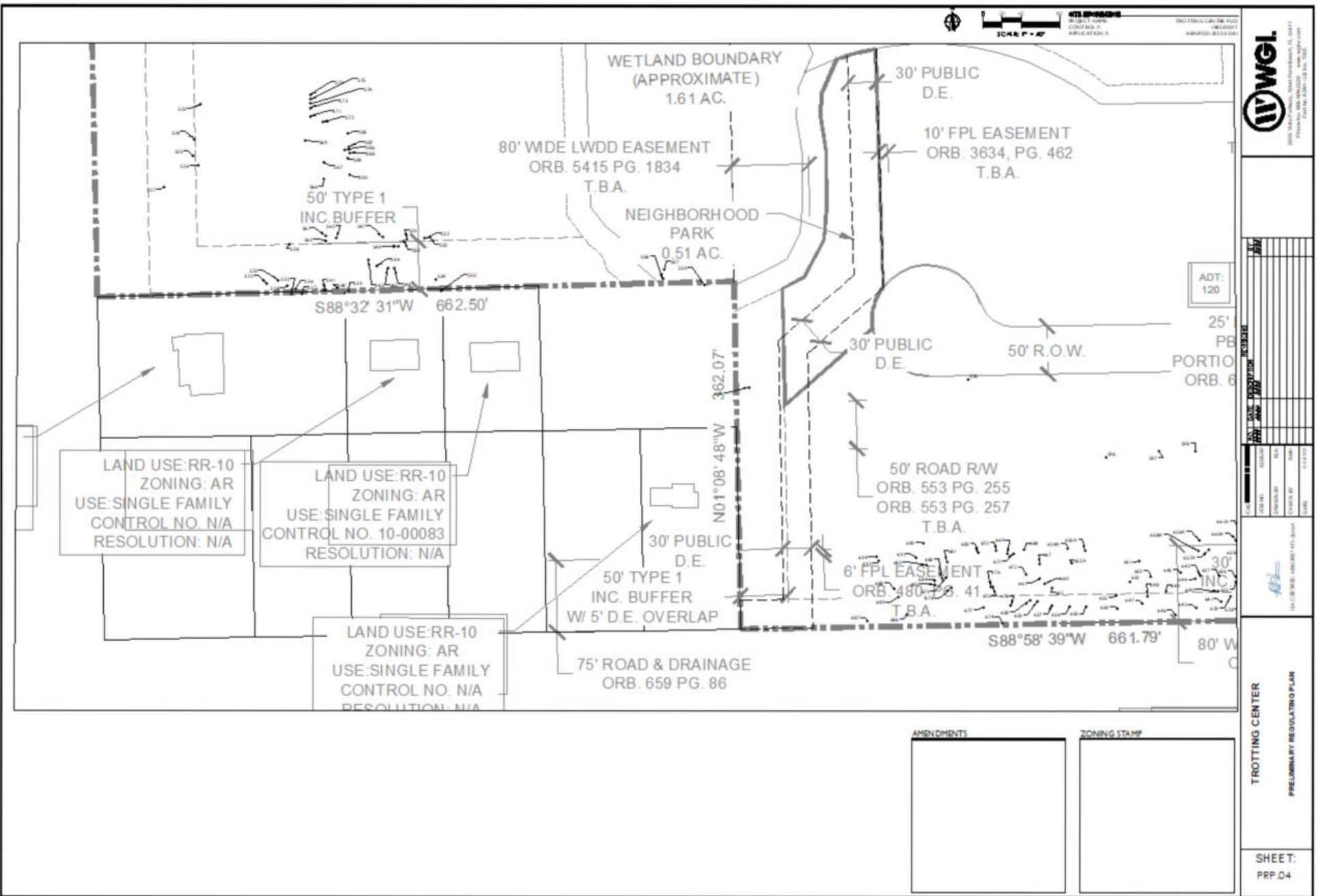




Figure 10 – Preliminary Regulating Plan (PRP), dated November 28, 2022 page 5 of 13

