

RESOLUTION NO. R-2026-0734

RESOLUTION APPROVING ZONING APPLICATION ZV/PDD/DOA-2024-01867
(CONTROL NO. 2017-00194)
a Development Order Amendment
APPLICATION OF Lake Worth Road Commercial, LLC
BY Insite Studio, Inc., AGENT
(Wellington Vista Phase II)

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 ZV/PDD/DOA-2024-01867 was presented to the Board of County Commissioners at a public hearing conducted on June 17, 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 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 ZV/PDD/DOA-2024-01867, the Application of Lake Worth Road Commercial, LLC, by Insite Studio, Inc., Agent, for to modify the previously approved Planned Unit Development overall Master, Site, and Regulating Plans to add land area (3 acres), residential units (100), and an access point, and to modify Conditions of Approval on 30.36 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 June 17, 2026, 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 June 17, 2026.

Filed with the Clerk of the Board of County Commissioners on June 17, 2026.

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

PARCEL 1

A PARCEL OF LAND BEING A PORTION OF TRACT 2, BLOCK 28, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 29, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF TRACT B-1 OF THE PLAT OF "CATALINA AT LAKE WORTH P.U.D.", ACCORDING WITH THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 130, PAGES 147 THROUGH 150, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 01°48'42" EAST ALONG THE WESTERLY LINE OF THE LAKE WORTH DRAINAGE DISTRICT RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 24358, PAGE 1059 OF SAID PUBLIC RECORDS, A DISTANCE OF 377.70 FEET; THENCE NORTH 89°27'29" WEST, ALONG THE SOUTHERLY LINE OF SAID LAKE WORTH DRAINAGE DISTRICT RIGHT-OF-WAY, A DISTANCE OF 182.82 FEET; THENCE SOUTH 89°02'31" WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 93.25 FEET; THENCE NORTH 85°23'17" WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 75.86 FEET; THENCE SOUTH 00°56'30" EAST, ALONG THE EAST LINE OF TRACT S OF SAID "CATALINA AT LAKE WORTH P.U.D.", A DISTANCE OF 389.31 FEET; THENCE NORTH 89°03'30" EAST, ALONG THE NORTH LINE OF SAID TRACT B-1, A DISTANCE OF 333.37 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

PARCEL 2

ALL OF THE PLAT OF CATALINA AT LAKE WORTH P.U.D., ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 130, PAGE 147, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

ALSO DESCRIBED AS:

A PARCEL OF LAND BEING A PORTION OF TRACTS 2, 15, 17, 18, 31 AND 32, BLOCK 28, PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, TOGETHER WITH THAT ABANDONED 30 FOOT WIDE RIGHT-OF-WAY LYING BETWEEN SAID TRACTS 15 AND 18, BLOCK 28, AS RECORDED IN OFFICIAL RECORDS BOOK 30727, PAGE 223, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 29, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT SOUTHEAST CORNER OF TRACT 3, BLOCK 28 AS SHOWN ON SAID PLAT OF PALM BEACH FARMS COMPANY PLAT NO. 3, ALSO BEING THE NORTHEAST CORNER OF FIELDS AT GULFSTREAM POLO - PLAT ONE, AS RECORDED IN PLAT BOOK 123, PAGES 80 THROUGH 95, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 00°56'30" WEST ALONG THE EAST LINE OF SAID TRACT 3, ALSO BEING THE NORTHERLY EXTENSION OF THE EAST LINE OF SAID FIELDS AT GULFSTREAM POLO - PLAT ONE, A DISTANCE OF 575.07 FEET TO A POINT ON THE SOUTH LINE OF LAKE WORTH DRAINAGE DISTRICT RIGHT-OF-WAY, AS RECORDED IN OFFICIAL RECORDS BOOK 24358, PAGE 1059 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 85°23'17" EAST ALONG SAID SOUTH LINE OF LAKE WORTH DRAINAGE DISTRICT RIGHT-OF-WAY, A DISTANCE OF 156.24 FEET; THENCE NORTH 89°02'31" EAST, A DISTANCE OF 93.25 FEET; THENCE SOUTH 89°27'29" EAST, A DISTANCE OF 182.82 FEET TO A POINT ON THE WESTERLY LINE OF SAID LAKE WORTH DRAINAGE DISTRICT RIGHT-OF-WAY; THENCE SOUTH 01°48'42" WEST, A DISTANCE OF 900.25 FEET; THENCE SOUTH 02°28'02" EAST, A DISTANCE OF 30.90 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 552.19 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 44°22'48", A DISTANCE OF 427.71 FEET TO A POINT OF TANGENCY; THENCE SOUTH 46°50'50" EAST, A DISTANCE OF 146.86 FEET; THENCE SOUTH 44°08'44" EAST, A DISTANCE OF 74.36 FEET (THE PRECEDING FIVE COURSES BEING COINCIDENT WITH SAID WESTERLY LINE OF LAKE WORTH DRAINAGE DISTRICT RIGHT-OF-WAY, AS RECORDED IN OFFICIAL RECORDS BOOK 24358, PAGE 1059 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA); THENCE SOUTH 45°51'16" WEST DEPARTING SAID RIGHT-OF-WAY, A DISTANCE OF 10.30 FEET TO A NON-TANGENT POINT ON A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 811.46 FEET AND WHOSE CENTER BEARS SOUTH 45°51'16" WEST, FROM SAID POINT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 43°08'08", A DISTANCE OF 610.91 FEET TO A POINT OF TANGENCY; THENCE SOUTH 01°00'36" EAST, A DISTANCE OF 177.75 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 11628.54 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 0°08'08", A DISTANCE OF 27.52 FEET TO A POINT OF NON-TANGENCY, SAID POINT BEING A POINT ON THE SOUTH LINE OF THE NORTH HALF OF SAID TRACTS 31 AND 32, BLOCK 28, PALM BEACH FARMS COMPANY PLAT NO. 3, SAID POINT ALSO BEING THE NORTH LINE OF TRACT L-5, AS SHOWN ON SAID FIELDS AT GULFSTREAM POLO - PLAT ONE; THENCE SOUTH 89°03'30" WEST ALONG SAID SOUTH LINE OF THE NORTH HALF OF TRACTS 31 AND 32, BLOCK 28 AND SAID NORTH LINE OF TRACT L-5, A DISTANCE OF 925.96 FEET TO A POINT ON THE WEST LINE OF SAID TRACT 31, BLOCK 28, SAID POINT ALSO BEING A POINT ON THE EAST LINE OF SAID FIELDS AT GULFSTREAM POLO - PLAT ONE; THENCE NORTH 00°56'30" WEST ALONG THE WEST LINE OF SAID TRACTS 15, 18 AND 31, BLOCK 28 AND THE WEST LINE OF SAID 30 FOOT WIDE

RIGHT-OF-WAY AND SAID EAST LINE OF FIELDS AT GULFSTREAM POLO - PLAT ONE, A DISTANCE OF 1680.00 FEET TO THE AFOREMENTIONED POINT OF BEGINNING.
CONTAINING 30.355 ACRES (1,322,252.74 SQUARE FEET) +/-.

