

RESOLUTION NO. R-2025-1629

RESOLUTION APPROVING ZONING APPLICATION EAC-2025-01307  
(CONTROL NO. 2018-00158)  
an Expedited Application Consideration  
APPLICATION OF Southern & Jog Apartments LLC - T. Richard Litton  
BY Gunster, Yoakley & Stewart, PA, AGENT  
(AHS Pine Ridge 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 EAC-2025-01307 was presented to the Board of County Commissioners at a public hearing conducted on November 13, 2025;

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the Applicant and other interested parties, and the recommendations of the various County Review Agencies;

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 for a Development Order Amendment, EAC-2025-01307, the Application of Southern & Jog Apartments LLC - T. Richard Litton, by Gunster, Yoakley & Stewart, PA, Agent, for a Development Order Amendment (Expedited Application Consideration) to modify the previously approved Planned Unit Development Conditions of Approval on 11.18 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 November 13, 2025, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Weiss moved for the approval of the Resolution.

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

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

The Mayor thereupon declared that the resolution was duly passed and adopted on November 13, 2025.

Filed with the Clerk of the Board of County Commissioners on November 13, 2025

This resolution shall not become effective unless or until the effective date of the Large Scale Land Use Amendment No. LGA-2025-00013.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

MICHAEL A. CARUSO,  
CLERK & COMPTROLLER

BY:   
COUNTY ATTORNEY

BY:   
DEPUTY CLERK



## EXHIBIT A

### LEGAL DESCRIPTION

Parcel A of the AHS Pine Ridge PUD, according to the plat thereof, as recorded in Plat Book 132, Page 169-171, of the Public Records of Palm Beach County, Florida.

Containing 487,065 square feet / 11.1815 acres, more or less.

### VICINITY SKETCH



## EXHIBIT C

### CONDITIONS OF APPROVAL

#### Expedited Application Consideration

##### ALL PETITIONS

1. All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2020-1623 (Control 2018-00158), 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)

2. Previous ALL PETITIONS Condition 1 of Resolution R-2020-1623, Control No.2018-00158, which currently states:

The approved Preliminary Site Plan is dated May 26, 2020. 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 approved Preliminary Master and Site Plan are dated August 20, 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)

##### 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, 2024, or as amended. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 1 of Resolution R-2020-1623, Control No.2018-00158)

2. 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 or as otherwise approved by the County Engineer. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 2 of Resolution R-2020-1623, Control No.2018-00158)

3. The Property Owner shall fund the construction plans and construction and construct Wallis Road from Jog Road to 1st Street to be consistent with Palm Beach County standards for a 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. 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 condition shall be considered satisfied. (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-2020-1623, Control No.2018-00158)

4. Prior to issuance of the first building permit, the Property Owner shall provide to Palm Beach County sufficient public road drainage easement(s) through the project's internal drainage system, as required by and approved by the County Engineer, to provide legal positive outfall for runoff from those segments of 1st Street along the property frontage; and a maximum of an additional 800 feet of these adjacent roadway(s), with an assumed impervious area of 95-percent, unless otherwise approved by the County Engineer. The limits of this additional 800 feet of

drainage shall be determined by the County Engineer. Said easements shall be no less than 20 feet in width. Portions of such system not included within roadways or waterways dedicated for drainage purposes will be specifically encumbered by said minimum 20 foot drainage easement from the point of origin, to the point of legal positive outfall. The drainage system within the project shall have sufficient water quality, water quantity and, when necessary, compensating storage capacity within this project's system as required by all permitting agencies, as well as conveyance capacity to meet the storm water discharge and treatment requirements of Palm Beach County, the applicable Drainage District, and the South Florida Water Management District, for the combined runoff from the project to accommodate the ultimate 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. (BLDGPMPT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 4 of Resolution R-2020-1623, Control No.2018-00158)

5. The Property Owner shall fund the construction plans and construction and construct parallel parking on the east side of 1st Street between Southern Boulevard and Wallis Road as approved by the County Engineer. 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. 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 condition shall be considered satisfied. (BLDGPMPT: MONITORING - Engineering) [Note: COMPLETED]

