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WHEREAS, the Town Council has received and reviewed an application from Pace Communities, Inc. ("Applicant") to modify the approved development plan for Waterford Planned Unit Development ("Waterford PUD") special exception, located on a parcel of property approximately 15.86 acres in size, more particularly described as Waterford Replat, recorded in Plat Book 135, Page 139-140 of the Public Records of Beach County, Florida; and

WHEREAS, the Planning and Zoning Board reviewed the application for modification of the Planned Unit Development special exception at a public hearing and determined that it met the requirements of Article V ("Planned Unit Developments") of Chapter 34 ("Zoning") of the Town Code of Ordinances and is consistent with the Town's Comprehensive Plan and recommended approval of the application; and

WHEREAS, the Town Council determines that the adoption of this Resolution in the best interests of the residents and citizens of the Town of Juno Beach.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, as follows:

1 **Section 1.** The foregoing recitals are hereby ratified as true and correct and are
2 incorporated herein.
3

4 **Section 2.** The Town Council hereby approves the reconfiguration and
5 modification of the Waterford Planned Unit Development special exception as described
6 above and as requested by the Applicant ("Project"). Said modification and expansion
7 shall be constructed in accordance with the most recent development plans submitted by
8 the Applicant and on file with the Town as of the date of adoption of this Resolution.
9

10 **Section 3.** The Town Council's approval of the modification and reconfiguration
11 of the development plan for the Waterford Planned Unit Development special exception
12 is expressly subject to the following conditions:
13

- 14 1. The Applicant shall comply with all requirements of Seacoast Utility
15 Authority for water and sewer services.
16
- 17 2. The Applicant shall submit final civil engineering and utility/water
18 management plans to the Town Engineer and the applicable utility providers
19 prior to any land clearing or grading. The Applicant shall obtain all
20 necessary surface water management permits and water use permits from
21 the South Florida Water Management District and the Department of
22 Environmental Protection. Additionally, the Applicant shall create all
23 easements required by the utility providers and the permitting agencies.
24
- 25 3. To the extent not already in existence, the Applicant shall execute
26 appropriate Development Agreements with utility service providers to
27 reserve water and wastewater service capacity prior to the filing of any
28 building permit application.
29
- 30 4. The Applicant shall adhere to the Town's Community Appearance
31 Standards, as set forth in Sections 34-1302 through 34-1307 of the Town
32 Code of Ordinances. If these standards cannot be met, the Applicant shall
33 supply the Town with the necessary funds to provide the required
34 infrastructure and incorporate such standards. The amount necessary to
35 meet these standards shall be reviewed and approved by the Town
36 Engineer/Landscape Architect.
37
- 38 5. The Applicant shall submit architectural elevations for any additional
39 accessory structures to the Planning and Zoning Director for review and
40 approval prior to the filing of any building permit application.
41

- 1 6. The Applicant shall post sufficient surety for all infrastructure and
2 landscaping improvements by letter of credit or some other adequate form
3 of surety approved by the Town Attorney prior to any land clearing activities
4 or the filing of any building permit application. The Town Engineer and the
5 Planning and Zoning Director shall determine the appropriate sum of such
6 surety. The Applicant shall also provide the required deposit for site plan
7 and project review in the amount of \$2,000.00 in accordance with existing
8 Town policy.
9
- 10 7. The Applicant shall screen all utility/mechanical equipment features as
11 required by Section 34-908 of the Town Code of Ordinances.
12
- 13 8. The Applicant shall minimize all off-site lighting impacts on the south, west,
14 east, and north sides of the Project and shall adhere to the Town's adopted
15 Turtle Protection Ordinance.
16
- 17 9. As specified in Section 34-119 of the Town Code, this Site Plan and
18 Appearance Approval shall be valid for two years from the date of such
19 approval. If commencement of development has not begun prior to two
20 years following the approval date, said Site Plan and Appearance Approval
21 shall become null and void. Commencement of development shall consist
22 of receipt of a validly issued building permit and first building inspection
23 approval for a minimum of one principal structure or completion of 25
24 percent of the total cost of the infrastructure (water, sewer, roads, and
25 drainage) for the Project. Infrastructure costs for the project shall be
26 reviewed and approved by the Town Engineer prior to Final Engineering
27 Plan approval.
28
- 29 10. The Applicant shall first complete perimeter screening of the construction
30 site in order to maintain acceptable visual impacts during the construction
31 phase of the Project and shall comply with all OSHA and other applicable
32 minimum safety requirements for perimeter treatments during any
33 demolition activities and throughout construction of the Project.
34
- 35 11. All areas of landscaped open space or improvements along any vehicular
36 or pedestrian access, as well as maintenance of slope, vegetation and
37 walkways associated with the Project, shall be perpetually and
38 appropriately maintained by the Applicant and its successors in interest.
39
- 40 12. In granting this approval, the Town Council relied upon the oral and written
41 representations of the Applicant both on the record and as part of the

application process. Any deviations from such representations will be addressed in accordance with Sections 34-34 and 34-35 of the Town Code.

13. The Applicant shall provide all approved plans in a digital format prior to building permit submission.

14. As required by Section 6-24 of the Town Code (amendments to Chapter 1 of the Florida Building Code), buildings permits for projects 10,000 square feet in size or greater shall become invalid unless the work authorized by such permit is commenced and completed within thirty-six (36) months after issuance of the permit.

15. There shall be no parking within the Universe Boulevard right-of-way and Pleasant Drive right-of-way.

16. The Applicant shall provide a *Clusia rosea* hedge a minimum of five feet tall at planting along the entire length of the residential lots on the southern property line and shall maintain the hedge at a minimum height of eight feet thereafter.

17. The *Cocoplum* hedge, minimum five feet tall at planting, shall be planted prior to the start of construction, in conjunction with other erosion control measures (silt fence, construction fence, etc.) as indicated in the erosion and sedimentation control plan.

Section 4. Each of the conditions set forth in Section 3 above shall be binding upon the Applicant and its successors in interest or assigns and shall be deemed covenants running with the Property. Any violation of the conditions may result in the revocation of this approval and shall be subject to the penalties and remedies set forth in Sections 34-34 and 34-35 of the Town Code of Ordinances.

Section 5. If any section, paragraph, sentence, clause, phrase, or word of this Resolution is for any reason held by a court of competent jurisdiction to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Resolution.

Section 6. All resolutions or development permits or approvals relating to the Property in conflict with the provisions of this Resolution are hereby repealed to the extent of such conflict.

Section 7. This Resolution shall be effective immediately upon adoption.

RESOLVED AND ADOPTED this _____ day of _____, 2025.

Peggy Wheeler, Mayor

ATTEST:

Caitlin Copeland-Rodriguez, MMC
Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Leonard G. Rubin, Town Attorney