

## RESOLUTION NO. R-2025- 1804

RESOLUTION APPROVING ZONING APPLICATION DOA/CA-2024-01594  
 (CONTROL NO. 1984-00071)  
 a Development Order Amendment  
 APPLICATION OF SBA Towers X, LLC - Larry Harris, Polo Club Of Boca Raton Property  
 Owners Assoc.  
 BY Gunster, Yoakley & Stewart, PA, Insite Studio, Inc., AGENT  
 (Polo Club of Boca Raton)

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 pursuant to Article 2 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application DOA/CA-2024-01594 was presented to the Board of County Commissioners at a public hearing conducted on December 10, 2025;

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 (Application Processes and Procedures) of the ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the Board of County Commissioners hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Processes) for a Development Order Amendment;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the ULDC 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 Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.B.6.C (Board Action) of the ULDC 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:

1. The foregoing recitals are true and correct and are incorporated herein.
2. Zoning Application DOA/CA-2024-01594, the Application of SBA Towers X, LLC - Larry Harris, Polo Club Of Boca Raton Property Owners Assoc., by Gunster, Yoakley & Stewart, PA, Insite Studio, Inc., Agent, for a Development Order Amendment to modify the overall Master Plan for the Planned Unit Development and add a use within the Recreation Pod on 908.86 acres, on a parcel of land generally described as shown on the legal description in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on December 10, 2025, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Flores moved for the approval of the Resolution.

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

Commissioner Sara Baxter, Mayor	- Aye
Commissioner Marci Woodward, Vice Mayor	- Aye
Commissioner Maria G. Marino	- Aye
Commissioner Gregg K. Weiss	- Aye
Commissioner Joel G. Flores	- Aye
Commissioner Maria Sachs	- Aye
Commissioner Bobby Powell, Jr.	- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on December 10, 2025.

Filed with the Clerk of the Board of County Commissioners on December 10th, 2025.

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY:   
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

MICHAEL A. CARUSO  
CLERK & COMPTROLLER

BY:   
DEPUTY CLERK



## EXHIBIT A

### LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN SECTIONS 26, 27, 34, AND 35, TOWNSHIP 46 SOUTH, RANGE 42 EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 35 THENCE NORTH 01 DEGREE 08' 04" WEST ALONG THE EAST LINE OF SAID SECTION 35, A DISTANCE OF 534.60 FEET; THENCE SOUTH 88 DEGREES 51' 56" WEST AND PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 75.00 FEET TO A LINE 75.00 FEET WEST OF AND PARALLEL WITH SAID EAST LINE OF SECTION 35, AND THE POINT OF BEGINNING. FROM THE POINT OF BEGINNING, NORTH 01 DEGREE 08' 04" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 2146.23 FEET; THENCE NORTH 01 DEGREE 07' 50" WEST, CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 2679.84 FEET TO THE NORTH LINE OF SAID SECTION 35; THENCE SOUTH 89 DEGREES 07' 45" WEST ALONG SAID NORTH LINE, A DISTANCE OF 2608.14 FEET TO THE NORTH 1/4 CORNER OF SAID SECTION 35; THENCE SOUTH 89 DEGREES 07' 44" WEST CONTINUING ALONG SAID NORTH LINE, A DISTANCE OF 1291.26 FEET TO THE EAST LINE OF THE WEST 70.00 FEET OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 26; THENCE NORTH 00 DEGREES 35' 03" WEST ALONG SAID EAST LINE, A DISTANCE OF 2700.04 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 26; THENCE ALONG SAID NORTH LINE NORTH 89 DEGREES 15' 53" EAST, A DISTANCE OF 598.91 FEET; THENCE NORTH 01 DEGREES 41' 35" WEST, A DISTANCE OF 677.85 FEET, THENCE NORTH 89 DEGREES 21' 35" EAST, A DISTANCE OF 319.07 FEET; THENCE NORTH 00 DEGREES 48' 08" WEST, A DISTANCE OF 677.33 FEET; THENCE SOUTH 89 DEGREES 27' 19" WEST, A DISTANCE OF 1317.74 FEET; THENCE NORTH 00 DEGREES 31' 48" WEST, A DISTANCE OF 1359.04 FEET; THENCE SOUTH 89 DEGREES 38' 50" WEST, A DISTANCE OF 497.82 FEET; THENCE SOUTH 00 DEGREES 26' 56" EAST, A DISTANCE OF 60 FEET; THENCE SOUTH 89 DEGREES 38' 50" WEST, A DISTANCE OF 497.91 FEET; THENCE SOUTH 00 DEGREES 22' 04" EAST, A DISTANCE OF 2664.76 FEET TO THE WEST 1/4 CORNER OF SAID SECTION 26; THENCE ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 26, NORTH 89 DEGREES, 15' 53" EAST, A DISTANCE OF 1003.37 FEET; THENCE SOUTH 00 DEGREES 31' 48" EAST, A DISTANCE OF 70.00 FEET TO A LINE 70.00 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE; THENCE SOUTH 89 DEGREES 15' 53" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 334.522 FEET; THENCE NORTH 00 DEGREES 28' 33" WEST A DISTANCE OF 70.00 FEET TO SAID NORTH LINE; THENCE SOUTH 89 DEGREES 15' 53" WEST ALONG SAID NORTH LINE, A DISTANCE OF 668.91 FEET TO THE AFOREMENTIONED WEST 1/4 CORNER OF SAID SECTION 26; THENCE SOUTH 89 DEGREES 22' 58" WEST, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 27, A DISTANCE OF 2685.34 FEET TO THE NORTH-SOUTH 1/4 SECTION LINE OF SAID SECTION 27; THENCE SOUTH 00 DEGREES 17' 34" EAST ALONG THE SAID NORTH-SOUTH LINE, A DISTANCE OF 680.52 FEET; THENCE NORTH 89 DEGREES 23' 50" EAST, A DISTANCE OF 1343.11 FEET TO THE WEST LINE OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 27; THENCE SOUTH 00 DEGREES 19' 49" EAST ALONG SAID WEST LINE, A DISTANCE OF 1361.70 FEET; THENCE SOUTH 89 DEGREES 25' 34" WEST, A DISTANCE OF 1008.00 FEET; THENCE SOUTH 00 DEGREES 18' 08" EAST, A DISTANCE OF 668.34 FEET TO THE NORTH LINE OF SAID SECTION 34; THENCE SOUTH 89 DEGREES 13' 10" WEST ALONG SAID NORTH LINE A DISTANCE OF 308.64 FEET TO THE NORTH 1/4 CORNER OF SAID SECTION 34; THENCE SOUTH 01 DEGREES 03' 59" EAST ALONG THE NORTH-SOUTH 1/4 SECTION OF LINE OF SAID SECTION 34, A DISTANCE OF 1388.00 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 34; THENCE NORTH 89 DEGREES 23' 45" EAST ALONG SAID NORTH LINE, A DISTANCE OF 1310.00 FEET TO THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 34 THENCE SOUTH 01 DEGREES 03' 59" EAST ALONG SAID EAST LINE, A DISTANCE OF 1287.91 FEET TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 34; THENCE NORTH 89 DEGREES 23' 45" EAST ALONG SAID SOUTH LINE A DISTANCE OF 1376.11 FEET TO THE