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPMPT/CO: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 5 of Resolution R-2020-1623, Control No.2018-00158)

6. The Property Owner shall provide to the Florida Department of Transportation (FDOT), a road right of way deed and all associated documents as required by FDOT for Southern Boulevard, 220 feet, measured from the south right-of-way line on an alignment approved by the FDOT or County Engineer

All right of way deed(s) and associated documents shall be provided and approved prior to the issuance of the first building permit. Right of way conveyance shall be along the project's entire frontage 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 clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include where appropriate, as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall 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. (BLDGPMPT/ONGOING: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 6 of Resolution R-2020-1623, Control No.2018-00158)

7. The Property Owner shall provide to the Palm Beach County Right of Way Section of Roadway Production Division a warranty deed for road right of way and all associated documents as required by the County Engineer for 1st Street, no more than 15 feet in width to construct parallel parking in the 1st Street right-of-way as approved by the County Engineer.

All warranty deed(s) and associated documents, including a title policy naming Palm Beach County as an insured, shall be provided and approved prior to the issuance of the first building permit or within ninety (90) days of a request by the County Engineer, whichever shall occur first. Right of way conveyance shall be along the entire frontage and shall be free and clear of all encroachments and encumbrances. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include, where appropriate as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall not record these required deeds or related documents. The Property Owner shall provide to the Right of Way Section a tax pro-ration. A check, made payable to the Tax Collector's Office, shall be submitted by the Property Owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (BLDGPM/ONGOING: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 7 of Resolution R-2020-1623, Control No.2018-00158)

8. Property Owner shall provide a sidewalk easement along the west side of the 1st Street right-of-way and construct a minimum 5 foot wide concrete sidewalk along the east side of 1st Street from Southern Boulevard to Wallis Road. 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. The sidewalk easement shall be recorded prior to the issuance of the first building permit. (BLDGPM/ONGOING: MONITORING - Engineering) [Note: COMPLETED]

b. The sidewalk shall be completed prior to the issuance of the first certificate of occupancy. 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 this part of the condition shall be considered satisfied. (BLDGPM/CO: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 8 of Resolution R-2020-1623, Control No.2018-00158)

9. Prior to the approval of the Final Site Plan by the Development Review Officer, the Property Owner shall modify the site plan to show the parallel parking and right-of-way dedication on 1st Street. (DRO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 9 of Resolution R-2020-1623, Control No.2018-00158)

## **ENVIRONMENTAL**

1. Prior to the approval of the site plan by the Development Review Officer documentation from the Florida Department of Environmental Protection (FDEP) shall be submitted to ERM indicating that the FDEP has commenced review of the property (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management) (Previous ENVIRONMENTAL Condition 1 of Resolution R-2020-1623, Control No.2018-00158)

## **PLANNING**

1. Previous PLANNING Condition 1 of Resolution R-2020-1623, Control No.2018-00158, which currently states:

Per LGA 2020-003, condition 1: The development of the subject site shall be limited to a maximum of 288 dwelling units.

### **Is hereby amended to read:**

Per LGA 2025-013, Condition 1: The development of the subject site shall be limited to a maximum of 288 dwelling units. (ONGOING: PLANNING - Planning)

2. Per LGA 2020-003, condition 2: The development of the subject site shall include the purchase and construction of forty-six (46) Transfer of Development Rights (TDR) units. Thirty-four (34) percent (16 TDR units) to be purchased at the Revitalization, Redevelopment, and Infill Overlay (RRIO) Workforce rate and the remaining thirty (30) TDR units at the RRIO Market rate. One hundred (100) percent of the TDR funds must be received by PBC prior to technical compliance of the plat or issuance of first residential Building Permit, whichever occurs first. (BLDGPM/ONGOING: MONITORING - Planning) [Note: COMPLETED] (Previous PLANNING Condition 2 of Resolution

R-2020-1623, Control No.2018-00158)

3. Previous PLANNING Condition 3 of Resolution R-2020-1623, Control No.2018-00158, which currently states:

Per LGA 2020-003, condition 3: The zoning development order shall require 100% of the units to be built on site as workforce housing units subject to the following requirements:

- a. Sixteen (16) workforce units shall be provided evenly (four each) in the 60% to 80%, >80% to 100%, >100% to 120% and >120% to 140% of the AMI ranges, and
- b. The remaining units shall be workforce housing units in the >80% to 140% AMI range.