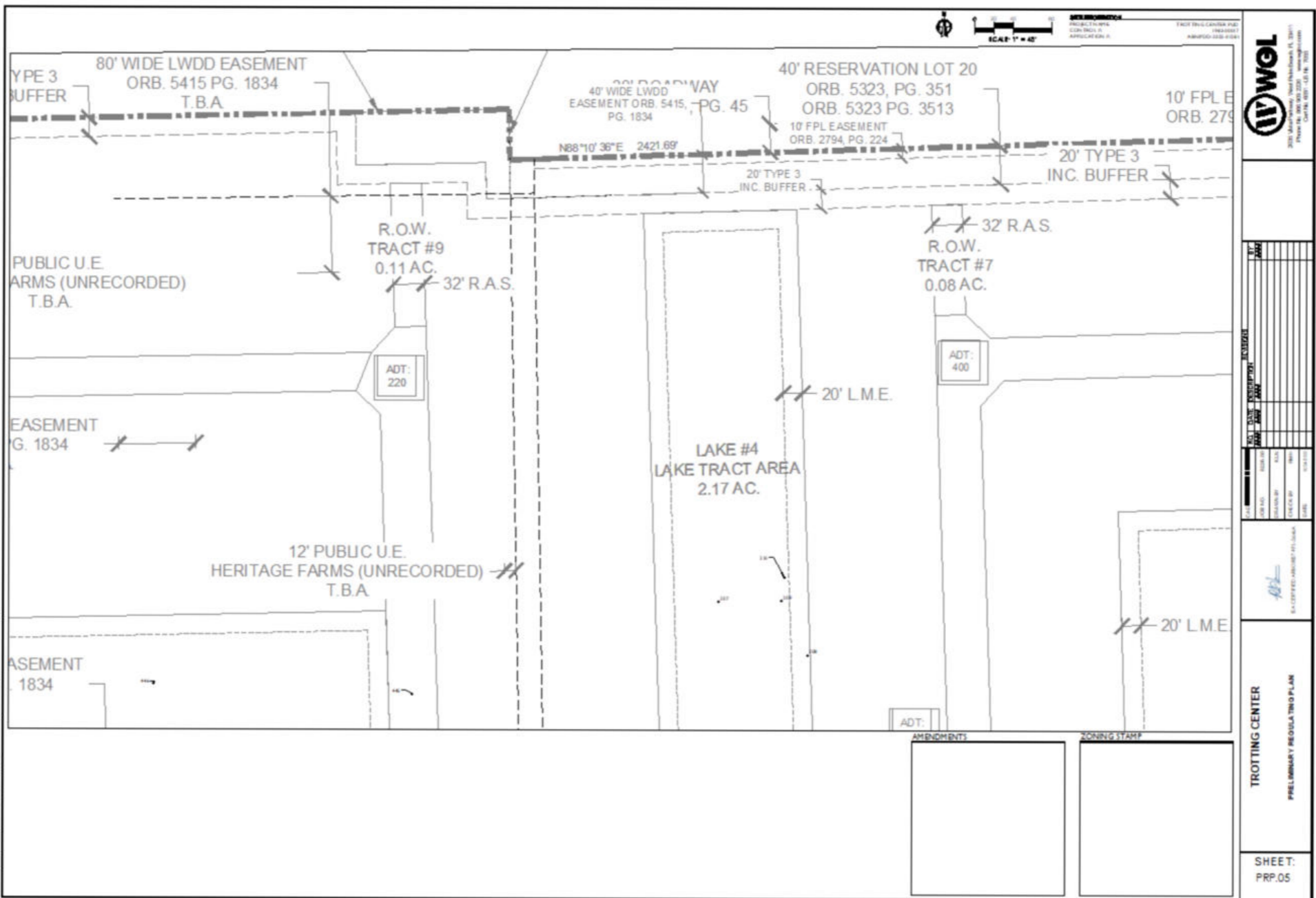


Figure 11 – Preliminary Regulating Plan (PRP), dated November 28, 2022 page 6 of 13

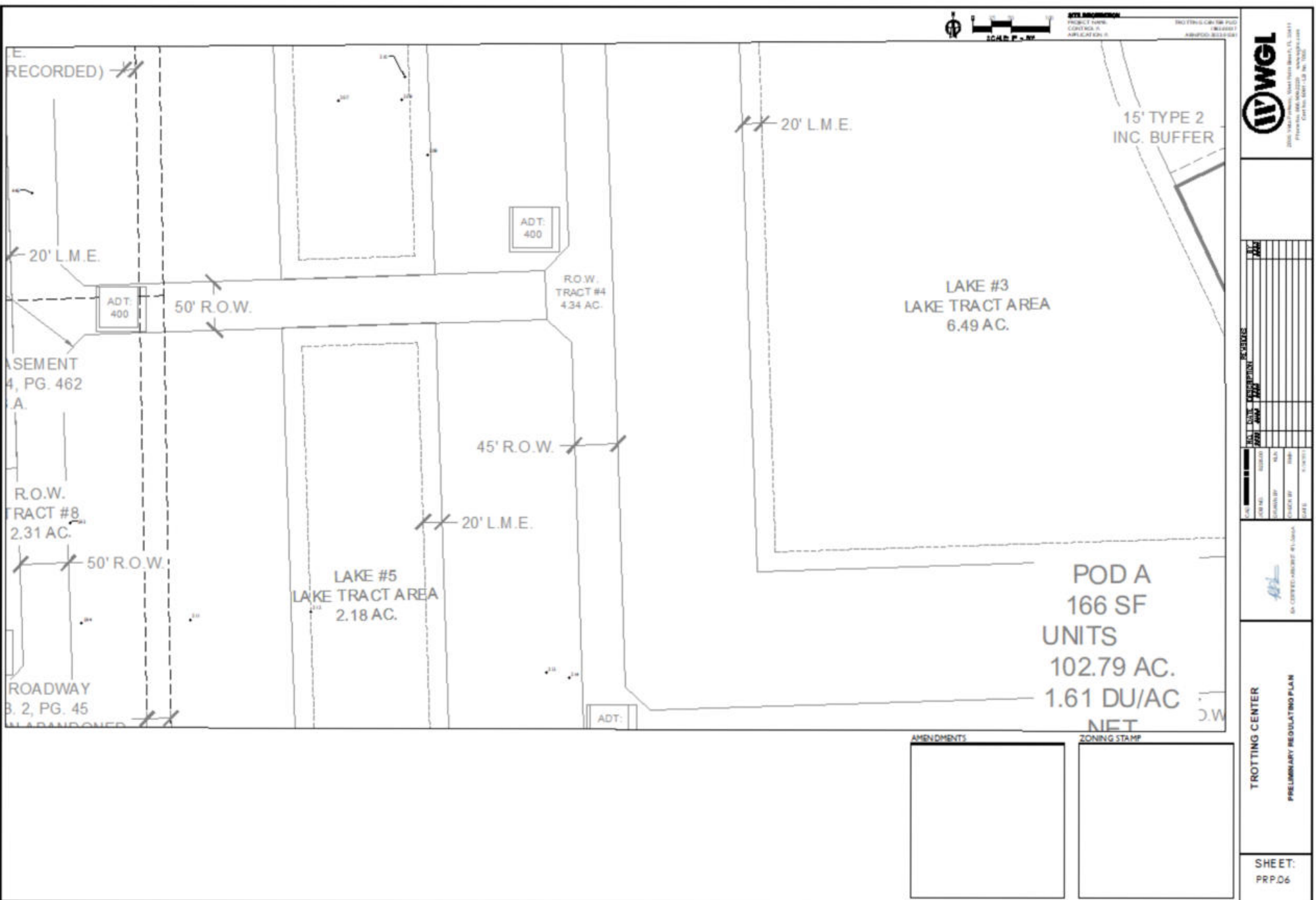


Figure 12 – Preliminary Regulating Plan (PRP), dated November 28, 2022 page 7 of 13

