

RESOLUTION NO. R-2014- 1646

RESOLUTION APPROVING ZONING APPLICATION TDD/R-2014-00094
(CONTROL NO. 2006-00397)
an Official Zoning Map Amendment to a Traditional Development District
APPLICATION OF Minto PBLH, LLC
BY Cotleur & Hearing, Inc., AGENT
(Minto West TTD)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider applications relating to zoning;

WHEREAS, the notice and public hearing requirements, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067 as amended), have been satisfied;

WHEREAS, Zoning Application TDD/R-2014-00094 was presented to the Board of County Commissioners at a public hearing conducted on October 29, 2014;

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties, the recommendations of the various County review agencies, and the recommendation of the Zoning Commission;

WHEREAS, the Board of County Commissioners pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067 as amended) is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS hereby incorporates by reference the Findings of Fact in the staff report addressing the standards contained in Article 2.B.1.B; and,

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) of the Palm Beach County Unified Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Application TDD/R-2014-00094, the application of Minto PBLH, LLC, by Cotleur & Hearing, Inc., agent, for an Official Zoning Map Amendment to a Traditional Development District to allow a rezoning from the Agriculture Residential (AR) and Public Ownership (PO) Zoning Districts to the Traditional Town Development (TTD) Zoning District. on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as indicated on a vicinity sketch in EXHIBIT B, attached hereto and made a part hereof, was approved on October 29, 2014 subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Abrams moved for the approval of the Resolution.

The motion was seconded by Commissioner Valeche and, upon being put to a vote, the vote was as follows:

- | | | |
|---|---|-----|
| Commissioner Priscilla A. Taylor, Mayor | - | Aye |
| Commissioner Paulette Burdick, Vice Mayor | - | Nay |
| Commissioner Hal R. Valeche | - | Aye |
| Commissioner Shelley Vana | - | Aye |
| Commissioner Steven L. Abrams | - | Aye |
| Commissioner Mary Lou Berger | - | Aye |
| Commissioner Jess R. Santamaria | - | Nay |

The Mayor thereupon declared that the resolution was duly passed and adopted on October 29, 2014.

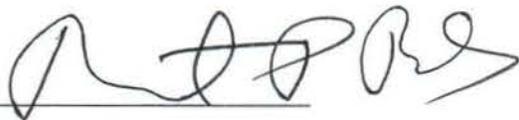
Filed with the Clerk of the Board of County Commissioners on November 3rd, 2014

This resolution shall become effective on the effective date of the Minto West Agricultural Enclave Site Specific Amendment (LGA-2014-007) to the Palm Beach County Comprehensive Plan and the effective date of the Agricultural Enclave Overlay (AGEO) and Related Amendments to the Unified Land Development Code (ULDC).

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY,
FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

SHARON R. BOCK,
CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

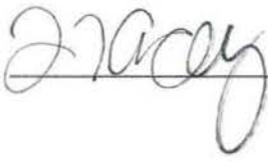
 BY: 
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

DESCRIPTION :

Sections 1, 2, and 3, Township 43 South, Range 40 East; EXCEPTING from said Section 3, that part thereof lying North of the following described line; BEGINNING at a point on the West line of said Section 3, and 1343.16 feet Northerly of the Southwest corner of Section 3; thence run Northeasterly along the South line of Canal "M" right-of-way a distance of 4096.52 feet, more or less, to a point on the North line of said Section 3; said point being 2447.94' Westerly of the Northeast corner of said Section 3.

ALSO:

Section 12, less the East 1/2 of the Southeast 1/4 thereof. All in Township 43 South, Range 40 East, Palm Beach County, Florida.

ALSO:

Sections 5, 6 and the North 1/2 of Sections 7 and 8, in Township 43 South, Range 41 East, less the North 250 feet of said Section 5 and 6, conveyed to the City of West Palm Beach by Deed dated July 26, 1956, and recorded September 25, 1956, in Deed Book 1156, Page 58, for Canal "M" right-of-way, which deed was corrected in part by a corrective quit-claim deed dated October 7, 1963, and filed October 8, 1963, in O.R. Book 924, Page 965, Palm Beach, County, Florida.

LESS AND EXCEPT:

The School District of Palm Beach County parcel, recorded in O.R. 14566, Page 1779, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT:

The School District of Palm Beach County parcel, recorded in O.R. 9169, Page 136, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT:

The School District of Palm Beach County parcel, recorded in O.R. 9232, Page 1206, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT:

Silver Lake Enterprises, Inc. parcel, recorded in O.R. 14034, Page 1119, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT:

Silver Lake Enterprises, Inc. parcel, recorded in O.R. 14676, Page 953, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT:

Silver Lake Palm Beach, LLC parcel, recorded in O.R. 15391, Page 754, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT:

Seminole Pratt-Whitney Road parcels, recorded in O.R. Book 1544, Page 378, O.R. Book 10202, Page 430 and O.R. Book 10289, Page 488, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT:

Grove Market Place parcel, recorded in O.R. Book 10113, Page 1668, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT:

Grove Market Place retention parcel, recorded in O.R. Book 10101, Page 452, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT:

Seminole Water Control District parcel, recorded in Official Records Book 2902, Page 1351, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT:

DESCRIPTION: A strip of land 80 feet wide lying in Section 1, Township 43 South, Range 40 East, Palm Beach County, Florida, and being more particularly described as follows:

COMMENCE at the Northwest corner of Section 1, Township 43 South, Range 40 East; Thence S.00°59'07"W. along the West boundary of said Section 1, a distance of 349.11 feet to a point on the Southerly boundary of M-Canal, a 250 foot wide City of West Palm Beach right of way, recorded in Deed Book 1156, Page 58, of the Public Records of Palm Beach County; said point also being the **POINT OF BEGINNING**; Thence Easterly along said Southerly boundary of M-Canal, as found monumented, the following two (2) courses: 1) S.87°46'28"E., 370.84 feet; 2) N.88°36'57"E., 1,406.04 feet to the West right of way line of Seminole-Pratt Whitney Road, a 100 foot wide right of way, recorded in Official Records Book 1544, Page 378, and Road Plat Book 4, Page 34, both of the Public Records of Palm Beach County Florida; Thence S.01°42'52"W. along said West right of way line, a distance of 80.12 feet to a point on a line 80.00 feet south of and parallel with said Southerly boundary of M-Canal, said parallel line also being the south line of the M-Canal Road Easement, an 80 foot wide City of West Palm Beach Easement, recorded in said Deed Book 1156, Page 58; Thence Westerly along said south line of the M-Canal Road Easement the following two (2) courses: 1) ; S.88°36'57"W., a distance of 1,404.23 feet; 2) N.87°46'28"W., a distance of 371.63 feet to said West boundary of Section 1; Thence N.00°59'07"E along said West boundary of Section 1, a distance of 80.02 feet to the **POINT OF BEGINNING**.

THE ABOVE ALSO BEING DESCRIBED AND BASED UPON FIELD SURVEY, AS FOLLOWS:

PARCEL 1

DESCRIPTION: A parcel of land lying in Sections 1, 2, 3, and 12, Township 43 South, Range

40 East, Palm Beach County, Florida, and being more particularly described as follows:

COMMENCE at the Northwest corner of said Section 1, run thence along the West boundary of said Section 1, S.00°59'07"W., 429.13 feet to a point on the Southerly boundary of M-Canal Road Easement, an 80 foot wide City of West Palm Beach Easement, recorded in Deed Book 1156, Page 58, of the Public Records of Palm Beach County, said point also being the **POINT OF BEGINNING**; thence along said Southerly boundary of M-Canal Road Easement, the following two (2) courses: 1) S.87°46'28"E., 371.63 feet; 2) N.88°36'57"E., 1,404.23 feet to the West right of way line of Seminole-Pratt Whitney Road, a 100 foot wide right of way, recorded in Official Records Book 1544, Page 378, and Road Plat Book 4, Page 34, both of the Public Records of Palm Beach County Florida; thence along said West right of way line, S.01°42'52"W., 3,336.40 feet to the Northerly most corner of additional right of way for Seminole-Pratt Whitney Road, recorded in Official Records Book 10289, Page 488, of the Public Records of Palm Beach County, Florida; thence along the West right of way line of said additional right of way for Seminole-Pratt Whitney Road, the following three (3) courses: 1) S.02°59'15"W., 540.13 feet; 2) S.01°42'52"W., 280.00 feet; 3) S.00°26'29"W., 540.13 feet to a point on aforesaid West right of way line of Seminole-Pratt Whitney Road, recorded in Official Records Book 1544, Page 378, and Road Plat Book 4, Page 34; thence along said West right of way line, the following two courses: 1) S.01°42'52"W., 5,032.98 feet to a point of curvature; 2) Southerly, 0.81 feet along the arc of said curve to the left having a radius of 22,968.61 feet and a central angle of 00°00'07" (chord bearing S.01°42'49"W., 0.81 feet) to the agreed upon and monumented South boundary of Section 12, as surveyed by K.C. Mock and referenced in Road Plat Book 6, Page 136, of the Public Records of Palm Beach County Florida; thence along said agreed upon and monumented South boundary of Section 12, as surveyed by K.C. Mock and referenced in aforesaid Road Plat Book 6, Page 136, N.89°12'49"W., 501.96 feet to the Southeast corner of Seminole Improvement District parcel retained in Official Records Book 14742, Page 1196, and as described in Indian Trail Water Control District Easement Deed, recorded in Official Records Book 2902, Page 1351, both of the Public Records of Palm Beach County, Florida; thence along the East, North, and West boundary of said Seminole Improvement District parcel retained in Official Records Book 14742, Page 1196, and as described in Indian Trail Water Control District Easement Deed, recorded in Official Records Book 2902, Page 1351, in respective order, the following three (3) courses: 1) along a line lying 1,090.00 feet East of and parallel with the agreed upon and monumented West boundary of Section 12, as surveyed by K.C. Mock and referenced in aforesaid Road Plat Book 6, Page 136, N.00°29'31"E., 60.00 feet; 2) along a line lying 60.00 feet North of and Parallel with aforesaid agreed upon and monumented South boundary of Section 12, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, N.89°12'49"W., 640.01 feet 3) along a line lying 450.00 feet East of and parallel with aforesaid agreed upon and monumented West boundary of Section 12, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, S.00°29'31"W., 60.00 feet to aforesaid agreed upon and monumented South boundary of Section 12, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, also being the Southwest corner of aforesaid Seminole Improvement District parcel retained in Official Records Book 14742, Page 1196, and as described in Indian Trail Water Control District Easement Deed, recorded in Official Records Book 2902, Page 1351; thence along said agreed upon and monumented South boundary of Section 12, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, N.89°12'49"W., 450.01 feet to the agreed upon Southwest corner said Section 12, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136; thence along aforesaid agreed upon and monumented West boundary of Section 12, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, and per Sketch of Survey prepared by S.P. Musick dated March 5, 1965 and referenced in Official Records Book 5863, Page 1155, and Official Records Book 8434, Page 1410, both of the Public Records of Palm Beach County, Florida, N.00°29'31"E., 5,166.68 feet to the agreed upon and monumented Southeast corner of Section 2, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, and per said Sketch of Survey prepared by S.P. Musick dated March 5, 1965 and referenced in said Official Records Book 5863, Page 1155, and said Official Records Book 8434, Page 1410; thence along the agreed upon and monumented South boundary of said Section 2, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, and per said Sketch of Survey prepared by S.P. Musick dated March 5, 1965 and referenced in said Official Records Book 5863, Page 1155, and said Official Records Book 8434, Page 1410, N.85°08'43"W., 5,338.63 feet to the agreed upon Southeast corner of Section 3, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, and per said Sketch of Survey prepared by S.P. Musick dated March 5, 1965 and referenced in said Official Records Book 5863, Page 1155, and said Official Records Book 8434, Page 1410; thence along the agreed upon and monumented

South boundary of said Section 3, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, and per said Sketch of Survey prepared by S.P. Musick dated March 5, 1965 and referenced in said Official Records Book 5863, Page 1155, and said Official Records Book 8434, Page 1410, N.88°35'25"W., 5,305.73 feet to the West boundary of aforesaid Section 3, Township 43 South, Range 40 East; thence along said West boundary of Section 3, as found monumented, N.01°02'29"E., 1,369.21 feet to the Easterly boundary of aforesaid M-Canal, a 250 foot wide City of West Palm Beach right of way, recorded in aforesaid Deed Book 1156, Page 58; thence along said Easterly boundary of M-Canal, a 250 foot wide City of West Palm Beach right of way, recorded in said Deed Book 1156, Page 58, as found monumented, N.44°59'32"E., 4,057.61 feet, to the North boundary of aforesaid Township 43 South, Range 40 East, as re-established by John T. Pickett in 1955 and referenced in aforesaid Road Plat Book 6, Page 136; thence along said North boundary of Township 43 South, Range 40 East, as re-established by John T. Pickett in 1955 and referenced in said Road Plat Book 6, Page 136, also being along a line lying 80.00 feet South of and parallel with aforesaid Southerly boundary of M-Canal, a 250 foot wide City of West Palm Beach right of way, recorded in aforesaid Deed Book 1156, Page 58, S.87°46'28"E., 7,799.26 feet to aforesaid West boundary of Section 1 and the **POINT OF BEGINNING**.