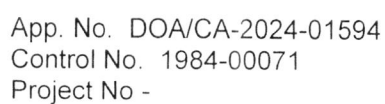
EAST 1/4 CORNER OF SAID SECTION 34 THENCE NORTH 89 DEGREES 04' 44" EAST ALONG THE EAST-WEST 1/4 SECTION LINE OF SAID SECTION 35, A DISTANCE OF 2763.08 FEET, THENCE SOUTH 00 DEGREES 13' 47" EAST A DISTANCE OF 2655.00 FEET TO A LINE 25.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 35: THENCE NORTH 89 DEGREES 06' 02" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 1633.38 FEET: THENCE NORTH 10 DEGREES 28' 56" EAST A DISTANCE OF 509.20 FEET, THENCE NORTH 21 DEGREES 23' 31" EAST A DISTANCE OF 153.36 FEET; THENCE NORTH 88 DEGREES 51' 56" EAST, A DISTANCE OF 150.00 FEET; THENCE NORTH 01 DEGREE 00' 04" WEST, A DISTANCE OF 130.00 FEET; THENCE NORTH 88 DEGREES 51' 56" EAST, A DISTANCE OF 420.00 FEET; THENCE SOUTH 01 DEGREE 08' 04" EAST, A DISTANCE OF 130.00 FEET; THENCE SOUTH 54 DEGREES 15' 52" EAST, A DISTANCE OF 100.00 FEET: THENCE SOUTH 29 DEGREES 12' 25" EAST, A DISTANCE OF 85.00 FEET; THENCE NORTH 88 DEGREES 51' 56" EAST, A DISTANCE OF 90.00 FEET TO THE POINT OF BEGINNING, BEING LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF MILITARY TRAIL (SR 809) AND CLINT MOORE ROAD AND BOUNDED ON THE WEST BY PROPOSED JOG ROAD AND ON THE NORTH BY LAKE WORTH DRAINAGE DISTRICT LATERAL CANAL NO. 36, IN A RESIDENTIAL TRANSITIONAL SUBURBAN ZONING DISTRICT, IN PART, AND RESIDENTIAL SINGLE FAMILY ZONING DISTRICT, IN PART

TOGETHER WITH:

THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 26, TOWNSHIP 46 SOUTH, RANGE 42 EAST OF PALM BEACH COUNTY FLORIDA.



### VICINITY SKETCH



## EXHIBIT C

### CONDITIONS OF APPROVAL

#### Development Order Amendment – Overall Planned Unit Development

##### ALL PETITIONS

1. All property included in the legal description of this zoning Petition shall be subject to a Declaration of Restrictions and Covenants, acceptable to County Attorney's Office, which shall provide, among other things, for the following: Formation of Single "master" property owners' association, and automatic membership in the "master" property owners' association by any party holding title to any portion of the property included in the PUD. (PLAT: ZONING - County Attorney) [Note: COMPLETED] (Previous ALL PETITIONS Condition 1 of Resolution R-1997-1571, Control No.1984-00071)

2. Prior to Master Plan Certification, all conditions (including those of the previous approval not modified herein) shall be applied to the Master Plan. (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous ALL PETITIONS Condition 2 of Resolution R-1997-1571, Control No.1984-00071)

3. Previous ALL PETITIONS Condition 3 of Resolution R-1997-1571, Control No.1984-00071, which currently states:

All previous conditions of approval applicable to the subject property, as contained in Resolution R-96-1962, (Petition 84-71(G)) have been consolidate as contained herein. The petitioner shall comply with all previous conditions of approval and deadlines previously established by Section 5.8 of the ULDC and the Board of County Commissioners, unless expressly modified.

##### Is hereby amended to read:

All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-97-1571 (Control No. 1984-00071), have been consolidated as contained herein. The Property Owner shall comply with all previous Conditions of Approval and deadlines previously established by Article 2.E of the Unified Land Development Code and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING - Zoning)

4. The approved Master Plan is dated October 27, 2025. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

##### ALL PETITIONS – PARCEL R

1. Development of the site (Parcel R) is limited to the uses and site design as approved by the Board of County Commissioners. The approved site plan is dated July 25, 1997. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING - Zoning) (Previous ALL PETITIONS Condition 4 of Resolution R-1997-1571, Control No.1984-00071)

##### BUILDING AND SITE DESIGN

1. The golf easement located adjacent to the twenty (20) foot non-exclusive easement to the LWDD for use as a bridle trail will be used only for golf cart and pedestrian golf purposes and will not be a golf course maintenance road for golf course maintenance vehicles. (ONGOING: ZONING - Code Enforcement) (Previous BUILDING AND SITE DESIGN Condition 1 of Resolution R-1997-1571, Control No.1984-00071)