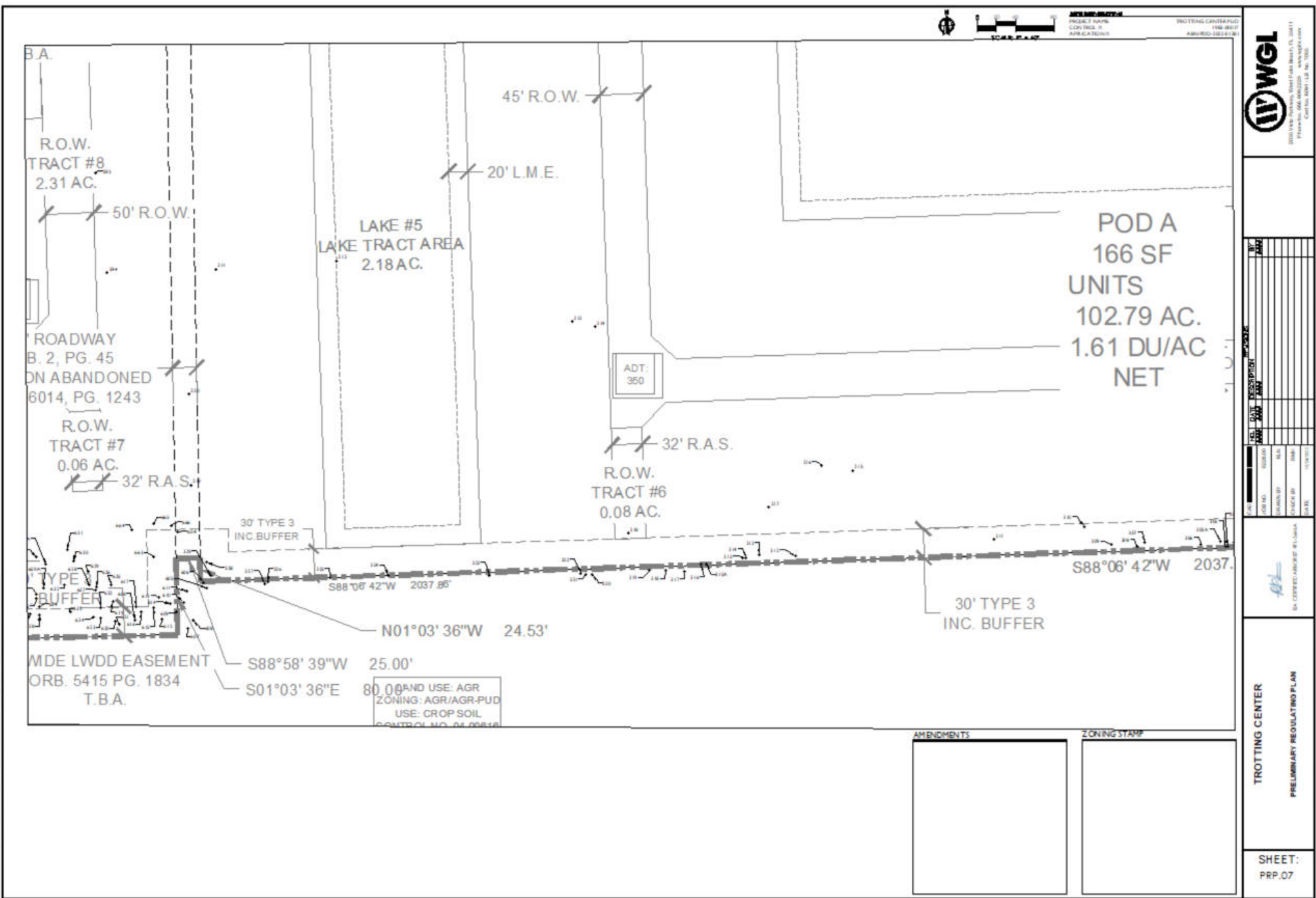


Figure 13 – Preliminary Regulating Plan (PRP), dated November 28, 2022 page 8 of 13