LESS AND EXCEPT FROM PARCEL 1:

The School District of Palm Beach County parcel, recorded in O.R. 14566, Page 1779, of the Public Records of Palm Beach County, Florida.

TOGETHER WITH:

PARCEL 2:

DESCRIPTION: A parcel of land lying in Sections 1 and 12, Township 43 South, Range 40 East, and in Sections 5, 6, 7, and 8, Township 43 South, Range 41 East, Palm Beach County, Florida, and being more particularly described as follows:

COMMENCE at the Northwest corner of said Section 1, run thence along the West boundary of said Section 1, S.00°59'07"W., 349.11 feet to a point on the Southerly boundary of M-Canal, a 250 foot wide City of West Palm Beach right of way, recorded in Deed Book 1156, Page 58, of the Public Records of Palm Beach County; thence along said Southerly boundary of M-Canal, as found monumented, the following five (5) courses: 1) S.87°46'28"E., 370.84 feet; 2) N.88°36'57"E., 1,506.19 feet to a point on the East right of way line of Seminole-Pratt Whitney Road, a 100 foot wide right of way, recorded in Official Records Book 1544, Page 378, and Road Plat Book 4, Page 34, both of the Public Records of Palm Beach County Florida, said point also being the **POINT OF BEGINNING**; 3) continue N.88°36'57"E., 3,785.92 feet; 4) along a line lying 250.0 feet South of and parallel with aforesaid Section 6, Township 43 South, Range 41 East, S.89°48'53"E., 5,270.08 feet; 5) along a line lying 250.0 feet South of and parallel with aforesaid Section 5, Township 43 South, Range 41 East, N.88°40'55"E., 5,270.77 feet to the East boundary of said Section 5, Township 43 South, Range 41 East; thence along said East boundary of Section 5, Township 43 South, Range 41 East, S.01°54'46"W., 5,428.97 feet to the Southeast corner thereof, also being the Northeast corner of aforesaid Section 8, Township 43 South, Range 41 East; thence along the East boundary of the North 1/2 of said Section 8, Township 43 South, Range 41 East, S.02°00'06"W., 2,713.58 feet to the East 1/4 corner of said Section 8, Township 43 South, Range 41 East; thence along the South boundary of said North 1/2 of Section 8, Township 43 South, Range 41 East, as found monumented and occupied, N.88°32'08"W., 4,963.38 feet to the East boundary of Silver Lake Enterprises, Inc. Parcel 1B, recorded in Official Records Book 14034, Page 1119, of the Public Records of Palm Beach County, Florida; thence along the East, North, and West boundary of said Silver Lake Enterprises, Inc. Parcel 1B, in respective order, the following three (3) courses: 1) along a line lying 324.98 feet East of and parallel with the West boundary of aforesaid North 1/2 of Section 8, Township 43 South, Range 41 East, N.02°13'06"E., 50.00 feet; 2) along a line lying 50.00 feet North of and parallel with aforesaid South boundary of the North 1/2 of Section 8, Township 43 South, Range 41 East, N.88°32'08"W., 275.00 feet; 3) along a line lying 50.00 feet East of and parallel with aforesaid West boundary of the North 1/2 of Section 8, Township 43 South, Range 41 East, S.02°13'06"W., 50.00 feet to aforesaid South boundary of the North 1/2 of Section 8, Township 43 South, Range 41 East; thence along aforesaid South boundary of the North 1/2 of Section 8, Township 43 South, Range 41 East, as found monumented and occupied, N.88°32'08"W., 50.00 feet to the West 1/4 corner of said North 1/2 of Section 8, Township 43 South, Range 41 East, also being a point on the East

boundary of the North 1/2 of aforesaid Section 7, Township 43 South, Range 41 East; thence along said East boundary of the North 1/2 of Section 7, Township 43 South, Range 41 East, S.02°10'05"W., 65.55 feet to the South boundary of said North 1/2 of Section 7, Township 43 South, Range 41 East, as found monumented and occupied, also being called out as the East-West quarter section line of said Section 7 per Final Judgment (Case No.: 73 1016 CA (L) 01 MacMillan), recorded in Official Records Book 2330, Page 1076, of the Public records of Palm Beach County, Florida; thence along said South boundary of the North 1/2 of Section 7, Township 43 South, Range 41 East, as found monumented and occupied, also being called out as the East-West quarter section line of said Section 7 per said Final Judgment (Case No.: 73 1016 CA (L) 01 MacMillan), N.89°11'37"W., 5,208.43 feet to the East line of aforesaid Section 12, as called out in said Final Judgment (Case No.: 73 1016 CA (L) 01 MacMillan), ; thence along said called out East line of Section 12, per said Final Judgment (Case No.: 73 1016 CA (L) 01 MacMillan), N.01°28'15"E., 486.67 feet to the East-West Quarter Section line of said Section 12, as called out in said Final Judgment (Case No.: 73 1016 CA (L) 01 MacMillan); thence along said East-West Quarter Section line of Section 12, as called out in Final Judgment (Case No.: 73 1016 CA (L) 01 MacMillan), N.88°16'09"W., 1,406.28 feet to the West line of the East Quarter of Section 12, as called out in said Final Judgment (Case No.: 73 1016 CA (L) 01 MacMillan); thence along said West line of the East Quarter of Section 12, as called out in Final Judgment (Case No.: 73 1016 CA (L) 01 MacMillan), S.01°22'47"W., 2,572.97 feet to the agreed upon and monumented South boundary of said Section 12, as surveyed by K.C. Mock and referenced in Road Plat Book 6, Page 136, of the Public Records of Palm Beach County Florida; thence along said South boundary of Section 12, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, N.89°12'49"W., 2,389.96 feet to aforesaid East right of way line of Seminole-Pratt Whitney Road, a 100 foot wide right of way, recorded in Official Records Book 1544, Page 378; thence along said East right of way line of Seminole-Pratt Whitney Road, N.01°42'52"E., 5,449.92 feet to the South right of way line of Persimmon Street, recorded in Official Records Book 10202, Page 430, of the Public Records of Palm Beach County, Florida; thence along the South and East right of way lines of said Persimmon Street, in respective order, the following two (2) courses: 1) S.88°17'08"E., 646.56 feet; 2) N.01°42'52"E., 80.00 feet to the Southeast corner of GROVE MARKET PLAT, according to the plat thereof recorded in Plat Book 82, Page 67, also being the Southwest corner of Seminole Water Control District parcel, recorded in Official Records Book 10101, Page 452, of the Public Records of Palm Beach County, Florida; thence along the South boundary of said Seminole Water Control District parcel, recorded in Official Records Book 10101, Page 452, S.88°17'08"E., 140.00 feet to the Southeast corner thereof; thence along the East boundary of said Seminole Water Control District parcel, recorded in Official Records Book 10101, Page 452, N.01°42'52"E., 797.74 feet to the Northeast corner thereof; thence along the North boundary of said Seminole Water Control District parcel, recorded in Official Records Book 10101, Page 452, S.88°47'12"W., 437.96 feet to the Northwest corner thereof; thence along the Westerly boundary of said Seminole Water Control District parcel, recorded in Official Records Book 10101, Page 452, S.43°17'08"E., 45.79 feet to the Northeasterly corner of aforesaid GROVE MARKET PLAT; thence along the North boundary of said GROVE MARKET PLAT, and the North right of way line of additional right of way for Seminole-Pratt Whitney Road, recorded in aforesaid Official Records Book 10202, Page 430, N.88°17'08"W., 381.55 feet to aforesaid East right of way line of Seminole-Pratt Whitney Road, a 100 foot wide right of way, recorded in Official Records Book 1544, Page 378; thence along said East right of way line of Seminole-Pratt Whitney Road, N.01°42'52"E., 3,541.19 feet to the **POINT OF BEGINNING**.

LESS AND EXCEPT FROM PARCEL 2:

The School District of Palm Beach County parcel, recorded in O.R. 9169, Page 136, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT FROM PARCEL 2:

The School District of Palm Beach County parcel, recorded in O.R. 9232, Page 1206, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT FROM PARCEL 2:

Silver Lake Enterprises, Inc. parcel, recorded in O.R. 14034, Page 1119, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT FROM PARCEL 2:

Silver Lake Enterprises, Inc. parcel, recorded in O.R. 14676, Page 953, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT FROM PARCEL 2:

Silver Lake Palm Beach, LLC parcel, recorded in O.R. 15391, Page 754, of the Public Records of Palm Beach County, Florida.

Containing: 3,788.601 acres more or less.