EXHIBIT B
VICINITY SKETCH

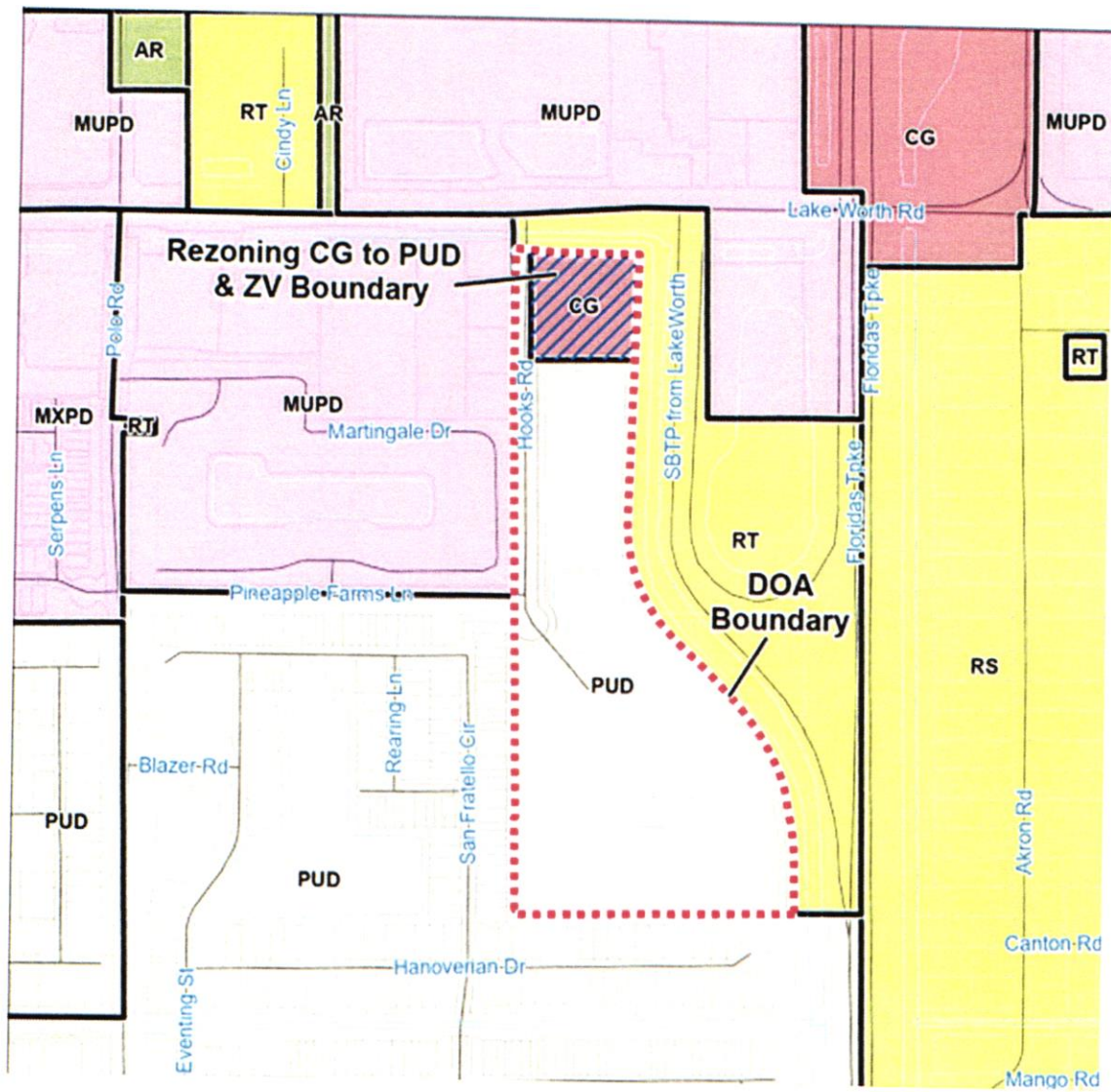


EXHIBIT C

CONDITIONS OF APPROVAL

Development Order Amendment – Overall PUD

ALL PETITIONS

1. Previous ALL PETITIONS Condition 1 of Resolution R-2019-901, Control No.2017-00194, which currently states:

The approved Preliminary Master Plan is dated March 25, 2019. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission.

Is hereby amended to read:

The proposed Preliminary Master Plan is dated April 10, 2026. 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)

2. Commencement of the Development Order shall be dated no later than a year before the buildout date stated in ENG condition 11, December 31, 2029 (ONGOING: ZONING - Zoning)

ARCHITECTURAL

1. Prior to Final approval by the Development Review Officer, Architectural Elevations and the Site Plan shall be revised to include the listed modifications and architectural elements:

- a. modify the width of the parking garage; and
- b. provide Perimeter Planters in accordance with Article 7.C.4.F – Parking Structures. (DRO: ZONING - Zoning)

ENGINEERING

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

- a. No Building Permits for the site may be issued after December 31, 2020. 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) [Note: COMPLETED] (Previous ENGINEERING Condition 1 of Resolution R-2019-901, Control No.2017-00194)