2. The petitioner agrees to provide heavy duty silencers to all drainage pumps to be operated within the Polo Club PUD. (ONGOING: ZONING - Code Enforcement) (Previous BUILDING AND SITE DESIGN Condition 2 of Resolution R-1997-1571, Control No.1984-00071)

3. The petitioner agrees to not commence land development activities involving heavy equipment prior to 7:00 a.m. (ONGOING: ZONING - Code Enforcement) (Previous BUILDING AND SITE DESIGN Condition 3 of Resolution R-1997-1571, Control No.1984-00071)

4. The petitioner has agreed to limit the height of the golf course country club to forty-five (45) feet (two (2) stories with berming) the height of all commercial building within the village commercial

area to two (2) stories and the height of all dwelling units adjacent to abutting properties to a maximum of two (2) stories. (BLDGPMT: BUILDING DIVISION - Zoning) (Previous BUILDING AND SITE DESIGN Condition 4 of Resolution R-1997-1571, Control No.1984-00071)

5. The proposed bridle trail shall be designed with a minimum radius of 50 feet along the northeastern and southeastern portion of the Polo Club where the bridle trail from the north makes a southerly and westerly turn. The trail shall be located a minimum of 50 feet from the closest residential structure within Boca Delray PUD on lots 97 and 145 northeastern and southeastern most property lines. (DRO: ZONING - Zoning) (Previous BUILDING AND SITE DESIGN Condition 5 of Resolution R-1997-1571, Control No.1984-00071)

#### **CONGREGATE LIVING FACILITY CONDITIONS – PETITION 87-18**

1. Prior to certification, the master plan shall be amended to indicate the following:

- a. Required separate tabular data for congregate living facility (C.F. - Type 3) as follows:
  - 1) Number of residents and resident staff;
  - 2) Acreage;
  - 3) Density equivalency; and
  - 4) Housing categories. ((DRO: ZONING - Zoning) (Previous CLF CONDITIONS Condition 1 of Resolution R-1997-1571, Control No.1984-00071)

2. Primary access to the C.F.-Type 3 shall be limited to Linton Boulevard. (ONGOING: ZONING - Zoning) (Previous CLF CONDITIONS Condition 2 of Resolution R-1997-1571, Control No.1984-00071)

3. Prior to site plan certification, the petitioner shall submit the following architectural data:

- a. Proposed building heights;
- b. Types of housing categories;
- c. Lot coverage;
- d. Proposed building square footage;
- e. Minimum setbacks; and
- f. Facility amenities. (DRO: ZONING - Monitoring) (Previous CLF CONDITIONS Condition 3 of Resolution R-1997-1571, Control No.1984-00071)

4. Prior to site plan certification for the congregate living facility parcel, the petitioner shall submit a letter from the Polo Club Planned Unit Development Master Association documenting that the structure is architecturally compatible with character of development within the planned unit development. (DRO: ZONING - Zoning) (Previous CLF CONDITIONS Condition 4 of Resolution R-1997-1571, Control No.1984-00071)

5. No off-premise signs shall be permitted on site. (ONGOING: ZONING - Code Enforcement) (Previous CLF CONDITIONS Condition 5 of Resolution R-1997-1571, Control No.1984-00071)

#### **ENGINEERING**

1. This development shall retain the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 73-4 as amended. (Previous ENGINEERING Condition 1 of Resolution R-1997-1571, Control No.1984-00071)

2. The property owner shall convey for the ultimate right of way of:

- a. Military Trail, 60 ft. from centerline,
- b. Jog Road, 60 feet from centerline. (This shall also include, the "outparcels", M as identified on the applicant's survey), and
- c. Clint Moore Road 80 feet north of the existing south right-of-way for the ultimate right-of-way for Clint Moore Road

All of the above shall be conveyed within ninety (90) days of Special Exception approval. All conveyances must be accepted by Palm Beach County prior to issuance of the first building permit.

(BLDGPMT/DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 2 of Resolution R-1997-1571, Control No.1984-00071)

3. The petitioner shall modify the existing construction plans for Military Trail as a four-lane, median divided section, from a point 200 feet south of New Clint Moore Road north to the north right-of-way line of the LWDD L38 Canal, including the appropriate tapers per the County Engineer's approval. These plans shall be completed within two (2) months of Special Exception approval or prior to the issuance of fifty (50) building permits, whichever shall first occur. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-1997-1571, Control No.1984-00071)

4. The developer shall participate in PBC road construction Program for Military Trail from New Clint Moore Road to Linton Blvd during the Fiscal Year 1983-84. The developer shall fund the cost of the constructions of Military Trail as four-lane median divided section from a point 200 feet south New Clint Moore Road north to the North right of way line at the LWDD L38 canal plus the appropriate tapers per the County Engineers approval. A letter of credit for this construction based upon a certified cost estimate from the developers engineers shall be posted within 2 months of Special Exception Approval prior to the issuance of 500 building permits whichever shall first occur the amount of \$160,000.00 for the partial construction of the four-lane bridge over the LWDD 1-38 Canal which was funded from Petition 80- 73(A) shall be subtracted from the developer's cost estimate this letter of credit may be called upon at the time of the awarding of the contract for the construction of Military Trail from New Clint Moore Rd to Linton Blvd. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 4 of Resolution R-1997-1571, Control No.1984-00071)

5. The property owner shall obtain the right-of-way for Jog Road from Clint Moore Road north to the existing paved terminus of south Linton Boulevard within 18 months of Special Exception Approval or prior to the issuance of a Building Permit whichever shall first occur. This property owner shall enter into a written agreement with the Land Acquisition Section within 30 days of Special Exception Approval for which this property owner shall fund any and all costs associated with the acquisition of this right-of-way. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 5 of Resolution R-1997-1571, Control No.1984-00071)