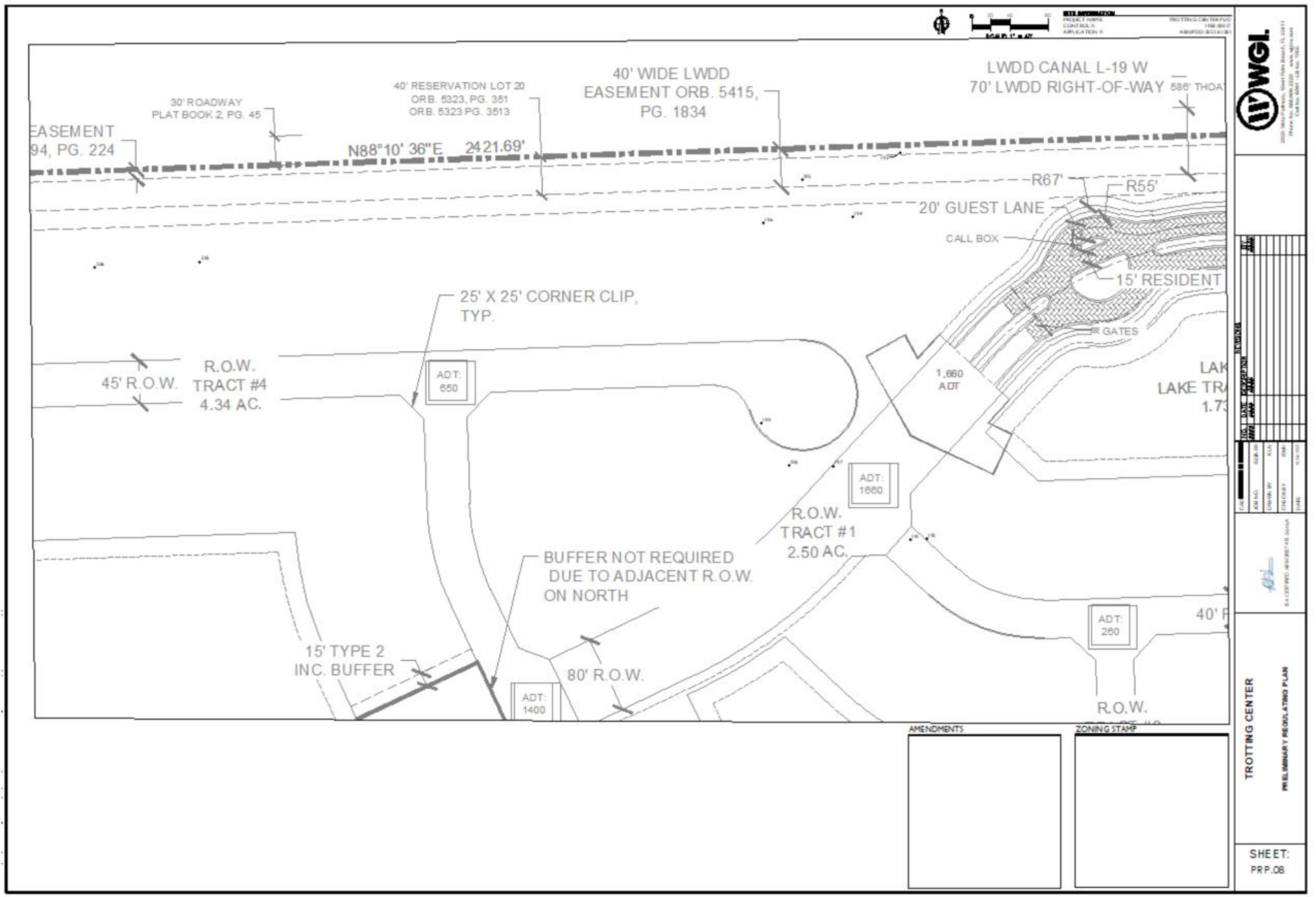


Figure 14 – Preliminary Regulating Plan (PRP), dated November 28, 2022 page 9 of 13

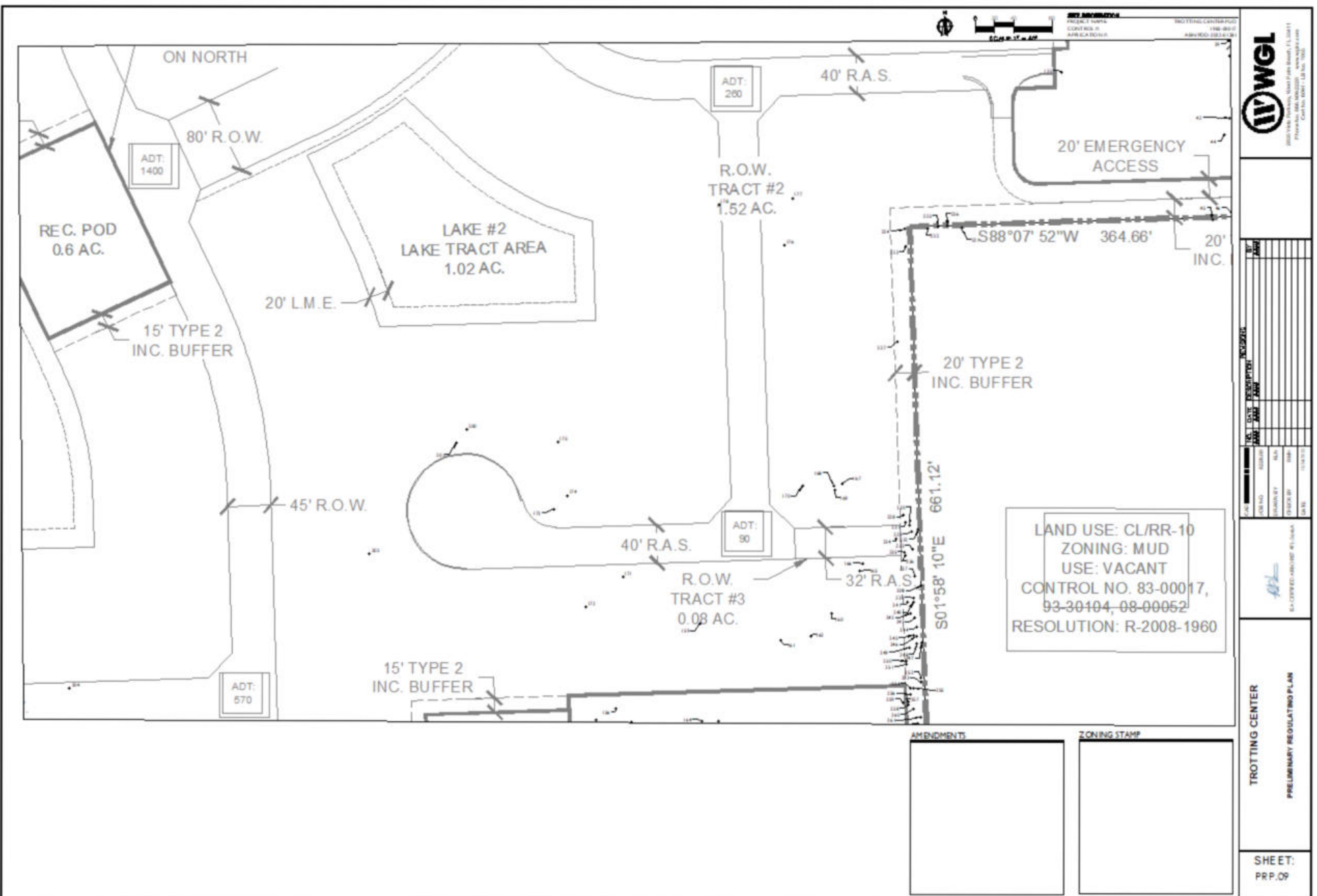


Figure 15 – Preliminary Regulating Plan (PRP), dated November 28, 2022 page 10 of 13