EXHIBIT B

VICINITY SKETCH

LOCATION MAP 

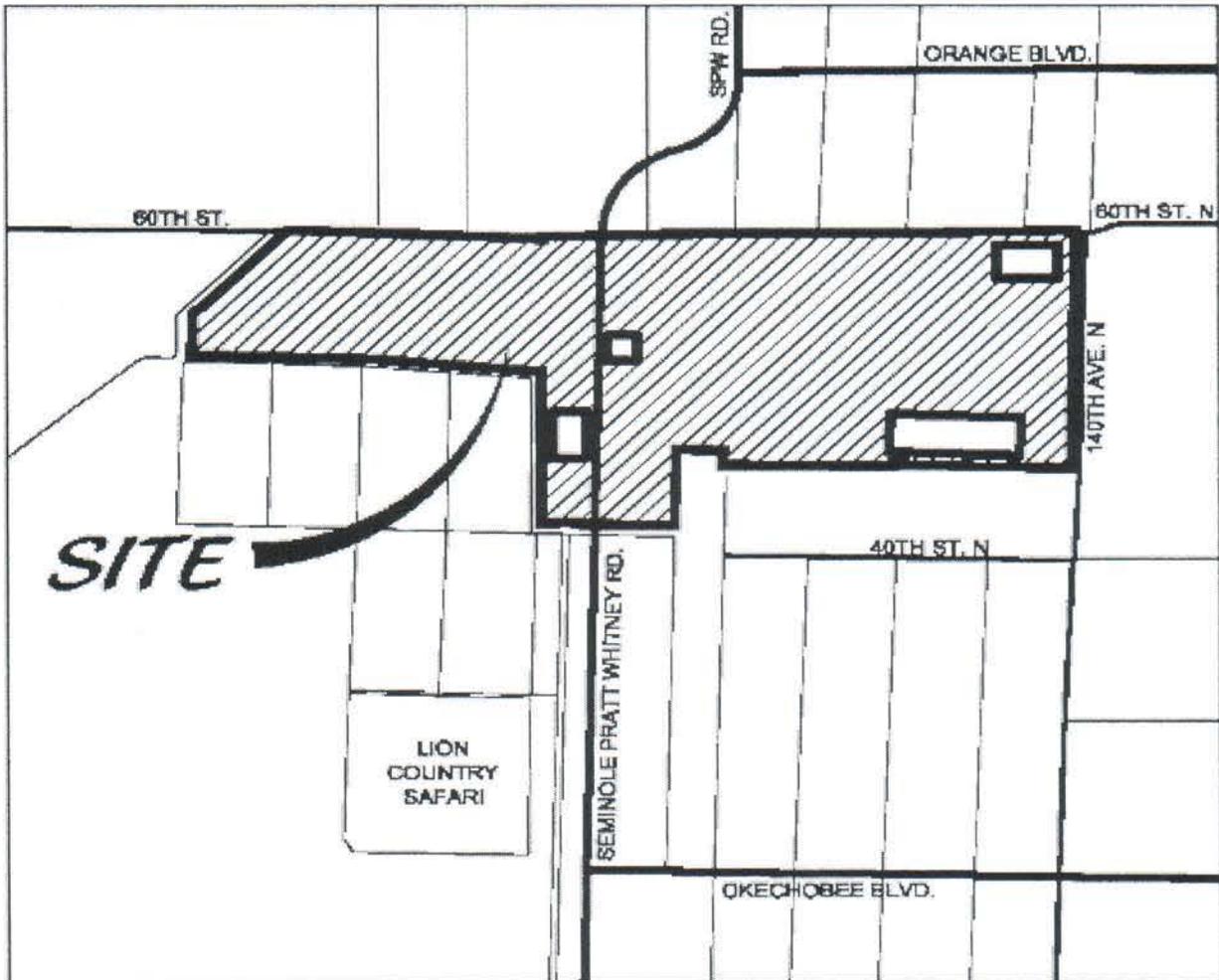


EXHIBIT C

CONDITIONS OF APPROVAL

Traditional Development District

ALL PETITIONS

1. The Preliminary Master Plan of the Traditional Town Development is dated August 26, 2014 and the Preliminary Design Standards are dated August 22, 2014. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the 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)
2. Prior to Final Master Plan approval by the Development Review Officer (DRO), the Master Plan, Transect Plan, and the Phasing Plan shall be revised to:
 - a. convert 150,000 square feet of EDC to Professional or Business Office in Pod G;
 - b. relocate 150,000 square feet of EDC in Pod G to EDC MUPD in Pod H; and,
 - c. convert 250,000 square feet of EDC to Professional or Business Office in Pod L. (DRO: PLANNING - Zoning)
3. Prior to Final Master Plan approval by the Development Review Officer (DRO), the Concurrency table shall be modified to remove the notation "Requested uses other than college or hotel will be subject to BCC approval." (DRO: ZONING - Zoning)
4. Development of the Traditional Town Development shall be developed in accordance with the Preliminary Phasing Plan dated October 15, 2014 subject to the following limitation: A minimum of sixty (60) percent of the current phase's non-residential square feet and one hundred (100) percent of the prior phase's non-residential square feet shall receive a Certificate of Occupancy (CO) or Certificate of Completion (CC) prior to any residential building permit application for the next phase. (ONGOING: PLANNING - Planning)
5. The Property Owner shall revise and update the Design Standards, where applicable, for all subsequent Development Orders of the Traditional Town Development, consistent with the relevant Comprehensive Plan Policies, adopted Implementing Principals, and other restrictions in the Development Order. (DRO/ONGOING: ZONING - Zoning)
6. All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-98-306 Control EAC-1994-00046(B) (Existing Communication Tower on Packing Plant site) shall remain in full force and effect. (ONGOING: ZONING - Zoning)
7. There shall be no administrative modification to the Master Plan to allow a density transfer between the Traditional Marketplace Pods and Traditional Neighborhood Pods to the Planned Unit Development Pods. (DRO/ONGOING: ZONING - Planning)
8. There shall be no administrative modification to the housing classification and type to adjust the numbers below those numbers indicated on the Conceptual Plan. (DRO/ONGOING: ZONING - Planning)
9. Existing Agricultural uses are allowed to remain and expand in the areas of the TMD, TND, MUPD, and PUD Pods until each Phase of development is constructed. As each Pod is developed, the adjacent Natural Transect along the roadways and between two or more developed Pods shall cease the Agricultural use and be redeveloped as open space as described on the Final Master Plan and Conceptual Plan. (ONGOING: ZONING - Planning)

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, 2035. 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. Note that this condition will not apply to development of any civic pod if ownership of that pod has been transferred to a governmental agency for public use. (DATE: MONITORING - Engineering)
- b. No Building Permits for more than 39 dwelling units shall be issued until the Property Owner has commenced the construction of the widening of Seminole Pratt Whitney Road from Seminole Ridge High School to north of the M Canal, including reconstruction of the bridge over the M Canal, compatible with the ultimate expanded section per Palm Beach County standard 140 foot Typical Expanded Intersection details. Initial bridge shall be a minimum 4 lane divided with a 30 foot wide median with paved shoulders and sidewalks. The Seminole Pratt Whitney Road roadway construction improvements shall tie-in to the existing north and south 4-lane sections on Seminole Pratt Whitney Road. This improvement shall be impact fee creditable. Non-residential building permits are not subject to this condition. (BLDGPMPT: MONITORING - Engineering)
 - c. No Building Permits for more than 83 dwelling units shall be issued:
 - i. Until the contract has been let for the Assured Construction of the widening of Northlake Boulevard from Hall Boulevard to Coconut Boulevard from a 2-lane facility to a 4-lane divided facility; or
 - ii. Before October 1, 2019; or
 - iii. Before October 1, 2017 if Assured Construction is deleted; whichever occurs first. (BLDGPMPT/DATE: MONITORING - Engineering)
 - d. No Building Permits for more than 98 dwelling units shall be issued:
 - i. Until the contract has been let for the Assured Construction of the widening of SR-7 from Okeechobee Boulevard to 60th Street North from a 2-lane facility to a 4-lane divided facility; or
 - ii. Before October 1, 2019; or
 - iii. Before October 1, 2017 if Assured Construction is deleted; whichever occurs first. (BLDGPMPT/DATE: MONITORING - Engineering)
 - e. No Building Permits for more than 304 dwelling units shall be issued:
 - i. Until the contract has been let for the Assured Construction of SR-7 from 60th Street North to Northlake Boulevard as a 4-lane divided facility; or
 - ii. Before October 1, 2018; or
 - iii. Before October 1, 2016 if Assured Construction is deleted; whichever occurs first. (BLDGPMPT/DATE: MONITORING - Engineering)
 - f. No Building Permits for more than 447 dwelling units or development generating 251 external AM peak hour outbound trips, whichever occurs first, shall be issued:
 - i. Until the contract has been let for the Assured Construction of the widening of Northlake Boulevard from Seminole Pratt Whitney to Hall Boulevard from a 2-lane facility to a 4-lane divided facility; or
 - ii. Before October 1, 2017; or
 - iii. Before October 1, 2015 if Assured Construction is deleted; whichever occurs first. (BLDGPMPT/DATE: MONITORING - Engineering)
 - g. No building Permits for more than 536 dwelling units shall be issued:
 - i. Until the contract has been let for the Assured Construction of intersection improvement at 60th Street North and Royal Palm Beach Boulevard; or
 - ii. Before October 1, 2016; or
 - iii. October 1, 2014 if Assured Construction is deleted; whichever occurs first. (BLDGPMPT/DATE: MONITORING - Engineering)
 - h. No Building Permits for more than 872 dwelling units shall be issued until the Property Owner makes a proportionate share payment in the amount of \$7,984,927. The proportionate share payment is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility. (BLDGPMPT: MONITORING - Engineering)
 - i. No Building Permits for more than 1,021 dwelling units or development generating 574 external AM peak hour outbound trips, whichever occurs first, shall be issued:
 - i. Until the contract has been let for the Assured Construction of the widening of Southern Boulevard from west of Lion Country Safari Road to Forest Hill Boulevard from a 4-lane divided facility to a 6-lane divided facility; or
 - ii. Before October 1, 2020; or
 - iii. Before October 1, 2018 if Assured Construction is deleted; whichever occurs first. (BLDGPMPT/DATE: MONITORING - Engineering)
 - j. No Building Permits for more than 1,904 dwelling units or development generating 1,071 external AM peak hour outbound trips, whichever occurs first, shall be issued

- until the Property Owner makes a proportionate share payment in the amount of \$7,356,582. The proportionate share payment is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility. (BLDGPM: MONITORING - Engineering)
- k. No Building Permits for more than 2,269 dwelling units or development generating 1,276 external AM peak hour outbound trips, whichever occurs first, shall be issued:
 - i. Until the contract has been let for the Assured Construction of Roebuck Road from SR-7 to Jog Road as a 4-lane divided facility; or
 - ii. The Property Owner makes a proportionate share payment in the amount of \$1,144,578. The proportionate share payment is sufficient to accomplish one or more mobility improvement that will benefit a regionally significant transportation facility; or
 - iii. Before October 1, 2020; or
 - iv. Before October 1, 2018 if Assured Construction is deleted; whichever occurs first. (BLDGPM: MONITORING - Engineering)
 - l. No Building Permits for more than 2,430 dwelling units or development generating 1,367 external AM peak hour outbound trips, whichever occurs first, shall be issued until the Property Owner makes a proportionate share payment in the amount of \$3,667,913. The proportionate share payment is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility. (BLDGPM: MONITORING - Engineering)
 - m. No Building Permits for more than 2,581 dwelling units or development generating 1,452 external AM peak hour outbound trips, whichever occurs first, shall be issued until the Property Owner makes a proportionate share payment in the amount of \$9,855,072. The proportionate share payment is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility. (BLDGPM: MONITORING - Engineering)
 - n. No Building Permits for more than 2,706 dwelling units or development generating 756 external PM peak hour outbound trips, whichever occurs first, shall be issued until the Property Owner makes a proportionate share payment in the amount of \$8,653,561. The proportionate share payment is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility. (BLDGPM: MONITORING - Engineering)
 - o. No Building Permits for more than 3,045 dwelling units or development generating 1,713 external AM peak hour outbound trips, whichever occurs first, shall be issued until the Property Owner makes a proportionate share payment in the amount of \$4,558,546. The proportionate share payment is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility. (BLDGPM: MONITORING - Engineering)
 - p. No Building Permits for more than 3,240 dwelling units or development generating 1,822 external AM peak hour outbound trips, whichever occurs first, shall be issued until the Property Owner makes a proportionate share payment in the amount of \$1,180,850. The proportionate share payment is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility. (BLDGPM: MONITORING - Engineering)
 - q. No Building Permits for more than 3,446 single family dwelling units, 600 condominium units and 2 55+ detached units or development generating 2,118 external AM peak hour outbound trips, whichever occurs first, shall be issued until the Property Owner makes a proportionate share payment in the amount of \$2,281,800. The proportionate share payment is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility. (BLDGPM: MONITORING - Engineering)
 - r. No building permits for development generating more than 2,125 external PM peak hour outbound trips shall be issued until the Property Owner makes a proportionate share payment in the amount of \$832,533 and a CRALLS mitigation payment of \$3,363,800. The proportionate share payment is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility. (BLDGPM: MONITORING - Engineering)
 - s. No Building Permits for a development generating more than 2,192 external AM peak hour outbound trips shall be issued until the Property Owner makes a proportionate share payment in the amount of \$3,701,222. The proportionate share payment is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility.
 - t. No building permits for development generating more than 2,270 external AM peak

hour outbound trips shall be issued until the contracts are let for the widening of Seminole Pratt Whitney Road from Persimmon Boulevard to 60th Street North from a 4-lane divided to a 6-lane divided facility. This improvement shall be impact fee creditable. (BLDGPMT: MONITORING - Engineering)

- u. The Property Owner shall widen Seminole Pratt Whitney Road from Seminole Ridge High School to north of the M Canal from a two lane facility to a four lane facility by December 31, 2018. (DATE: MONITORING - Engineering)

- 2. In recognition that construction prices may change over the life of the project, the above noted proportionate share payments made after October 2019, shall be subject to the following escalator calculation:

- a. Adjusted Payment = Original Payment Amount x (BONSpayment month / BONSApril 2014)
- b. Original Payment Amount = the proportionate share payment amount specified
- c. BONSpayment month= latest published value (including preliminary values) at time of payment
- d. BONSApril2014 = 113.0

The cost adjustment for the total and amount of each payment shall be based on the Bureau of Labor Statistics Producer Price Index (PPI) for Other non-residential construction (BONS). There shall be no negative cost adjustment.

Reference the following links for PPI index information:
<http://data.bls.gov/timeseries/PCUBONS--BONS-->

(ONGOING: ENGINEERING - Engineering)

- 3. No building permits after one year from the date of issuance of the first CO for non-residential development shall be issued until a Compressed Work Weeks/Non-Peak Hour Work Hours Program has been implemented and a. through c. below have been satisfied:

- a. A worksite policy has been implemented to allow and encourage Compressed Work Weeks/Non-Peak Hour Work Hours. This policy must implement a work schedule for full time (i.e. working at least 35 hours per week) employees for a less than 5-day work week by extending hours of work during the two work days, with start and end work times that fall outside the normal AM (7 to 9 AM) and PM (4 to 6 PM) peak hours.
- b. A formal policy and contract between employees and managers has been adopted to identify which job categories are eligible for compressed work week/non-peak hour work hours.
- c. An on-site coordinator for the Compressed Work Weeks program has been identified and funded to assist participants in the program, as well as to track performance of the program for monitoring purposes.

(BLDGPMT: MONITORING - Engineering)

- 4. No building permits for development generating 2,125 external PM peak hour outbound trips shall be issued until a Ridesharing Program has been implemented and a. through c. below have been satisfied:

- a. A Ridesharing coordinator has been identified and funded or the project participates in the existing South Florida Commuter Services ridesharing program by paying an annual membership fee. The ridesharing coordinator shall promote and facilitate a ridesharing program, assist participants and track performance of the program for monitoring purposes.
- b. Funding committed to fund all aspects of the Ridesharing Program has been dedicated. Funding shall commit to provide at least 50 percent subsidy of the out-of-pocket cost of any employee vanpool utilizing the South Florida Vanpool Program.
- c. Preferential parking shall be allocated for Ridesharing Program participants. These spaces must be located closest to the building entrances, with the exception of reserves spaces required by ADA and delineated on the Site Plan.

(BLDGPMT: MONITORING - Engineering)

- 5. Starting April 1 after the first full year from initiation of the Ridesharing program and continuing every year after until project is complete:

- a. The owner, developer or their agent, must provide a report to the County Engineer identifying the number of employees from the development participating in the Compressed Work Weeks/Non-Peak Hour Work Hours Program and the total number

of employees during the reporting period, and the work schedules of each participant. This monitoring report shall also include a copy of the compressed work week policy and copies of each of the signed compressed work week contracts entered during the reporting period.

