# RESOURCE GUIDE



PALM BEACH PARK OF COMMERCE ASSOCIATION, INC.

As of September 10, 2025

This Resource Guide provides information to property owners within the Palm Beach Park of Commerce (PBPOC) regarding required regulatory steps necessary to construct buildings and permit uses within the park. Contact information for utility providers and recommended due diligence items are also outlined. This narrative excludes any reference to development proposals which would require a public hearing process. It is recommended that each prospective owner retain its own advisors to understand the requirements of their desired development. Please refer to page 3 for a list of Definitions applicable to PBPOC.

PBPOC is zoned as a Planned Industrial Park Development (PIPD) within unincorporated Palm Beach County and is also regulated as a Development of Regional Impact (DRI). The Park's approval was granted by the Palm Beach County Board of County Commission in 1981 and was amended in 2024. The zoning control number at the County is 1981-00190.

There are various governmental approvals required before new construction can begin within PBPOC. We will provide some of the required approvals, but recommend referring to your advisors to determine whether additional approvals might be needed. In addition to the County processing requirement, the Park has a review process and Design Standards which are provided in a separate document.

The overall time frame to obtain all necessary approvals so construction can begin is estimated to be between four (4) to ten (10) months. It is appropriate to apply for permits from outside Palm Beach County (PBC) agencies at the same time as the DRO process is being navigated. Many projects can qualify for expedited permitting though Palm Beach County Departments in cooperation with The Business Development Board of Palm Beach County. Please contact the Business Development Board for their assistance (561-835-1008).

# Palm Beach County Planning, Zoning, & Building (PBCPZB)

# **DRO Approval**

In order to permit new construction in the park, a Final Site Plan (Site Plan) must be approved by the County's Development Review Officer (DRO) which is a group of up to 21 reviewing agencies. The approval process for application to the County is very regimented and the approval time frame is approximately 2 ½ month or longer. Please refer to the Appendix for a more detailed explanation of the DRO approval process.

# **Platting**

If the proposed site plan requires platting or re-platting of the parcel(s), an application is required to be submitted to the County Platting Department. The plat approval process typically takes between four to six months. Refer to the Appendix for additional information. Additionally, unless the project can utilize the site plan as the official subdivision plan, a DRO application may need to be submitted and approved by the County in order to process the plat application. The applicant should reach out directly to the Palm Beach County Land Development Department to confirm.

# **Building Permit**

The building permit application is separate for all other permits/application even though much of the same information is required. This process is typically started after the DRO Approval process. It takes approximately 90 working days to receive approval, dependent upon the building division's staff workload. Refer to Appendix for additional information.

# Palm Beach County Building Department (PBCBD)

- On-site Drainage Permit
  - o Duration: 5 months
- Refer to Appendix for additional information

# **South Florida Water Management District (SFWMD)**

- A permit is required from SFWMD and can be applied for concurrently during the DRO Site Plan approval.
  - SFWMD regulates water resources including wetlands and groundwater supplies.
    - PBPOC has several wetland areas which are adjacent to many of the vacant land parcels.
- Refer to the Appendix for additional information

# **Environmental Resource Management (ERM)**

• Excavation Permits for on-site water retention areas are permitted through the Environmental Resources Management division. As part of this process a littoral planting plan is required to be submitted for review. Once the littoral planting plan is approved, a cost estimate should be provided for no less than one year's maintenance costs, and a bond posted to cover the same. A restrictive covenant is also recording covering the new lake area(s).

# Northern Palm Beach County Improvement District (NPBCID)

- PBPOC is Unit #16 within NPBCID which is a taxing district for the roads and canals within PBPOC.
  - Any work within the right of way or surrounding wetlands/canals requires a NPBCID permit.
- Refer to the Appendix for additional information.

## Palm Beach Park of Commerce (PBPOC-PWS) Review

 PBPOC-PWS is the Non-Transient / Non-Community Public Water System within the park. All water/wastewater submittals need to be reviewed by the PBPOC-PWS. The PWS is required to sign the application to DPH for permit and provide a utility concurrency availability letter to the County as part of the site plan approval process.

# **Department of Public Heath (DPH)**

 Any connection to the PBPOC-PWS, water/wastewater infrastructure, (except for a water service connection for a fire hydrant) requires a Health Department Permit. Contact your project engineer for further information about permitting, costs, and the time associated with this task. Have your project engineer contact PBPOC-PWS for information needed to complete the application.

#### **Army Corp of Engineers (USACE)**

 If the proposed site design mitigates the existing wetlands (not already covered by a conversation easement within the Park) an Army Corp of Engineers Permit may be required. This process typically takes approximately nine months. See Appendix for additional information.

# **Solid Waste Authority (SWA)**

- County agency designated with the collection of solid waste within unincorporated Palm Beach County.
- Fees are due this authority at the issuance of the Certificate of Occupancy (COO) for the year of completion and are based on the current SWA budget.
- A Non-Ad Valorem Assessment is due annually once the property transitions from vacant to improved real property based on the approve SWA annual budget.

# Palm Beach Park of Commerce (PBPOC-POA) Review

Article III of the Declaration of Restricted Covenants for PBPOC requires Land Development Review Board (LDRB) approval for all proposed new construction or changes to the exterior of existing structures/property. This approval process is explained in the Design Standards provided to owners. Refer to Appendix for additional information or refer to the Design Standards. This is a different review than the review completed by the PBPOC-PWS.

# **Contact Information for Utility Providers:**

# **Electric**

- Florida Power & Light (FPL)
  - Sherry Ambrose
  - FPL Director of Economic Development
  - o 561-339-6097
  - Sherry.Ambrose@fpl.com

### Water/Wastewater Service

- Palm Beach Park of Commerce (PBPOC-PWS)
  - o c/o Property Management Office
  - o 561-625-8027
  - o Jeanne Murphy, Property Manager
  - o Jeanne.Murphy@CBRE.com
- See Appendix for more information

## Natural Gas

- TECO Energy
  - o Sherry Horton 772-216-9622

## Communication/Telephone/Internet

- Comcast
  - Fiber connection Marc Goldfarb 561-254-0647
- Fiber Net
  - Daniel Goodman 561-719-1401
  - Danielgoodman01@comcast.net

#### Scavenger/Trash Removal

- Waste Pro USA per agreement with Solid Waste Authority (SWA) (District 115)
  - o 561-688-8912
  - Location 115 Palm Beach County

# **DEFINITIONS**

# **Army Corp of Engineers (USACE)**

The USACE is responsible for investing, developing and maintaining the nation's water and related environmental resources. PBPOC has wetlands permitted with USACE. Any interaction with the permitted wetlands might require a USACE approval. Please refer to your consultants for further clarification.

# **Building Permit**

County issued approval that permits the start of a construction project. Only issued after all required components of the approval process have been met.

# **Business Development Board of Palm Beach County (BDB)**

The BDB is a private, not-for-profit company that works with numerous groups to achieve economic development goals in the areas of business recruitment, retention, expansion, job creation, workforce development, infrastructure and availability of capital for Palm Beach County. The pre-submittal meeting organized by the BDB is to allow for expedited review of projects meeting the their target industry goals. PBPOC is a member of the BDB and can be reached at (561-835-1008).

#### **Concurrent Review Process**

A county review process which allows submittals to either both Zoning and Land Development concurrently, or Land Development and Building Dept. concurrently. A pre-application conference (PAC) submittal is required and the goal is to condense the review time

# **Department of Public Heath (DPH)**

Within the Department of Public Health is a division known as Environmental Public Health which oversees the Safe Drinking Water Act and Wastewater. PBPOC has a permit with the Department of Public Health for our water infrastructure; however, anyone connecting to our system is required to apply to DPH under our permit; this process will provide approval to connect to PBPOC's system. This permit must be in place for the Building Permit to be issued.

## **Development of Regional Impact (DRI)**

Developments that have a substantial impact upon the health, safety, and welfare of citizens of more than one county are subject to DRI. PBPOC has an impact on Palm Beach County and the Treasure Coast due to its location.

#### **Development Review Officer (DRO)**

Contains multiple agencies that are apart of the DRO review process and DRO review agency contact list is included. These agencies oversee the approval process for all zoning entitlements in unincorporated Palm Beach County.

## **Environment Resource Management (ERM)**

The agency designated to oversee the management of the interaction and impact of human societies on the environment.

## **Impact Fees**

Fee required by the County to cover the cost of Parks, Libraries, Public Buildings, Schools, Fire Rescue, Law Enforcement, and Roads. Please note that fees are adjusted on an annual basis so the applicant should check the county website for the most up to date fee schedule. See Exhibit I for current fee schedule.

# **Northern Palm Beach County Improvement District (NPBCID)**

NPBCID is a special district created by the Florida Legislature to provide management of certain areas such as unincorporated Palm Beach County; PBPOC is Unit #16. NPBCID is charged with the management of the roads, canals, right of ways, and wetlands within PBPOC which appear on tax bills as Non Ad Valorem Taxes. Each Unit has a budget specific to its needs.

# **Palm Beach County of Board of County Commissioners**

The Board of Commissioners is the governmental body that governs Palm Beach County and all of its departments and agencies.

# Palm Beach County Planning, Zoning, Building Department

Oversees the following departments:

- o Zoning oversees enforcement of the Unified Land Development Code.
- Building Building Code enforcement to ensure life and property safety. Includes areas such as plumbing, electrical, mechanical.
- o Landscape Green Space
- o Fire Safety Fire Department
- Land Development Oversees platting and approval of construction plans for conformance to current criteria.

# Palm Beach Park of Commerce Association, Inc. (POA)

A Florida not-for-profit corporation created to govern the common areas within the PIPD. Copies of the governing documents are included in the PBPOC Design Standards as an Exhibit.

# Palm Beach Park of Commerce Public Water System (PWS)

The PWS is permitted under the State of Florida Department of Public Health as a Non-Transient / Non-Community Public Water System. There are many regulatory requirements that the PWS must adhere to and regular testing submittals to the DPH of Palm Beach County are required.

# Planned Industrial Park Development (PIPD)

A self-contained Industrial Development in which the subdivision and zoning are applied to the project rather than to the individual lots. Variety of land uses exists in one subdivision. The PIPD typically includes natural features in common areas and an Association is formed to govern the common areas.

## **Platting**

Combination of more than one parcel of land within the same plat or creation of more than one lot within a larger parcel of land.

# **Pre-Application Review**

Required pre-review process with PBC agencies to confirm request accuracy, identify required attachments, and address applicant questions prior to Zoning Application submittal.

## **South Florida Water Management District**

Regional government agency that oversees management and protection of water resources by balancing and improving water quality, flood control, natural system and water supply from Orlando to the Florida Keys.

#### **Water and Waste Service**

Connection to existing service lines for domestic water and disposal of wastewater/sewage.

# <u>APPENDIX</u>

# **Pre-Submittal Review**

Applications for Final Site Plan approval are accepted by the Palm Beach County Zoning Division on the third Wednesday of the month. A sample time line is provided below:

| Action                                | Date            |  |
|---------------------------------------|-----------------|--|
| PAR Intake                            | June 17, 2025   |  |
| Pre Application Review Response       | July 8, 2025    |  |
| Final Site Plan Application Submittal | July 16, 2025   |  |
| Sufficiency                           | July 30, 2025   |  |
| 1st Round of Comments                 | August 8, 2025  |  |
| 1st Resubmittal (if minor comments)   | August 11, 2025 |  |
| Receive Stamped Approved Plans        | August 21, 2025 |  |

Note: These dates are dependent on level of comments received from staff and the potential that an additional resubmittal(s) are required due to additional comments added after the first round of review. It can take up to at least a week to receive stamped plans.

This process takes approximately 2 ½ months if the final site plan is approved at the first DRO meeting. When the site plan is not approved during the first DRO meeting, potentially due to complexities, another resubmittal will be required and would be scheduled on the next available DRO meeting date which would extend the approval timeline above by a month. *Please confirm the schedule with the Palm Beach County Zoning Division as the submittal schedule is subject to change.* 

There is the potential that the DRO Final Site Plan approval, Building Permit, and Subdivision/Plat approval can be processed concurrently. This should be discussed with the county staff at the pre-submittal review if desired (discussed in more detail below).