2. Prior to issuance of the first building permit, the Property Owner shall plat the subject property in accordance with provisions of Article 11 of the Unified Land Development Code, or as otherwise approved by the County Engineer. The platting of this property may be phased in accordance with a phasing plan acceptable to the Office of the County Engineer and approved by the Development Review Officer. A phase should not be larger than what would reasonably be expected to be completed within the time frame of the posted surety. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 2 of Resolution R-2019-901, Control No.2017-00194)

3. The Property Owner shall fund the construction plans and construction of Hooks Road from Lake Worth Road to the southern terminus to be consistent with Palm Beach County standards for an eighty (80) foot right of way non-plan collector street. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

- a. Permits required for Improvements identified above shall be obtained from Palm Beach County prior to the issuance of the first Building Permit. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED]

- b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPMT/CO: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-2019-901, Control No.2017-00194)

4. Prior to the issuance of the first Certificate of Occupancy, the Property Owner shall provide to Florida Department of Transportation (FDOT), by deed, additional right of way for the construction

of a right turn lane on Lake Worth Road at the west approach at Hooks Road, unless waived by the County Engineer. This right of way shall be a minimum of 280 feet in storage length, a minimum of twelve feet in width and a taper length of 50 feet or as approved by FDOT and the County Engineer. Additional width may be required to accommodate paved shoulders. The right of way shall continue across the project entrance and shall be free and clear of all encumbrances and encroachments. Property Owner shall provide FDOT with sufficient documentation, including, at a minimum, sketch and legal description of the area to be conveyed, copy of the site plan, a Phase I Environmental Site Assessment, status of property taxes, statement from Tax Collector of delinquent and pro-rata daily taxes, full owner name(s) of area to be conveyed and one of the following: title report, attorney's opinion of title, title commitment or title insurance policy, or as otherwise required and acceptable to FDOT. The Property Owner must warrant that the property being conveyed to FDOT 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 and FDOT 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 cleanup. 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 coordinate conveyance of right of way directly with FDOT and shall provide evidence to Palm Beach County Land Development Division once conveyance has been completed. (BLDGPMT/CO: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 4 of Resolution R-2019-901, Control No.2017-00194)

5. The Property Owner shall construct right turn lane west approach on Lake Worth Road at Hooks Road. This turn lane shall be a minimum of 280 ft in length and 50 ft in taper or as approved by the FDOT.

This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPMT/CO: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 5 of Resolution R-2019-901, Control No.2017-00194)

6. Property Owner shall construct a minimum 5 foot wide concrete sidewalk along the east and west sides of Hooks Road from Lake Worth Road to the southern terminus. 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. These improvements shall be completed concurrently with the onsite paving and grading and shall be completed prior to the issuance of the first certificate of occupancy. (BLDGPMT/CO: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 6 of Resolution R-2019-901, Control No.2017-00194)

7. NOISE MITIGATION

a. Prior to DRO certification of the Preliminary Development Plan, the Property Owner shall submit to the Palm Beach County Engineering Department and Zoning Division a detailed noise analysis acceptable to the Florida Department of Transportation. This noise study shall be in accordance with Florida State Statutes Chapter 335 as outlined in FDOT Project Development and Environmental Manual, Chapter 17. Any required mitigation as a result of the anticipated noise, such as a sound wall and landscape buffer, shall be shown on the Preliminary Development Plan for this site subject to the approval of the County Engineer and Zoning Division. (DRO: ENGINEERING - Engineering) [Note: COMPLETED]

b. Construction of any required sound walls and landscape buffers as outlined in the Noise Analysis shall be completed prior to the issuance of the first certificate of occupancy. (BLDGPMT/CO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 7 of Resolution R-2019-901, Control No.2017-00194)

8. The Property Owner shall provide an access easement over the proposed Hooks Road alignment from Lake Worth Road to the proposed connection to the west as approved by the County Engineer. The easement shall be approved by the County Attorney and Land Development prior to recordation. The easements shall be recorded by the Property Owner and prior to the issuance of the first building permit. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 8 of Resolution R-2019-901, Control No.2017-00194)