6. The property owner shall construct Jog Road from Old Clint Moore Road north to the existing Terminus South of Linton Boulevard as a 2-lane Section per Condition No. 6a including three lane bridges where applicable. This construction shall be completed concurrent with the improvements for the first plat or within 24 months of Special Exception Approval whichever shall first occur. Credit for the impact fee shall be given for this road construction as outlined in Condition No. 6a, 6b, 6c and 7 as well as other funds contributed toward Military Trail construction. Note it is the Intent of these 3 conditions above that this property owner shall share in the cost of this Jog Road construction with Petition No. 85-167 approved in December ,1985, to the present day dollar equivalent of the improvements required under Petition 84-71 for Jog Road. (DATE/PLAT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 6 of Resolution R-1997-1571, Control No.1984-00071)

7. This petitioner shall post surety in the form of a Clean Irrevocable Letter of Credit within six (6) months of Special Exception approval. The amount of the Letter of Credit shall be based upon a Certified Cost Estimate by the developer's engineer for the required plans and construction for both Jog Road and Military Trail, as outlined in the above conditions. (DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 7 of Resolution R-1997-1571, Control No.1984-00071)

8. The developer shall construct concurrent with reconstruction of Military Trail and the project's north approach:

- a. Left turn lane, south approach;
- b. Right turn lane, north approach; and
- c. Signalization when warranted, as determined by the County Engineer. [Note: COMPLETED] (Previous ENGINEERING Condition 8 of Resolution R-1997-1571, Control No.1984-00071)

9. The developer shall construct concurrent with reconstruction of Military Trail and the project's south entrance:

- a. Dual left turn lane, south approach;
- b. Right turn lane, north approach; and
- c. Signalization when warranted, as determined by the County Engineer. [Note: COMPLETED] (Previous ENGINEERING Condition 9 of Resolution R-1997-1571, Control No.1984-00071)

10. The developer shall construct concurrent with reconstruction of Military Trail and Old Clint Moore Road:

- a. Right turn lane, north approach;
- b. Left turn lane, south approach; and
- c. Left turn lane, west approach. [Note: COMPLETED] (Previous ENGINEERING Condition 10 of Resolution R-1997-1571, Control No.1984-00071)

11. The developer shall construct concurrent with reconstruction of Military Trail and New Clint Moore Road:



- a. Left turn lane, north approach; and
  - b. Right turn lane, south approach. [Note: COMPLETED] (Previous ENGINEERING Condition 11 of Resolution R-1997-1571, Control No.1984-00071)
12. The developer shall construct concurrent with construction of Jog Road at the intersection of Old Clint Moore Road:
- a. Left turn lane, north approach;
  - b. Left turn lane, west approach; and
  - c. Signalization when warranted, as determined by the County Engineer
  - d. Left turn lane east approach. [Note: COMPLETED] (Previous ENGINEERING Condition 12 of Resolution R-1997-1571, Control No.1984-00071)
13. The property owner shall provide PBC a road drainage easement within the project's internal lake system for legal positive outfall to accommodate the runoff Jog Road, Military Trail, and Clint Moore Road along the property frontage and for a maximum 400 ft. distance each side of the property boundary lines along Jog Road, Military Trail, and Clint Moore Road. The drainage system within the project shall have sufficient retention/detention capacity to accommodate the ultimate Thoroughfare Plan Section road drainage runoff and be subject to all governmental agency requirements. (PLAT: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 13 of Resolution R-1997-1571, Control No.1984-00071)
14. The reconstruction of Military Trail as outlined in Condition 4 and 5 shall be credited toward the Fair Share Impact Fee of \$531,063 based upon a certified cost estimate by the developers engineer, however prior to the letting of the contract for the four-laning of Military Trail, surety must be posted with the County in an amount equivalent to \$200.00 per Multi-family dwelling unit and \$300.00 per single family unit constructed prior to the issuance of a building permit, which shall be returned to the developer upon the letting of the road construction contract. [Note: COMPLETED] (Previous ENGINEERING Condition 14 of Resolution R-1997-1571, Control No.1984-00071)
15. The internal roadway for Jog Road to Military Trail shall be a minimum of an 80' collector road right-of-way. [Note: COMPLETED] (Previous ENGINEERING Condition 15 of Resolution R-1997-1571, Control No.1984-00071)
16. The property owner shall construct concurrent with the construction of Jog Road at the project entrance onto Jog Road:
- a)left turn lane, north approach;
  - b) right turn lane, south approach;
  - c) left turn lane, east approach. [Note: COMPLETED] (Previous ENGINEERING Condition 16 of Resolution R-1997-1571, Control No.1984-00071)
17. The property owner shall install signalization if warranted as determined by the County Engineer at Jog Road and the project's entrance road. Should signalization not be warranted after 12 months after the final Certificate of Occupancy this property owner shall be relieved from this condition. [Note: COMPLETED] (Previous ENGINEERING Condition 17 of Resolution R-1997-1571, Control No.1984-00071)
18. Prior to Site Plan Committee approval, the petitioner shall revise the proposed Master Plan to reflect a (sixty) 60 foot right-of-way through Tract "P" with sufficient length to meet the County's Subdivision and Platting Requirements as specified in Ordinance 73-4. (DRO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 18 of Resolution R-1997-1571, Control No.1984-00071)
19. The petitioner shall convey to the Lake Worth Drainage District:
- a) the north 70 feet of the subject property for the required right-of-way of Later Canal No. 37, and
  - b) the south 105 feet of Parcels No. 7 and 10 as shown on the survey for the subject property for the required right-of-way of lateral Canal No. 38 by Quit Claim Deed or an Easement Deed in the form provided by said District within ninety (90) days of adoption of the Resolution by the BCC. (DATE: MONITORING - Lake Worth Drainage District) [Note: COMPLETED] (Previous ENGINEERING Condition 19 of Resolution R-1997-1571, Control No.1984-00071)
20. Prior to master plan certification, petitioner shall convey a drainage easement from the commercial tract subject to approval of the County Engineer and the County Attorney's Office. (DRO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 20 of Resolution R-1997-1571, Control No.1984-00071)