It is suggested that once a site design has been determined, for Zoning Applications, a Pre-Application Review Request is required to be submitted a minimum two weeks prior to application intake (see Zoning Calendar). Zoning Staff will coordinate a preliminary review to identify the appropriate approval process, identify each Department's concerns early in the process prior to submittal, and reply to the applicant with a Reference number and invoice for online submittal. See Exhibit D for the form.

All pre-applications, site plans, and resubmittals must now be submitted through the County's electronic review system, ePZB. Applicants should ensure all materials are uploaded in the required format and follow the submission instructions provided in the County's online portal.

# Application Requirements

The following items will most likely be required as part of the Final Site Plan Approval process which will result in the need to hire certain consultants:

- Site Plan
- Survey & Legal Description (with current title commitment less than 1 year)
- Tree Survey (Potentially)
- Drainage Statement Civil Engineer
- Architectural Plans
- Water/Sewer Capacity Reservation Letter

Please know that while the County's Environment Resource Management (ERM) obligations have been met regarding preservation of upland habitat via the establishment of 32 acres of preservation area, the County's staff may still require that any trees that can be preserved in their current location be depicted on the site plan. County staff has confirmed that the preservation of material is not required, but any efforts to save material and incorporate into the site design will not only be appreciated by the County, but could also negate the requirement for architectural review and foundation planting along the facades of the industrial buildings(s). The County has Architectural Design Standards for buildings visible from a public right of way. If a case can be made that existing and/or proposed landscape material can block the view of the building from the roadway, the project can be deemed exempt from this requirement.

Additionally, please be aware that the Fire Dept. requires two separate routes to access the site. The first route may be from the driveway entrance to the site from the right of way, but a second route with a constructed stabilized base must also be provided in case the first route is obstructed when emergency service is accessing the site.

# **Concurrent Review Process**

Concurrent review of a Final Subdivision Plat with either a Final Site Plan or a Building Permit/ Land Development Permit may be used to reduce the standard approval timeline. Normally, the full sequence of Site Plan and plat approval followed by permit issuance could take up to 18 months if the property requires platting prior to building permit issuance.

If a concurrent review process is utilized, a Pre-Application Conference form is required to be submitted to the DRO, with the plat or permits being submitted within 10 days of the site plan application being submitted to the Zoning Division. The flow chart included herein indicates an expected duration of 40 working days, excluding any additional time that may be required due to Zoning Calendar submittal availability. For example, a project permitted within the Park under this process (without a plat being required) obtained its building permit in approximately five months. The concurrent plat process will extend this time frame due to the 30 days Land Development takes to respond to each plat submittal/resubmittal.

# **Platting**

If it is determined that the proposed site plan requires platting or re-platting of the parcel(s), this process typically cannot begin until after Final Site Plan and Final Subdivision Plan approval is obtained (unless following the County's Concurrent Review Process). If combining two platted lots that do not have any internal easements between the existing lots, a subdivision plan approval through the DRO may be able to be avoided. The plat process typically takes between four to six months for approval at the County. However, the previously mentioned concurrent review process could reduce that time.

## **Building Permit**

Before applying for a building permit within the Palm Beach Park of Commerce, property owners should be aware that permits can only be submitted after Final Site Plan approval and, if applicable, re-platting are complete—unless the project qualifies for concurrent review. While landscape and irrigation plans are not required during the zoning approval process, they must be included with the building permit application and will be reviewed by the Landscape Department.

If any trees are to be preserved on-site, a tree barricading permit is required before submitting for building permit review. Building permits are typically issued within 90 working days. Additionally, a formal address will be assigned during the permitting process, which may differ from the property's current address listed with the Palm Beach County Property Appraiser.

# **Impact Fees**

Impact fees must be paid prior to the issuance of a building permit. See Exhibit I for a copy of the fee schedule. Please check with Palm Beach County to confirm the latest requirements and any changes to the fee schedule.

# Palm Beach County Building Department (PBCBD)

- On-site Drainage Permit
  - For new projects with drainage improvements that don't go through technical compliance during the plating process
  - Duration: Approximately 5 months
  - This cannot be applied for concurrently with site plan approval from the DRO unless following a concurrent review process.
  - o SFWMD ERP letter modification may be required prior to approval.

# South Florida Water Management District (SFWMD)

- SFWMD regulatory responsibilities are shared with the Florida Department of Environmental Protection.
- Types of permits issued by SFWMD are:
  - o Environmental Resource Permit (ERP)
    - New projects with drainage improvements
    - Duration 3 months
  - Water Use Permit
    - Dewatering Activities
    - Irrigation withdrawal from groundwater or lake
    - Duration 3-4 months
  - The Water Use Permit must be in place before the ERP can be issued, but it is suggested that owner applies for both permits concurrently.

# Northern Palm Beach County Improvement District (NPBCID)

- A permit from NPBCID can be applied for concurrently with SFWMD and the DRO Site Plan approval process.
- PBPOC is Unit #16 within NPBCID which is a taxing district for the roads and canals within PBPOC.
- Types of permits needed:
  - Drainage modification
    - New projects with drainage improvement and outfall connections to Northern's canals.
    - Duration: 3-4 months
    - SFWMD ERP letter modification may be required prior to Northern approval.
  - Right of Way Encroachment
    - Utility encroachments into Northern's canal or road rights of way.
    - Duration: Approximately four months

# Army Corp of Engineers (USACE)

• If the proposed site design mitigates any existing wetlands (not covered by a conversation easement within the Park) an Army Corp of Engineers Permit may be required. This process takes approximately nine months. Please also note that there are separation distances between proposed storm water lakes/ponds/areas and existing wetlands that also need to be respected. A civil engineer can provide more detailed information during your due diligence process if this is the case with your proposed site design.

## **Solid Waste Authority (SWA)**

- SWA entered into an Interlocal Agreement with the Board of Commissioners of Palm Beach County to transfer and consolidate solid waste collection governmental functions under the control of SWA.
- SWA has created a mandatory waste collection program for all improved properties in unincorporated Palm Beach County
- The funding for the mandatory waste collection program is a non-ad valorem assessment against all improved real property to finance the solid waste mandatory collection program. The assessment is based on the annual approved budget.
- Contact the SWA directly for more information on the fees to be assessed when the COO is issued and for future non-ad valorem assessments on the annual real estate tax bill.

# Palm Beach Park of Commerce Review (PBPOC)

Article III of the Declaration of Restricted Covenants for PBPOC requires Land Development Review Board (LDRB) approval for all proposed new construction or changes to the exterior of existing structures/property. This approval process is explained in the Design Standards which will be provided to prospective owners. This approval is typically required before submittal to the Building Department for permitting. An agreement to allow the concurrent processing of the LDRB approval, with a concurrent review of the DRO/Building Permit through the County should be discussed with PBPOC early in the process to allow for the most efficient approval timeline.

One of the most important elements of this process is the approval of the water and wastewater service and connection. The project must adhere to the PBPOC requirements.

# Water/Sewer- Non-transient Non-Community Public Water System

- Palm Beach Park of Commerce (PBPOC)
  - The Associations owns the water infrastructure.
  - Owner will connect to Association's water infrastructure.
    - PBPOC has agreement in place with Seacoast Utility Authority (SUA)
      - SUA has agreement with PBCWU to provide service
  - Water Supply Agreement is signed between property owner and PBPOC
  - There are several water infrastructure related fees that need to be paid throughout the approval/construction process.
  - See attached PBPOC Charges Summary.

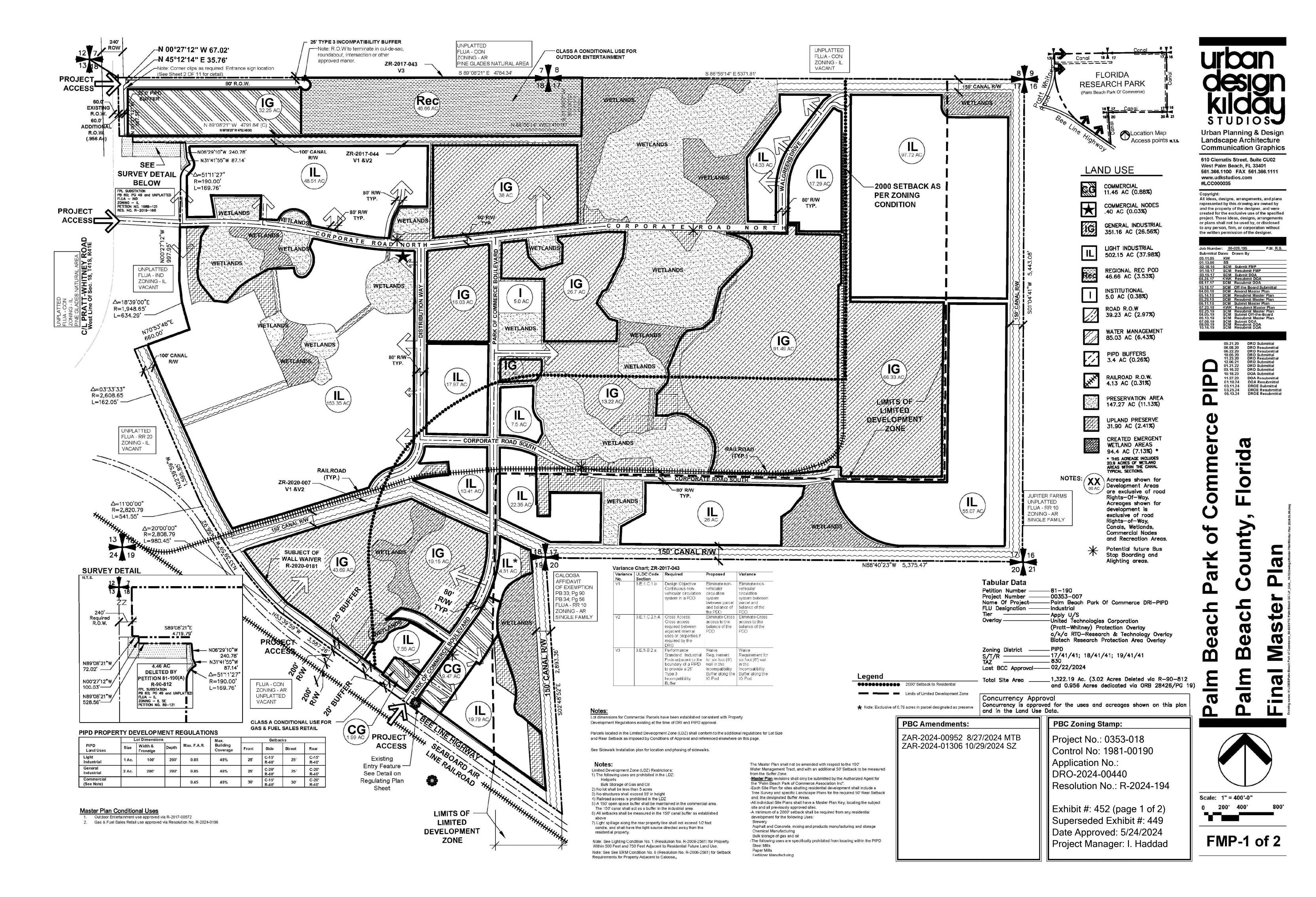
DO NOT CONTACT PALM BEACH COUNTY WATER UTILITIES (PBCWU) OR SEACOAST UTILITY AUTHORITY (SUA). IF YOU DO, YOU WILL BE REFERRED TO PALM BEACH PARK OF COMMERCE.

# **EXHIBITS**

For further information please refer to the following exhibits which have impact on many required approvals with Palm Beach Park of Commerce.