**Is hereby amended to read:**

Per LGA 2025-013, Condition 3: The zoning development order shall require one-hundred forty-five (145) units to be provided on site as workforce housing units subject to the following requirements:

- a. Fifty-five (55) units shall be provided in the 60%-80% AMI range, and ninety (90) units shall be provided in the >80% to 100% AMI range. The remaining one-hundred forty-three units (143) shall remain unrestricted. (ONGOING: PLANNING - Planning)

4. Previous PLANNING Condition 4 of Resolution R-2020-1623, Control No.2018-00158, which currently states:

Per LGA 2020-003, condition 4: Development of the site is limited to a maximum of 35 feet within 150 feet of the west property line.

**Is hereby amended to read:**

Per LGA 2025-013, Condition 4: Development of the site is limited to a maximum of 35 feet within 150 feet of the west property line. (ONGOING: PLANNING - Planning)

5. Previous PLANNING Condition 5 of Resolution R-2020-1623, Control No.2018-00158, which currently states:

The subject request for 288 units was calculated based on the provisions of Table 5.G.1.H WHP Density Bonus Guide in Article 5.G.1, Supplement 25, of the ULDC. A 75.5% WHP density bonus or 104 units and 46 TDR s were utilized. A 288 unit WHP obligation is based on a voluntary condition, reflected in FLUA amendment condition 3 (LGA 2020-003). Should any change occur to the calculation, the site shall require resubmittal and recalculation in whatever process it originated.

**Is hereby amended to read:**

The subject request for 288 units was calculated based on the provisions of Table 5.G.1.H WHP Density Bonus Guide in Article 5.G.1, Supplement 25, of the ULDC. A 75.5% WHP density bonus or 104 units and 46 TDR s were utilized. A 145 unit WHP obligation is based on a voluntary condition, reflected in FLUA amendment condition 3 (LGA 2025-013). Should any change occur to the calculation, the site shall require resubmittal and recalculation in whatever process it originated. (ONGOING: PLANNING - Planning)

6. Prior to the issuance of the first residential 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 County Attorneys Office. The site plan shall also be amended to include the OR Book and Page of the recorded document and the Applicant shall provide a copy of the revised site plan to Planning. (BLDGPM: MONITORING - Planning) [Note: COMPLETED] (Previous PLANNING Condition 6 of Resolution R-2020-1623, Control No.2018-00158)

7. The developer shall notify the Planning Division and DHES at the commencement of leasing. (ONGOING: PLANNING - Planning) (Previous PLANNING Condition 7 of Resolution R-2020-1623, Control No.2018-00158)

8. Previous PLANNING Condition 8 of Resolution R-2020-1623, Control No.2018-00158, which currently states:

The site plans and justification shall be amended prior to Final DRO approval to be consistent with LGA 2020-003 conditions as approved by the Board of County Commissioners. (DRO: PLANNING - Planning)

**Is hereby deleted.** [REASON: No longer applicable.]

9. Prior to Final Approval by the Development Review Officer (DRO), the Property Owner shall record in the public records of Palm Beach County an amended Declaration of Restrictive Covenants, in a form acceptable to the County Attorney's Office. The Final Site Plan shall also be amended to include the OR Book and Page of the amended, recorded document. (DRO: 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 necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and, by direction of the Superintendent, public school attendance zones are subject to change. Please contact the Palm Beach County School District Boundary Office at (561) 434-8100 for the most current school assignment(s). (Previous SCHOOL BOARD Condition 1 of Resolution R-2020-1623, Control No.2018-00158)

#### **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.