21. Property Owner shall convey a road drainage easement along the south property line for Clint Moore Road subject to approval from the Office of both the County Attorney and County Engineer prior to Master Plan approval. (DRO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 21 of Resolution R-1997-1571, Control No.1984-00071)

22. Deleted by Resolution R-96-1962, Petition 84-71(G). (Previous ENGINEERING Condition 22 of Resolution R-1997-1571, Control No.1984-00071)

23. The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project presently is \$6,144.00 (192 trips X \$26.79 per trip). (ONGOING: TRAFFIC ENGINEERING - Traffic Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 23 of Resolution R-1997-1571, Control No.1984-00071)

24. Prior to issuance of a building permit for the Equestrian Center, Jog Road shall be constructed from Clint Moore Road to the project's north property line. This construction shall be a minimum 2-12 foot travel lanes. [Note: COMPLETED] (Previous ENGINEERING Condition 24 of Resolution R-1997-1571, Control No.1984-00071)

25. Prior to site plan certification, the developer shall agree to accept stormwater runoff from the adjacent School Board property through this project's internal lake system subject to approval by the Palm Beach County School Board and the County Engineering Department. (DRO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 25 of Resolution R-1997-1571, Control No.1984-00071)

26. At the time of site plan approval, the site plan shall be revised to show the Palm Beach County property which supports the access easement from Jog Road to the South County Civic site and the golf maintenance facility. (DRO: ZONING - Property Real Estate Management) [Note: COMPLETED] (Previous ENGINEERING Condition 26 of Resolution R-1997-1571, Control No.1984-00071)

27. Prior to Master Plan certification the Master Plan shall be revised to indicate the proposed road right-of-way between Tracts P-2 and P-3 terminating in a 110 foot diameter cul-de-sac. (DRO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 27 of Resolution R-1997-1571, Control No.1984-00071)

28. Prior to site plan certification, petitioner shall deliver to the Lake North Drainage District a deed for the North 70 feet of the NW 1/4 of the SE 1/4 of Section 27-46/42 for the required right-of-way for Lateral Canal No. 37. Delivery shall be within 90 days of approval of the resolution approving this project. The deed may be in the form of an Easement Deed or a Quit Claim Deed, whichever the owner prefers. (DRO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 28 of Resolution R-1997-1571, Control No.1984-00071)

29. Deleted by resolution R-96-1962. (Previous ENGINEERING Condition 29 of Resolution R-1997-1571, Control No.1984-00071)

30. The Polo Club shall provide legal access to the Taylor property (Petition 88-92) until alternate access to the site may be required. (DRO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 30 of Resolution R-1997-1571, Control No.1984-00071)

31. Deleted by Resolution R-96-1962. [Note: COMPLETED] (Previous ENGINEERING Condition 31 of Resolution R-1997-1571, Control No.1984-00071)

32. The petitioner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. (ONGOING: TRAFFIC ENGINEERING - Traffic Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 32 of Resolution R-1997-1571, Control No.1984-00071)

33. The property owner shall plat the subject property in accordance with provision of Palm Beach County's Subdivision Platting Ordinance 734 as amended. (PLAT: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 33 of Resolution R-1997-1571, Control No.1984-00071)

34. Prior to January 15, 1997, the developer shall complete the design, obtain all necessary permits to construct a storm water management area required to compensate for retention of

runoff from the Jog Road right of way from L-38 canal southward to the LWDD L39 Canal, for a distance of 2700' +/- (Sta 133+00 to Sta 160+00) per Palm Beach County Jog Road Project #94507(A)(1) construction plans. The compensating drainage system within the project shall have sufficient retention/detention and conveyance capacity to meet the storm water discharge and treatment requirements of Palm Beach County and the applicable Drainage District, as well as the South Florida Water Management District, for the combined runoff from the project to accommodate the ultimate Thoroughfare Plan Road Section(s) of the included segment. The storage will be approximately 2.6 acres and will be a portion of a new 8.0 acre lake that will be located on the current Equestrian Center site. Discharge will be via a new control structure into the L-37 Canal. The lake will also be connected to the existing storage system in Polo's north basin. (DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 34 of Resolution R-1997-1571, Control No.1984-00071)

35. Prior to January 15, 1997, the developer shall design, obtain permit and construct, or allow the County to construct, the control structure and discharge pipe from the existing lake, in the northeast corner of the intersection of Jog Road and Champion's Boulevard above to the L-38 Canal. Polo Club shall maintain the outfall and lake system. Palm Beach County shall have the right but not the obligation to maintain this pipe and outfall structure. (DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 35 of Resolution R-1997-1571, Control No.1984-00071)

36. Prior to January 31, 1997, the developer shall provide County with a 20 ft wide drainage easement and 20 ft wide flowage easement and allow Palm Beach County to discharge directly into the existing lake at the northeast corner of Jog Road and Champion Boulevard in Polo's west basin. This lake will provide the required water quality portion of storage. The easement shall indemnify and hold the County harmless for any and all consequences of this discharge. (DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 36 of Resolution R-1997-1571, Control No.1984-00071)

37. Prior to January 15, 1997, the developer shall obtain permits from South Florida Water Management District (SFWMD) and Lake Worth of; Drainage District (LWDD) for modifications to the Polo west and north basins including "compensating storage" for the Jog Road runoff in the a new lake to be constructed on the Equestrian Site. (DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 37 of Resolution R-1997-1571, Control No.1984-00071)

38. Prior to July 31, 1997, the developer shall complete the construction of the compensating lake for the Jog Road drainage. (DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 38 of Resolution R-1997-1571, Control No.1984-00071)

39. Should this work not be complied with by the dates above the property owners shall reimburse Palm Beach County for any damages claimed by and awarded to the Jog Road contractor for any delays resulting from the failure to complete any or all work. Payment shall be completed within 30 days of notice by the County Engineer. [Note: COMPLETED] (Previous ENGINEERING Condition 39 of Resolution R-1997-1571, Control No.1984-00071)