- Exhibit A Approved Master Plan
- Exhibit B Approving Resolutions/Conditions of Approval
- Exhibit C DRO Agencies Contact Information
- Exhibit D Zoning Applications List and Instructions
- Exhibit E Concurrent Review Flowchart
- Exhibit F Full DRO Review Process Flowcharts
- Exhibit G PBPOC Schedule of Charges
- Exhibit H PBC Impact Fee Schedule

# EXHIBIT "A"



# EXHIBIT "B"

#### RESOLUTION NO. R-2006- 2562

RESOLUTION APPROVING ZONING APPLICATION DOA2006-505
(CONTROL NUMBER 1981-190)
DEVELOPMENT ORDER AMENDMENT
APPLICATION OF AMERICAN EQUITITES, LTD. NO. 6,
INTERNATIONAL TRADE CENTER, LLC
BY BROAD AND CASSEL, AGENT
(FLORIDA RESEARCH PARK aka PALM BEACH PARK OF COMMERCE – DRI)

WHEREAS, Florida Research Park aka Palm Beach Park of Commerce – DRI, American Equities, Ltd. No. 6, International Trade Center, LLC has petitioned the Board of County Commissioners of Palm Beach County, Florida, to modify the development order for the Park of Commerce Development of Regional Impact (DRI); and

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, and the Palm Beach County Unified Land Development Code, as amended, is authorized and empowered to consider applications relating to zoning; and

WHEREAS, the notice and public hearing requirements, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067), as amended, have been satisfied; and

WHEREAS, Zoning Application DOA2006-505 was presented to the Board of County Commissioners at a public hearing conducted on November 27, 2006; and

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; and

WHEREAS, this approval is subject to Article 2.E (MONITORING), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Board of County Commissioners, after receiving the comments of the Florida Department of Community Affairs and the Treasure Coast Regional Planning Council, determined that the proposed amendment to the development order did not constitute a substantial deviation from the original approval, as provided in Section 380.06(19), Florida Statutes; and

WHEREAS, the Board of County Commissioners has considered the findings in the staff report and the following findings of fact:

- This Development Order Amendment is not a substantial deviation to the approved Development of Regional Impact.
- This Development Order Amendment is consistent with the purposes, goals, objectives and policies of the Palm Beach County Comprehensive Plan, including standards for building and structural intensities and densities, and intensities of use;
- This Development Order Amendment complies with relevant and appropriate portions of Article 4.B, Supplementary Use Standards of the Palm Beach County Unified Land Development Code. This Development Order Amendment also meets applicable local land development regulations;
- This Development Order Amendment, with conditions as adopted, is compatible as defined in the Palm Beach County Unified Land Development

Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development;

- The proposed design, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands;
- 6. This Development Order Amendment has a concurrency determination and complies with Article 2.F, Concurrency of the ULDC. This Development Order Amendment has a traffic concurrency exemption record that assumes 6,893 vested traffic concurrency trips and a buildout date to 2021. Any future application for development that exceeds 6,893 vested traffic concurrency trips or extends the buildout date beyond 2021 would require a Development Order Amendment to address the full impacts of additional trips and extended timeframe for all concurrency providers.
- This Development Order Amendment, with conditions as adopted, minimizes
  environmental impacts, including but not limited to water, air, stormwater
  management, wildlife, vegetation, wetlands and the natural functioning of the
  environment.
- This Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.
- This Development Order Amendment, with conditions as adopted, complies
  with standards imposed on it by all other applicable provisions of the Palm
  Beach County Unified Land Development Code for use, layout, function, and
  general development characteristics.
- The applicant has demonstrated sufficient justification that there are changed circumstances that require the Development Order Amendment.

WHEREAS, Article 2.K.3.b (Action by BCC) of the Palm Beach County Unified Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution; and

WHEREAS, Section I includes all previous development order conditions and new development order conditions that address the additional acreage. Section II includes all development order conditions for the extension of the buildout date to December 31, 2021. If Section II becomes effective and there is an inconsistency between Section I and Section II, Section II shall govern. Section III provides a notice requirement if Section II becomes effective and creates an expiration date on the developer's ability to exercise the Section II option.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Application DOA2006-505, the application of American Equities, Ltd., No. 6, International Trade Center, LLC, by Broad and Cassel, agent, for a Development of Regional Impact amendment to extend buildout date and add land area (80 acres) on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on November 27, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner \_\_\_\_\_ moved for the approval of the Resolution.

The motion was seconded by Commissioner <u>McCarty</u> and, upon being put to a vote, the vote was as follows:

 Addie L. Greene, Chairperson
 - Aye

 John F. Koons, Vice Chair
 - Nye

 Karen T. Marcus
 - Aye

 Warren H. Newell
 - Aye

 Mary McCarty
 - Aye

 Burt Aaronson
 - Aye

 Jess Santamaria
 - Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on November 27, 2006.

Filed with the Clerk of the Board of County Commissioners on 8th day of December , 2006.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, CLERK & COMPTROLLER

COUNTY ATTORNEY

DEPLITY CLERK

#### **EXHIBIT A**

#### LEGAL DESCRIPTION

#### LEGAL DESCRIPTION - EXISTING PIPD/DRI:

A PARCEL OF LAND SITUATE IN SECTIONS 17, 18, AND 19, TOWNSHIP 41 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 17; THENCE SOUTH 01°04'41" WEST, ALONG THE EAST LINE OF SAID SECTION 17. A DISTANCE OF 5,443.04 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 17; THENCE NORTH 88°40'25" WEST, ALONG THE SOUTH LINE OF SAID SECTION 17, A DISTANCE OF 5,375.38 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 17; THENCE SOUTH 02°48'45" EAST, ALONG THE EAST LINE OF SAID SECTION 19, A DISTANCE OF 2,893.36 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF THE BEELINE HIGHWAY, AS RECORDED IN ROAD BOOK 2, PAGE 152, AND ALSO BEING RECORDED IN OFFICIAL RECORD BOOK 112, PAGE 381, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THE FOLLOWING SIX COURSES ARE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, THENCE NORTH 53°39'52" WEST, A DISTANCE OF 3,587.09 FEET TO THE BEGINNING OF A CURVE, HAVING A RADIUS OF 2,808.79 FEET FROM WHICH A RADIAL LINE BEARS NORTH 36°20'08" EAST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 20°00'00". AN ARC DISTANCE OF 980.45 FEET; THENCE NORTH 33°39'52" WEST, A DISTANCE OF 457.86 FEET TO THE BEGINNING OF A CURVE, HAVING A RADIUS OF 2,820.79 FEET FROM WHICH A RADIAL LINE BEARS NORTH 56°20'08" EAST: THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°00'00", AN ARC DISTANCE OF 541.55 FEET: THENCE NORTH 22°39'52" WEST, A DISTANCE OF 1.594.85 FEET TO THE BEGINNING OF A CURVE, HAVING A RADIUS OF 2,608.65 FEET FROM WHICH A RADIAL LINE BEARS NORTH 67°20'00" EAST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°33'33", A DISTANCE OF 162.05 FEET TO A POINT ON THE SOUTH LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 3271, PAGE 1976, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 70°53'41" EAST, DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE AND ALONG THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 660.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL OF LAND AND THE BEGINNING OF A NON-TANGENT CURVE, HAVING A RADIUS OF 1948.65 FEET FROM WHICH A RADIAL LINE BEARS NORTH 70°53'41" EAST; THENCE NORTHERLY ALONG THE EAST LINE OF SAID PARCEL AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 18°39'00", AN ARC DISTANCE OF 634.29 FEET; THENCE NORTH 00°27'19" WEST, CONTINUING ALONG THE EAST LINE OF SAID PARCEL, AND IN PART, THE WEST RIGHT-OF-WAY LINE OF ASSEMBLY LOOP ROAD, AS SHOWN ON THE PALM BEACH PARK OF COMMERCE P.I.P.D. PLAT NO. 2, AS RECORDED IN PLAT BOOK 60, PAGES 49-50, A DISTANCE OF 997.95 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 190.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, AND SAID WEST RIGHT-OF-WAY LINE OF ASSEMBLY LOOP ROAD, THROUGH A CENTRAL ANGLE OF 51°08'01", AN ARC DISTANCE OF 169.57 FEET TO A POINT ON A NON-TANGENT LINE BEING 25.00 FEET WEST OF, AND PARALLEL WITH THE EAST LINE OF LOT 1L-2, SAID PLAT OF PALM BEACH PARK OF COMMERCE P.I.P.D. PLAT NO. 2; THENCE NORTH 31°41'55" WEST, DEPARTING SAID WEST RIGHT-OF-WAY LINE, AND ALONG SAID PARALLEL LINE, A DISTANCE OF 87.19 FEET TO A POINT ON A LINE 25.03 FEET WEST OF, AND PARALLEL WITH, THE EAST LINE OF SAID LOT 1L-2; THENCE NORTH 06°29'10" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 240.66 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1L-2; THENCE NORTH 89°08'22" WEST, DEPARTING SAID PARALLEL LINE, AND ALONG THE NORTH LINE OF SAID

Application DOA2006-505 Control No. 1981-190 Project No 00353-007 LOT 1L-2, A DISTANCE OF 528.56 FEET TO THE EAST LINE OF TRACT B, AS SHOWN ON THE PLAT OF PALM BEACH PARK OF COMMERCE P.I.P.D. PLAT NO. 1, AS RECORDED IN PLAT BOOK 56, PAGES 172-176, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 00°27'19" WEST, DEPARTING SAID NORTH LINE, AND ALONG SAID EAST LINE, A DISTANCE OF 100.03 FEET; THENCE SOUTH 89°08'22" EAST, DEPARTING SAID EAST LINE, AND ALONG A LINE 660.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 18, A DISTANCE OF 4719.79 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 18; THENCE SOUTH 88°56'16" EAST, ALONG A LINE 660.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 17, A DISTANCE OF 410.00 FEET; THENCE NORTH 01°06'57" EAST, A DISTANCE OF 660.00 FEET TO THE NORTH LINE OF SAID SECTION 17; THENCE SOUTH 88°56'16" EAST, ALONG THE NORTH LINE OF SAID SECTION 17, A DISTANCE OF 4,961.77 FEET TO THE POINT OF BEGINNING:

SAID PARCEL CONTAINING 1243.26 ACRES, MORE OR LESS.

THE ABOVE DESCRIBED PARCEL OF LAND ALSO HAS INCLUDED WITHIN IT THE ENTIRE PLAT OF "CALBUT GENPAR TRACT A" AS RECORDED IN PLAT BOOK 45, PAGES 70 & 71, A PORTION OF THE PLAT OF "PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 1" AS RECORDED IN PLAT BOOK 56, PAGES 172-176, A PORTION OF THE PLAT OF "PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 2" AS RECORDED IN PLAT BOOK 60, PAGES 49 & 50, THE ENTIRE PLAT OF "PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 4" AS RECORDED IN PLAT BOOK 68, PAGES 88 & 89, THE ENTIRE PLAT OF CORPORATE ROAD NORTH AND WALGREENS DRIVE, AS RECORDED IN PLAT BOOK 91, PAGES 82-84, THE ENTIRE PLAT OF PALM BEACH PARK OF COMMERCE P.I.P.D. PLAT III, AS RECORDED IN PLAT BOOK 103, PAGES 132 & 133, THE ENTIRE PLAT OF WALGREENS DISTRIBUTION CENTER AS RECORDED IN PLAT BOOK 91, PAGES 127-129, ALL AS RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

#### LEGAL DESCRIPTION - PROPOSED ADDITION/REZONING:

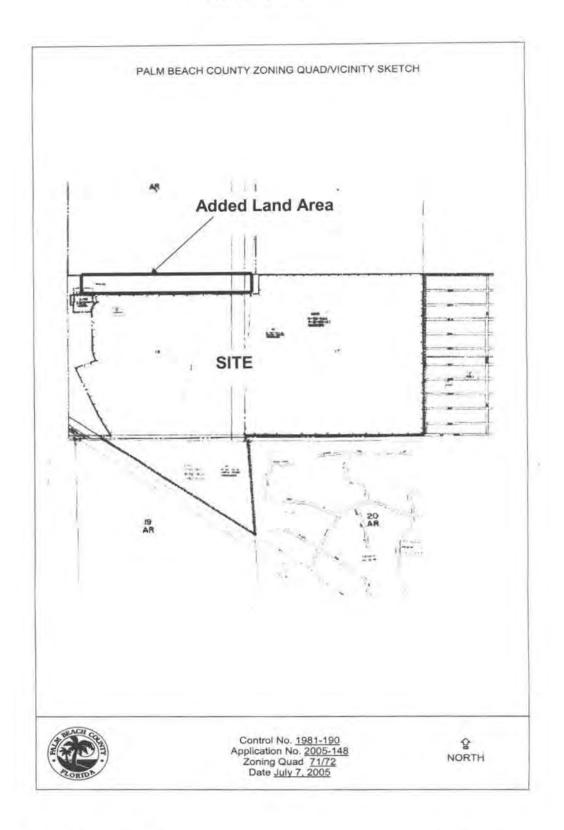
THE NORTH 660 FEET OF SECTION 18, TOWNSHIP 41 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, SUBJECT TO A ROAD RIGHT-OF-WAY ON THE WESTERLY 60 FEET THEREOF.