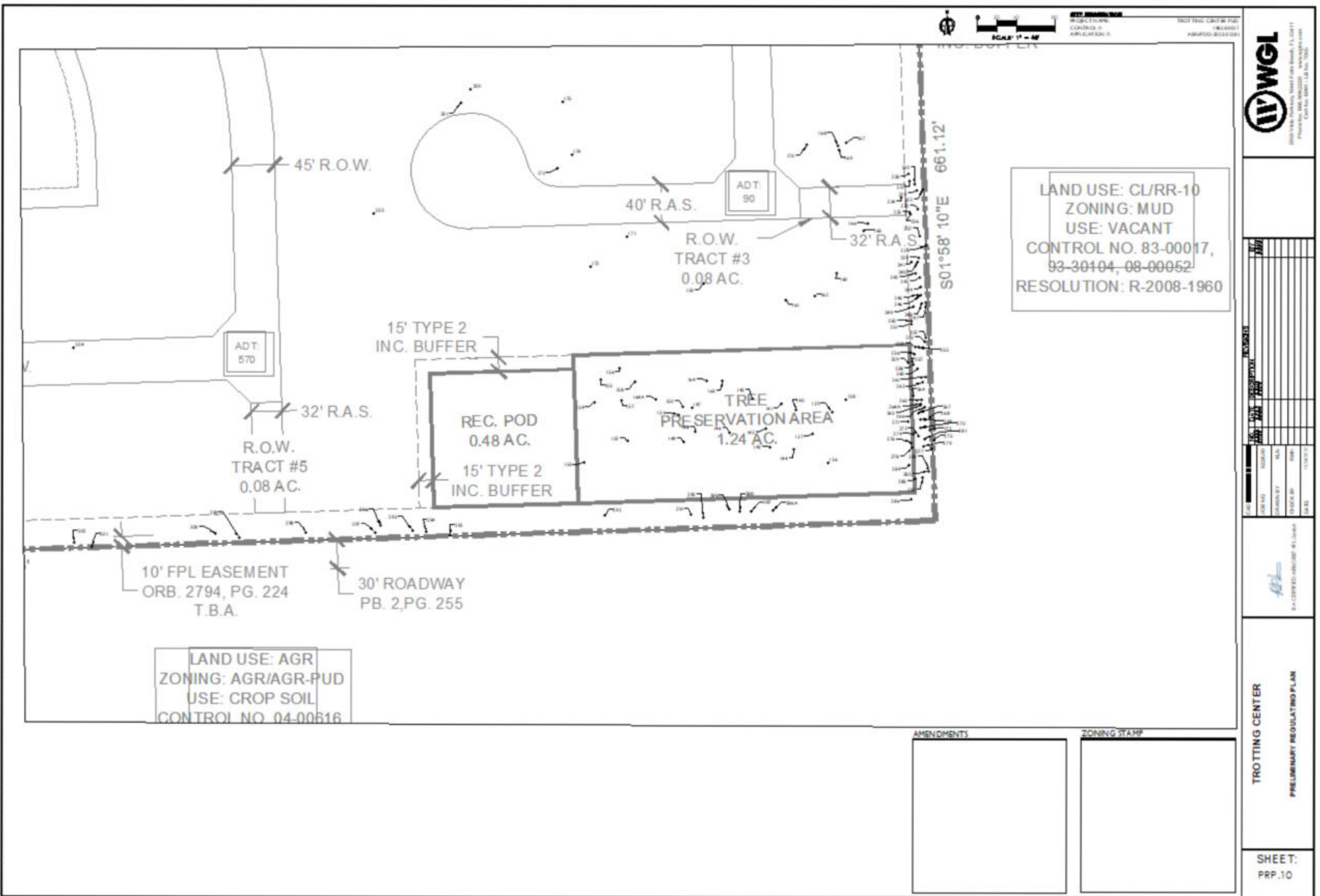
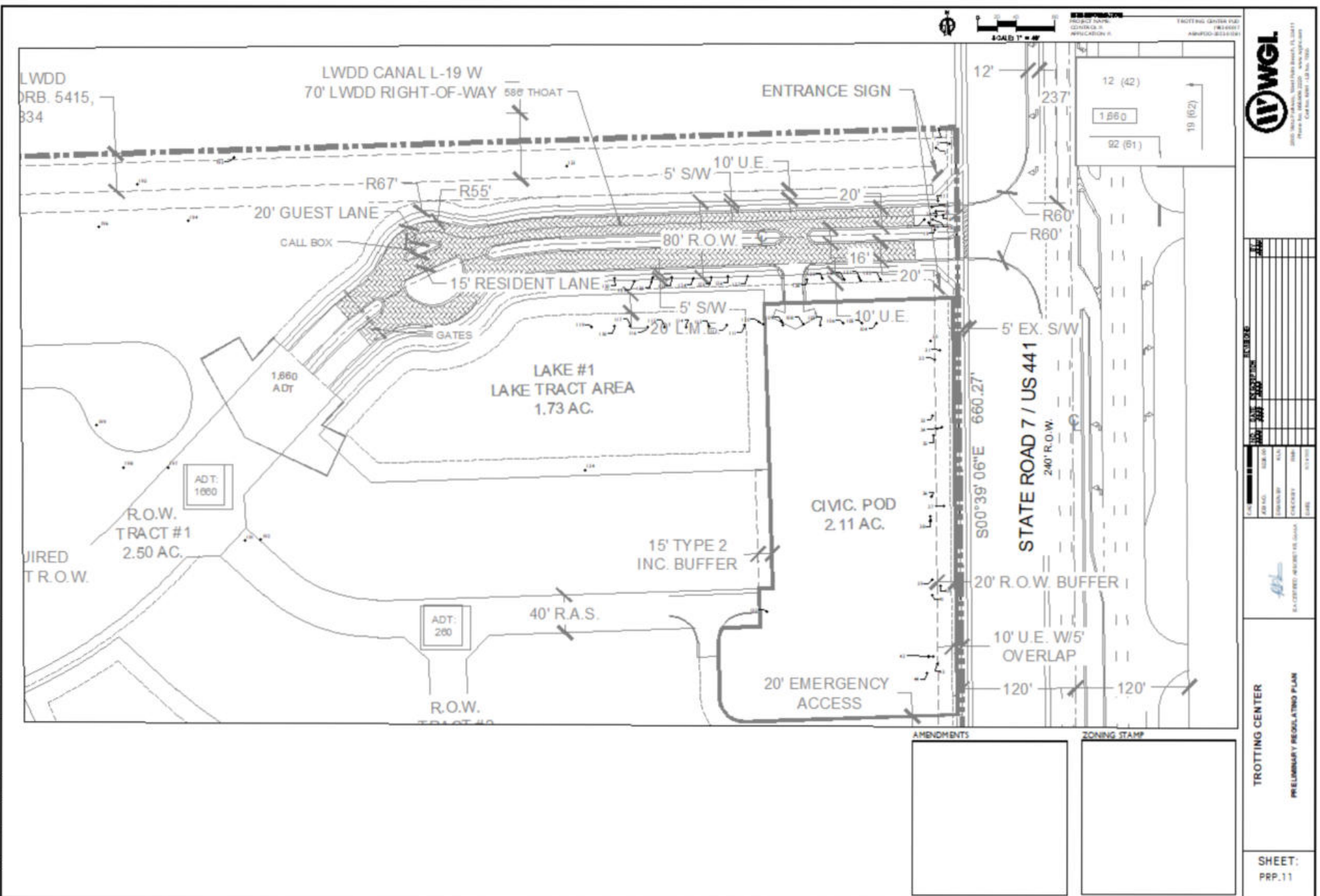