- b. The owner, developer or their agent, must provide a report to the County Engineer evaluating the ridesharing program. The report must be certified by an independent financial auditor and shall, at a minimum, contain monthly and cumulative statistics providing:
 - i. The number of total employees employed during each month and average number for the calendar year;
 - ii. The number of employees that participate in Ridesharing;
 - iii. The number of days each employee participated in Ridesharing for reporting period;
 - iv. An accounting detailing the amount expended to fund the Ridesharing Program, including coordinator salary and amounts spent on promoting and monitoring the Ridesharing Program; and
 - v. Copies of all materials used to promote the Ridesharing Program.(ONGOING: ENGINEERING - Engineering)

6. The Property Owner shall:

- a. Submit a trip generation analysis with any DRO application. The trip generation analysis shall be cumulative, include all development which has building permits, and provide calculations for AM and PM peak hour inbound and outbound traffic. (DRO: ENGINEERING - Engineering)
- b. Development Order Conditions shall be evaluated to determine if any Engineering Conditions are triggered or are anticipated to be triggered in the 90-day period after the analysis is submitted. If additional improvements and/or payments are warranted based on the updated trip generation analysis, the improvements/payments shall be completed and/or made as required by the County Engineer. (DRO/ONGOING: ENGINEERING - Engineering)

7. The Property Owner shall fund traffic signals where warranted and/or required by the County Engineer, including but not limited to intersections along Seminole Pratt Whitney Road, the east/west collector roadways within the project, Okeechobee Boulevard at "D" Road and 60th Street N and Persimmon Boulevard within/adjacent to and east of the project to Royal Palm Beach Boulevard, as determined by the County Engineer. Signalization shall be a mast arm structure installation along Seminole Pratt Whitney Road and can be either mast arm structure or span wire installation along 60th Street North and Persimmon Blvd, as determined by the County Engineer. The cost of the signalization shall be paid by the Property Owner and shall also include all design costs and any required utility relocation and right of way and/or easement acquisition. (ONGOING: ENGINEERING - Engineering)

8. No Building Permits for more than 1,300 dwelling units east of Seminole Pratt Whitney Road shall be issued until:

- i. The Property Owner has connected the northernmost east/west collector roadway from Seminole Pratt Whitney Road east through the site to the existing east/west roadway network (60th Street North) east of the project and the roadway has been completed and accepted. Such roadway shall be constructed as per Palm Beach County standards, or
- ii. The Property Owner makes a \$9,000,000 payment to Palm Beach County. If and when this connection is ultimately made, such payment shall be credited towards future proportionate share payments and shall be impact fee creditable. (BLDG/PMT: MONITORING - Engineering)

9. No Building Permits for more than 3,000 dwelling units east of Seminole Pratt Whitney Road shall be issued until:

- i. The Property Owner has connected the second east/west collector roadway from Seminole Pratt-Whitney Road east through the site to the existing east/west roadway network east of the project and the roadway has been completed and accepted. Such roadway shall be constructed as per Palm Beach County standards, or
- ii. The Property Owner makes a \$9,000,000 payment to Palm Beach County. If and

when this connection is ultimately made, such payment shall be credited towards future proportionate share payments and shall be impact fee creditable. (BLDGPMT: MONITORING - Engineering)

10. No Building Permits for development of more than 2,600 dwelling units shall be issued until the Property Owner has constructed and connected the project's internal roadway (west of Seminole Pratt Whitney Road) from Seminole Pratt Whitney Road, west and curving to the north, connecting to 60th Street North. (BLDGPMT: MONITORING - Engineering)
11. No Building Permits shall be issued after the connection of the project's internal roadway to Persimmon Blvd/140th Ave North intersection, until the Property Owner makes a \$1,500,000 payment to Palm Beach County. Such payment is not impact fee creditable. If an agreement is reached between the Property Owner and Indian Trail Improvement District, this condition is void. (ONGOING: ENGINEERING - Engineering)
12. No Building Permits shall be issued after the connection of the project's internal roadway to 60th Street North, including the construction of 60th Street North to 140th Avenue North, until the Property Owner makes a \$3,000,000 payment to Palm Beach County. Such payment is not impact fee creditable. (ONGOING: ENGINEERING - Engineering)
13. The Property Owner shall permit and install roadway lighting on County Thoroughfare roadways in accordance with the applicable standards in the latest editions of the State of Florida Department of Transportation and Palm Beach County applicable standards. (ONGOING: ENGINEERING - Engineering)
14. The northern east/west roadway through the site, east of Seminole Pratt Whitney Road, shall connect to 60th Street North with a curved alignment approved by the County Engineer. At such time when 60th Street North continues west, the northern east-west roadway through the site shall be modified to connect to 60th Street North as a "T" intersection, and the connection shall be within 10 degrees of a 90 degree angle. (ONGOING: ENGINEERING - Engineering)
15. The Proportionate Share Agreement dated October 29, 2014, is hereby adopted by reference. (ONGOING: ENGINEERING - Engineering)
16. 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. 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. (BLDGPMT: MONITORING - Engineering)
17. 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 a disclosure statement identifying Seminole Pratt Whitney Road, Persimmon Boulevard, and 60th Street North as existing or planned thoroughfare roadways adjacent to or through this property. This notice shall also include the ultimate number of lanes for the road(s). Information which appears in written form shall appear in bold print. (PLAT: MONITORING - Engineering)
 - b. The Property Owner shall submit documentation of compliance with this Condition on an annual basis to the Monitoring Section of Planning, Zoning and the Building Department. The next report shall be submitted on or before July 31, 2015, and shall continue on an annual basis until all units within the development have been sold or the Property Owner relinquishes control to the homeowners association. (DATE/ONGOING: MONITORING - Engineering)
18. Prior to issuance of the first building permit, 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 public roadways and Seminole Pratt Whitney Road along the property frontage or within the project; and a maximum of an

additional 800 feet of these adjacent roadway(s); with the exception of Persimmon Blvd, 60th Street N and the other east-west collector road. 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 roadway section(s) of the included segment. Specifically, one 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. (BLDGPM: MONITORING - Engineering)

19. Prior to dedication of the right of way for the subject roads, 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 Persimmon Blvd, 60th Street N and the other east-west collector road along the property frontage or within the project; and a maximum of an additional 800 feet of these adjacent roadway(s). 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 roadway section(s) of the included segment. Specifically, one 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. (ONGOING: ENGINEERING - Engineering)

20. The Property Owner shall provide to the Palm Beach County Land Development Division a road right of way deed and all associated documents as required by the County Engineer for:

60th Street North, from Seminole Pratt Whitney Road to 140th Avenue North, 100 feet in width and including all of the portion of 60th Street North fronting Golden Grove Elementary School, on an alignment approved by the County Engineer

All right of way deed(s) and associated documents shall be provided and approved within one hundred eighty (180) days of a request by the County Engineer, but the request shall not be made prior to January 1, 2019. Right of way conveyance shall be along the entire frontage and shall be free and clear of all encroachments and encumbrances, including but not limited to the canal encroachment. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition 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. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include, where appropriate as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall not record these required deeds or related documents. Palm Beach County will prepare a tax pro-ration. A check, made payable to the Tax Collector's Office, shall be submitted by the Property Owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (ONGOING: ENGINEERING - Engineering)

21. The Property Owner shall provide to the Palm Beach County Land Development Division a road right of way deed and all associated documents as required by the County Engineer for:

60th Street North, from the western terminus of the project's limits to Seminole Pratt Whitney Road, to provide 100 feet in width from south of the south side of the M Canal, as approved by the County Engineer

All right of way deed(s) and associated documents shall be provided and approved within one hundred eighty (180) days of a request by the County Engineer, but the request shall not be made prior to January 1, 2019. Right of way conveyance shall be along the entire frontage and shall be free and clear of all encroachments and encumbrances, including but not limited to the canal encroachment. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition 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. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include, where appropriate as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall not record these required deeds or related documents. Palm Beach County will prepare a tax pro-ration. A check, made payable to the Tax Collector's Office, shall be submitted by the Property Owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (ONGOING: ENGINEERING - Engineering)

22. The Property Owner shall provide to the Palm Beach County Land Development Division a road right of way deed and all associated documents as required by the County Engineer for:

Seminole Pratt Whitney Road to provide a minimum of 120 feet in width through the project's limits, as well as all property owned by the Developer between the east property line of Seminole Ridge High School and the west right of way line of Seminole Pratt Whitney Road. Additional right of way may be required at signalized intersections and other high demand access points along Seminole Pratt Whitney Road

All right of way deed(s) and associated documents shall be provided and approved within ninety (90) days of a request by the County Engineer. Right of way conveyance shall be along the entire frontage and shall be free and clear of all encroachments and encumbrances. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition 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. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include, where appropriate as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall not record these required deeds or related documents. Palm Beach County will prepare a tax pro-ration. A check, made payable to the Tax Collector's Office, shall be submitted by the Property Owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (ONGOING: ENGINEERING - Engineering)

23. Within hundred eighty (180) days of a request by the County Engineer, the Property Owner shall provide a temporary roadway construction easement to Palm Beach County along 60th Street North. This roadway easement shall be a minimum of ten (10) feet in width along the south side of the south right of way line of 60th Street North where 60th Street North is adjacent to the M Canal, and along both the north and south rights of way of 60th Street North where not adjacent to the M Canal. 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. (ONGOING: ENGINEERING - Engineering)

24. The Property Owner shall provide to the Palm Beach County Land Development Division a road right of way deed and all associated documents as required by the County Engineer for:

Persimmon Boulevard to provide 80 feet in width from Seminole Pratt Whitney Road to 140th Ave North.

All right of way deed(s) and associated documents shall be provided and approved within ninety (90) days of a request by the County Engineer, but the request shall not be made prior to January 1, 2019, or when required for legal access. Right of way conveyance shall be along the entire frontage and shall be free and clear of all encroachments and encumbrances. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition 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. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include, where appropriate as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall not record these required deeds or related documents. Palm Beach County will prepare a tax pro-ration. A check, made payable to the Tax Collector's Office, shall be submitted by the Property Owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (ONGOING: ENGINEERING - Engineering)

25. Landscape Within the Median of Seminole Pratt Whitney Road.

The Property Owner, his successors and assigns, shall design, install and perpetually maintain median landscape within the median of all abutting right of way of Seminole Pratt Whitney Road. This landscaping and irrigation shall strictly conform to the specifications and standards for the County's Only Trees, Irrigation, and Sod (OTIS) program, unless otherwise approved by the County Engineer. Median landscaping installed by Property Owner shall be perpetually maintained by the Property Owner, his successors and assigns, without recourse to Palm Beach County.

- a. The necessary permit(s) for this landscaping and irrigation shall be applied for from Palm Beach County Land Development prior to the issuance of the 39th building permit. (BLDG/PMT/ONGOING: MONITORING - Engineering)
- b. All installation of the landscaping and irrigation shall be completed within six months of completion of the widening of Seminole Pratt Whitney Road. (ONGOING: ENGINEERING - Engineering)

26. Landscape Within the Median of Persimmon Boulevard.

The Property Owner, his successors and assigns, shall design, install and perpetually maintain median landscape within the median of all abutting right of way of Persimmon Boulevard. This landscaping and irrigation shall strictly conform to the specifications and standards for the County's Only Trees, Irrigation, and Sod (OTIS) program, unless otherwise approved by the County Engineer. Median landscaping installed by Property Owner shall be perpetually maintained by the Property Owner, his successors and assigns, without recourse to Palm Beach County.

- a. The necessary permit(s) for this landscaping and irrigation shall be applied for from Palm Beach County Land Development concurrent with the submittal of the roadway construction plans. (ONGOING: ENGINEERING - Engineering)
- b. All installation of the landscaping and irrigation shall be completed prior to final acceptance of the roadway construction. (ONGOING: ENGINEERING - Engineering)

27. Prior to the dedication of 60th Street North right of way, the Property Owner shall relocate/remove the portion of the Seminole Improvement District canal from the north side of Golden Grove Elementary School and Western Pines Middle School. Portions of the canal encumbering proposed 60th Street North shall also be included in this relocation/removal. The relocation/removal of the canal shall also include the relocation of any storm drainage outfall from the schools. (BLDG/PMT: MONITORING - Engineering)

28. Prior to the dedication of 60th Street North right of way, the Property Owner shall fill the portions of the relocated/removed Seminole Improvement District canal along the north side of Golden Grove Elementary School and Western Pines Middle School. (ONGOING: ENGINEERING - Engineering)

29. Prior to the completion of the first east-west collector road, the Property Owner shall enter into an agreement with the Palm Beach County School District to relocate the driveway connection for Golden Grove Elementary School from the northeast corner of the property. The Property Owner shall be responsible for the costs associated with the driveway relocation, including any turn lane construction. (BLDG/PMT: MONITORING - Engineering)

30. Concurrent with the dedication of 60th Street N right of way, the Property Owner shall complete the relocation of the driveway connection for Golden Grove Elementary School from the northeast corner of the property. (ONGOING: ENGINEERING - Engineering)

31. The street cross sections, internal roadways shown on the master plan and any reference to traffic signal locations are for illustrative purposes only and are not a part of this approval. Street cross sections, roadway design and traffic signal locations will be reviewed at the time of each individual parcel or plat submittal and must meet the requirements of Land Development Design Standards Manual, Section 100, Traffic Standards, or as otherwise approved by the County Engineer. (ONGOING/PLAT: ENGINEERING - Engineering)

32. Prior to the initiation of any works or activities at the site, the Property Owner shall obtain a conceptual and a construction permit from South Florida Water Management District to accommodate an approximately 168 cfs on-peak discharge from offsite into the Property Owner's surface water management system. This is regarded as an additional public

benefit. The Property Owner shall identify the portion of the surface water management system that will be used for this approximately 168 cfs on-peak discharge from offsite into the Property Owner's surface water management system as part of the South Florida Water Management District conceptual plan. This additional capacity shall be made available by the Property Owner to one or more governmental entities on a first come basis, provided the appropriate permits from South Florida Water Management District are received. The Property Owner shall cooperate with any governmental entity seeking to utilize such capacity to design for the same, consistent with the Property Owner's approved South Florida Water Management District conceptual plan and Palm Beach County Zoning Division Master Plan.