#### TOGETHER WITH:

THE WESTERLY 410 FEET OF THE NORTH 660 FEET OF SECTION 17, TOWNSHIP 41 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA.

AREA OF SUBJECT PROPERTY (NOT INCLUDING ROAD RIGHT-OF-WAY FOR PRATT WHITNEY RD.) = 79.860 ACRES OR 3,478,740 SQUARE FEET.

# EXHIBIT B VICINITY SKETCH



### EXHIBIT C CONDITIONS OF APPROVAL (DRI)

#### SECTION I.

#### INCORPORATION OF ALL DEVELOPMENT CONDITIONS

This resolution incorporates and restates the previous Development Order conditions of approval as contained in Resolutions No. R-82-120, No. R-82-468, No. R-90-812, No. R-93-344, No. R-95-1321.15, and R-97-161, including original deadlines, as most recently amended. (ONGOING: MONITORING-Zoning) (Previous Condition 1 of Resolution R-2005-1419 Control Number 1981-190)

Is hereby amended to read:

This resolution incorporates and restates the previous Development Order conditions of approval as contained in Resolutions No. R-82-120, No. R-82-468, No. R-90-812, No. R-93-344, No. R-95-1321.15, R-97-161, and R-2005-1419, including original deadlines, as most recently amended. (ONGOING: MONITORING-Zoning) (Previous Condition 1 of Resolution R-2005-1419 Control Number 1981-190)

#### 2. APPLICATION FOR DEVELOPMENT APPROVAL

The PBPOC Application for Development Approval (ADA) is incorporated by reference into the Development Order and zoning approval by Palm Beach County in the following manner:

The Palm Beach Park of Commerce Application for Development Approval (ADA) is incorporated herein by reference and relied upon by the parties in discharging their statutory duties under Chapter 380, Florida Statutes. Substantial compliance with the representations contained in the Application for Development Approval is a condition of approval unless waived or modified by agreement among the parties, as defined in Subsection 380.07(c), Florida Statutes. Substantial compliance shall include the requirement that groundwater withdrawal impacts described in the ADA shall not be exceeded. Substantial deviation from these representations shall require reconsideration of the Development Order.

For the purposes of this condition, the ADA shall include the following items:

- Palm Beach Park of Commerce ADA, submitted September 4, 1981;
- Palm Beach Park of Commerce ADA Supplement, submitted October 21, 1981;
- Letter and attachments dated October 26, 1981 from Doug Winter to Jeanne Hall regarding Water, Drainage, and Vegetation and Wildlife;
- Letter and attachments dated November 13, 1981 from Donald Walker to Sam Shannon regarding Transportation;
- Letter and attachments dated November 18, 1981 from Donald Walker to Sam Shannon regarding Transportation;
- Letter dated December 1, 1981 from Howard L. Searcy to Donald C. Lockhart regarding wetlands;
- G. Letter dated October 16, 1981 to Tim Lunney, Palm Beach County Zoning Director, from Henry Skokowski regarding the Caloosa Homeowners Association meeting of October 12, 1981 describing the "Limited Development Zone";
- Memorandum dated January 28, 1982 from Henry Skokowski to Tim Lunney restricting uses and establishing additional setbacks;
- Condition C.1. of Resolution No. R-93-344 as subsequently modified by Condition E.2. of R-95-1321.15 found at Condition #9 herein; and

J. Condition C.2. of Resolution No. R-93-344 amending the answer to Question 14-D of the ADA. (ONGOING: MONITORING-Zoning) (Previous Condition 2 of Resolution R-2005-1419 Control Number 1981-190)

#### SIGNIFICANT PHYSICAL DEVELOPMENT

In the event the developer fails to commence significant physical development within three (3) years from the effective date of the Development Order as adopted on February 2nd, 1982, all development approvals shall terminate and the development shall be subject to further consideration pursuant to Section 380.06, Florida Statutes and Ordinance 73-2, as amended, the Palm Beach County Zoning Code. "Significant Physical Development" shall mean site preparation work for any portion of the project. (ONGOING: MONITORING-Zoning) (Previous Condition 3 of Resolution R-2005-1419 Control Number 1981-190)

#### ARCHAEOLOGICAL ARTIFACTS

In the event of discovery of archaeological artifacts during project construction, the developer shall stop construction in that area and notify the Bureau of Historic Sites and Properties in the Florida Department of State. Proper protection of these artifacts to the satisfaction of the Bureau, shall be provided by the applicant developer.

Is hereby amended to read:

In the event of discovery of archeological artifacts during project construction, the developer shall stop construction in that area and notify the Bureau of Historic Sites and Properties in the Florida Department of State and the Palm Beach County Planning Division. Proper protection of these artifacts to the satisfaction of the Bureau and the Planning Division shall be provided by the property owner. (ONGOING: PLANNING-Planning)

# 5. CENTRALIZED WASTEWATER AND POTABLE WATER TREATMENT FACILITIES

The developer shall construct centralized wastewater and potable water treatment facilities adequate to service the project's wastewater discharge and demand rates. Further, all work will be done in accordance with rules and regulations of the Department of Environmental Protection. Only when a regional wastewater treatment system is constructed that would serve the proposed project, and when the developer commits to connecting to the system, will this condition be removed from the developer (R-82-468, Condition #8). (ONGOING: HEALTH/ERM) (Previous Condition 5 of Resolution R-2005-1419 Control Number 1981-190)

#### 6. TRANSPORTATION COORDINATOR

The developer shall create and fully fund the position of a "Transportation Coordinator" under the authority of the "Park's Protective Covenants", whose duty it shall be to minimize traffic generated by site development, particularly during peak hour traffic periods, by the implementation of traffic control strategies. These strategies shall be implemented at the outset of the project and shall be coordinated with the County Engineer and shall include, but not be limited to:

- A. establishment of a carpool/vanpool program for employees within the Park
- B. facilitation of mass transit usage through:
  - -construction of bus shelters
  - -provision of bus stop signs
  - -distribution of bus schedules

- -survey of employee transportation needs
- -coordination of COTRAN and other mass transit services with the businesses in the Park;
- imposition of staggered work hours on the employers and their employees within the Park under the authority of the Protective Covenants;
- D. coordination with Pratt & Whitney Aircraft and other area employers regarding carpooling, vanpooling, and mass transit options. (ONGOING: ENG-Eng) (Previous Condition 6 of Resolution R-2005-1419 Control Number 1981-190)

## 7. TRAFFIC STUDY

Commencing in the year 1993, and continuing every other year thereafter the developer shall undertake a study of traffic conditions along Beeline Highway. The study shall include hourly directional counts for a 24-hour period along Beeline Highway south of the project and at all project entrances. Counts shall be conducted for three consecutive days from Tuesday through Thursday during one of the following months: January, February or March. The study shall be conducted by a Professional Traffic Engineer and shall include any other items, including detailed intersection analysis of any intersections in the project impact area, as deemed necessary by the Palm Beach County Engineering Department to determine the impact of the project on the surrounding highway system. The study shall be coordinated by the Florida Department of Transportation and the Palm Beach County Engineering Department and the results shall be provided to each as part of the annual report required by Subsection 380.06(18), Florida Statutes. This report shall also address the traffic control strategies listed in the Transportation Coordinator Condition and shall be coordinated with the County Engineer. (DATE: MONITORING - Eng) (Previous Condition 7 of Resolution R-2005-1419 Control Number 1981-190)

#### CONTINUED DEVELOPMENT

Continued development of the project shall be permitted provided the traffic monitoring required by the Traffic Study Condition 7 above showing the peakseason, peak-hour, peak-direction traffic volume does not exceed LOS D (utilizing FDOT Generalized Level of Service Guidelines Manual service volumes) on Beeline Highway (SR 710). If that volume is exceeded, no further building permits shall be issued for PBPOC DRI until it can be demonstrated to the Palm Beach County Engineer, the Florida Department of Transportation and the Treasure Coast Regional Planning Council that peak-season, peak-hour, peak-direction traffic is operating at an acceptable level of service. Recognizing that the background traffic constraints existing at the time of initial development order adoption have been alleviated, and that demand for the approved land uses has not occurred in linear fashion as was projected, the internal phase projections in the ADA are collapsed into one phase. There is no minimum or maximum of development or type of development previously approved which must or may occur within any given time period, subject to the overall project buildout date. The buildout date for the project, July 31, 2014, remains unchanged. The land uses and their amounts previously approved remain unchanged. Development may proceed at any pace as long as the traffic limitations imposed in the development order are not exceeded. (DATE: MONITORING-Eng) (Previous Condition 8 of Resolution R-2005-1419 Control Number 1981-190)

#### ENVIRONMENTAL LIAISON

The developer shall create and fully fund the position of "Environmental Liaison" under the authority of the "Park's Protective Covenants," whose duty it shall be to monitor the development for compliance with all environmentally-related representations by the developer and conditions of approval. The "Environmental

Liaison" shall prepare an educational and monitoring program to be coordinated with each tenant of the park and with appropriate regulatory agencies. The "Environmental Liaison" shall prepare an annual report describing these programs and their results which shall be submitted to the Palm Beach County Planning, Zoning and Building Department, the South Florida Water Management District, the Florida Department of Environmental Protection, and the Treasure Coast Regional Planning Council. It shall also be the responsibility of the "Liaison" to report immediately any violation of conditions of approval or any potentially hazardous conditions or practices of any tenant on the environment to the Palm Beach County Zoning Division and the Florida Department of Environmental Protection. (ONGOING: ERM-Erm) (Previous Condition 9 of Resolution R-2005-1419 Control Number 1981-190) COMPLETED.

#### PARAGRAPH HEADINGS

The paragraph headings of this Development Order are included solely for purposes of convenience and reference only, and shall not be deemed to explain, modify, limit, amplify or aid in the meaning, construction or interpretation of any of the provisions of this Development Order. (ONGOING: TCRPC) (Previous Condition 10 of Resolution R-2005-1419 Control Number 1981-190)

#### SECTION II.

Previous Condition 7 which currently states:

#### TRAFFIC STUDY

Commencing in the year 1993, and continuing every other year thereafter the developer shall undertake a study of traffic conditions along Beeline Highway. The study shall include hourly directional counts for a 24-hour period along Beeline Highway south of the project and at all project entrances. Counts shall be conducted for three consecutive days from Tuesday through Thursday during one of the following months: January, February or March. The study shall be conducted by a Professional Traffic Engineer and shall include any other items, including detailed intersection analysis of any intersections in the project impact area, as deemed necessary by the Palm Beach County Engineering Department to determine the impact of the project on the surrounding highway system. The study shall be coordinated by the Florida Department of Transportation and the Palm Beach County Engineering Department and the results shall be provided to each as part of the annual report required by Subsection 380.06(18), Florida Statutes. This report shall also address the traffic control strategies listed in the Transportation Coordinator Condition and shall be coordinated with the County Engineer, (DATE: MONITORING - Eng)

Is hereby deleted (REASON: Replaced by more detailed transportation conditions of approval).