Figure 16 – Preliminary Regulating Plan (PRP), dated November 28, 2022 page 11 of 13



ZONING COMMISSION APPLICATION									
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99	02/02/2023	ABN/PD-2022-01281							
100	02/02/2023	ABN/PD-2022-01281							

**APPLICANTS**

NO.	NAME	ADDRESS	CITY	STATE	ZIP
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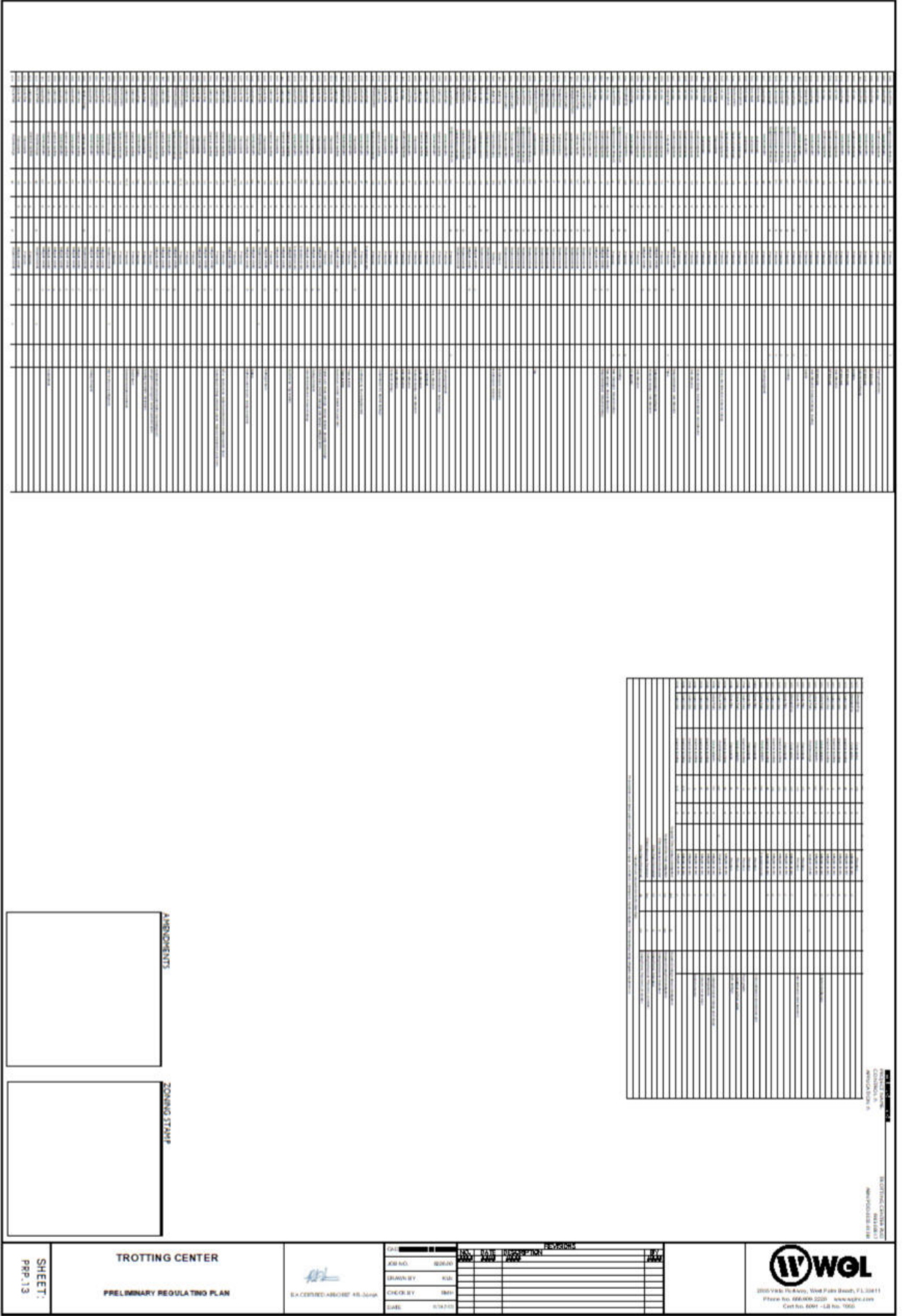


Figure 18 – Preliminary Regulating Plan (RPP), dated November 28, 2022 page 13 of 13

Exhibit D – Disclosure of Ownership

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

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 Michael McCarty, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

- 1. Affiant is the [ ] individual or [x] President of Lynx at Lake Worth LLC [position - e.g., president, partner, trustee] of Lynx at Lake Worth LLC [name and type of entity - e.g., ABC Corporation, XYZ 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: 6131 Lyons Road Suite 200 Coconut Creek, FL 33073
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.

  
\_\_\_\_\_  
Michael McCarty, Affiant  
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

*New Jersey*  
STATE OF FLORIDA  
COUNTY OF PALM BEACH *middle*

The foregoing instrument was acknowledged before me by means of [  physical presence or [  online notarization, this 3rd day of August, 2022 by Michael McCarty (name of person acknowledging). He is personally known to me or has produced \_\_\_\_\_ (type of identification) as identification and did not take an oath (circle correct response).

\_\_\_\_\_  
(Name - type, stamp or print clearly)

  
\_\_\_\_\_  
(Signature)

My Commission Expires on: \_\_\_\_\_

NOTARY'S SEAL OR STAMP

**ERIC R KLEIN**  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
ID # 2335858  
MY COMMISSION EXPIRES OCT. 14, 2025

**EXHIBIT "A"**  
**PROPERTY**

Please see attached Legal Description.