#### 40. LANDSCAPE WITHIN MEDIAN

a. Prior to January 1, 1998, the property owner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to landscape all adjacent median of all abutting rights-of-way. When permitted by Palm Beach County Department of Engineering and Public Works, landscaping shall, at a minimum, consist of the "Low Cost Planting Concept" outlined in the Palm Beach County Engineering and Public Works Department March 1994 Streetscape Standards and shall be consistent with the landscaping theme adopted for this roadway. All landscape material, installation, and maintenance requirements shall be subject to the standards set forth by the Streetscape Standards. If all xeriscape material is utilized, the watering of the plant material during the initial heal-in period shall be the responsibility of the property owner. Alternative species other than those listed in the County standards may be allowed subject to approval by the County Engineer. (DATE: MONITORING - Engineering) [Note: COMPLETED]

b. All required median landscaping, including an irrigation system if required shall be installed at the property owner's expense. All landscape material shall also be the perpetual maintenance obligation of the petitioner and its successors, heirs, or assignees or duly established Property Owner's Association and/or Homeowners's Association. Perpetual maintenance includes, but is not limited to, pruning, fertilizing, irrigation, and alternate watering of Xeriscape material during periods of drought in order to maintain healthy plant material. All landscape material shall be installed prior to April 1, 1998. (DATE: MONITORING - Engineering) [Note: COMPLETED]

c. Declaration of Covenants and Restriction Documents shall be established or amended as

required, prior to November 1, 1997. (DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 40 of Resolution R-1997-1571, Control No. 1984-00071)

41. The Developer shall also provide within this project's internal stormwater management system an equivalent amount of stormwater runoff for the road drainage of Linton Boulevard for Parcel "R". The amount of required to be stored shall be based upon the applicable County Water Control District, South Florida Water Management District and Palm Beach County Engineering Requirements. (BLDGPM: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 41 of Resolution R-1997-1571, Control No. 1984-00071)

#### **ENVIRONMENTAL**

1. The developer shall relocate and/or preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measure shall also be taken to protect any individual trees and/or preservation areas during site clearing and construction. (BLDGPM: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management) [Note: COMPLETED] (Previous ENVIRONMENTAL Condition 1 of Resolution R-1997-1571, Control No. 1984-00071)

#### **GOLF MAINTENANCE NORTH OF PARCEL I**

1. Native vegetation with the golf course and 25-foot buffer along the eastern property shall be preserved and incorporated into the project design. (Previously Condition F.1 of Resolution R-96-1962, Petition 84-71(G)) (ONGOING: ZONING - Code Enforcement) (Previous GOLF MAINTENANCE NORTH OF PARCEL I Condition 1 of Resolution R-1997-1571, Control No. 1984-00071)

2. A landscape buffer shall be planted commencing at the southwest corner of the E-3 Canal extending west a minimum of 250 feet along the southern boundary of the Lake Worth Drainage District L-38 Canal. This buffer shall consist of a) a solid hedge maintained at minimum height of six (6) feet, planted along the fence which encloses the maintenance facility; b) mature canopy tree vegetation planted at a minimum height of 15 feet and spaced so as to allow a solid visual buffer to be maintained within one year of planting; and c) minimum 15 foot high pine or palm species planted in a dense cluster in proximity to the antenna so as to soften the visual impact of a tower. This landscape treatment shall be installed prior to issuance of first Certificate of Occupancy on any structure within the equestrian facility. In addition, the satellite dish and gate shall be appropriately landscaped so as to avoid negative visual impact upon surrounding properties. (Previously Condition F.2 of Resolution R-96-1962, Petition 84-71(G)) (ONGOING: ZONING - Code Enforcement) (Previous GOLF MAINTENANCE NORTH OF PARCEL I Condition 2 of Resolution R-1997-1571, Control No. 1984-00071)

3. Storage sheds and temporary trailers shall be located south of the golf maintenance facility or screened from view to the west and north. (Previously Condition F.3 of Resolution R-96-1962, Petition 84-71(G)) (ONGOING: ZONING - Code Enforcement) (Previous GOLF MAINTENANCE NORTH OF PARCEL I Condition 3 of Resolution R-1997-1571, Control No. 1984-00071)

#### **HEALTH**

1. Previous HEALTH Condition 5 of Resolution R-1997-1571, Control No. 1984-00071, which currently states:

Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site. (ONGOING: HEALTH DEPARTMENT - Health Department)

**Is hereby deleted.** [REASON: Code requirement]

2. Previous HEALTH Condition 6 of Resolution R-1997-1571, Control No. 1984-00071, which currently states:

Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water. (ONGOING: HEALTH DEPARTMENT - Health Department)

**Is hereby deleted.** [REASON: Code requirement]

#### **ZONING - LANDSCAPING**

1. Prior to approval of the site plan for Parcel S, the site plan shall be revised to reflect a 25-foot landscape buffer along the south property line acceptable to Palm Beach County PREM and the Zoning Division. (Previously Condition I.2 of Resolution R-96-1962, Petition 84-71(G)) (DRO: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 1 of Resolution R-1997-1571, Control No. 1984-00071)



2. If access is shared between the Parcel S and the South County Civic Site, the 25-foot PUD buffer shall be located north of the shared accessway. (Previously Condition I.3 of Resolution R-96-1962, Petition 84-71(G) (ONGOING: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 2 of Resolution R-1997-1571, Control No.1984-00071)

3. The stockpile of dirt dug from the Lake Worth Drainage District L-38 Canal shall be completely removed by October 15, 1987. The 25 foot buffer, canal right-of-way and bank shall thereupon be seeded or sodded to prevent wind and water erosion. (Previously Condition I.4 of Resolution R-96-1962, Petition 84-71(G)) NOTE: [Condition completed] (DATE: ZONING - Monitoring) [Note: COMPLETED] (Previous ZONING - LANDSCAPING Condition 3 of Resolution R-1997-1571, Control No.1984-00071)