Previous Condition 8 which currently states:

#### CONTINUED DEVELOPMENT

Continued development of the project shall be permitted provided the traffic monitoring required by the Traffic Study Condition 7 above showing the peak-season, peak-hour, peak-direction traffic volume does not exceed LOS D (utilizing FDOT Generalized Level of Service Guidelines Manual service volumes) on Beeline Highway (SR 710). If that volume is exceeded, no further building permits shall be issued for PBPOC DRI until it can be demonstrated to the Palm Beach County Engineer, the Florida Department of Transportation and the Treasure Coast Regional Planning Council that peak-season, peak-hour, peak-direction traffic is operating at an acceptable level of service. Recognizing that the background traffic

constraints existing at the time of initial development order adoption have been alleviated, and that demand for the approved land uses has not occurred in linear fashion as was projected, the internal phase projections in the ADA are collapsed into one phase. There is no minimum or maximum of development or type of development previously approved which must or may occur within any given time period, subject to the overall project buildout date. The buildout date for the project, July 31, 2014, remains unchanged. The land uses and their amounts previously approved remain unchanged. Development may proceed at any pace as long as the traffic limitations imposed in the development order are not exceeded. (DATE: MONITORING-Eng) (Previous Condition 8 of Resolution R-2005-1419 Control Number 1981-190)

Is hereby amended to read:

The buildout date of the project is December 31, 2021.

#### SECTION III.

#### DEVELOPMENT ORDER

Section 1 and Section III of this Development Order shall become effective upon adoption by the Board of County Commissioners. Section II of this Development order shall become effective upon the effective date of the Florida Research Park DRI related CRALLS Comprehensive Plan Amendment for which a transmittal public hearing was held on July 28, 2006 and upon the Applicant obtaining the LOS Modifications necessary from the Department of Transportation to address the transportation related conditions of approval. The Applicant shall provide written notification to the Director of Planning, Zoning and Building upon obtaining the LOS Modifications. In the event the Applicant does not obtain the LOS within two years from the date of the Board of County Commissioners hearing granting approval of this development order amendment Section II shall not become effective and shall expire.

# RESOLUTION NO. R-2024- 0194

RESOLUTION APPROVING THE REVOCATION OF RESOLUTIONS R-2019-0386 and R-2019-0387 (CONTROL NUMBER 1981-00190) An application of Palm Beach Investment Property, LLC By Urban Design Studio, Agent (Palm Beach Park of Commerce)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapters 125 and 163, Florida Statutes, is authorized and empowered to consider applications related 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, Application SV/DOA/CA-2018-01218, the Application of the Palm Beach Investment Property, LLC, by Urban Design Kilday Studios, Agent, for a Class A Conditional Use to allow a Type 1 Restaurant with a Drive-through (Building B) and for a Class A Conditional Use to allow a Type 1 Restaurant with a Drive-through (Building C) was presented to the Board of County Commissioners at a public hearing on March 25, 2019, and adopted by Resolution R-2019-0386 and R-2019-387, respectively;

WHEREAS, Zoning Application ABN/DOA-2023-01497, the Application of Palm Beach Investment Property LLC, by Urban Design Studio, Agent, for a Development Order Abandonment to abandon Class A approvals for two Type 1 Restaurants with drivethrough approved by Resolution R-2019-0386 and Resolution R-2019-0387 on 9.54 acres; a Development Order Amendment to modify the Master Plan to re-designate 7.55 acres of a General Commercial Pod to a Light Industrial Pod and to modify Conditions of Approval on 1,322.19 acres; and, a Development Order Amendment to modify the previously approved Class A for a Retail Gas and Fuel Sales with a Convenience Store to reduce land area by 7.55 acres to 1.99 acres, to configure the Site Plan, and to modify Conditions of Approval was presented to the Board of County Commissioners at a public hearing conducted on February 22, 2024;

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 here by incorporates by reference the Findings in the staff report addressing the Standards contained in Article2.8 (Public Hearing Processes) for a Development Order Abandonment;

WHEREAS, the Board of County Commissioners pursuant to Article 2 (Application Processes and Procedures) of the ULDC is authorized and empowered to consider, approve with conditions or deny the request;

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 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. Resolution R-2019-0386, approving a Class A Conditional Use to allow a Type 1 Restaurant with a Drive-through (Building B), and R-2019-387 approving a Class A Conditional Use to allow a Type 1 Restaurant with a Drive-through (Building C), on a parcel of land as shown on the legal description in Exhibit A, attached hereto and made apart hereof, are hereby revoked.

Commissioner Weiss moved for the approval of the Resolution.

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

Commissioner Maria Sachs, Mayor - Aye
Commissioner Maria G. Marino, Vice Mayor - Aye
Commissioner Gregg K. Weiss - Aye
Commissioner Michael A. Barnett - Aye
Commissioner Marci Woodward - Aye
Commissioner Sara Baxter - Aye
Commissioner Mack Bernard - Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on February 22, 2024.

Filed with the Clerk of the Board of County Commissioners on February 22,2024

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

JOSEPH ABRUZZO, CLERK & COMPTROLLER

BY:

BY:

Page 2

# **EXHIBIT** A

# LEGAL DESCRIPTION

LOTS 5C, 6C, 7C AND 8C, PALM BEACH PARK OF COMMERCE, A PIPD, PLAT NO. 1, ACCORDING TO THE PLATTHEREOF RECORDED IN PLAT BOOK 56, PAGES 172 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA,

Page 3

# EXHIBIT "C"

# **DEVELOPMENT REVIEW AGENCY CONTACTS**

#### **ZONING**

Monica Cantor Principal Site Planner (561)233-5205 MCantor@pbc.gov

## **ADDRESSING**

Alison Cirino (561) 233-5316 ACirino@pbc.gov Maria Zorro 561-23-5267 MZorro@pbc.gov

#### **AIRPORTS**

Wil Hicks (561) 471-7491 WHicks@pbia.org Javier A. Gamboa 561-656-5989 jgamboa@pbia.org

#### **COUNTY ATTORNEY**

Lisa Barajas, Paralegal (561) 355-3388 LBarajas@pbc.gov

# ENVIRONMENTAL RESOURCE MANAGEMENT (ERM)

Timothy Haynes (561)681-3846 THaynes@pbc.gov

## **FIRE RESCUE**

Wesley Jolin (561) 233-2695 WJolin@pbc.gov

#### <u>HEALTH</u>

Kenny Wilson / Janelle St Ange / Winston Davis (561) 837-5900 Ext 5985
Kenny.wilson@flhealth.gov

#### LAND DEVELOPMENT

George Beck
(561) 684-4083 GBeck@pbc.gov
Michelle Bellevue
(561) 684-4099 MBellevue@pbc.gov
Carlos Cruz
(561) 684-4094 CCruz1@pbc.gov
Johnson Saint Hilaire
(561) 684-4781 JSaintHilaire@pbc.gov

# **PALM TRAN**

Bruce Guyton (561) 841-4274 Guyton@pbc.gov

### **PARKS & RECREATION**

Daniel Duenas (561) 966-6659 <u>DDuenas@pbc.gov</u> Bob Hamilton (561) 966-6651 <u>RHamilton@pbc.gov</u>

# **PLANNING**

Travis Goodson (561) 233-5052 TGoodson@pbc.gov Imene Haddad (561)233-5359 IHaddad@pbc.gov

# PREM

Eric McClellan (561) 233-0253 <a href="mailto:EMcClellan@pbc.gov">EMcClellan@pbc.gov</a>

# SCHOOL BOARD

Simone Marseille
(561) 882-1938
simone.marseille@palmbeachschools.org
Joyell Shaw
joyell.shaw@palmbeachschools.org

#### **SURVEY**

Gary Wheeler (561) 684-4054 <a href="mailto:GWheeler@pbc.gov">GWheeler@pbc.gov</a>

#### **TRAFFIC**

Quazi Bari (561) 684-4104<u>qbari@pbc.gov</u> Dominique Simeus (561) 684-5738 <u>DSimeus@pbc.gov</u> Alberto Lopez Tagle (561) 684-4051<u>ALopezTagle@pbc.gov</u> Moshiur Rahman (561)478-5755 MRahman@pbc.gov

## **WATER UTILITIES**

Katherine Caricchio (561) 493-6030 KCaricchio@pbcwater.com Joe Lammert (561) 493-6093JLammert@pbcwater.com

# **SPECIAL DISTRICTS**

#### **INDIAN TRAIL IMPROVEMENT DISTRICT**

Jay Foy (561) 242-0028 jfoystormj@gmail.com

#### **LAKE WORTH DRAINAGE DISTRICT (LWDD)**

Margie Illsley (561) 819-5582 millsley@lwdd.net

# SOUTH INDIAN TRAIL WATER CONTROL DISTRICT

Michael Dillon (561) 747-0550 dillon@sirwcd.org

# NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRIC

O'Neal Bardin, Jr. 561-624-7830

# LOXAHATCHEE GROVES WATER CONTROL DISTRICT

Clete J. Saunier 561-793-0884

# **DEVELOPMENT REVIEW AGENCY CONTACTS**

**ZONING** 561-233-5200

Monica Cantor Principal Site Planner (561)233-5205 MCantor@pbc.gov

Donna Adelsperger Senior Site Planner (561)233-5224 dadelspe@pbc.gov

Joyce Lawrence Senior Site Planner (561)233-5217 JRLAWREN@pbc.gov

Nancy Frontany Bou Senior Site Planner (561)233-5584 NFrontanyBou@pbc.gov

Alex Biray Senior Site Planner (561) 233-5243 ABiray@pbc.gov

Matthew Boyd Senior Site Planner (561)233-5344 MBoyd@pbc.gov

Jerome Small Senior Site Planner (561)233-5342 JSmall2@pbc.gov

Brenya Martinez Site Planner II (561)233-5242 BMartinez@pbc.gov

Lawrence D'Amato Site Planner II (561)233-5566 LDAmato@pbc.gov

Santiago Zamora Site Planner II (561)233-5406 HZamora@pbc.gov

Katiana Myrthil Site Planner I (561)233- 5302 KMyrthil@pbc.gov

Vismary Dorta Site Planner I (561)233-5575 VDorta@pbc.gov Stacey Ricker N. Plans Specialist I (561)233-0742 <a href="mailto:sricker@pbc.gov">sricker@pbc.gov</a>

Deysi Guillen Plans Specialist I (561)233-5051 DGuillen@pbc.gov

Adrian Sandlin Plans Specialist I (561)233-5231 ASandlin@pbc.gov

# EXHIBIT "D"



#### **Palm Beach County Zoning Division**

2300 N. Jog Road West Palm Beach, Florida 33411 Phone: (561) 233-5200

#### 2025 ZONING APPLICATIONS LIST & INSTRUCTIONS

All Zoning applications require an online submittal a Pre-Application Review (PAR) Request Form with an application. The PAR allows Staff to confirm the associated request and allows the Applicant to ask questions to various departments. Following the routing and review of the PAR, staff will issue a Referral Number for the Applicant with a fee invoice for the Applicant to submit the complete application and documents through the online portal. All PARs must be accompanied by the Application Form for the associated request. The list below provides all of the Zoning Applications and Approval process, with associated forms. Contact the following email with questions: <a href="mailto:PZB-ZoningIntake@pbc.gov">PZB-ZoningIntake@pbc.gov</a>.

#### A. Confirmation Letters

The following applications require submittal of the **PAR Request Form** and a copy of the items listed below. The applicant can submit all associated documentation with the request.

- Confirmation for a Family Community Residence, Recovery Community Residence, Transitional community Residence or Congregate Living Facility – Attach Application Form 132
- Zoning Confirmation Letter Attach a letter with the address and question(s), and the

#### B. Administrative Applications without a Development Order

The following applications require submittal of the PAR Request Form and Form 1, General Application, Parts 1 and 3. Part 2 is not required. The applicant may submit all associated documentation with the request.

- Unity of Title and Release of Unity of Control
- Unity of Control and Release of Unity of Control
- Temporary Use (TU) or Temporary Sign Balloon (SPSB) or Grand Opening (SPSG)
- Billboard Special Permits Demolition (SPBD), Relocation (SPBR), or Replacement/Maintenance (SPBT)
- Reasonable Accommodation (RA)
- Special Permit for Dog Friendly Dining
- Pre-Application Conference (PAC)

#### C. Administrative Applications with Development Order

The following applications require submittal of the **PAR Request Form** and **Form 1, General Application** (all Parts). Applicants may also attach a site plan or other documents for a cursory review. A detailed site plan review will require a submittal of a PAC.