9. The Property Owner shall apply to the Florida Department of Transportation and receive

approval for a no U-turn sign on eastbound Lake Worth Road at the turnpike interchange immediately east of Hooks Road, prior to the issuance of the first Certificate of Occupancy. (BLDGPMT/CO: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 9 of Resolution R-2019-901, Control No.2017-00194)

10. Prior to the issuance of the first building permit, the Property Owner shall abandon the 30-foot Palm Beach Farms right-of-way within the limits of the property. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 10 of Resolution R-2019-901, Control No.2017-00194)

11. Pursuant to the Traffic Analysis, the Buildout Date is 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)

12. Prior to the issuance of the first building permit, the Property Owner shall configure the property into a legal lot of record in accordance with provisions of Article 11 of the Unified Land Development Code. (BLDGPMT: MONITORING - Engineering)

13. Prior to the approval of the Final Site Plan by the DRO, the Property Owner shall add the 20' Pathway Easement Agreement to the site plan. (DRO: ENGINEERING - Engineering)

LAKE WORTH DRAINAGE DISTRICT

1. Prior to platting, LWDD will require the developer to convey an exclusive triangular easement east of Hooks Road; said easement will provide LWDD with a minimum right-of-way width of 80 feet for the L-12 Canal. PLAT: ENG. LWDD (PLAT: ENGINEERING - Lake Worth Drainage District) [Note: COMPLETED] (Previous LAKE WORTH DRAINAGE DISTRICT Condition 1 of Resolution R-2019-901, Control No.2017-00194)

LANDSCAPE – GENERAL

1. Prior to Final approval by the Development Review Officer, provide an Alternative Landscape Plan (ALP) or revise the Regulating Plan to show the plant material relocated from the 175 LF of buffer encroachment. (DRO: ZONING - Zoning)

LANDSCAPE - PERIMETER

1. The applicant is to provide dense plant material for the 20-foot Right of Way Buffer abutting Hooks Road as depicted in the West Lake Worth Road Neighborhood Plan. (BLDGPMT/DRO: ZONING - Zoning)

LAKE WORTH DRAINAGE DISTRICT

1. Prior to platting, LWDD will require the developer to convey an exclusive triangular easement east of Hooks Road; said easement will provide LWDD with a minimum right-of-way width of 80 feet for the L-12 Canal. PLAT: ENG. LWDD (PLAT: ENGINEERING - Lake Worth Drainage District) [Note: COMPLETED] (Previous LAKE WORTH DRAINAGE DISTRICT Condition 1 of Resolution R-2019-901, Control No.2017-00194)

PARKS

1. No more than 20 percent of the Certificates of Occupancy for the residential units shall be issued for the project until the recreational improvements have been completed in their entirety and open for use and accessible to the residents, unless a phasing plan for completion of the required reaction area is agreed to and approved by the Parks and Recreation Department. (CO: MONITORING - Parks and Recreation) (Previous PARKS Condition 1 of Resolution R-2019-901, Control No.2017-00194)

PLANNING

1. Previous PLANNING Condition 1 of Resolution R-2019-901, Control No.2017-00194, which currently states:

Per LGA 2018-015, condition 1, Development of the 27.02 acres of HR-8 is limited to a maximum of 375 dwelling units or other uses allowed in a residential future land use designation. Development of the 3 acres under the Commercial High designation is limited to a total maximum net daily trips of 1,147 and a maximum peak hour trips of 141.

Is hereby amended to read:

Per LGA 2025-006, Condition 1: Development of the 27.35 acres of HR-8 is limited to a maximum

of 370 dwelling units with no further density increases permitted through density bonus programs. (ONGOING: PLANNING - Planning)

2. Per LGA 2018-015, condition 2., The residential development shall include the purchase and construction of fifty-one (51) TDR units. The TDR units shall be purchased prior to issuance of first building permit. (BLDGPM: MONITORING - Planning) [Note: COMPLETED] (Previous PLANNING Condition 2 of Resolution R-2019-901, Control No.2017-00194)

3. Previous PLANNING Condition 3 of Resolution R-2019-901, Control No.2017-00194, which currently states:

Per LGA 2018-015, condition 3, a and b, The residential Zoning development order shall require at least 19% of the total residential density as workforce housing units subject to the following requirements:

a. The property owner shall provide these workforce housing units on site, and between 60- 140% of the Area Median Income ranges for the County, in four ranges (60-80%, >80 -100%, >100 - 120%, and >120 - 140%); and

b. These workforce housing units shall be provided in unit types that have 2 bedrooms or greater.

