

RESOLUTION NO. R-2026 -0211

RESOLUTION APPROVING ZONING APPLICATION PDD-2025-00750  
(CONTROL NO. 1985-00155)  
an Official Zoning Map Amendment  
APPLICATION OF Lake Worth Associates I, LLLP - Kevin Ratterree  
BY G.L. Homes, AGENT  
(Falls PUD)

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 PDD-2025-00750 was presented to the Board of County Commissioners at a public hearing conducted on February 26, 2026;

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 an Official Zoning Map 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 PDD-2025-00750, the Application of Lake Worth Associates I, LLLP - Kevin Ratterree, by G.L. Homes, Agent, for an Official Zoning Map Amendment to allow a rezoning from the Commercial Recreation (CRE) Zoning District to the Planned Unit Development (PUD) Zoning District on 167.82 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 February 26, 2026, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Marino moved for the approval of the Resolution.

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

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

The Mayor thereupon declared that the resolution was duly passed and adopted on February 26, 2026.

Filed with the Clerk of the Board of County Commissioners on February 26, 2026.

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

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

BY:   
COUNTY ATTORNEY

MICHAEL A. CARUSO  
CLERK & COMPTROLLER

BY:   
DEPUTY CLERK

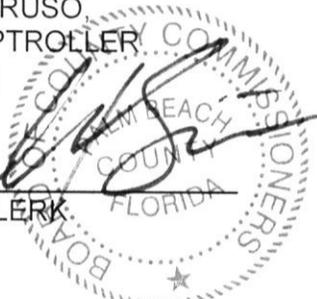


EXHIBIT A

LEGAL DESCRIPTION

ALL OF FALLS COUNTRY CLUB, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 61, PAGE 177, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

LESS AND EXCEPT: THAT TRACT "ADDITIONAL THOROUGHFARE RIGHT-OF-WAY" ACCORDING TO SAID PLAT.

ALSO LESS AND EXCEPT:

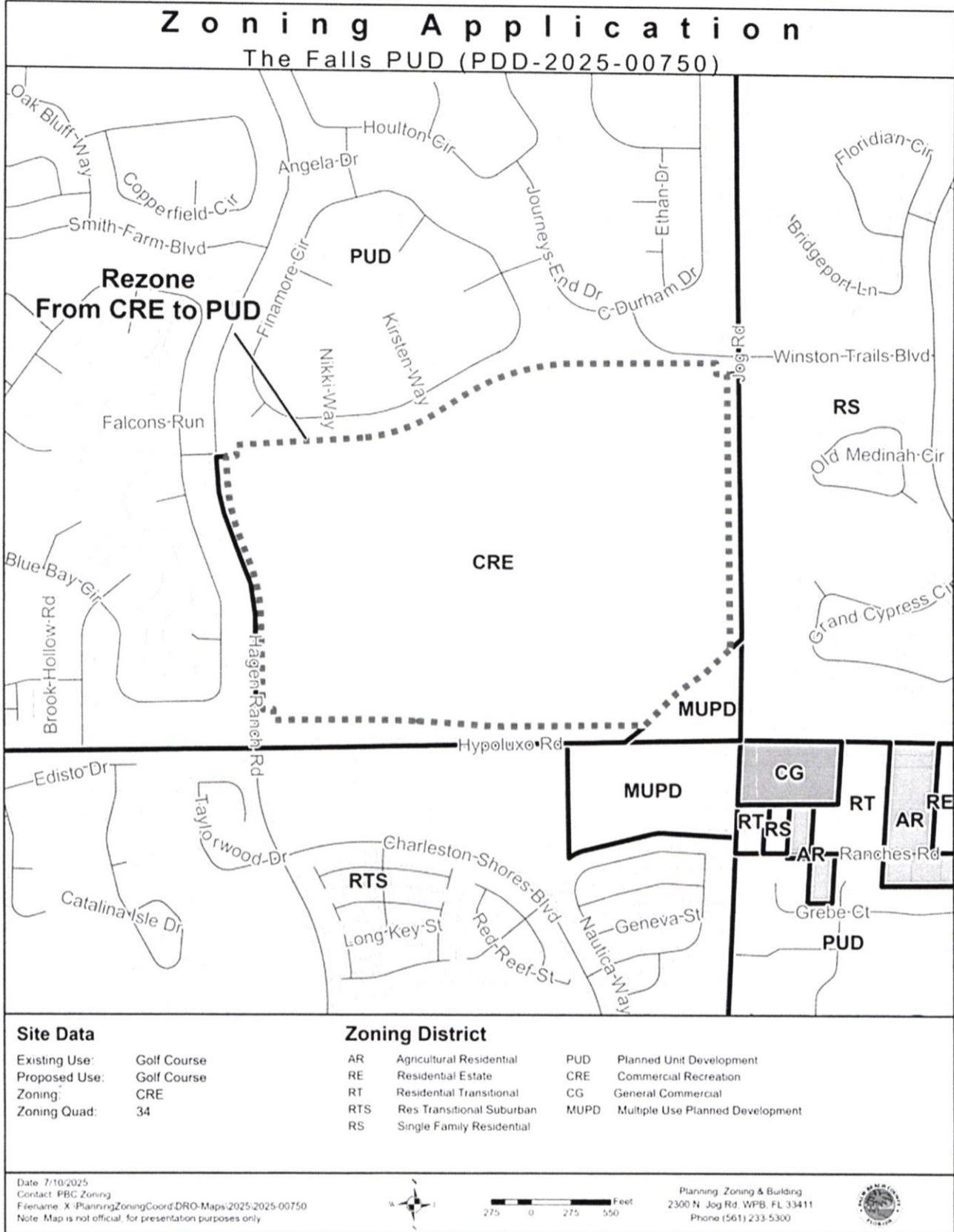
A PARCEL OF LAND LYING WITHIN THE PLAT OF FALLS COUNTRY CLUB, AS RECORDED IN PLAT BOOK 61, PAGE 177, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID PLAT, SAID CORNER INDICATED AS THE POINT OF BEGINNING OF THE PLATTED BOUNDARY; THENCE SOUTH 89°07'19" WEST, ALONG THE SOUTH LINE OF SAID PLAT (THE SOUTH LINE OF SAID PLAT IS ASSUMED TO BEAR SOUTH 89°07'19" WEST AND ALL OTHER BEARINGS ARE RELATIVE THERETO), A DISTANCE OF 11.92 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL; THENCE CONTINUE SOUTH 89°07'19" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 577.21 FEET TO A POINT; THENCE NORTH 44°42'34" EAST, DEPARTING SAID SOUTH LINE, A DISTANCE OF 310.82 FEET TO A POINT; THENCE NORTH 55°04'05" EAST A DISTANCE OF 239.49 FEET TO A POINT; THENCE NORTH 44°57'39" EAST A DISTANCE OF 236.28 FEET TO A POINT ON THE EAST LINE OF SAID PLAT; THENCE SOUTH 00°47'13" EAST, ALONG SAID EAST LINE, A DISTANCE OF 347.78 FEET TO A POINT; THENCE SOUTH 03°15'33" WEST, ALONG THE WEST LINE OF "ADDITIONAL THOROUGHFARE RIGHT-OF-WAY", A DISTANCE OF 168.90 FEET TO THE POINT OF BEGINNING.

CONTAINING A TOTAL OF 167.816 ACRES MORE OR LESS.