4. The required twenty-five (25) foot buffer along the perimeter of planned unit development (PUD) shall be shown on the master plan unless expressly modified herein. (Previously Condition I.5 of Resolution R-96-1962, Petition 84-71(G)) (ONGOING: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 4 of Resolution R-1997-1571, Control No.1984-00071)

5. The twenty (20) foot Type B landscape buffer required along the north boundary of Parcel S adjacent to the LWDD L-37 Canal may be reduced a maximum of 50% subject to final master plan certification by the DRC. (Previously Condition I.6 of Resolution R-96-1962, Petition 84-71(G)) (DRO: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 5 of Resolution R-1997-1571, Control No.1984-00071)

6. The 9.54-acre parcel addition to Parcel R may be exempted from the required twenty-five (25) foot perimeter PUD buffer requirement along the north, south and east property lines. Required landscape buffers will be as follows:

- a. Twenty (20) foot wide buffer along the north property line; and,
- b. Buffer widths along the south and east property lines shall be pursuant to the applicable provisions of the ULDC, as amended, at time of final subdivision approval for the parcel. In no case shall the buffer be less than ten (10) feet in width; and,
- c. Buffer plantings for all buffers shall be pursuant to the applicable provisions of the ULDC, as amended, at time of final subdivision approval for the parcel. (BLDGPM: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 6 of Resolution R-1997-1571, Control No.1984-00071)

#### **PALM TRAN**

1. A. Prior to final certification of the master plan or site plan by the Development Review Committee, whichever occurs first, the petitioner shall amend the plan to indicate mass transit access, mass transit shelter(s) and/or a bus stop(s) on or adjacent to the subject property, if required by the Palm Beach County School Board or Palm Tran.

B. Mass transit access, shelters and/or bus stops, if required, shall be located and constructed by the petitioner within three (3) years (October 24, 1999) in a manner acceptable to the Palm Beach County School Board, Palm Tran, and County Engineer. The petitioner shall dedicate additional right-of-way to accommodate the requirement for mass transit access and/or bus shelters, if requested by the County Engineer. Mass transit access shall include, at a minimum, a covered shelter, continuous paved pedestrian and bicycle access from the subject property or use to the shelter, and a bicycle rack. (ONGOING: PALM-TRAN - Palm-Tran) (Previous MASS (TRANSIT) Condition 1 of Resolution R-1997-1571, Control No.1984-00071)

#### **PARCEL-E**

1. The petitioner agrees to maintain a separation from the eastern property line of the Le Lac PUD for housing units to be located in Parcel E as depicted on the master land use plan for the Polo Club PUD as follows:

- a. Twenty (20) foot non-exclusive easement for the Lake Worth Drainage District adjacent to the eastern boundary of the LWDD E-3 Canal right-of-way; and, a
- b. Fifty (50) foot to two hundred fifty (250) foot golf course area; and, a
- c. Twenty-five (25) foot building set-back from the golf course area. ( (ONGOING: ZONING - Code Enforcement) (Previous PARCEL Condition 1 of Resolution R-1997-1571, Control No.1984-00071)

#### **PARCELK**

1. The petitioner agrees to install and maintain a four (4) to five (5) foot landscaped earth berm within the thirty-five (35) foot building set back to further screen residential units within Parcel K from residential to be located Le Lac Planned Unit Development. (ONGOING: ZONING - Code Enforcement) (Previous PARCELK Condition 1 of Resolution R-1997-1571, Control No.1984-00071)

2. The petitioner agrees to maintain a ninety (90) foot separation from the northern property line of the Le Lac Planned Unit Development to the southern property line of the single family dwelling units to be located in Parcel K as depicted on the revised master land use plan for the Polo Club Planned Unit Development. This ninety (90) foot open area shall consist of a fifty (50) foot right-of-way easement in favor of the Lake Worth Drainage District, a twenty (20) foot non-exclusive easement to Lake Worth Drainage District to be used for bridle trail purposes, and a twenty (20) foot golf cart easement. The developer of Parcel K of the Polo Club PUD further agrees to preserve and maintain the existing tree line and understory vegetation within the twenty (20) foot non-exclusive easement. (ONGOING: ZONING - Code Enforcement) (Previous PARCELK Condition 2 of Resolution R-1997-1571, Control No.1984-00071)

3. The petitioner further agrees to locate only single family detached patio homes in the southern tier of Parcel K similar to those constructed on Tract H of the Polo Club PUD by Housing Adventures and to further limit all dwelling units within Parcel K to a maximum of two (2) stories in height. Standard development regulations for patio homes and customary accessory uses shall be applied to structures within Parcel K. Only three (3) of the southernmost patio homes shall be two (2) story. (ONGOING: ZONING - Code Enforcement) (Previous PARCELK Condition 3 of Resolution R-1997-1571, Control No.1984-00071)

#### **PARCEL R (9.54 ACRE PARCEL ADDITION**

1. The development of the additional 9.54 acre parcel to Parcel R shall be limited to a total of thirteen (13) single-family units. (ONGOING: ZONING - Zoning) (Previous PARCEL R (9.54 ACRE PARCEL ADDITION Condition 1 of Resolution R-1997-1571, Control No.1984-00071)

2. Prior to final certification of the preliminary development plan, the certified site plan for Parcel R shall be amended to include the additional thirteen (13) units and the extension of the internal PUD right-of-way (Vintage Oaks Circle) for access to the units. (DRO: ZONING - Planning) (Previous PARCEL R (9.54 ACRE PARCEL ADDITION Condition 2 of Resolution R-1997-1571, Control No.1984-00071)

3. Prior to final DRC certification of the Preliminary Development Plan, the owner shall provide a recorded deed for the land areas described in the July 8, 1997 Lake Worth Drainage District letter and conditions 0.4 & 0.5 of this petition (84-71(H)). (DRO: ZONING - Planning) (Previous PARCEL R (9.54 ACRE PARCEL ADDITION Condition 3 of Resolution R-1997-1571, Control No.1984-00071)