The Property Owner shall diligently pursue reaching a written agreement with one or more governmental entities, including all required flowage and capacity easements, for construction and use of this additional capacity. The Property Owner shall cooperate to the fullest extent, as determined by the County's Water Resource Manager and the County Engineer, to develop an interlocal agreement(s) to establish reasonable responsibilities of the parties as to the design, construction, operation, maintenance and division of the costs associated with the construction, operation, and maintenance of the interconnected system. At a minimum, the Property Owner shall be responsible for the design and permitting; operation and maintenance; and shall not charge for the land costs associated with the lake surface area or needed maintenance berms; and shall construct the necessary outfall system to accommodate the surface water management system needed for the approximately 168 cfs on-peak discharge from offsite, in addition to the Minto West surface water management system; unless otherwise agreed to by one of the governmental entities. This interlocal agreement may require a modification to the South Florida Water Management District conceptual and construction permits. If no such agreement is reached within five (5) years of the effective date of this resolution, the Property Owner shall apply to South Florida Water Management District to modify and to receive approval for such modification of its South Florida Water Management District permit to reflect the fact that the Property Owner is not relying on the 168 cfs on-peak discharge from offsite. (BLDG/PMT/ONGOING: MONITORING - Engineering)

ENVIRONMENTAL

1. A Phase II Environmental Audit, with emphasis on the areas used as storage for regulated substances and the areas designated for residential development, shall be submitted to the Department of Environmental Resources Management for review and approval prior to Final Master Plan approval by the Development Review Officer. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

FIRE PROTECTION

1. An approved water supply capable of supplying the required fire flow for the fire protection shall be provided to all premises upon which facilities, buildings or portions of buildings are hereafter constructed. (ONGOING: FIRE RESCUE - Fire Rescue)

LANDSCAPE - GENERAL

1. Prior to Final Master Plan Approval by the Development Review Officer (DRO), the Property Owner shall submit a Conceptual Landscape Plan for the Landscape Buffer as described in Landscape Condition 2. The Landscape Plan may be combined with the Rural Parkway Conceptual Landscape Plan pursuant to the requirements of Planning Conditions. (DRO: ZONING - Zoning)

LANDSCAPE - PERIMETER-AND BUFFERING ALONG PORTION OF THE SOUTH, EAST, AND WEST PROPERTY LINES

2. A fifty (50) foot Landscape Buffer shall be provided along the specified segments of the south, east and west property lines: beginning from the south property line where the Traditional Town Development (TTD) abuts the southwest corner of Silver Lakes, and extends along portion of the south and west property lines of the TTD and ends approximately 1,000 linear feet west of Pod C. The Buffer shall have an approximate total length of 22,230 linear feet. The Buffer shall include:
 - a. one (1) canopy tree for each fifteen (15) linear feet;
 - b. one (1) palm or pine for each twenty (20) linear feet planted in clusters of five to seven (5-7) palms or pines;
 - c. shrub requirements pursuant to a Type III Incompatibility Buffer . A minimum of ten

- (10) percent of the required medium shrubs shall be Saw Palmetto;
 - d. buffer width may be reduced by twenty-five (25) percent subject to requirements of Article 7.F.6. - Buffer Width Reduction; and,
 - e. implementation of the Landscape Buffers shall be in accordance with the Final Phasing Plan.
- (ONGOING: ZONING - Landscape)

PALM TRAN

1. Prior to Final Master Plan Approval by the Development Review Officer, the Applicant shall submit an Access Management Plan to Palm Tran for review and approval. The Plan shall indicate the location of an easement for a Bus Stop Boarding and Alighting Area at approximately every quarter-mile along the main conveyance of Seminole-Pratt Whitney Road. The purpose of this easement is for the future construction of mass transit infrastructure in a manner acceptable to Palm Tran. The easement location shall also be shown the roadway design plans for Seminole Pratt-Whitney Road and the related rural parkway plans. (DRO/ONGOING: PALM-TRAN - Palm-Tran)
2. Prior to Final Master Plan Approval by the Development Review Officer, the Applicant shall submit an Access Management Plan to Palm Tran for review and approval. The Plan shall indicate a Bus Bay and/or Bulb Out at a Bus Stop Boarding and Alighting Area at approximately every half-mile along the main conveyance of Seminole-Pratt Whitney Road. This requirement, in conjunction with a Bus Stop Boarding and Alighting Area easement, is for the future construction of mass transit infrastructure in a manner acceptable to Palm Tran. The Bus Bay and/or Bulb Out location shall also be shown on the roadway design plans for Seminole Pratt-Whitney Road and the related rural parkway plans. (DRO/ONGOING: PALM-TRAN - Palm-Tran)
3. Prior to Final Master Plan Approval by the Development Review Officer, the Master Plan shall be revised to indicate a minimum two-acre Park and Ride lot with a Bus Bay and/or Bulb Out at a Bus Stop Boarding and Alighting Area in Pod I, in conjunction with the development of the community college, and shall be subject to the approval of Palm Tran. This requirement, in conjunction with a Bus Stop Boarding and Alighting Area easement, is for the future construction of mass transit infrastructure in a manner acceptable to Palm Tran. The 2-acre Park and Ride lot and pertinent information shall also be shown on the Site plan for Pod I. (DRO/ONGOING: PALM-TRAN - Palm-Tran)

PARKS-RECREATION WITHIN TND

1. Each TND neighborhood park as required by ULDC Article 3.F.3.E.4.b shall be improved in accordance with the applicable provisions of ULDC Article 5.D., Parks and Recreation - Rules and Recreation Standards. (DRO: PARKS AND RECREATION - Parks and Recreation)

PARKS-RECREATION PODS

2. Pods "C" and "V" recreational facilities and programming shall be open to the general public on a non-exclusive basis without regard to residency and without a charge for entry or admission. This condition shall not prohibit customary charges for equipment rental, facility rental, permits, and/or participation in organized recreation activities. The design of Pod C shall also include equestrian trailer parking. (ONGOING: PARKS AND RECREATION - Parks and Recreation)

PARKS-PARK DESIGN

3. Prior to Final Approval by the Development Review Officer (DRO) of a Site Plan for Pods "C" and "V", the Property Owner shall coordinate with the Palm Beach County Parks and Recreation Department on the design and programming of each Pod. (DRO: PARKS AND RECREATION - Parks and Recreation)

PLANNED DEVELOPMENT

1. Prior to the recordation of the first subdivision plat, all non-residential and residential properties included in the legal description of the application, except Public Civic sites, shall be subject to a Declaration of Restrictions and Covenants acceptable to the County Attorney's office, which shall include the following:
 - a. Formation of a single "master" property owner's association; a properly constituted independent or dependent district of the BCC; a Community Development District

(CDD); or a Municipal Service Taxing District (MSTU) automatic voting membership in the master association by any party holding title to any portion of the subject property, and assessment of all members of the master association for the cost of maintaining all common areas;

- b. All recreation parcels within the residential pods shall be deed restricted to recreation for the use of the residents of the residential development. At the time of turnover of the Home Owners' Association (HOA), the recreation parcel shall be turned over to the association at no cost to the residents; and,
 - c. All the properties within the Traditional Town Development (TTD) shall not be subject to the Declaration of Restrictions in phases. Approval of the Declaration must be obtained from the County Attorney's office prior to the recordation of the first subdivision plat for any portion of the planned development. (PLAT: ENGINEERING - County Attorney)
2. The Property Owner shall include in all homeowners documents, as well as written sales brochures, sales contracts and related plans a disclosure statement identifying and notifying of the existence of agricultural uses in the Traditional Town Development (TTD), and in the vicinity of the TTD. The font of the above-mentioned documents shall be clearly legible (a minimum of 10 point font) or acceptable to the Zoning Director. 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 November 1, 2015 and shall continue on an annual basis until all units within the development have been sold or the Property Owner relinquishes control to the homeowners association. (DATE/ONGOING: MONITORING - Zoning)

PLANNING-LAND USE ORDINANCE

1. Maximum gross density is 1.20 du/acre (4,546 maximum units); no additional density bonuses are permitted. (ONGOING: PLANNING - Planning)
2. Non-residential uses shall be limited to the following maximum intensities:
 - a. 500,000 square feet of Commercial uses;
 - b. 450,000 square feet of Commercial Office uses;
 - c. 1,050,000 square feet of Light Industrial and Research and Development Uses (defined as those that are not likely to cause undesirable effects upon nearby areas; these uses shall not cause or result in the dissemination of excessive dust, smoke, fumes, odor, noise, vibration or light beyond the boundaries of the lot on which the use is conducted);
 - d. 200,000 square feet of Civic uses;
 - e. 150 room Hotel; and
 - f. 3,000 student College/University. (ONGOING: PLANNING - Planning)
3. Development of the site must conform with the Site Data table, the Conceptual Plan and the Implementing Principles. (ONGOING: PLANNING - Planning)
4. The Zoning Development Order shall include the provision of at least ten (10) percent of the residential units as workforce housing. (ONGOING: PLANNING - Planning)
5. The Zoning Development Order shall include provisions requiring the project to address regional drainage and/or water supply needs: providing at least 160 cubic feet per second (cfs) discharge (1" per day) on peak, and a flowage easement for 250 acres of lake, and/or other equivalent solutions. (ONGOING: PLANNING - Planning)
6. The Conceptual Plan and Implementing Principles require:
 - a. The Conceptual Plan establishes a maximum of 15% of Enclave may be developed under the PUD-Residential Pod standards;
 - b. The Conceptual Plan depicts the location of Rural Parkways; and
 - c. The Implementing Principles establishes provisions consistent with the "Transect Zone" definition in the Comprehensive Plan.(ONGOING: PLANNING - Planning)
7. The Zoning Development Order shall include a "Transect Plan" which further details the Transect Zones and sub-zones, demonstrating full compliance with all relevant policies, the Conceptual Plan and Implementing Principles. (ONGOING: PLANNING - Planning)

8. To ensure a balanced development with a diversity of uses: at the time of rezoning and any subsequent Development Order Amendments, the project shall include a Phasing Plan and/or Conditions of Approval requiring minimum non-residential uses to be concurrent with residential uses, unless all non-residential uses are built out. (ONGOING: PLANNING - Planning)

PLANNING-NATURAL TRANSECT

9. No dwelling units or non-residential square footages (Commercial, Industrial etc.) shall be allocated to any area designated as Natural Transect on the Conceptual Plan, Transect Plan, and Master Plan. (ONGOING: PLANNING - Planning)
10. Prior to Final Master Plan approval by the Development Review Officer (DRO), the Transect Plan shall be revised to include a table indicating minimum dimensions for the Natural Transect. (DRO: PLANNING - Planning)

PLANNING-TRANSECT PLAN

11. Prior to Final Master Plan approval by the Development Review Officer (DRO), the Transect Plan shall be revised to indicate a minimum of fifty-five (55) percent of the total land area designated as Natural Transect. (DRO: PLANNING - Planning)
12. Prior to Final Master Plan approval by the Development Review Officer (DRO), the Transect Plan and associated table shall be revised to indicate the location, quantities, and requirements of the Sub-urban Transect Subzones. (DRO: PLANNING - Planning)