EXHIBIT B

VICINITY SKETCH



## EXHIBIT C

### CONDITIONS OF APPROVAL

#### **PDD- Residential Planned Development District on 167.82 acres**

##### **ALL PETITIONS**

1. The approved Preliminary 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)

##### **ARCHITECTURAL REVIEW**

1. Prior to final approval by the Development Review Officer, the Applicant shall revise the architectural elevations for the Multifamily Building to reduce the height of the building to a maximum 42 feet to the roof deck. (DRO: ZONING - Zoning)

##### **ENGINEERING**

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

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

3. The Property Owner shall:

i) construct a left turn lane north approach on Hagen Ranch Road at the project's entrance,  
ii) a right turn lane south approach on Hagen Ranch Road at the project's entrance and  
iii) restripe the median at the south approach. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the 287th building permit for a residential unit for sale. If approved by the County Engineer, the Property Owner may submit payment in lieu of construction in an amount approved by the County Engineer and the entire condition shall be considered satisfied. (BLDGPM: MONITORING - Engineering)

b. Construction shall be completed prior to issuance of the 287th Certificate of Occupancy. (CO: MONITORING - Engineering)

4. The Property Owner shall:

i) construct a left turn lane south approach on Jog Road at the project's residential entrance,  
ii) construct a right turn lane north approach on Jog Road at the project's residential entrance,  
iii) reconstruct the right turn lane south of the project's entrance on Jog Road to have a minimum 10 foot tangent between the egress radius return and the beginning of the taper. The taper shall be reconstructed to be a minimum of 50 feet long, and  
iv) construct and extend the median eliminating the existing access on Jog Road at the location of the existing entrance to the Falls Country Club.

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

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

b. Construction shall be completed prior to issuance of the first Certificate of Occupancy. (CO: MONITORING - Engineering)

c. In the event of a cash-out of the civic site, Condition 4.iii shall be considered satisfied and the

Property Owner shall remove the existing right turn lane north approach south of the projects entrance on Jog Road prior to the issuance of the 287th Certificate of Occupancy for a residential unit for sale. (CO/ONGOING: MONITORING - Engineering)

5. Pursuant to the Traffic Analysis, the Buildout Date is December 31, 2030. No Building Permits for the site may be issued after December 31, 2030. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

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

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

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

7. The Property Owner shall make the following Proportionate Share payments, based on the following schedule. Note that while this proportionate share payment is based on proportionate cost of a specific roadway improvement, the County, in its sole discretion may apply such payment to one or more mobility improvements to regionally significant transportation facilities. The proportionate share payment shall be adjusted at the time of payment by the escalator calculation set forth in a later condition. Proportionate share payments made pursuant to the Proportionate Share Agreement shall establish road impact fee credits. The proportionate share payment is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility in the area.

a. No Building Permits for more than 602 dwelling units shall be issued until the Property Owner makes a proportionate share payment in the amount of \$220,208.00. (BLDGPM: MONITORING - Engineering)

b. No Building Permits for more than 670 dwelling units shall be issued until the Property Owner makes a proportionate share payment in the amount of \$140,909.00. (BLDGPM: MONITORING - Engineering)

8. In recognition that construction prices may change over the life of the project, the proportionate share payments included in the above conditions shall be subject to the following escalator calculation:

Adjusted Payment (when payment is being made) = Original Payment Amount x Cost Adjustment Factor

Where,

Original Payment Amount = Proportionate Share Payment amount specified in the Proportionate Share Agreement

Cost Adjustment Factor = (Producer Price Index (PPI) for Commodities Code ID WPUIP2312301 (month of payment))/(Producer Price Index (PPI) for Commodities Code ID WPUIP2312301 (month of Prop Share Execution))

The Bureau of Labor Statistics Producer Price Index (PPI) for Commodities (Series ID: WPUIP2312301), can be found at <http://data.bls.gov/timeseries/WPUIP2312301>.