- Development Review Officer (DRO) Approval
  - New approvals identified as DRO in Art. 4 Use Matrix, and Type 2 or Type 3 Concurrent Review
  - Administrative Modifications to Board approvals (subject to Art. 2)
  - Within 2 months of a Public Hearing approval, an Expedited DRO (DROE) without a PAR for Finalization of Board approved plans
- Zoning Agency Review (ZAR)
- Zoning Review (ZZR)
- Subdivision Plans
- Type 1 Waiver (W)
- Type 1 Variance (AV)
- Abandonment of an Administrative Approval (ABN)

#### D. Public Hearing Applications with Development Order

The following applications require submittal of the **PAR Request Form** and **Form 1, General Application**, Parts 1 and 3. Part 2 is not necessary for these applications. Applicants may also attach a site plan or other documents for a cursory review. A detailed site plan review will require a submittal of a PAC.

- Board of County Commissioners approval
  - Class A Conditional Use (CA), including Transfer of Development Rights and Workforce Housing greater than 2 units per acre bonus
  - o Rezoning to a Planned Development District (PDD) or straight zoning (Z)
  - Development Order Amendment (DOA) of a BCC Approval, including Expedited Application Consideration (EAC)
  - Type 2 Waiver
  - Abandonment of a BCC approval (ABN)
- Zoning Commission approval
  - Class B Conditional Use (CB)
  - Type 2 Variance Zoning (ZV) or Subdivision (SV)
  - Type 2 Waiver (W)
  - Abandonment of a BCC approval (ABN)

Note: Refer to PZB Zoning Website for all ULDC Articles <a href="http://www.pbcgov.com/uldc/index.htm">http://www.pbcgov.com/uldc/index.htm</a>
referenced in this document and the Technical Manual for helpful information
<a href="http://www.pbcgov.com/techmanual/index.htm">http://www.pbcgov.com/techmanual/index.htm</a>



## **Palm Beach County Zoning Division**

2300 N. Jog Road West Palm Beach, Florida 33411 Phone: (561) 233-5200

# PRE-APPLICATION REVIEW REQUEST FORM

All Zoning Applications, with the exception of Community Residential, require a Pre-Application Review (PAR) to be submitted by a minimum two weeks prior to application intake (see Zoning Calendar). Please submit this form through the online portal and attach Form 1, General Application along with any information and/or documentation to explain the proposal. Zoning Staff will review the documentation and identify the appropriate approval process, provide the project history, and fee estimate. Email questions to PZB-ZoningIntake@pbc.gov.

| <b>Application Name</b>  |   | Date                 |          |  |
|--|---|----------------------|----------|--|
| Control No./Name   |   | <b>Control Acres</b> |          |  |
| Address or Location  |   |                      |          |  |
| Owner Name   |   |                      |          |  |
| Agent/Applicant  |   |                      |          |  |
| Email  |   | Phone                |          |  |
| Request Summary  |   |                      |          |  |
| Provide a short paragraph summarizing the proposal / requests, including acreages, uses, square footage or unit changes, etc. Indicate the Application Type that you are requesting to be confirmed (see attached list).             |   |                      |          |  |
| Application Summary  |   |                      |          |  |
| Application Type   |   |                      |          |  |
| Zoning Division Questions  |   |                      |          |  |
| Indicate one or more questions in addition to Standard Question 1.   |   |                      |          |  |
| Question 1   | Confirm the Application Type identified above | is correct for this  | request. |  |
| Question 2   |   |                      |          |  |
| Question 3   |   |                      |          |  |
| Question 4   |   |                      |          |  |
| Question 5   |   |                      |          |  |
| See Traffic Division, Land Development, Planning, Water Utilities, and Environmental Resources Management for questions related to those Divisions/Departments. https://discover.phcgov.org/pzb/zoning/PDF/DRO/dro, member, list.pdf |   |                      |          |  |

| Zoning Application List                                 |   |   |  |  |  |  |
|---|---|---|--|--|--|--|
| Category  | Types of Applications   | Notes   |  |  |  |  |
| Public Hearing<br>Applications                          | Rezoning to Straight Zoning District Rezoning to Planned Development District Class A Conditional Use Class B Conditional Use Development Order Amendment (DOA) to a prior approval for:  • Straight Zoning with Conditional Overlay Zone  • Planned Development District  • Class A Conditional Use  • Class B Conditional Use  • Class B Conditional Use  DOA Expedited Application Consideration (EAC) Type 2 Waiver (add form 19) Type 2 Variance (add form 43) Subdivision Variance (add form 43) PO Deviation (add form 92) | Variance & Waivers require a Pre-Application Meeting                |  |  |  |  |
| Administrative<br>Applications                          | Development Review Officer (DRO) New Approval (Use and/or Plans) DRO Modification of a prior DRO Approval DRO Administrative Modification of a Public Hearing Approval Zoning Application Review (ZAR) Zoning reviewer only Zoning Plan Review (ZZR) Zoning reviewer only – minor modification Type 1 Administrative Waiver Type 1 Administrative Variance  | Variance & Waivers require a Pre-Application Meeting                |  |  |  |  |
| Administrative<br>Applications<br>not subject to<br>PAR | Temporary Use Special Permit Community Residential Housing Landscape Plans Tree Removal Permit Zoning Confirmation Letter Business Tax Receipt Review   | Email PZB-<br>ZoningIntake@pbc.g<br>ov for submittal<br>information |  |  |  |  |

# EXHIBIT "E"

#### Palm Beach County, Florida Concurrent Review Type 2 & 3 - Final DRO Plans (Art.2.A) For Concurrent Final Site Plan Approval, Final Land Development Plat and / or Building Permits **Decision Making Timing Applicant Zoning Division Staff DRO Agencies Bodies** (Approximate) Note: Final DRO Plans may be submitted within 2 months of BCC or ZC approval; if past 2 months, then submit a Full DRO Application. Request Pre-Application Conference (PAC); provide written justification for Concurrent Application Request (4) Pre-Application Conference (PAC) with all applicable (3) Submit PAC request (3) Submit PAC Agencies without questions request with (submit Form 112) questions PAC Result letter Issued (valid for 6 months) **Working** Days PAC Process Complete Refer to **Submit Concurrent Zoning** Application (include Form 112 or Zoning PAC Result letter); refer to Calendar Zoning Calendar Intake dates (1) Applicant shall submit Land Development and/or (2) Building Permit concurrent Sufficiency Review Working applications (must be Distribution Days submitted within 10 days of submittal of the Zoning Accepted application) (3) Applicant Respond to Application is distributed Insufficiency Letter and may to DRO Agencies (includes Refer to re-submit (refer to Zoning Calendar for Intake dates) Zoning) for review; Zoning Calendar DRO Meeting - application discussion (scheduled as per Zoning Calendar) 15 **Issues to Address** DRO Agencies (includes Zoning) will review, approve deny or Working Approve with Conditions, as applicable; if issues, comments or issues are entered that may require correction or re-submittal Days Approved Refer to Zoning (6) Applicant Resubmits Re-distribution of resubmitted Calendar for application documents to DRO (within 6 months of Dates to application submittal) Agencies for review resubmit Result Letter Issued and Final DRO Plans stamped and approved then sent **Approved** Working to Applicant via email. Final Plans are Days uploaded to Zoning Web page Zoning Process Complete Applicant shall attach the DRO Result letter and Zoning Final Plans to all related concurrent Finalize Plat Review / applications (LD and Building **Building Permits** Permits). Approved Final Plats if applicable, shall be added to the related Building Permits

## EXHIBIT "F"



Applicant Zoning D

**Zoning Division Staff** 

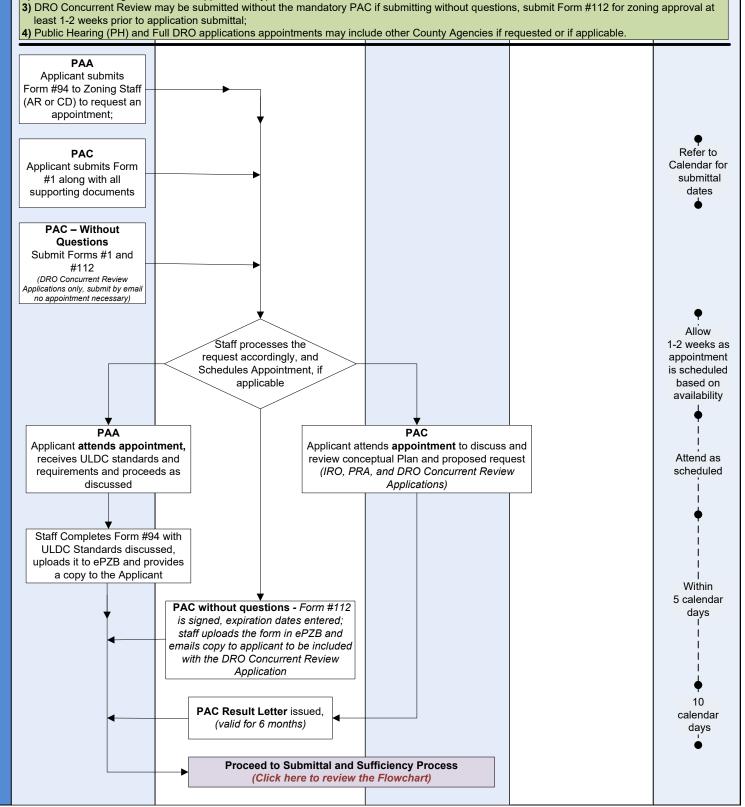
**County Agencies** 

Decision Making Bodies

Timing (Approximate)

#### Notes:

- It is mandatory for applicants to meet with staff prior to the official submittal of the zoning applications listed in ULDC Table 2.A.5, PAC and PAA; to identify issues related to the proposed request(s) and to ensure the requests are in compliance with the applicable Comprehensive Plan and Unified Land Development Code (ULDC);
- 2) PAAs are encouraged for all other applications types;



#### **Application Process – Submittal and Sufficiency Review** Zoning Division February 2021 **Decision Making** Timing **Applicant Zoning Division Staff County Agencies Bodies** (Approximate) **PAA and PAC Process Complete** (Click here to review the Flowchart) Request Submittal Appointment and Fee Invoice (at least 2 working days prior to submittal date) Staff prepares the fee invoice Applicant pays fees and sends to Applicant; prior to submittal date schedule submittal appointment Refer to Zoning Calendar for Application Submittal Submittal (pursuant to submittal dates dates on Zoning Calendar) shall use Sharefile electronic submittal Insufficient Sufficient Sufficiency Review <sup>1 & 2</sup> 30 Calendar Days1 **Insufficiency Notification** sent to applicant (21 days) Sufficiency Notification sent to applicant (30 days) Applicant reviews Refer to insufficiencies then Zoning corrects and resubmit Calendar for documents, as applicable submittal dates 30 days 2nd Notification of After 1st Insufficiency sent to notification applicant, if no resubmittal Applicant may submit written request for a Refer to Time Extension<sup>3</sup> Zoning (Art.2.C.2.C) within 5 days Calendar for **Administrative Withdrawal** of the 2<sup>nd</sup> Notification to submittal Letter issued if Time request additional time dates Extension is not requested or for resubmitting if no resubmittal processed Distribution - Application is distributed to applicable DRO Agencies (including Zoning) for Review Process