Is hereby amended to read:

Per LGA 2025-006, Condition 3 a and b: The residential Zoning development order shall require at least 19% of the total residential density as workforce housing units for Parcel 1 (27.35 acres) subject to the following requirements:

a. The property owner shall provide these workforce housing units on site, and between 60- 140% of the Area Median Income ranges for the County, in four ranges (60-80%, >80 -100%, >100 - 120%, and >120 - 140%); and

b. These workforce housing units shall be provided in unit types that have 2 bedrooms or greater. (ONGOING: PLANNING - Planning)

4. Previous PLANNING Condition 4 of Resolution R-2019-901, Control No.2017-00194, which currently states:

Per LGA 2018-015, condition 4, Vehicular and pedestrian connections shall provide cross access to the commercial parcel to the west and a connection to the residential project to the west to provide for connectivity to Polo Road.

Is hereby amended to read:

Per LGA 2025-006, Condition 4: Vehicular and pedestrian connections shall provide cross access to the commercial parcel to the west and a connection to the residential project to the west to provide for connectivity to Polo Road. (ONGOING: PLANNING - Planning)

5. No Building Permits shall be issued, until a Master Plan or Site Plan has been approved by the Board of County Commissioners for the 375 units, including 51 Transfer of Development Rights (TDR's), as represented within the justification for Land Use Amendment LGA 2018-015. (BLDGPM/ONGOING: MONITORING - Planning) [Note: COMPLETED] (Previous PLANNING Condition 5 of Resolution R-2019-901, Control No.2017-00194)

6. Prior to final approval by the Development Review Officer (DRO), all plans and documents shall be updated to include all conditions and attributes as adopted by the Board of County Commissioners (BCC). (DRO: PLANNING - Planning) [Note: COMPLETED] (Previous PLANNING Condition 6 of Resolution R-2019-901, Control No.2017-00194)

7. Prior to the issuance of the first Building Permit, the property owner shall record in the public records of Palm Beach County a Declaration of Restrictive Covenants, in a form acceptable to the Palm Beach County Attorney, which includes but is not limited to the following:

Guarantees the attainability of all required workforce units required per ULDC Article 5.G. These units are to be distributed among the categories (low, moderate 1, moderate 2, and middle) consistent with the requirements in ULDC Article 5.G. The site plan shall also be modified to include the OR Book and Page of the recorded document and provide a copy of the revised site plan to Planning. (BLDGPM: MONITORING - Planning) [Note: COMPLETED] (Previous PLANNING Condition 7 of Resolution R-2019-901, Control No.2017-00194)

8. Previous PLANNING Condition 8 of Resolution R-2019-901, Control No.2017-00194, which currently states:

On an annual basis, beginning November 1, 2021, or as otherwise stipulated in the Declaration of Restrictive Covenants, the owner of the WHP unit shall submit to the Planning Director, or designee, on a form acceptable to the County, an annual report containing information and documentation to demonstrate continued compliance with the Workforce Housing Program (WHP) and a copy of any monitoring information provided to and received from the appropriate funding agency/source should there be one. (DATE/ONGOING: PLANNING - Planning)

Is hereby deleted. [REASON: No longer required by the WHP Code.]

9. Per LGA 2026-006, Condition 5: Development of the 3.00 acres of HR-8 is limited to a maximum of 100 dwelling units with no further density increases permitted through density bonus programs. (ONGOING: PLANNING - Planning)

10. Per LGA 2026-006, Condition 6: The residential development shall include the purchase and construction of ten (10) TDR units. The TDR units shall be purchased prior to issuance of first residential building permit. (ONGOING: PLANNING - Planning)

11. Per LGA 2026-006, Condition 7: The residential Zoning development order shall require at least 27% of the total residential density as workforce housing units (3 acres) subject to the following requirements:

- a. The property owner shall provide these workforce housing units between 60-140% of the Area Median Income ranges for the County, in four ranges (60-80%, >80 - 100%, >100-120%, and >120-140%); and
- b. These workforce housing units shall be provided on-site. (ONGOING: PLANNING - Planning)

12. The addition of 100 multifamily rental units on the 3-acre Parcel 2 (Pod 2) with a 27-unit Workforce Housing Program (WHP) obligation was calculated based on the conditions contained within LGA 2025-006. The WHP units will be delivered on-site and for rent. A WHP density bonus of 63 units was used and the purchase of 10 TDR units is required. Should a reduction in overall units occur, the number of WHP units may be reduced provided 27% of the total units are WHP obligated, and the timing mechanisms adjusted administratively as needed. (ONGOING: PLANNING - Planning)

13. Prior to the issuance of the 1st residential Building Permit on the 3-acre Parcel 2 (371st unit), the Property Owner shall record in the public records of Palm Beach County a Declaration of Restrictive Covenants for the Workforce Housing Program in a form acceptable to the Palm Beach County Attorney. The site plan shall also be modified to include the OR Book and Page of the recorded document and provide a copy of the revised site plan to Planning. (BLDGPM: MONITORING - Planning)

14. Prior to the issuance of the 1st residential Building Permit on the 3-acre Parcel 2 (371st unit), the Property Owner shall provide documentation for the Workforce Housing Program, such as an affidavit on a form provided by the County, demonstrating compliance with the required design standards including compatible exteriors and the provision of a model. (BLDGPM: MONITORING - Planning)

15. Prior to the issuance of the Certificate of Occupancy (CO) for the multifamily residential building on the 3-acre Parcel 2, the Developer shall contact the Planning Division to review the Workforce Housing Program (WHP) requirements at the commencement of leasing. (CO: MONITORING - Planning)

SCHOOL BOARD

1. The property owner shall post a notice of annual boundary school assignments for students from this development. A sign 11" X 17" shall be posted in a clear and visible location in all sales offices and models with the following:

"NOTICE TO PARENTS OF SCHOOL AGE CHILDREN"

School age children may not be assigned to the public school closest to their residences. School Board policies regarding levels of service or other boundary policy decisions affect school boundaries. Please contact the Palm Beach County School District Boundary Office at (561) 434-8100 for the most current school assignment(s). (CO: MONITORING - School Board) [Note: COMPLETED] (Previous SCHOOL BOARD Condition 2 of Resolution R-2019-901, Control No.2017-00194)

2. Prior to the issuance of the first Certificate of Occupancy (CO), the 10' by 15' school bus shelter shall be constructed by the Property Owner in a location and manner acceptable to the Palm Beach County School Board. Provisions for the bus shelter shall include, at a minimum, a covered

area, continuous paved pedestrian and bicycle access from the subject property or use, to the shelter. Maintenance of the bus shelter shall be the responsibility of the residential Property Owner. (CO: MONITORING - School Board) [Note: COMPLETED] (Previous SCHOOL BOARD Condition 2 of Resolution R-2019-901, Control No.2017-00194)

COMPLIANCE

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

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

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

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

DISCLOSURE

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

Exhibit C-3 Conditions of Approval

Development Order Amendment –Density Increase (WHP and TDR)

ALL PETITIONS

1. Previous ALL PETITIONS Condition 1 of Resolution R-2019-902, Control No.2017-00194, which currently states:

Development of the site is limited to the site design approved by the Board of County Commissioners. The approved Site Plan is dated March 25, 2019. All modifications to the Development Order must be approved by the Board of County Commissioners or Zoning Commission, unless the proposed changes are required to meet Conditions of Approval.