If at the time a Proportionate Share payment is due, the Commodities Code ID WPUIP2312301 is no longer used by the United States Bureau of Labor Statistics, the Adjusted Payment will be based on the Producer Price Index for non-residential commodities then in effect. In the event such an index is no longer in use, the Adjusted Payment will be based on the United States Bureau of Labor Statistics Consumer Price Index then in effect. (ONGOING: ENGINEERING - Engineering)

9. Prior to the issuance of the first building permit for a residential unit for sale, the Property Owner shall abandon the platted drainage easement and provide a sufficient public road drainage easement(s) for Jog Road, for continued conveyance, attenuation and treatment throughout the project's internal drainage system, to the point of legal positive outfall, as required by and approved by the County Engineer. Said easements shall be no less than 20 feet in width. Portions of such system not included within roadways or waterways dedicated for drainage purposes will be specifically encumbered by said minimum 20 foot drainage easement from the point of origin, to the point of legal positive outfall. The drainage system within the project shall have sufficient water quality, water quantity and, when necessary, compensating storage capacity within this project's system as required by all permitting agencies, as well as conveyance capacity to meet the storm water discharge and treatment requirements of Palm Beach County, the applicable Drainage District, and the South Florida Water Management District, for the combined runoff from the project to accommodate the ultimate Thoroughfare Plan Road Section(s) of the included segment. Specifically, one through lane must be open during the 25-year, 3-day storm and the elevation for the 3-year, 1-day storm event shall provide sufficient freeboard to allow for efficient roadway drainage system design. If required and approved by the County Engineer, the Property Owner shall construct within the proposed drainage easements a minimum of 24 inch closed piping system and appropriate wingwall or other structures as required by and approved by the County Engineer. Elevation and location of the entire drainage system shall be approved by the County Engineer. Any and all excess fill material from excavation by Palm Beach County within said easements shall become the property of Palm Beach County which at its discretion may use this fill material. The Property Owner shall not record these required easements or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents. (BLDGPM: MONITORING - Engineering)

10. Prior to issuance of the first building permit, the Property Owner shall

- i) release or modify the drainage easement recorded in ORB 28712 PG 531 and ORB 28208, PG 639 and
- ii) provide a new easement for continued conveyance, attenuation and treatment for the Falls Commercial MUPD. (BLDGPM: MONITORING - Engineering)

11. The Property Owner shall perpetually maintain median landscape within the median of all abutting right of way of Jog Road. This landscaping and irrigation shall strictly conform to the specifications and standards for the County's Only Trees, Irrigation, and Sod (OTIS) program. Additional landscaping beyond OTIS requires Board of County Commissioner's approval. Existing median landscaping and any additional landscaping installed by the Property Owner shall be perpetually maintained by the Property Owner, his successors and assigns, without recourse to Palm Beach County. (ONGOING: ENGINEERING - Engineering)

## **ENVIRONMENTAL**

1. Prior to the final approval by the Development Review Officer, the August 8, 2025, Site Assessment Report (SAR), prepared by SCS Engineers, and the Florida Department of Environmental Protection (FDEP) SAR review letter shall be provided to ERM for review. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

## **LANDSCAPE - PERIMETER- NORTH PROPERTY LINE**

1. Prior to final approval by the Development Review Officer, the landscape buffer along the north property line, adjacent to lots 40-65 of Journeys End Plat 1 as depicted in Plat Book 85 page 32, shall be a minimum 40 feet in width, with the remainder of the north property line being a minimum 25 feet in width. (DRO: ZONING - Zoning)

## **PLANNING**

1. The subject request for 800 units with a 27-unit Workforce Housing Program (WHP) obligation was calculated based on Limited Incentive Development Option with the WHP units to be provided off-site utilizing the Exchange Builder option. No density bonus programs were utilized. Should a reduction in overall units occur, the WHP obligation may be reduced subject to a new analysis, and the timing mechanisms adjusted administratively as needed. (ONGOING: PLANNING - Planning)

2. Per ULDC Article 5.G.1.C.4.b., should any of 17 required WHP units resulting from 500 Zero Lot Line (Single Family) units be provided off-site as rentals, the WHP obligation shall be 1.5 times the obligation. (ONGOING: PLANNING - Planning)