PLANNING-RURAL PARKWAY

13. Per Transportation Element Policy 1.4-q, Rural Parkways shall be implemented at the following locations:
 - a. Persimmon Boulevard, from 140th Avenue North to approximately 3,700 feet east of Seminole Pratt Whitney, a 50-foot easement on each side in order to accommodate multipurpose pathways landscaped with at least 70% native vegetation. No walls or signs shall be allowed within the parkway easements. However, a pair of context-sensitive community identification monuments may be permitted provided they are more than 400 feet from the terminus of the parkway easement, subject to approval by the Planning Director.
 - b. 140th Avenue North from the municipal boundary of Loxahatchee Groves to 60th Street North, a 50-foot easement on the west side in order to accommodate multipurpose pathways landscaped with at least 70% native vegetation, shall be required. No walls or signs shall be allowed within the parkway easements.
 - c. "Town Center Parkway" within the Agricultural Enclave, from 60th Street North to approximately 2,500 feet east of Seminole Pratt Whitney Road, a 50-foot easement on each side in order to accommodate multipurpose pathways landscaped with at least 70% native vegetation, shall be required. No walls or signs shall be allowed within parkway easements. However, a pair of context-sensitive community identification monuments may be permitted provided they are more than 400 feet from the terminus of the parkway easement, subject to approval by the Planning Director.
 - d. Seminole Pratt Whitney Road from Sycamore Drive to Persimmon Boulevard, an 80-foot easement on each side in order to accommodate multipurpose pathways landscaped with at least 70% native vegetation, shall be required. No walls or signs shall be allowed within the parkway easements. However, a pair of context-sensitive community identification monuments may be permitted provided they are more than 400 feet from the terminus of the parkway easement, subject to approval by the Planning Director. Entrance signs for a District Park located adjacent to the rural parkway easement may also be allowed within the rural parkway easement, subject to the approval by the Planning Director.
 - e. Seminole Pratt Whitney Road from 1,400 feet south of 60th Street North to 60th Street North, an 80-foot easement on each side in order to accommodate multipurpose pathways landscaped with at least 70% native vegetation, shall be required. No walls or signs shall be allowed within the parkway easements. However, a pair of context-sensitive community identification monuments may be permitted provided they are more than 400 feet from the terminus of the parkway easement, subject to approval by the Planning Director.
 - f. 60th Street North from 140th Avenue North to the M-canal crossing at 59th Lane North, a 50-foot easement on the south side in order to accommodate multipurpose pathways landscaped with at least 70% native vegetation, shall be required. No walls

or signs shall be allowed within the parkway easements. (ONGOING: PLANNING - Planning)

PLANNING-RURAL PARKWAY - SEMINOLE PRATT WHITNEY ROAD

14. Prior to Final Master Plan approval by the Development Review Officer (DRO), the Property Owner shall provide a conceptual Rural Parkway Landscape Plan, for the subject length of Seminole Pratt-Whitney Road identified as a Rural Parkway in the Comprehensive Plan, subject to approval by the Planning Division, to include the following minimum quantities per segment, per side of the road:
 - a. Canopy trees, 1 per 1,100 square feet of Rural Parkway Easement;
 - b. Flowering Trees, 1 per 2,000 square feet of Rural Parkway Easement;
 - c. Palms, 1 per 1,800 square feet of Rural Parkway Easement;
 - d. Pines, 1 per 4,000 square feet of Rural Parkway Easement;
 - e. Large Shrubs, 1 per 400 square feet of Rural Parkway Easement;
 - f. Medium Shrubs, 1 per 300 square feet of Rural Parkway Easement;
 - g. Small Shrubs, 1 per 200 square feet of Rural Parkway Easement; and
 - h. Turf grass and other groundcover as applicable for areas not planted with landscape material. (DRO: PLANNING - Planning)

15. Prior to plat recordation for any portion of the Minto West project, the 80-foot Rural Parkway Easement for Seminole Pratt Whitney Road shall be recorded, as approved by the County Attorney's Office, the Engineering Department, and the Planning Division. The public access easement for the 80-foot Rural Parkway shall contain:
 - a. A Landscape Plan that conforms with the approved Rural Parkway Landscape Plan, but not be limited to the following items:
 - 1) 70% native trees, palms, and shrubs;
 - 2) a continuous ten (10) foot paved multipurpose path;
 - 3) a continuous minimum eight (8) foot stabilized and sodded equestrian path;
 - 4) benches/pedestrian gathering area. At least one (1) pedestrian gathering area shall be provided within the 80-foot wide Rural Parkway frontage; and
 - 5) pedestrian connections that traverse the rural parkway to connect to pedestrian circulation within development areas to cross walks and bus stop shelters.
 - b. The Rural Parkway Easement shall not include:
 - 1) walls;
 - 2) structures with the exception of a bus shelter, benches/pedestrian gathering areas, and "context-sensitive community identification monuments"; and,
 - 3) signs, notwithstanding a general name, or other community identifying symbol, icon or marker on the "context-sensitive community identification monuments," and entrance signs for a district park.
 - c. The Rural Parkway Easement may include:
 - 1) a bus stop easement;
 - 2) berms or other undulating changes in the finished grade not to exceed four (4) feet in height when measured from the crown of the adjacent roadway;
 - 3) other drainage/utility easements may only be permitted which traverse (run perpendicular to) the Rural Parkway Easement to place drainage/utilities;
 - 4) 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;
 - 5) a ten (10) foot utility easement, located adjacent to the right-of-way; and,
 - 6) low-intensity lighting appropriate for illuminating the pedestrian pathway.
 - d. a maintenance agreement with Seminole Improvement District in the form of a Management Plan for continual maintenance of the Rural Parkway. (PLAT: MONITORING - Planning)

16. Prior to Final Master Plan approval by the Development Review Officer (DRO), the Property Owner shall submit detailed architectural and landscape plans for the proposed "context-sensitive community identification monuments" within the Seminole Pratt Whitney Rural Parkway that include plans, elevations, relevant details, and indicate materials, finishes and colors for discretionary review and approval by the Planning Director. These shall then be incorporated into the Design Standards. (DRO: PLANNING

- Planning)

17. Should the 80-foot wide Seminole Pratt Whitney Road Rural Parkway Easement not be placed on this property in a form acceptable to the County Attorney, Engineering Department, and Planning Division, prior to November 1, 2015, then the approval of this Development Order shall be scheduled for review by the Board of County Commissioners with a recommendation by Staff to revoke the Development Order. (DATE: MONITORING - Planning)
18. Prior to the issuance of the 40th residential building permit, the Property Owner shall commence construction of the Seminole Pratt Whitney-Road Rural Parkway, consistent with the approved Rural Parkway Landscape Plan, and recorded Rural Parkway easement. (BLDGPM: MONITORING - Planning)
19. The Property Owner shall complete construction of the Seminole Pratt Whitney Road Rural Parkway consistent with the approved Rural Parkway Landscape Plan, and recorded Rural Parkway easement within 90 days of the completion of Seminole Pratt Whitney Road. (ONGOING: MONITORING - Planning)

PLANNING-RURAL PARKWAY - 60TH STREET NORTH

20. Prior to Final Site or Subdivision Plans approval for any pod adjacent to the 60th Street North Rural Parkway, by the Development Review Officer (DRO), the Property Owner shall provide a conceptual Rural Parkway Landscape Plan, for the entire length of 60th Street North identified as a Rural Parkway in the Comprehensive Plan, on the south side of the future right of way only, subject to approval by the Planning Division, to include the following minimum quantities per segment, per side of the road:
 - a. Canopy trees, 1 per 1,100 square feet of Rural Parkway Easement;
 - b. Flowering Trees, 1 per 2,000 square feet of Rural Parkway Easement;
 - c. Palms, 1 per 1,800 square feet of Rural Parkway Easement;
 - d. Pines, 1 per 4,000 square feet of Rural Parkway Easement;
 - e. Large Shrubs, 1 per 400 square feet of Rural Parkway Easement;
 - f. Medium Shrubs, 1 per 300 square feet of Rural Parkway Easement;
 - g. Small Shrubs, 1 per 200 square feet of Rural Parkway Easement; and
 - h. Turf grass and other groundcover as applicable for areas not planted with landscape material. (DRO: PLANNING - Planning)
21. Prior to plat recordation for any pod adjacent to the 60th Street North Rural Parkway, the 50-foot Rural Parkway Easement segment for the entire phase shall be recorded, as approved by the County Attorney's Office, the Engineering Department, and the Planning Division. The public access easement for the 50-foot Rural Parkway shall contain:
 - a. A Landscape Plan that conforms with the approved Rural Parkway Landscape Plan, but not be limited to the following items:
 - 1) 70% native trees, palms, and shrubs;
 - 2) a continuous ten (10) foot paved multipurpose path;
 - 3) a continuous minimum eight (8) foot stabilized and sodded equestrian path;
 - 4) benches/pedestrian gathering area. At least one (1) pedestrian gathering area shall be provided within the 50-foot wide Rural Parkway frontage;
 - 5) pedestrian connections that traverse the rural parkway to connect to pedestrian trail networks within the Natural Transect.
 - b. The Rural Parkway Easement shall not include:
 - 1) walls;
 - 2) structures with the exception of benches/pedestrian gathering areas; and,
 - 3) signs.
 - c. The Rural Parkway Easement may include:
 - 1) berms or other undulating changes in the finished grade not to exceed four (4) feet in height when measured from the crown of the adjacent roadway;
 - 2) other drainage/utility easements may only be permitted which traverse (run perpendicular to) the Rural Parkway Easement to place drainage/utilities;
 - 3) 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;
 - 4) a ten (10) foot utility easement, located adjacent to the future right-of-way for 60th Street North; and,

- 5) low-intensity lighting appropriate for illuminating the pedestrian pathway.
 - d. A maintenance agreement with Seminole Improvement District in the form of a Management Plan for continual maintenance of the Rural Parkway. (PLAT: MONITORING - Planning)
22. Should the 50-foot wide 60th Street North Rural Parkway Easement not be placed on this property in a form acceptable to the County Attorney, Engineering Department, and Planning Division, prior to November 1, 2020, 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: MONITORING - Planning)
 23. Prior to the issuance of the 40th residential building permit, the Property Owner shall commence construction of the 60th Street North Rural Parkway from a point 2,200 feet west of Seminole Pratt Whitney Road to a point 8,000 feet east of Seminole Pratt Whitney Road (measured from the Centerline of Seminole Pratt Whitney Road), consistent with the approved Rural Parkway Landscape Plan, and recorded Rural Parkway easement. (BLDGPM: MONITORING - Planning)
 24. The Property Owner shall complete construction of the 60th Street North Rural Parkway from a point 2,200 feet west of Seminole Pratt Whitney Road to a point 8,000 feet east of Seminole Pratt Whitney Road (measured from the Centerline of Seminole Pratt Whitney Road), consistent with the approved Rural Parkway Landscape Plan, and recorded Rural Parkway easement within 90 days of the completion of Seminole Pratt Whitney Road. (ONGOING: MONITORING - Planning)
 25. Prior to the issuance of a Building Permit for any buildings within Pod R, the Property Owner shall commence construction of the adjacent portion of the 60th Street North Rural Parkway Easement, consistent with the approved Rural Parkway Landscape Plan, and Recorded Rural Parkway Easement. (BLDGPM: MONITORING - Planning)
 26. Prior to the issuance of a Certificate of Occupancy for any buildings within Pod R, the Property Owner shall complete construction of the adjacent portion of the 60th Street North Rural Parkway consistent with the approved Rural Parkway Landscape Plan, and the recorded Rural Parkway Easement. (CO: MONITORING - Planning)
 27. Prior to the issuance of a Building Permit for any buildings within Pod B, the Property Owner shall commence construction of the adjacent portion of the 60th Street North Rural Parkway easement, consistent with the approved Rural Parkway Landscape Plan, and recorded Rural Parkway Easement. (BLDGPM: MONITORING - Planning)
 28. Prior to the issuance of a Certificate of Occupancy for any buildings within Pod B, the Property Owner shall complete construction of the adjacent portion of the 60th Street North Rural Parkway consistent with the approved Rural Parkway Landscape Plan, and the recorded Rural Parkway Easement. (CO: MONITORING - Planning)

PLANNING-RURAL PARKWAY - 140TH AVENUE NORTH

29. Prior to the issuance of the 2,900th Building Permit, the Property Owner shall provide a conceptual 140th Avenue North Rural Parkway Landscape Plan, for the entire length of 140th Avenue North identified as a Rural Parkway in the Comprehensive Plan, on the west side of the 140th Avenue North right of way only, subject to approval by the Planning Division, to include the following minimum quantities per segment, per side of the road:
 - a. Canopy trees, 1 per 1,100 square feet of Rural Parkway Easement;
 - b. Flowering Trees, 1 per 2,000 square feet of Rural Parkway Easement;
 - c. Palms, 1 per 1,800 square feet of Rural Parkway Easement;
 - d. Pines, 1 per 4,000 square feet of Rural Parkway Easement;
 - e. Large Shrubs, 1 per 400 square feet of Rural Parkway Easement;
 - f. Medium Shrubs, 1 per 300 square feet of Rural Parkway Easement;
 - g. Small Shrubs, 1 per 200 square feet of Rural Parkway Easement; and,
 - h. Turf grass and other groundcover as applicable for areas not planted with landscape material.
 (BLDGPM: MONITORING - Planning)
30. Prior to the issuance of the 2,950th residential Building Permit, the 50-foot 140th Avenue

North Rural Parkway Easement shall be recorded, as approved by the County Attorney's Office, the Engineering Department, and the Planning Division. The public access easement for the 50-foot Rural Parkway shall contain:

- a. A Landscape Plan that conforms with the approved Rural Parkway Landscape Plan, but not be limited to the following items:
 - 1) 70% native trees, palms, and shrubs;
 - 2) a continuous ten (10) foot paved multipurpose path;
 - 3) a continuous minimum eight (8) foot stabilized and sodded equestrian path;
 - 4) benches/pedestrian gathering area. At least one (1) pedestrian gathering area shall be provided within the 50-foot wide Rural Parkway frontage; and,
 - 5) pedestrian connections that traverse the rural parkway to connect to pedestrian trail networks within the Natural Transect.
- b. The Rural Parkway Easement shall not include:
 - 1) walls;
 - 2) structures with the exception of benches/pedestrian gathering areas; and,
 - 3) signs.
- c. The Rural Parkway Easement may include:
 - 1) berms or other undulating changes in the finished grade not to exceed four (4) feet in height when measured from the crown of the adjacent roadway;
 - 2) other drainage/utility easements may only be permitted which traverse (run perpendicular to) the Rural Parkway Easement to place drainage/utilities;
 - 3) 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;
 - 4) a ten (10) foot utility easement, located adjacent to the right-of-way for 140th Street North; and,
 - 5) low-intensity lighting appropriate for illuminating the pedestrian pathway.
- d. A maintenance agreement with Seminole Improvement District in the form of a Management Plan for continual maintenance of the Rural Parkway. (BLDGPM: MONITORING - Planning)

31. Should the 50-foot wide 140th Avenue North Rural Parkway Easement not be placed on this property in a form acceptable to the County Attorney, Engineering Department, and Planning Division, prior to November 1, 2025, 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: MONITORING - Planning)

32. Prior to the issuance of the 2,990th residential Building Permit, the Property Owner shall commence construction of the 140th Avenue North Rural Parkway, consistent with the approved Rural Parkway Landscape Plan, and recorded Rural Parkway easement. (BLDGPM: MONITORING - Planning)

33. Prior to the issuance of the 3,000th residential Certificate of Occupancy, the Property Owner shall complete construction of the 140th Avenue North Rural Parkway consistent with the approved Rural Parkway Landscape Plan, and recorded Rural Parkway easement. (BLDGPM: MONITORING - Planning)

PLANNING-RURAL PARKWAY - PERSIMMON BOULEVARD

34. Prior to the issuance of the 2,900th Building Permit, the Property Owner shall provide a conceptual Persimmon Boulevard Rural Parkway Landscape Plan, for the entire length of Persimmon Boulevard identified as a Rural Parkway in the Comprehensive Plan, on the both sides of the right-of-way, subject to approval by the Planning Division, to include the following minimum quantities per segment, per side of the road:
- a. Canopy trees, 1 per 1,100 square feet of Rural Parkway Easement;
 - b. Flowering Trees, 1 per 2,000 square feet of Rural Parkway Easement;
 - c. Palms, 1 per 1,800 square feet of Rural Parkway Easement;
 - d. Pines, 1 per 4,000 square feet of Rural Parkway Easement;
 - e. Large Shrubs, 1 per 400 square feet of Rural Parkway Easement;
 - f. Medium Shrubs, 1 per 300 square feet of Rural Parkway Easement;
 - g. Small Shrubs, 1 per 200 square feet of Rural Parkway Easement; and,
 - h. Turf grass and other groundcover as applicable for areas not planted with landscape material. (BLDGPM: MONITORING - Planning)

35. Prior to the issuance of the 2,950th Building Permit, the 50-foot Persimmon Boulevard Rural Parkway Easement shall be recorded, as approved by the County Attorney's Office, the Engineering Department, and the Planning Division. The public access easement for the 50-foot Rural Parkway shall contain:
- a. A Landscape Plan that conforms with the approved Rural Parkway Landscape Plan, but not be limited to the following items:
 - 1) 70% native trees, palms, and shrubs;
 - 2) a continuous ten (10) foot paved multipurpose path;
 - 3) benches/pedestrian gathering area. At least one (1) pedestrian gathering area shall be provided within the 50-foot wide Rural Parkway frontage; and,
 - 4) pedestrian connections that traverse the rural parkway to connect to pedestrian trail networks within the Natural Transect.
 - b. The Rural Parkway Easement shall not include:
 - 1) walls;
 - 2) structures with the exception of benches/pedestrian gathering areas; and,
 - 3) signs, notwithstanding a general name, or other community identifying symbol, icon or marker on the "context-sensitive community identification monuments".
 - c. The Rural Parkway Easement may include:
 - 1) berms or other undulating changes in the finished grade not to exceed four (4) feet in height when measured from the crown of the adjacent roadway;
 - 2) other drainage/utility easements may only be permitted which traverse (run perpendicular to) the Rural Parkway Easement to place drainage/utilities;
 - 3) 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;
 - 4) a ten (10) foot utility easement, located adjacent to the right-of-way for Persimmon Boulevard;
 - 5) a continuous minimum eight (8) foot stabilized and sodded equestrian path; and,
 - 6) low-intensity lighting appropriate for illuminating the pedestrian pathway.
 - d. A maintenance agreement with Seminole Improvement District in the form of a Management Plan for continual maintenance of the Rural Parkway. (BLDGPM: MONITORING - Planning)
36. Should the 50-foot wide Persimmon Boulevard Rural Parkway Easement not be placed on this property in a form acceptable to the County Attorney, Engineering Department, and Planning Division, prior to November 1, 2020, 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: MONITORING - Planning)
37. Prior to Final Master Plan approval by the DRO, the Property Owner shall submit detailed architectural and landscape plans for the proposed "context-sensitive community identification monuments" within the Persimmon Road Rural Parkway that include plans, elevations, relevant details, and indicate materials, finishes and colors for discretionary review and approval by the Planning Director. These shall then be incorporated into the Design Standards. (DRO: PLANNING - Planning)
38. Prior to the issuance of the 2,990th residential Building Permit, the Property Owner shall commence construction of the Persimmon Boulevard Rural Parkway, consistent with the approved Rural Parkway Landscape Plan, and recorded Rural Parkway easement. (BLDGPM: MONITORING - Planning)
39. Prior to the issuance of the 3,000th residential Certificate of Occupancy, the Property Owner shall complete construction of the Persimmon Boulevard Rural Parkway consistent with the approved Rural Parkway Landscape Plan, and recorded Rural Parkway easement. (BLDGPM: MONITORING - Planning)

PLANNING-RURAL PARKWAY -TOWN CENTER PARKWAY

40. Prior to the issuance of the 1,200th residential Building Permit, the Property Owner shall provide a conceptual "Town Center Parkway" Rural Parkway Landscape Plan, for the entire length of the Town Center Parkway Rural Parkway identified in the Comprehensive Plan, on both sides of the right-of-way, subject to approval by the Planning Division, to include the following minimum quantities per segment, per side of the road:
- a. Canopy trees, 1 per 1,100 square feet of Rural Parkway Easement;

- b. Flowering Trees, 1 per 2,000 square feet of Rural Parkway Easement;
- c. Palms, 1 per 1,800 square feet of Rural Parkway Easement;
- d. Pines, 1 per 4,000 square feet of Rural Parkway Easement;
- e. Large Shrubs, 1 per 400 square feet of Rural Parkway Easement;
- f. Medium Shrubs, 1 per 300 square feet of Rural Parkway Easement;
- g. Small Shrubs, 1 per 200 square feet of Rural Parkway Easement; and,
- h. Turf grass and other groundcover as applicable for areas not planted with landscape material.

(BLDGPM: MONITORING - Planning)

41. Prior to the issuance of the 1,250th residential Building Permit, the 50-foot "Town Center Parkway" Rural Parkway Easement shall be recorded, as approved by the County Attorney's Office, the Engineering Department, and the Planning Division. The public access easement for the 50-foot Rural Parkway shall contain:

- a. A Landscape Plan that conforms with the approved Rural Parkway Landscape Plan, but not be limited to the following items:
 - 1) 70% native trees, palms, and shrubs;
 - 2) a continuous ten (10) foot paved multipurpose path;
 - 3) benches/pedestrian gathering area. At least one (1) pedestrian gathering area shall be provided within the 50-foot wide Rural Parkway frontage; and,
 - 4) pedestrian connections that traverse the rural parkway to connect to pedestrian trail networks within the Natural Transect.
- b. The Rural Parkway Easement shall not include:
 - 1) walls;
 - 2) structures with the exception of benches/pedestrian gathering areas; and,
 - 3) signs, notwithstanding a general name, or other community identifying symbol, icon or marker on the "context-sensitive community identification monuments."
- c. The Rural Parkway Easement may include:
 - 1) berms or other undulating changes in the finished grade not to exceed four (4) feet in height when measured from the crown of the adjacent roadway;
 - 2) other drainage/utility easements may only be permitted which traverse (run perpendicular to) the Rural Parkway Easement to place drainage/utilities;
 - 3) 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;
 - 4) a ten (10) foot utility easement, located adjacent to the right-of-way for Town Center Parkway;
 - 5) low-intensity lighting appropriate for illuminating the pedestrian pathway; and,
 - 6) a continuous minimum eight (8) foot stabilized and sodded equestrian path.
- d. A maintenance agreement with Seminole Improvement District in the form of a Management Plan for continual maintenance of the Rural Parkway. (BLDGPM: MONITORING - Planning)

42. Should the 50-foot wide "Town Center Parkway" Rural Parkway Easement not be placed on this property in a form acceptable to the County Attorney, Engineering Department, and Planning Division, prior to November 1, 2020, then the approval of this Development Order shall be scheduled for review by the Board of County Commissioners with a recommendation by Staff to revoke the Development Order. (DATE: MONITORING - Planning)

43. Prior to Final Master Plan approval by the DRO, the property owner shall submit detailed architectural and landscape plans for the proposed "context-sensitive community identification monuments" within the "Town Center Parkway" Rural Parkway that include plans, elevations, relevant details, and indicate materials, finishes and colors for discretionary review and approval by the Planning Director. These shall then be incorporated into the Design Standards. (DRO: PLANNING - Planning)

44. Prior to the issuance of the 1,290th residential building permit, the property owner shall commence construction of the "Town Center Parkway" Rural Parkway, consistent with the approved Rural Parkway Landscape Plan, and recorded Rural Parkway easement. (BLDGPM: MONITORING - Planning)

45. Prior to the issuance of the 1,300th residential Certificate of Occupancy, the property

owner shall complete construction of the "Town Center Parkway" Rural Parkway consistent with the approved Rural Parkway Landscape Plan, and recorded Rural Parkway easement. (BLDGPM: MONITORING - Planning)

PLANNING-GENERAL

46. To ensure that the "appropriate new urbanism concepts" provision of the Agricultural Enclave statute is fulfilled, no Traditional Neighborhood Pod shall be gated or otherwise have restricted access. (ONGOING: PLANNING - Planning)
47. Prior to Final Master Plan approval, the Master Plan shall be revised to incorporate the "AG Enclave TTD Pod Limitations" table as depicted on the adopted Conceptual Plan. (DRO: PLANNING - Planning)

PLANNING-WORKFORCE HOUSING

48. The Property Owner shall provide 10 percent of the Minto West TTD approved density as Work Force Housing units (WFH) for a total of 455 WFH units. (ONGOING: PLANNING - Planning)
49. The Property Owner shall provide these Work Force Housing units (WFH) to the low to moderate 2, (60%-120%) Area Median Income (AMI) groups. (ONGOING: PLANNING - Planning)
50. Prior to the issuance of the first residential Building Permit a Master Covenant for all 455 Work Force Housing units (WFH) shall be recorded and/or at the time of closing of each WFH unit, a deed restriction for each WFH unit shall be recorded containing all relevant information implementing the Planning workforce housing conditions specified in this resolution. (BLDGPM: MONITORING - Planning)
51. Upon the recordation of sale for each Work Force Housing units (WFH), a copy of the deed restriction shall be provided to the Planning Director and the Department of Economic Sustainability (DES). (ONGOING: PLANNING - Planning)
52. 20% or 91 of the residential Certificates of Occupancy for the Work Force Housing units (WFH) units shall be issued prior to the issuance of 30% of the total units or the 1,364th residential Certificate of Occupancy. (CO: MONITORING - Planning)
53. 50% or 227 of the residential Certificates of Occupancy for the Work Force Housing units (WFH) shall be issued prior to 57% or the 2,591st residential Certificates of Occupancy. (CO: MONITORING - Planning)
54. 85% or 387 of the residential Certificates of Occupancy for the Work Force Housing units (WFH) shall be issued prior to the issuance of 85% of the total units or the 3,864th residential Certificate of Occupancy. (CO: MONITORING - Planning)
55. 100% or 455 of the residential Certificates of Occupancy for the Work Force Housing units (WFH) shall be issued prior to the issuance of 90% of the total units or the 4,091st residential Certificate of Occupancy. (CO: MONITORING - Planning)
56. In all cases, additional units may be provided within each phase that exceed the requirements as stated above. (ONGOING: PLANNING - Planning)
57. Design Requirements Work Force Housing units (WFH) shall be designed to be compatible with the overall project, as follows:
 - a. All WFH units shall be constructed on site.
 - b. All WFH units shall be designed to a compatible exterior standard as other units within the development or pod/phase and shall be comparable with the surrounding land uses; and
 - c. Required WFH units may be clustered or dispersed throughout the project.(ONGOING: PLANNING - Planning)
58. Affordability Requirements: All required Work Force Housing units (WFH) shall be offered for sale at an attainable housing cost for each of the targeted income ranges. The sale prices shall be updated annually by the Planning Director or his designee, with the sales prices based on the AMI, and the household income limits for PBC (West Palm