**Notes** 

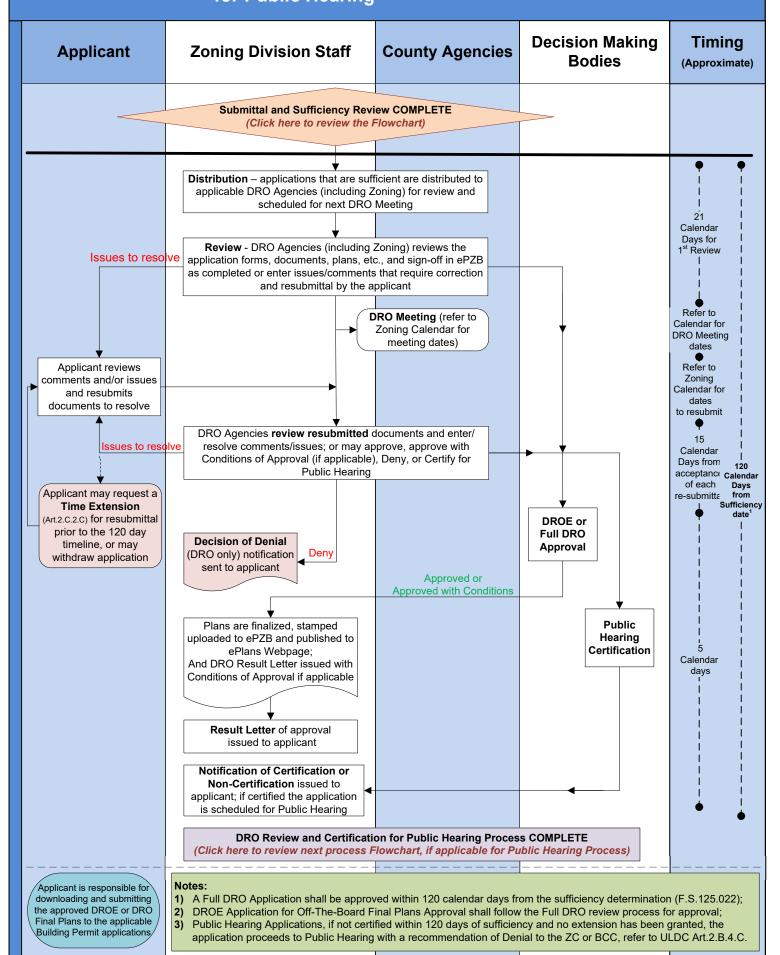
1) Florida State Statute 125.022 allows up to 30 days for sufficiency review, Zoning will process PH and DRO applications for Sufficiency within 21 days; notifications for Insufficiency shall be issued within 21 days to facilitate the next two scheduled submittal dates of the Official Zoning Calendar; while notifications for Sufficiency shall be issued within 30 days to start the 120 day timeline;

Submittal and Sufficiency Review Process COMPLETE (Click here to review the next process Flowchart - DRO Review and Certification for Public Hearing)

- 2) Expedited DRO (DROE) Final Plans may be exempt from sufficiency review, in accordance with ULDC Art.2.C.2.A.
- 3) Time Extensions may be requested in writing within 5 days of the 2<sup>nd</sup> Insufficiency Notification; the application may be Administratively Withdrawn if no corrective action occurs (resubmittal) or a time extension was not requested and approved within this timeframe.

### Application Process – DRO Review and Certification for Public Hearing





# EXHIBIT "G"



### Palm Beach Park of Commerce Summary of Estimated Costs

| Location                 |                  |              |                        |        |              |             |              |           |                  |                      |
|--------------------------|------------------|--------------|------------------------|--------|--------------|-------------|--------------|-----------|------------------|----------------------|
| Acres                    |                  |              | 0                      |        |              |             |              |           |                  |                      |
|                          |                  |              |                        |        |              |             |              |           |                  | Costs due            |
|                          |                  |              |                        |        |              |             |              |           |                  | by purchaser         |
| Assessment Costs         |                  |              |                        |        |              |             |              |           |                  |                      |
|                          |                  | Year         |                        | 0      | acres        | Χ           | \$1,600      | =         | \$0.00           |                      |
|                          | cost per day     |              |                        |        |              |             |              |           | \$0.00           |                      |
| Prorated date of cl      | osing to end     | of year      |                        |        |              |             |              |           |                  | TBD                  |
| L DDD E                  |                  |              |                        |        |              |             |              |           |                  |                      |
| LDRB Fee                 | D                |              |                        |        |              |             |              |           | <b>#0.500.00</b> | <b>#0.500.00</b>     |
|                          | Review fee       |              |                        |        |              |             |              |           | \$2,500.00       | \$2,500.00           |
| Capacity Reservation F   |                  |              |                        |        |              |             |              |           |                  |                      |
| Building SF              |                  |              |                        |        |              |             |              |           |                  |                      |
| Dulluling Si             |                  | Office SF    | =                      |        |              |             |              |           |                  |                      |
|                          |                  | Warehou      |                        |        |              |             |              |           |                  |                      |
|                          |                  | ERC'S        | 156 31                 |        |              |             |              |           |                  |                      |
|                          |                  | LINGS        |                        |        |              |             |              |           |                  |                      |
|                          | Water            |              | ERC's                  | _      | _            | and         | X            | \$3.80    | \$0.00           |                      |
|                          |                  |              | ERC's                  |        | =<br>=       | gpd         | X            |           | •                |                      |
|                          | Sewer            |              | ERCS                   | -      | -            | gpd         | ^            | \$5.69    | \$0.00           |                      |
| Other                    |                  |              |                        |        |              |             |              |           |                  |                      |
| Other                    | Water            |              |                        |        |              | and         | Χ            | \$3.80    | \$0.00           |                      |
|                          | Sewer            |              |                        |        |              | gpd         | X            | \$5.69    | \$0.00           |                      |
| Total Consoity Due (At   |                  |              | ~~~~~                  |        |              | gpd         | ^            | ф5.69     | φ0.00            | <b>የ</b> ስ ስስ        |
| Total Capacity Due (At s | start of bulluir | ig permit    | process)               |        |              |             |              |           |                  | \$0.00               |
| Connection Charges       |                  |              |                        |        |              |             |              |           |                  |                      |
| Connection onarges       |                  | Motor Si     | za (Rafar              | to I I | SP connec    | tion schoo  | dula)        |           |                  |                      |
|                          |                  |              |                        |        |              |             |              | _         |                  | <b>የ</b> ስ ስስ        |
|                          |                  |              |                        |        | ing of wate  | i Suppiy a  | greement     |           |                  | \$0.00<br>\$2,800.00 |
|                          |                  |              | nter meter<br>np water |        | r            |             |              |           |                  | φ2,000.00            |
|                          |                  |              |                        |        | ng of perma  | anont wat   | or motor     |           |                  | \$0.00               |
|                          |                  | 30           | 70 uue ai              | Setti  | ng or penn   | anem wat    | ei illetei   |           |                  | φυ.υυ                |
| Permanent water mete     | r                |              |                        |        |              |             |              |           |                  |                      |
| Cimaricht water mete     | •                | Meter (n     | urchased               | thro   | ugh PBPO     | C)          |              |           | +/-              | \$2,500.00           |
|                          |                  | Installation |                        |        | agiri bi o   | 0)          |              |           | '' _             | TBD                  |
|                          |                  | mstanaut     | ווע                    |        |              |             |              |           |                  | 100                  |
| Water Marking Fee        |                  | Costs as     | sociated v             | vith I | naving the v | water/was   | tewater line | es marked |                  | TBD                  |
| Trator marking roo       |                  | for const    |                        |        | iaving the   | rator, rrao | towator in t | oo mamaa  |                  | .55                  |
|                          |                  | 101 001101   | - GOLIOIT              |        |              |             |              |           |                  |                      |
| Inspection fees          |                  | Costs as     | sociated v             | vith l | naving POA   | Civil End   | ineer inspe  | ect       |                  | TBD                  |
|                          |                  |              | tion and/o             |        |              |             | ,            |           |                  |                      |
|                          |                  |              |                        |        |              |             |              |           |                  |                      |
| Monthly charges          |                  |              |                        |        |              |             |              |           |                  |                      |
|                          | Water            | Rates se     | t per PBP              | OC I   | POA budge    | et process  |              |           | +/- \$           | /1,000 gallons       |
| Fire Line                | Monthly fee      |              |                        |        |              |             |              | P) rate   | . •              | , 3                  |
|                          | water charge     |              |                        |        |              |             |              |           |                  |                      |

USP = Uniform Service Policy

### **EXHIBIT "H"**

#### Palm Beach County, Florida Impact Fee Table - Unincorporated Palm Beach County Portion of Fee Calculated on Square Footage of Development Effective: January 1, 2026 @ 12:01 a.m.

| Description  | Parks    | Libraries | Public<br>Buildings | Schools  | Total |
|--|----------|-----------|---------------------|----------|-------|
| Description  | T at KS  | Libraries | Bullulligs          | Schools  | Total |
| sidential (per unit net sq. ft.)   |          |           |                     |          |       |
| 800 & Under  | 521.07   | 171.95    | 200.45              | 3,365.85 | 4,25  |
| 801 -1,399   | 1,046.35 | 236.55    | 243.20              | 6,170.25 | 7,69  |
| 1,400 - 1,999  | 1,122.98 | 268.85    | 277.40              | 7,691.20 | 9,36  |
| 2,000 - 3,599  | 1,225.26 | 295.45    | 317.30              | 7,905.90 | 9,74  |
| 3,600 & Over   | 1,166.13 | 317.30    | 348.65              | 6,077.15 | 7,90  |
| Senior Adult Housing (per unit net sq. ft.)                                  |          |           |                     |          |       |
| 800 & Under  | 521.07   | 132.05    | 200.87              | 0.00     | 85    |
| 801 -1,399   | 1,046.35 | 181.45    | 243.02              | 0.00     | 1,4   |
| 1,400 - 1,999  | 1,122.98 | 205.20    | 277.70              | 0.00     | 1,60  |
| 2,000 - 3,599  | 1,225.26 | 226.10    | 317.49              | 0.00     | 1,70  |
| 3,600 & Over   | 1,166.13 | 242.25    | 348.71              | 0.00     | 1,7   |
| Hotel/Motel, per Room  | 389.39   | 0.00      | 81.70               | 0.00     | 4'    |
| Congregate Living Facility   | 389.39   | 0.00      | 81.70               | 0.00     | 4     |
| n-Residential per 1,000 sq. ft   |          |           |                     |          |       |
| ice<br>General Office  | 0.00     | 0.00      | 186.20              | 0.00     | 1:    |
| dical Buildings per 1,000 sq. ft.  | 0.00     | 0.00      | 100.20              | 0.00     | 1     |
| Medical Office < 10,000 sq.ft.   | 0.00     | 0.00      | 396.15              | 0.00     | 3     |
| Medical Office ≥ 10,000 sq.ft.  Medical Office ≥ 10,000 sq.ft.               | 0.00     | 0.00      | 396.15              | 0.00     | 3     |
| Hospitals  | 0.00     | 0.00      | 340.10              | 0.00     | 3     |
|  | 0.00     | 0.00      | 81.70               | 0.00     | 3     |
| Nursing Home, per Bed  | 0.00     | 0.00      | 81.70               | 0.00     | 1 '   |
| lustrial Buildings per 1,000 sq. ft.   | 0.00     | 0.00      | 50.25               | 0.00     |       |
| Warehouse  | 0.00     | 0.00      | 50.35               | 0.00     |       |
| General Industrial   | 0.00     | 0.00      | 104.50              | 0.00     | 1     |
| n-Residential Uses   |          |           |                     |          |       |
| Car Wash per Bay   | 0.00     | 0.00      | 826.50              | 0.00     | 8     |
| Cemetery per Acre  | 0.00     | 0.00      | 98.80               | 0.00     |       |
| Church/Synagogue per 1,000 sq. ft.   | 0.00     | 0.00      | 86.45               | 0.00     |       |
| Convenience Market per 1,000 sq. ft.   | 0.00     | 0.00      | 1,095.35            | 0.00     | 1,0   |
| Day Care Centers per 1,000 sq. ft.   | 0.00     | 0.00      | 426.55              | 0.00     | 4     |
| Drive-In Bank per 1,000 sq. ft.  | 0.00     | 0.00      | 544.35              | 0.00     | 5     |
| Elementary School (Private), per student                                     | 0.00     | 0.00      | 67.45               | 0.00     |       |
| Fast Food Restaurant per 1,000 sq. ft.                                       | 0.00     | 0.00      | 860.70              | 0.00     | 8     |
| Furniture Store per 1,000 sq. ft.  | 0.00     | 0.00      | 258.40              | 0.00     | 2     |
| Gas Station with Convenience Store < 2,000 sq. ft., per Fueling Position     | 0.00     | 0.00      | 119.70              | 0.00     | 1     |
| Gas Station with Convenience Store 2,000-5,499 sq. ft., per Fueling Position | 0.00     | 0.00      | 119.70              | 0.00     | 1     |
| Gas Station with Convenience Store ≥ 5,500 sq. ft., per Fueling Position     | 0.00     | 0.00      | 119.70              | 0.00     | 1     |
| General Recreation per 1,000 sq. ft.   | 0.00     | 0.00      | 1,861.05            | 0.00     | 1,8   |
| High School (Private), per student   | 0.00     | 0.00      | 74.10               | 0.00     |       |
| High Turnover Sit-Down Restaurant per 1,000 sq. ft.                          | 0.00     | 0.00      | 566.20              | 0.00     | 5     |
| Marijuana Dispensary per 1,000 sq. ft.                                       | 0.00     | 0.00      | 2,938.35            | 0.00     | 2,9   |
| Middle/Junior High School (Private), per student                             | 0.00     | 0.00      | 78.85               | 0.00     |       |
| Mini-Warehouse per 1,000 sq. ft.   | 0.00     | 0.00      | 22.80               | 0.00     |       |
| Movie Theater per Screen   | 0.00     | 0.00      | 4,780.40            | 0.00     | 4,7   |
| New/Used Car Sales per 1,000 sq. ft.   | 0.00     | 0.00      | 234.65              | 0.00     | 2     |
| Nursery (Garden Center), per Acre  | 0.00     | 0.00      | 5,084.40            | 0.00     | 5,0   |
| Oil & Lube Shop per Bay  | 0.00     | 0.00      | 723.90              | 0.00     | 7     |
| Pharmacy with & without Drive Thru per 1,000 sq. ft.                         | 0.00     | 0.00      | 469.30              | 0.00     | 4     |
| Public Golf Course, per Hole   | 0.00     | 0.00      | 773.30              | 0.00     | 7     |
| Public Park per acre   | 0.00     | 0.00      | 391.40              | 0.00     | 3     |
| Quality Restaurant per 1,000 sq. ft.   | 0.00     | 0.00      | 519.65              | 0.00     | 5     |
| Racquet/Tennis Club per Court  | 0.00     | 0.00      | 362.90              | 0.00     | 3     |
| Tire Store, per 1,000 sq.ft.   | 0.00     | 0.00      | 1,104.85            | 0.00     | 1,1   |
| Veterinary Clinic/Animal Hospital per 1,000 sq.ft.                           | 0.00     | 0.00      | 1,083.95            | 0.00     | 1,1   |
| tail per 1,000 sq. ft.   | 0.00     | 0.00      | 1,005.75            | 0.00     | 1,0   |
| 39,999 sq. ft. & Under   | 0.00     | 0.00      | 478.80              | 0.00     | 4     |
| 39,999 sq. n. & Under<br>40,000 - 150,000 sq.ft.                             | 0.00     | 0.00      | 478.80<br>466.45    | 0.00     | 4     |
| 40,000 = 150,000 Sq.1t.  | 0.00     | 0.00      | 466.45<br>506.35    | 0.00     | 5     |