3. The exchange price for the Exchange Builder shall be 80 percent of the applicable In-Lieu fee in effect at the time of the Development Order for the subject development which equates to \$2,729,898.40 (17 WHP x \$146,769 for SFD or \$2,495,073 + 10 WHP x \$91,730 for Multifamily)

or \$917,300 = \$3,412,373 total in-lieu fee) x 0.80 = \$2,729,898.40 total exchange price for Exchange Builder. (ONGOING: PLANNING - Planning)

4. Prior to the issuance of the first residential Building Permit at the subject site, the Property Owner shall record in the public records of Palm Beach County a Notice of Disposition, in a form acceptable to the Palm Beach County Attorney. (BLDGPM: MONITORING - Planning)

5. Prior to the issuance of the first residential Building Permit, the Property Owner shall submit all of the required documentation as described in Art. 5.G.1.C.4.b.2. regarding utilization of the Exchange Builder options: (1) the Exchange Builder has been engaged and has all applicable documentation completed with prior approval by the County Attorney and Planning; or (2) No Exchange Builder has been engaged, provision of a guarantee acceptable to Palm Beach County and approved by the County Attorney's Office, for an amount equal to 100 percent of the in-lieu fee. The Guarantee, at 100% of the In-Lieu Fee, equates to \$3,412,373 (17 WHP x \$146,769 for SFD or \$2,495,073 + 10 WHP x \$91,730 for Multifamily or \$917,300 = \$3,412,373 total In-Lieu fee). (BLDGPM: MONITORING - Planning)

6. Prior to the issuance of no more than 25 percent of the residential Building Permits (125), the Property Owner shall submit documentation regarding the engagement of the Exchange Builder. (BLDGPM: MONITORING - Planning)

7. Prior to issuance of no more than 25 percent of the residential Building Permits (125) in the subject development, the developer of the subject development shall have the option to replace the guarantee provided at first Building Permit with items meeting the requirements of Art. 5.G.1.C.4.b.2)c)(1). (BLDGPM: MONITORING - Planning)

8. Prior to issuance of the first residential Certificate of Occupancy (CO), the Site Plan and other appropriate documents shall be modified to include the Official Record Book and Page of the recorded Documents, the name of the Off-Site Project(s), the total number of WHP units, the number in each applicable WHP income category and provide a copy of the revised Site Plan to Planning. (CO: MONITORING - Planning)

9. In the event the ULDC is amended to modify the thresholds for timing of construction of on-site workforce housing units as established in Art. 5.G.1.C.4.a, WHP On-Site Construction Option, the Developer shall, within 90 days of the effective date of the ULDC amendment, modify the plans to change the disposition of the 27 WHP units from the Off-Site Construction/Exchange Builder Option to the WHP On-Site Construction Option. Accordingly, Planning Conditions 2, 3, 5, and 6 through 8 pertaining to the Off-Site Construction/Exchange Builder Option shall no longer be applicable and shall be marked as complete, with the exception that the guarantee required pursuant to 5(2) shall remain in full force and effect until such time as 100 percent of the required WHP On-Site units have received Certificates of Occupancy. The timing mechanisms for the WHP units shall be adjusted administratively to account for the changed disposition in accordance with the ULDC. (ONGOING: PLANNING - Planning)

10. Within 60 days following the change in declared method of the WHP obligation pursuant to Condition 9, the Developer shall record a Master Restrictive Covenant for the subject development as a result of the changed declared method, in a form acceptable to the Palm Beach County Attorney. (ONGOING: PLANNING - Planning)

## **PROPERTY & REAL ESTATE MANAGEMENT**

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

The Property Owner shall provide Palm Beach County Board of County Commissioners with a Statutory Warranty Deed on a net 3.36-acre public civic site (net usable area - including minimum required perimeter landscape buffers), in a location and form acceptable to Facilities Development & Operations Department (FD&O) by August 28, 2028 or other date that is mutually agreeable to the property owner and FD&O prior to the issuance of a Certificate of Occupancy (CO) for the final residential unit. Property Owner to plat and dedicate the civic site to Palm Beach County prior to conveying the deed and shall have satisfied each of the following conditions prior to deed conveyance.