4. Prior to platting or the issuance of any building or construction permits, the property owner shall convey to the Lake Worth Drainage District the North 6.8 feet of the South 20 feet of the SE 1/4 of the SE 1/4 of the NW 1/4 of Section 26/46/42 lying within the Required Right-of-Way for Lateral Canal No. 37 as described in Official Record Book 1732 Page 612 (Sheet 119 of 240) by Quit Claim Deed or an Easement Deed in the form provided by said District. (BLDGPMT: ZONING - Monitoring) (Previous PARCEL R (9.54 ACRE PARCEL ADDITION Condition 4 of Resolution R-1997-1571, Control No.1984-00071)

5. Prior to platting or the issuance of any building or construction permits, the property owner shall convey to the Lake Worth Drainage District that portion of the SE 1/4 of the SE 1/4 of the NW 1/4 of Section 26/46/42 lying within the Required Right-of-Way for Equalizer Canal No. 3 as described in Official Record Book 1732 Page 612 (Sheet 119 of 240) by Quit Claim Deed or an Easement Deed in the form provided by said District. (BLDGPMT: ZONING - Zoning) (Previous PARCEL R (9.54 ACRE PARCEL ADDITION Condition 5 of Resolution R-1997-1571, Control No.1984-00071)

#### **PARKS**

1. The development shall meet or exceed the minimum recreation area requirement of Article IX, Section VIII of the P.B.C. Subdivision and Platting Regulation Ordinance. (ONGOING: PARKS AND RECREATION - Parks and Recreation) (Previous PARKS Condition 1 of Resolution R-1997-1571, Control No.1984-00071)

2. In order to be usable for the required civic site to be more usable for educational and/or recreational proposes, the civic site may be located off the site of the subject PUD. Within 90 days of adoption of the resolution approving this petition, petitioner shall deliver to the Director of Parks and Recreation and the director of facilities planning, School Board of Palm Beach County, a precise legal description of the off-site parcels of land intended to be dedicated to Palm Beach County in order to satisfy this condition. These parcels of land shall total a minimum of 15 acres and shall be contiguous to and are intended to supplement other lands between the project's northwest boundary and Jog/Carter Road to be assembled as a community park/school site to serve this development and other nearby developments. Dedication of this civic site shall be



subject to approval of the Director of Parks and Recreation. Conveyance of this civic site shall be completed within 12 months of adoption of the resolution approving this development. [Note: COMPLETED] (Previous PARKS Condition 2 of Resolution R-1997-1571, Control No.1984-00071)

3. In lieu of the Polo Club providing storm water management facilities to serve the 15 acre Palm Beach County park site, which abuts the Polo Club to the west (south parcel S), the developer of Parcel "S", the former equestrian parcel, shall make a voluntary contribution to Palm Beach County in the amount of \$25,000 for drainage improvements to the South County Civic Site and park property. This amount shall be payable to Palm Beach County prior to the Parks and Recreation Department's approval of the first plat for Parcel "S", the former equestrian parcel. [Note: COMPLETED] (Previous PARKS Condition 3 of Resolution R-1997-1571, Control No.1984-00071)

#### **PUD REQUIREMENT - PETITIONS SUBSEQUENT TO PETITION 84-71**

1. Street lights shall be provided pursuant to Section 6.8.A.23.d(1) of the ULDC, subject to approval by the County Engineer. (BLDGPM/CO: ZONING - Engineering) (Previous PUD REQUIREMENT - PETITIONS SUBSEQUENT TO PETITION 84-71 Condition 1 of Resolution R-1997-1571, Control No.1984-00071)

2. Street trees shall be planted within or adjacent to all rights-of-way pursuant to Section 6.8.A.23.d(3) of the ULDC, subject to approval by the County Engineer. (BLDGPM/CO: ZONING - Engineering) (Previous PUD REQUIREMENT - PETITIONS SUBSEQUENT TO PETITION 84-71 Condition 2 of Resolution R-1997-1571, Control No.1984-00071)

3. Street bike lanes shall be provided pursuant to Section 6.8.A.23.d(4) of the ULDC, subject to approval by the County Engineer. (CO: ZONING - Engineering) (Previous PUD REQUIREMENT - PETITIONS SUBSEQUENT TO PETITION 84-71 Condition 3 of Resolution R-1997-1571, Control No.1984-00071)

4. All utilities shall be underground pursuant to Section 6.8.A.23.d(5) of the ULDC. (CO/ONGOING: ZONING - Zoning) (Previous PUD REQUIREMENT - PETITIONS SUBSEQUENT TO PETITION 84-71 Condition 4 of Resolution R-1997-1571, Control No.1984-00071)

#### **SCHOOL BOARD**

1. The petitioner has voluntarily agreed to provide \$250.00 per dwelling unit, total PUD dwelling unit count of 2,200 units for a total of \$550,000.00, in the form of a clean irrevocable letter of credit in favor of the School Board of Palm Beach County, for school site acquisition and/or site related improvements. This letter of credit shall be provided in a form acceptable to the School Board with 90 days of the date of adoption of the rezoning and PUD special exception resolution for the subject project. (ONGOING: SCHOOL BOARD - School Board) (Previous SCHOOL BOARD Condition 1 of Resolution R-1997-1571, Control No.1984-00071)

2. The petitioner shall post in a clear and visible location in all sales offices and model homes a sign provided by the School Board of Palm Beach County which indicates that school age children in the development may not be assigned to the most proximate public school because of overcrowding, racial balancing, or other School Board policies. (ONGOING: SCHOOL BOARD - School Board) (Previous SCHOOL BOARD Condition 2 of Resolution R-1997-1571, Control No.1984-00071)

#### **COMPLIANCE**

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

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

a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or

b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or

- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

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

#### DISCLOSURE

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