Is hereby amended to read:

The proposed Preliminary Master Plan is dated April 10, 2026. 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)

2. Previous ALL PETITIONS Condition 1 of Resolution R-2019-903, Control No.2017-00194, which currently states:

Development of the site is limited to site design approved by the Board of County Commissioners. The approved Preliminary Site Plan is dated March 25, 2019. All modifications to the Development Order must be approved by the Board of County Commissioners or Zoning Commission, unless the proposed changes are required to meet Conditions of Approval. (ONGOING: ZONING - Zoning)

Is hereby deleted. [REASON: no longer applicable]

3. All previous Conditions of Approval applicable to the subject property, as contained in Resolutions R-2019-0902 and R-2019-0903 (Control 2017-00194) 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 (ULDC) and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING - Zoning)

TRANSFER OF DEVELOPMENT RIGHTS-POD 1

1. Prior to Final Approval by the Development Review Officer, the Property Owner shall execute a Contract for Sale and Purchase of Transfer of Development of Rights (TDRs) in a manner and form approved by the County Attorney, and formally executed by the Executive Director of Planning, Zoning and Building Department. The Contract shall accommodate a maximum of 51 TDR units at a selling price of \$885.00 per unit (ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous TRANSFER OF DEVELOPMENT RIGHTS Condition 1 of Resolution R-2019-903, Control No.2017-00194)

2. Prior to final approval by the Development Review Officer (DRO, two (2) recorded copies of the Contract for Sale and Purchase of Transfer of Development Rights (TDRs) shall be provided to the Palm Beach County Zoning Division (ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous TRANSFER OF DEVELOPMENT RIGHTS Condition 2 of Resolution R-2019-903, Control No.2017-00194)

3. Prior to final approval by the Development Review Officer (DRO), a deed conveying the applicable Transfer of Development Rights (TDR) units from the County TDR bank to the subject property, shall be executed and recorded in a manner and form approved by the Office of the County Attorney. (ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous TRANSFER OF DEVELOPMENT RIGHTS Condition 3 of Resolution R-2019-903, Control No.2017-00194)

4. At time of submittal for final approval by the Development Review Officer (DRO), an official Contract for Sale and Purchase of Transfer of Development Rights (TDR) Units and TDR Deed shall be submitted for final review and execution. [Note: COMPLETED] (Previous TRANSFER OF DEVELOPMENT RIGHTS Condition 4 of Resolution R-2019-903, Control No.2017-00194)

TRANSFER OF DEVELOPMENT RIGHTS-POD 2

5. Prior to Final Approval by the Development Review Officer, the Property Owner shall submit a Contract for Sale and Purchase of Transfer of Development of Rights (TDRs) in a manner and

form approved by the County Attorney, signed by the Developer and/or Property Owner, in order that it is signed by the Executive Director of Planning, Zoning and Building Department.

The Contract for Sale and Purchase of TDRs shall accommodate a maximum of 10 TDR units with 7 TDR units to be purchased at the Full/Multifamily/Revitalization and Redevelopment Infill Overlay (Full/MF/RRIO) TDR price of \$24,750 per unit, 3 TDR units to be purchased at the at the Workforce Housing Program/Multifamily/Revitalization and Redevelopment Infill Overlay (WHP/MF/RRIO) TDR price of \$12,238 per unit, for a total selling price of \$176,964.

Upon execution, the Property Owner shall submit the Contract to the Palm Beach County Clerk of Court for recordation, and a copy of the recorded Contract shall be provided to the Planning Division. (DRO: PLANNING - Planning)

6. Prior to Final Approval by the Development Review Officer, the Property Owner shall submit the Transfer of Development Rights Deed in a manner and form approved by the County Attorney, signed by the Developer and/or Property Owner, in order that it is signed by the Executive Director of Planning, Zoning and Building Department. (DRO: PLANNING - Planning)

7. Prior to issuance of the first Building Permit or Technical Compliance of the Plat, whichever shall occur first, excluding Building Permits for Sales Models or temporary Real Estate Sales and Management Offices, 100 percent of the Transfer of Development Rights funds shall be paid to the County through the Planning Division. (BLDGPM/TC: MONITORING - Planning)

8. Prior to issuance of the first Building Permit or Technical Compliance of the Plat, whichever shall occur first, excluding Building Permits for Sales Models or temporary Real Estate Sales and Management Offices, the Planning Division provides the Developer and/or Property Owner the executed Transfer of Development Rights Deed after 100 percent of the TDR funds are received, in order for the Property Owner to submit the TDR Deed to the Palm Beach County Clerk of Court for recordation, and a copy of the recorded TDR Deed shall be provided to the Planning Division. (BLDGPM/TC: MONITORING - 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)

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.