Beach/Boca Raton metropolitan statistical area) for a family of four, which pricing shall not be adjusted based on the number of occupants, as published annually by HUD (sale price: household income figure multiplied by three and priced at the middle of each of the four WFH income categories). (ONGOING: PLANNING - Planning)

59. Prior to final approval by the Development Review Officer (DRO), at the time of site plan for each Pod containing Work Force Housing units (WFH), the property owner shall identify each required WFH unit within that Pod. (DRO: PLANNING - Planning)
60. The deed for each Work Force Housing units (WFH)sold shall include restrictions requiring
 - a. that all identified WFH units be sold or resold only to qualified households in the applicable targeted income range at an attainable housing cost for each of the targeted income ranges;
 - b. that these restrictions remain in effect for 15 years recurring from the date of the certificate of occupancy for each unit; and,
 - c. that in the event a unit is resold before the 15-year period concludes, a new 15 year period shall take effect on the date of resale. (ONGOING: PLANNING - Planning)
61. Release of Obligation to Construct Work Force Housing units (WFH) For-Sale Units It is not the intent of the WFH provisions to require a developer to commence construction on a WFH for sale unit for which a valid and binding contract for purchase between developer and buyer has not been executed. It is intended that all WFH units will be marketed in the same manner as the market-rate units within the development. In the event a WFH unit eligible for contract has been available for purchase for a period not less than 180 days and no contract to purchase that unit has been executed during the 180 day period, and is located within a development POD or Phase in which not less than 80% of the market rate units have binding purchase contracts. then that specific WFH unit shall be eligible to be released from the WFH obligations indicated in the Applicable Site Plan. When a WFH unit is not purchased in accordance with the provision above, the developer shall make an in lieu payment to the County pursuant to the following:
 - a. An amount equal to one half of the differential between the WFH unit cost and the contract price not to exceed \$40,000 per unit.
 - b. "Available for purchase" shall be defined as:
 - 1) Written notice is provided to the Planning Director and the Department of Economic Sustainability (DES) and to a list of interested parties provided to the developer by the County that developer has a project approved which requires the construction of WFH units and the developer is ready to commence sales of the required WFH unit within the development. The written notice shall include the location of the subject property, the location of the sales office, the hours of the sales office, the floor plan and construction specifications for the WFH unit available for contract; and the pricing of the WFH unit available for contract;
 - 2) Developer shall include in the sales office displays and WFH unit promotional brochures produced as of and during the entire duration of the build-out of the project until all WFH units required have been sold and/or released according to this condition;
 - 3) The inclusion of informational packets in the sales center for those interested in purchasing a WFH unit which provides the qualification standards, where to go to get qualified, and other relevant information regarding the WFH units. This packet shall be provided by or approved by Palm Beach County prior to placement on the sales floor;
 - 4) At the time the WFH units become available for purchase the developer shall provide to the Palm Beach County Department of Planning, Zoning and Building proof of out-reach to local housing advocacy groups and others on the interested parties list; and,
 - 5) The developer acts in good faith to market and sell the unit during the term of the project until such time as all WFH units are sold or released pursuant to this condition. (ONGOING: PLANNING - Planning)
62. In the event of default by the purchaser of a for sale Work Force Housing units (WFH), after execution of a binding contract, the subject WFH shall return as available for sale for the remainder of the applicable 180-day sale period. (ONGOING: PLANNING - Planning)

63. Nothing in these conditions requires the developer to provide and/or guarantee financing for any applicant for a Work Force Housing units (WFH). The Developer is not required to aid in the purchase and/or financing of the WFH unit. (ONGOING: PLANNING - Planning)
64. On an annual basis, beginning November 1, 2018, or as otherwise stipulated in the Declaration of Restrictive Covenants, the owner of the Work Force Housing units (WFH) shall submit to the Planning Director, or designee, on a form provided by the County, an annual report containing information and documentation to demonstrate continued compliance with the WFH and a copy of any monitoring information provided to and received from the appropriate funding agency/source. (DATE/ONGOING: MONITORING - Planning)

PRIVATE CIVIC

1. Development of the Private Civic Pods, PC-1 to PC-5, shall follow the development regulations of a Traditional Neighborhood District and Neighborhood Center requirements. (ONGOING: ZONING - Zoning)
2. The private Civic Pods shall receive Site Plan approval, by the required approving authority (i.e. DRO, ZC, or BCC), prior to the development of each Pod. (ONGOING: ZONING - Zoning)
3. To comply with the Civic uses limitation of Planning Condition 2 and preserve appropriate intensity for the development of Public Civic Pods, development of the Private Civic Pods (PC-1 to PC-5) shall be limited to a combined total not to exceed 150,000 square feet. Intensity of Public Civic uses not measured by square footage for Concurrency purposes (i.e. fire station, school, park, etc.) shall not count against the Civic use limitation of Planning Condition 2. (DRO: PROPERTY REAL ESTATE MANAGEMENT - Property Real Estate Management)

PROPERTY & REAL ESTATE MANAGEMENT

1. Platting and Deed-
The Property Owner shall provide Palm Beach County Board of County Commissioners with a Statutory Warranty Deed on a net 4.3 acre dry (minus pond, canal or drainage area acreage) public civic site (Proposed Pod C-1), in a location and form acceptable to Facilities, Development & Operations Department (FD&O) by May 31, 2017. 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. Administrative Time Extensions for this civic site conveyance date Condition may only be requested by the Property Owner upon the express approval of FD&O.
 - 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 Department's (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 TTD 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 TTD. 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 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 Facilities Development & Operations Department. Site shall be stabilized with 1) sod and watered or, 2) seeded, mulched and watered (until seed has established itself) to the satisfaction of Facilities Development and Operations.

i. Water & Sewer

Property Owner to provide water and sewer stubbed out to the property line and other required utilities as determined 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 Pod C-1 civic site by March 1, 2017. Survey shall reflect the boundary and topographical areas of the site and the surveyor shall use the following criteria:

- a. The survey shall meet Minimum Technical Standards set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17.050-.052 for a Boundary Survey 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.

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.

Administrative Time Extensions for this civic site survey Condition may only be requested by the Property Owner upon the express approval of FD&O. (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 Pod C-1 civic site by March 1, 2017. The minimum assessment which is required is commonly called a "Phase I Audit". The audit shall describe the environmental Conditions of the property and identify the past and current land use.

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.

If the Phase I audit indicates that a Phase II is necessary, then the property owner shall be required to provide that audit as well.

Administrative Time Extensions for this civic site environmental survey Condition may only be requested by the Property Owner upon the express approval of FD&O. (DATE: MONITORING - Property Real Estate Management)

4. Platting & Deed -

The Property Owner shall provide Palm Beach County Board of County Commissioners with Statutory Warranty Deeds on 55.85 net acres of dry (minus pond, canal or drainage area acreage) public civic site land area (proposed Pods C-2 and C-4) in locations and form acceptable to Facilities, Development & Operations Department (FD&O) by January 31, 2020. Property Owner to plat and dedicate each civic site Pod 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 sites and any easements that service the civic sites 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 Department's (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 sites 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 TTD or other restrictive covenants as they may apply to the civic sites.

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 sites and recorded on the concurrency reservation for the entire TTD. The Property Owner shall be provided with input as to the size of a structure (and proposed use) which the civic sites would support and the corresponding amount of trips. If no County use is applied to the civic sites, Property Owner shall assign sufficient traffic trip capacity equivalent to the number of units each 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 sites 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 sites by the County. Property Owner shall specifically address the following issues:

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

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 sites to buildable grade under the direction of the Facilities Development & Operations Department. Site shall be stabilized with 1) sod and watered or, 2) seeded, mulched and watered (until seed has established itself) to the satisfaction of Facilities Development and Operations.

i. Water & Sewer

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

j. Upon request by Palm Beach County, the Property Owner shall promptly grant access and/or signage easement(s) for the civic sites. Such easement(s) shall be in a form, manner, location and configuration that is acceptable to Palm Beach County.

(DATE: MONITORING - Property Real Estate Management)

5. Survey -

The Property Owner shall provide the County with a survey certified to Palm Beach County of the proposed Pod C-2 and C-4 civic sites by November 1, 2019. Survey shall reflect the boundary and topographical areas of the site and the surveyor shall use the following criteria:

a. The survey shall meet Minimum Technical Standards set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17.050-.052 for a Boundary Survey 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 sites.

Survey is also subject to the County's approval of any proposed or existing easements within the proposed civic sites and all title exceptions are to be shown on the survey.

DATE: MONITORING - Property Real Estate Management)

6. Environmental Survey -

The Property Owner shall provide PREM with an Environmental Assessment certified to Palm Beach County for the proposed Pod C-2 and C-4 civic sites by November 1, 2019. The minimum assessment which is required is commonly called a "Phase I Audit". The audit shall describe the environmental Conditions of the property and identify the past and current land use.

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 sites.

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 sites 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 sites 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 sites. 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.

If the Phase I audit indicates that a Phase II is necessary, then the property owner shall be required to provide that audit as well.

(DATE: MONITORING - Property Real Estate Management)

SCHOOL BOARD

1. Prior to October 1, 2018, the Property Owner and its successors and/or assigns shall provide the School Board of Palm Beach County with the following prior to dedication:
 - a. A warranty deed for a minimum of 12.00 acres for the public school site. The property owner shall plat and dedicate the school site to the Palm Beach County School District prior to conveying the deed and shall have satisfied each of the following conditions prior to deed conveyance:
 - b) Title: Provide a title policy insuring marketable title to the Palm Beach County School Board.
 - c) Taxes: All ad valorem real estate taxes and assessments for the year of closing shall be prorated at the day of acceptance of the deed for the school site; acceptance date to be determined by the School Board's Planning and Intergovernmental Relations Department.
 - d) Site Condition: School site shall be free and clear of all trash and debris at the time of acceptance of the warranty deed.
 - e) Environmental: The site shall be a developable site free of environmental constraints.
(DATE/PLAT: MONITORING - School Board)
2. Prior to the 2,200th residential building permit, or within 180 days upon request being made to the Planning, Zoning and Building Department by the School District if the site is included in the School District's 5-year plan of improvements, whichever occurs first, the Developer and its successors and/or assigns shall provide the School Board of Palm Beach County with the following:
 - a. Retention/Drainage: Provide all retention, detention, and drainage required for any future development of the proposed school site by the School Board and specifically address the following issues:
 - b. The discharge of surface water from the proposed public school site into the property owner's water retention basins.
 - c. Provide for easements across the property owner's property from the proposed public school site to the retention basins, if required.
 - d. Buildable Site: Prepare school site to buildable grade under the School Board's Program Management Department supervision.
 - e. Water & Sewer: Provide water and sewer stubbed out to the public school site property line.
 - f. Stabilized Easement: Provide a 15-foot stabilized easement on the school site in order to provide for emergency vehicle secondary access.
 - g. Traffic Concurrency: Assign sufficient traffic trip capacity such that the traffic volume associated with a public school and recorded for the school site in the TDD.
 - h. Landscaping: The site shall be landscaped with perimeter plantings.
(BLDGPM: MONITORING - School Board)
3. Prior to October 1, 2017, the Property Owner shall provide the School Board with a certified survey of the proposed public school site. Survey shall reflect the boundary and topographical areas of the site and the survey shall meet Minimum Technical Standards for a Boundary Survey as prescribed by F.A.C. 21HH.6. (DATE: MONITORING - School Board)
4. Prior to October 1, 2017, the Property Owner shall provide the School Board with a tree survey of the proposed public school site. (DATE: MONITORING - School Board)
5. Prior to October 1, 2017, the Property Owner shall provide the School Board with an Environmental Assessment Statement describing the environmental conditions of the property, including well field Zones. If the Phase I audit indicates that a Phase II is

necessary, then the Phase II audit will be required and completed as well. (DATE: MONITORING - School Board)

SIGNS

1. Prior to recordation of a plat, signage easements for Ground Mounted Signs located adjacent to the Rural Parkways, shall be recorded as approved by the County Attorney's Office, and Planning and Zoning Divisions. (PLAT: ZONING - Planning)
2. Prior to the issuance of a Sign Permit for any Ground Mounted Signs as permitted in a TTD and pursuant to the Unified Land Development Code, shall be installed within a sign easement when located adjacent to a Rural Parkway. (BLDGPM: ZONING - Planning)

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) (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.