#### **a) Title**

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

appraisal is required, it shall be obtained by the Property Owner. The Property Owner shall release the County from all Declarations of Covenants and Conditions of the P.U.D. or other restrictive covenants as they may apply to the civic site.

b) *Concurrency*

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

- 1) sod and watered or,
- 2) seeded, mulched and watered (at the discretion of FD&O), all of which shall be to the satisfaction of FD&O. The buildable grade elevation required will generally be the highest crown of road adjacent to the civic site, unless otherwise determined by PREM. Proposed County Critical Care facilities may require higher elevations as determined by County, at County's sole discretion.

Property Owner to provide:

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

i) *Water, Sewer and Reclaim Water*

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

j) *Irrigation*

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

## 2. *Survey*

The Property Owner shall provide the County with a survey certified to Palm Beach County of the proposed civic site by February 28, 2028. Survey shall reflect the boundary and topographical areas of the site, and the surveyor shall use the following criteria:

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

pursuant to section 472.027, Florida Statutes and Countywide PPM CW0-058.

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

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

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

### 3. *Environmental Survey*

The Property Owner shall provide PREM with an Environmental Assessment certified to Palm Beach County of the proposed civic site by February 28, 2028. The minimum assessment of the property will be a "Phase I Audit". The audit shall describe the environmental conditions of the property and identify the past and current land use. Prior use of the property (Example: Ag Production, golf course, other uses as determined by County) that creates the possibility of soil and groundwater impacts above environmental target clean up levels will require further soil and ground water investigation and testing, unless waived by County at County's sole discretion.

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

a) Review of property abstracts for all historical ownership data for evidence of current and past land use of the proposed civic site.

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

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

1) EPA's National Priorities list (NPL)

2) Comprehensive Environmental Response Compensation and Liability Act System List (CERCLA)

3) Hazardous Waste Data Management System List (HWDMS).

c) Review of current and historical aerial photographs of the proposed civic site. Provide a recent aerial showing site and surrounding properties.

d) The results of an on-site survey to describe site conditions and to identify potential area of contamination.

e) Review of Wellfield Protection Zone maps to determine if property is located in a Wellfield Zone. (DATE: MONITORING - Property Real Estate Management)

### 4. *Cash-Out*

The Property Owner may request to exchange the required on-site dedication of land for cash of equal value or off-site land equal in acreage, however, this option shall be used only upon County approval when the County has established that the cash or offsite land is the more viable option and enhances or supports:

i) a County property, facility or function in the general vicinity of the PUD,

ii) a County facility rendering countywide service, or

iii) achievement of direction issued by the Board of County Commissioners. In addition, should the off-site land option be chosen, each PREM condition listed in numbers 1, 2 & 3 above will also apply. If the land off-site is of less cash value than the on-site dedication the Property Owner shall contribute cash equal to the difference in values. Valuation of the on-site and off-site land shall be subject to the County appraisal process and be at the cost of the Property Owner. If off-site land or cash contribution is accepted by Palm Beach County, the Property Owner shall be deemed to have satisfied the intent of the ULDC. Additionally, if a cash contribution is accepted by Palm Beach County, all regulatory required dwelling units under the County's Workforce Housing Program (WHP) shall be constructed within the limits of the PUD (WHP On-Site Construction Option) unless those units are delivered in accordance with other conditions of approval applicable to this development order. (ONGOING: PROPERTY REAL ESTATE MANAGEMENT - Property Real Estate Management)

**COMPLIANCE**

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

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

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

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

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

d. Referral to Code Enforcement; and/or

e. Imposition of entitlement density or intensity.

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

**DISCLOSURE**

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