**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.

Name	Address
Ryan Zuckerman	50% ; 6131 Lyons Road Suite 200, Coconut Creek, FL 33073
Edward Maschler	40% ; 117-01 Park Lane S Apt.B-3N, Richmond Hill, NY 11418
Michael Alfieri	5% ; 431 Princeton Ave, Brick, NJ 08724
Michael McCarty	5% ; 43 Harrison Ave, Highland Park, NJ 08904

DESCRIPTION-PUD¶

PARCEL-A:¶

PARCEL ONE: LOTS 17 TO 23, INCLUSIVE, BLOCK 44, THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.¶

LESS THAT PART OF LOT 17 CONVEYED FOR ROAD PURPOSES IN DEED BOOK 636, PAGE 96, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.¶

ALSO LESS THAT PROPERTY CONTAINED IN RIGHT-OF-WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 4515, PAGE 1335, DESCRIBED AS FOLLOWS:¶

COMMENCING AT THE NORTHEAST CORNER OF LOT 17, BLOCK 44, PALM BEACH FARMS COMPANY PLAT 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE RUN WESTERLY ALONG THE NORTH LINE OF LOT 17, A DISTANCE OF 28.28 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 7 AS NOW LAID OUT AND IN USE; THENCE CONTINUE WESTERLY ALONG SAID NORTH LINE OF LOT 17, A DISTANCE OF 165.00 FEET; THENCE RUN SOUTHERLY ALONG A LINE PARALLEL WITH AND 240.00 FEET WEST OF THE EASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 7, A DISTANCE OF 660.23 FEET TO THE SOUTH LINE OF SAID LOT 17; THENCE RUN EASTERLY ALONG SAID SOUTH LINE OF LOT 17 A DISTANCE OF 165.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 7; THENCE NORTHERLY ALONG THE EXISTING WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 7 A DISTANCE OF 660.23 FEET TO THE POINT OF BEGINNING.¶

PARCEL TWO:¶

THE SOUTH 677.10 FEET OF THE EAST 321.66 FEET OF THE NORTH 1/2 (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA.¶

PARCEL THREE:¶

THE WEST HALF (W 1/2) OF TRACT 82 OF THE UNRECORDED PLAT OF HERITAGE FARMS IN SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF THE WEST HALF (W 1/2) OF SAID SECTION 12, THENCE ON AN ASSUMED BEARING OF SOUTH 00° 15' 28" EAST ALONG THE EAST LINE OF THE SAID WEST HALF (W 1/2) A DISTANCE OF 3315.33 FEET, THENCE SOUTH 88° 55' 17" WEST A DISTANCE OF 331.50 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE SOUTH 88° 55' 17" WEST A DISTANCE OF 331.50 FEET; THENCE SOUTH 00° 20' 40" EAST A DISTANCE OF 706.40 FEET; THENCE NORTH 89° 46' 02" EAST A DISTANCE OF 331.0 FEET; THENCE NORTH 00° 18' 04" WEST A DISTANCE OF 711.29 FEET TO THE POINT OF BEGINNING; SUBJECT TO EASEMENT OVER THE EAST 35 FEET THEREOF.¶

ALSO, THE EAST HALF (E 1/2) OF TRACT 82 IN THE UNRECORDED PLAT OF HERITAGE FARMS IN SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:¶

COMMENCE AT THE NORTHEAST CORNER OF THE WEST HALF (W-1/2) OF SAID SECTION 12; THENCE ON AN ASSUMED BEARING OF S-00°-15'-28" E ALONG THE EAST LINE OF THE SAID WEST HALF (W-1/2) A DISTANCE OF 3315.33 FEET TO THE POINT OF BEGINNING; THENCE S-88°-55'-17" W, 331.50 FEET; THENCE S-00°-18'-04" E, 711.29 FEET TO THE SOUTH LINE OF THE NORTH HALF (N-1/2) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 12; THENCE N-89°-46'-02" E ALONG THE SAID SOUTH LINE A DISTANCE OF 331.00 FEET TO THE EAST LINE OF THE SAID WEST HALF (W-1/2); THENCE N-00°-15'-28" W ALONG THE SAID EAST LINE A DISTANCE OF 716.18 FEET TO THE POINT OF BEGINNING, LESS THE SOUTH 677.10 FEET OF THE EAST 321.66 FEET OF THE NORTH HALF (N-1/2) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 12. ¶

PARCEL B: ¶

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST BEING ALL OF TRACTS 74, 75, 76, 79, 80, 81 THE SOUTH 1/2 OF TRACT 65 AND A PORTION OF TRACT 73 OF THE UNRECORDED PLAT OF HERITAGE FARMS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: ¶

COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 12; THENCE ON AN ASSUMED BEARING OF SOUTH-00°-15'-28" EAST ALONG THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 12, A DISTANCE OF 1283.97 FEET TO THE POINT OF BEGINNING; THENCE SOUTH-89°-03'-29" WEST A DISTANCE OF 1332.10 FEET; THENCE SOUTH-00°-25'-52" EAST A DISTANCE OF 169.54 FEET; THENCE SOUTH-89°-02'-48" WEST A DISTANCE OF 1331.59 FEET TO THE WEST LINE OF SAID SECTION 12; THENCE SOUTH-00°-36'-16" EAST ALONG SAID WEST LINE A DISTANCE OF 169.80 FEET; THENCE NORTH-89°-02'-07" EAST A DISTANCE OF 1331.08 FEET; THENCE SOUTH-00°-25'-52" EAST A DISTANCE OF 2034.42 FEET; THENCE NORTH-89°-20'-39" EAST A DISTANCE OF 662.50 FEET; THENCE NORTH-00°-20'-40" WEST A DISTANCE OF 343.96 FEET; THENCE NORTH-88°-55'-17" EAST A DISTANCE OF 663.00 FEET TO THE SAID EAST LINE OF THE WEST 1/2 OF SECTION 12; THENCE NORTH-00°-15'-28" WEST ALONG SAID EAST LINE A DISTANCE OF 2031.36 FEET TO THE POINT OF BEGINNING. ¶

LESS AND EXCEPT THE FOLLOWING: A PARCEL OF LAND IN SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST, BEING THE SOUTH 1/2 OF TRACT 65 OF THE UNRECORDED PLAT OF HERITAGE FARMS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: ¶

COMMENCE AT THE NORTH QUARTER 1/4 CORNER OF SAID SECTION 12, THENCE ON AN ASSUMED BEARING OF SOUTH-00°-15'-28" EAST ALONG THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 12, A DISTANCE OF 1283.97 FEET (DEED) (1285.30 FEET SURVEY); THENCE SOUTH-89°-03'-29" WEST, A DISTANCE OF 1332.10 FEET; THENCE SOUTH-00°-25'-52" EAST, A DISTANCE OF 169.54 FEET TO THE POINT OF BEGINNING. THENCE SOUTH-89°-02'-48" WEST, A DISTANCE OF 1331.59 FEET TO THE WEST LINE OF SAID SECTION 12; THENCE SOUTH-00°-36'-16" EAST ALONG SAID WEST LINE, DISTANCE OF 169.80 FEET; THENCE NORTH-89°-02'-07" EAST, A DISTANCE OF 1331.08 FEET; THENCE NORTH-00°-25'-52" WEST, A DISTANCE OF 169.54 FEET TO THE POINT OF BEGINNING. ¶