| Portion of Fee Calculated by Type of Residential Development |  |
|--|--|
| C ftf N Didti-l Dlt  |  |

| Square footage of  | of Non-Residential Development |                |          |
|--|--------------------------------|----------------|----------|
| Description  | Fire Rescue                    | Law Enf.Patrol | Total    |
| Residential Units  |                                |                |          |
| Single Family(Detached/Attached) per unit                                    | 393.30                         | 182.61         | 575.91   |
| Multifamily  | 264.10                         | 99.74          | 363.84   |
| Mobile Home  | 393.30                         | 99.74          | 493.04   |
| Senior Adult Housing (per unit net sq. ft.)                                  |                                |                |          |
| Senior Adult Housing (Detached)  | 393.30                         | 143.45         | 536.75   |
| Senior Adult Housing (Attached)  | 264.10                         | 86.45          | 350.55   |
| Hotel/Motel (per room)   | 312.55                         | 84.55          | 397.10   |
| Congregate Living Facility, per Bed  | 312.55                         | 84.55          | 397.10   |
| Non-Residential per 1,000 sq. ft   |                                |                |          |
| Office   |                                |                |          |
| General Office   | 71.25                          | 14.92          | 86.17    |
| Medical Buildings per 1,000 sq. ft.  |                                |                |          |
| Medical Office < 10,000 sq.ft.   | 71.25                          | 14.92          | 86.17    |
| Medical Office $\geq 10,000 \text{ sq.ft.}$                                  | 71.25                          | 14.92          | 86.17    |
| Hospitals per 1,000 sq. ft.  | 4,411.80                       | 14.92          | 4,426.72 |
| Nursing Home, per Bed  | 4,411.80                       | 84.55          | 4,496.35 |
| Industrial Buildings per 1,000 sq. ft.                                       |                                |                |          |
| Warehouse  | 38.95                          | 11.40          | 50.35    |
| General Industrial   | 114.00                         | 10.50          | 124.50   |
| Non-Residential Uses   |                                |                |          |
| Car Wash per Bay   | 163.40                         | 95.95          | 259.35   |
| Cemetery per Acre  | 0.00                           | 15.20          | 15.20    |
| Church/Synagogue per 1,000 sq. ft.   | 73.15                          | 40.85          | 114.00   |
| Convenience Market per 1,000 sq. ft.   | 163.40                         | 81.71          | 245.11   |
| Day Care Centers per 1,000 sq. ft.   | 127.30                         | 80.75          | 208.05   |
| Drive-In Bank per 1,000 sq. ft.  | 71.25                          | 14.92          | 86.17    |
| Elementary School (Private), per student                                     | 71.25                          | 8.55           | 79.80    |
| Fast Food Restaurant per 1,000 sq. ft.                                       | 163.40                         | 81.71          | 245.11   |
| Funeral Home per 1,000 sq. ft.   | 73.15                          | 0.00           | 73.15    |
| Furniture Store per 1,000 sq. ft.  | 163.40                         | 32.30          | 195.70   |
| Gas Station with Convenience Store < 2,000 sq. ft., per Fueling Position     | 163.40                         | 81.71          | 245.11   |
| Gas Station with Convenience Store 2,000-5,499 sq. ft., per Fueling Position | 163.40                         | 81.71          | 245.11   |
| Gas Station with Convenience Store > 5,500 sq. ft., per Fueling Position     | 163.40                         | 81.71          | 245.11   |
| General Recreation per 1,000 sq. ft.   | 163.40                         | 202.35         | 365.75   |
| High School (Private), per student   | 71.25                          | 7.60           | 78.85    |
| High Turnover Sit-Down Restaurant per 1,000 sq. ft.                          | 163.40                         | 81.71          | 245.11   |
| Marijuana Dispensary per 1,000 sq. ft.                                       | 163.40                         | 81.71          | 245.11   |
| Middle/Junior High School (Private), per student                             | 71.25                          | 8.55           | 79.80    |
| Mini-Warehouse per 1,000 sq. ft.   | 59.85                          | 3.80           | 63.65    |
| Movie Theater per Screen   | 73.15                          | 520.60         | 593.75   |
| New/Used Car Sales per 1,000 sq. ft.   | 163.40                         | 81.71          | 245.11   |
| Nursery (Garden Center), per Acre  | 163.40                         | 553.85         | 717.25   |
| Oil & Lube Shop per Bay  | 163.40                         | 160.55         | 323.95   |
| Pharmacy with & without Drive Thru per 1,000 sq. ft.                         | 163.40                         | 81.71          | 245.11   |
| Public Golf Course, per Hole   | 0.00                           | 84.55          | 84.55    |
| Public Park per acre   | 163.40                         | 4.75           | 168.15   |
| Quality Restaurant per 1,000 sq. ft.   | 163.40                         | 81.71          | 245.11   |
| Racquet/Tennis Club per Court  | 73.15                          | 81.71          | 154.86   |
|  | 163.40                         |                |          |
| Tire Store, per 1,000 sq.ft.   |                                | 81.71          | 245.11   |
| Veterinary Clinic/Animal Hospital per 1,000 sq.ft.                           | 163.40                         | 81.71          | 245.11   |
| Retail per 1,000 sq. ft.   |                                |                |          |
| 39,999 sq. ft. & Under   | 163.40                         | 81.71          | 245.11   |
| 40,000 - 150,000 sq.ft.  | 163.40                         | 81.71          | 245.11   |
| 150,001 sq. ft. & over   | 163.40                         | 81.71          | 245.11   |

### Palm Beach County, Florida **Fair Share Contribution** For Road Improvements Fee Table

Effective: January 1, 2026 @ 12:01 a.m.

| Descriptions  | Road<br>Impact Fee                     |
|---|--|
| Residential Units, (per Unit)   |  |
| Single Family Detached (per unit)  Multi-Family (Low-Rise), 1-3 Levels (per unit)  Multi-Family (Mid/High-Rise), ≥4 Levels (per unit) | \$5,597.40<br>\$3,787.65<br>\$2,554.55 |
| Mobile Home Park (per unit)   | \$2,075.75                             |
| Senior Adult Housing (Detached)   | \$2,076.70                             |
| Senior Adult Housing (Attached) Assisted Living Facility  | \$1,239.75<br>\$620.35                 |
|   | \$1,963.65                             |
| Accessory Apartment (Mother-in-Law Quarters) (per unit)   | \$1,963.65                             |
| Non-Residential per 1,000 sq. ft  |  |
| Office  |  |
| General Office  | 4,870.65                               |
| Medical Office < 10,000 sq.ft.  | 11,245.15                              |
| Medical Office > 10,000 sq.ft.  | 11,245.15                              |
|   | ·                                      |
| General Commercial Retail (per 1,000 sq. ft).   |  |
| 39,999 sq. ft. & Under  | 4,048.90                               |
| 40,000 - 150,000 sq.ft.   | 7,906.85                               |
| 150,001 sq. ft. & over  | 8,318.20                               |
| Other Land Uses   |  |
| Car Wash, per Bay   | 6,913.15                               |
| Cemetery, per Acre  | 819.85                                 |
| Church/Synagogue, per 1,000 sq. ft.   | 2,898.45                               |
| Convenience Market, per 1,000 sq. ft.   | 48,334.10                              |
| Day Care Center, per 1,000 sq. ft.  | 7,787.15                               |
| Drive - In Bank, per 1,000 sq. ft.  | 12,504.85                              |
| Elementary School (Private), per student  | 577.60                                 |
| Fast Food w/Drive Thru, per 1,000 sq. ft.   | 43,750.35                              |
| Furniture Store, per 1,000 sq. ft.  | 1,372.75                               |
| Gas Station with Convenience Store < 2,000 sq. ft., per Fueling Position  | 7,951.50                               |
| Gas Station with Convenience Store 2,000-5,499 sq. ft., per Fueling Position  | 8,678.25                               |
| Gas Station with Convenience Store $\geq$ 5,500 sq. ft., per Fueling Position   | 8,678.25                               |
| General Industrial, per 1,000 sq. ft.   | 2,169.80                               |
| General Recreation per 1,000 sq. ft.  | 14,425.75                              |
| High School (Private), per student  | 622.25                                 |
| High Turnover Sit Down Restaurant, per 1,000 sq. ft.  | 24,969.80                              |
| Hospital, per 1,000 sq.ft.  | 5,135.70                               |
| Hotel, per Room<br>Marijuana Dispensary per 1,000 sq. ft.   | 2,489.00<br>14,908.35                  |
| Middle/Junior High School (Private), per student  | 595.65                                 |
| Mini-Warehouse, per 1,000 sq. ft.   | 508.25                                 |
| Motel, per Room   | 1,199.85                               |
| Movie Theater, per Screen   | 23,833.60                              |
| New/Used Car Sales, per 1,000 sq. ft.   | 9,639.65                               |
| Nursery (Garden Center), per Acre   | 2,420.60                               |
| Nursing Home, per Bed   | 737.20                                 |
| Oil & Lube Shop, per Bay  | 6,916.95                               |
| Pharmacy with & without Drive Thru per 1,000 sq. ft.  | 7,332.10                               |
| Public Golf Course, per Hole  | 12,359.50                              |
| Public Park per acre  | 391.40                                 |
| Quality Restaurant, per 1,000 sq. ft.   | 17,420.15                              |
| Racquet/Tennis Club, per Court  | 13,305.70                              |
| Tire Stores, per 1,000 sq.ft.   | 7,759.60                               |
| Veterinary Clinic/Animal Hospital, per 1,000 sq.ft.   | 3,408.60                               |
| Warehouse, per 1,000 sq. ft.  | 873.05                                 |