ALSO LESS AND EXCEPT THE FOLLOWING: A PARCEL OF LAND IN SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST, BEING ALL OF TRACTS 76, 79 AND A PORTION OF TRACTS 75 AND 80 OF THE UNRECORDED PLAT OF HERITAGE FARMS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTH QUARTER CORNER (N-1/4) OF SAID SECTION 12; THENCE ON AN ASSUMED BEARING OF SOUTH-00°-15'-28" EAST ALONG THE EAST LINE OF THE WEST ONE-HALF (W-1/2) OF SAID SECTION 12, A DISTANCE OF 1283.97 FEET TO THE POINT OF BEGINNING; THENCE SOUTH-89°-03'-29" W

WEST, A DISTANCE OF 1332.10 FEET; THENCE SOUTH 00° 25' 52" EAST, A DISTANCE OF 1304.45 FEET; THENCE SOUTH 89° 31' 54" EAST, A DISTANCE OF 1328.14 FEET TO THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 12; THENCE NORTH 00° 15' 26" WEST ALONG SAID NORTH-SOUTH 1/4 LINE, A DISTANCE OF 1315.47 FEET TO THE POINT OF BEGINNING. ¶

TOGETHER WITH THOSE PORTIONS OF THAT 25-FOOT RIGHT-OF-WAY TO BE ABANDONED LYING WEST OF AND ADJACENT TO THOSE PORTIONS OF BLOCK 44 DESCRIBED ABOVE. ¶

ALSO DESCRIBED AS ¶

BEING A PORTION OF LOTS 17 THROUGH 20, INCLUSIVE, BLOCK 44 AND ALL OF LOTS 21, 22 AND 23, BLOCK 44 AND A PORTION OF THAT 25-FOOT RIGHT-WAY LYING WEST OF BLOCK 44, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, TOGETHER WITH ALL OF TRACTS 74, 81, 82 AND A PORTION OF TRACTS 73, 75 AND 80 OF THE UNRECORDED PLAT OF HERITAGE FARMS, TOGETHER WITH A PORTION OF THE 25-FOOT WIDE LAKE WORTH DRAINAGE DISTRICT RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 1585, PAGE 505, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: ¶

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE ON A GRID BEARING OF N23°02'56"W, A DISTANCE OF 1538.97 FEET TO THE SOUTHEAST CORNER OF SAID LOT 23, BLOCK 44 AND THE POINT OF BEGINNING; THENCE ALONG THE NORTH LINE OF A 30-FOOT WIDE ROADWAY, AS SHOWN ON SAID PALM BEACH FARMS COMPANY PLAT NO. 3, AND THE WESTERLY PROLONGATION THEREOF, S88°06'42"W, A DISTANCE OF 2,037.86 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID LOT 21, BLOCK 44; THENCE N01°03'36"W ALONG SAID WEST LINE, A DISTANCE OF 24.53 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF THAT ABANDONED RIGHT-OF-WAY, AS RECORDED IN OFFICIAL RECORD BOOK 6014, PAGE 1243 OF SAID PUBLIC RECORDS; THENCE S88°58'39"W ALONG SAID SOUTH LINE, A DISTANCE OF 25.00 TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF SAID 25-FOOT RIGHT-OF-WAY LYING WEST OF BLOCK 44; THENCE S01°03'36"E ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 80.00 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF 80-FOOT WIDE LAKE WORTH DRAINAGE DISTRICT CANAL S-8 EASEMENT, AS RECORDED IN OFFICIAL RECORDS BOOK 5415, PAGE 1834 OF SAID PUBLIC RECORDS; THENCE ALONG SAID SOUTH LINE, S88°58'39"W, A DISTANCE OF 661.79 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID 80-FOOT WIDE LAKE WORTH DRAINAGE DISTRICT CANAL S-8 EASEMENT AND TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID TRACT 82 OF HERITAGE FARMS UNRECORDED PLAT; THENCE ALONG SAID WEST LINES, N01°08'48"W, A DISTANCE OF 362.07 FEET; THENCE S88°32'31"W, A DISTANCE OF 662.50 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF THE EAST HALF OF THE WEST HALF OF SAID SECTION 12; THENCE ALONG SAID WEST LINE, N01°14'00"W, A DISTANCE OF 1,069.05 FEET; THENCE N88°43'46"E, A DISTANCE OF 1,328.07 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID TRACT 80 AND TO A POINT OF INTERSECTION WITH THE EAST LINE OF THE WEST HALF OF SAID SECTION 12; THENCE ALONG EAST LINE OF SAID TRACTS 80 AND 81 AND SAID EAST LINE OF WEST HALF OF SECTION 12, S01°03'36"E, A DISTANCE OF 52.75 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID NORTH LINE OF SAID LOT 20, BLOCK 44; THENCE N88°10'36"E ALONG SAID NORTH LINE AND THE NORTH LINE OF SAID LOTS 19, 18, AND 17 BLOCK 44, A DISTANCE OF 2,421.69 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF US 441 (STATE ROAD 7), AS SHOWN ON FLORIDA DEPARTMENT OF



TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 9310-2525, SHEETS 9 AND 10, DATED SEPTEMBER 22, 1993 AND AS RECORDED IN OFFICIAL RECORD BOOK 4515, PAGE 1335 OF SAID PUBLIC RECORDS; THENCE S00°39'06"E ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 620.26 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID LOT 17, BLOCK 44; THENCE S88°07'52"W ALONG SAID SOUTH LINE, A DISTANCE OF 364.66 FEET TO THE NORTHEAST CORNER OF SAID LOT 23, BLOCK 44; THENCE S01°58'10"E ALONG THE EAST LINE OF SAID LOT 23, BLOCK 44, A DISTANCE OF 661.12 FEET TO THE POINT OF BEGINNING. ¶

¶

CONTAINING 4,616,363 SQUARE FEET/105.9771 ACRES, MORE OR LESS. ¶

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