

RESOURCE GUIDE



Palm Beach Park of Commerce Association, Inc.

As of
February 20, 2018

Palm Beach Park of Commerce

Construction Resource Guide

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 2017. 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 refer you 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 timeframe 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 through 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.

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. Refer to Appendix for additional information.

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Palm Beach County Land Development (PBCLD)

- On-site Drainage Permit
 - 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.

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.

Department of Public Health (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 conservation 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.

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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 approved 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)
 - Crystal Stiles
 - FPL Director of Economic Development
 - 561-694-4112
 - Crystal.Stiles@fpl.com

Water/Wastewater Service

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

Natural Gas

- Florida Public Utilities (FPU)
 - Jarret Smith – 561-537-0462

Communication/Telephone/Internet

- ATT
 - Chris Garner 561-310-9935
- Comcast
 - Fiber connection – Marc Goldfarb – 561-254-0647
 - Business Cable – Peter Cruz – 561-302-3459
- Fiber Net
 - Daniel Goodman 561-719-1401

Scavenger/Trash Removal

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

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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. 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 various approval agencies at the same time to expedite the entire approval process for permitting and construction. This is coordinated through the Business Development Board and is considered during the Pre-Submittal Meeting.

Department of Public Health (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)

The agency designated to oversee all DRI properties.

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. See Exhibit I for current fee schedule.

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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:

- 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
- Landscape – Green Space
- 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-Submittal Meeting

Meeting with PBPCZB to discuss the DRO approval process/ all submittals that will be required.

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.

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APPENDIX

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DRO Approval

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
Final Site Plan Application Submittal	August 16, 2017
Comments Posted by Staff	September 15, 2017
Resubmit	September 25, 2017
DRO Meeting - Certification	October 11, 2017
Resubmit Follow Up	October 12, 2017
Receive Stamped Approved Plans	October 31, 2017

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 (2nd Wednesday of the month) 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 meeting if desired (discussed in more detail below).

Pre-Submittal Meeting

It is suggested that once a site design has been determined, a meeting be scheduled with, Zoning, Land Development and Landscape to review the project and identify each Department's concerns early in the process, prior to submittal. The County requires a Pre-Submittal Meeting Checklist form be provided as part of the process to schedule this meeting. See Exhibit D for the checklist.

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

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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 Final Site Plan/Final Subdivision Plan (if necessary) Building Permit, Land Development Permit/Plat Review may be done to reduce the standard approval timeline. The standard timeline including plat approval and permit issuance would typically take from 9-12 months if the property needs to be platted.

This process may require a Pre-Application Conference before the DRO. The flow chart included herein references 80 working days to get through this process. A recent project permitted within the Park under this process (without a plat being required) took approximately five months to receive their building permit.

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

Unless following the concurrent review process, you may not submit for building permit issuance until after Final Site Plan and, if necessary, re-platting has taken place.

While landscape and irrigation plans were not required as part of the County's zoning approval process, they are required to be processed concurrently with the building permit. The landscape plans are submitted with the building permit and then routed to the landscape department for review.

If there are trees to be preserved on site, a tree barricading permit will also be required and this permit must be issued prior to the submittal of the building permit.

Final permits are typically issued within 90 working days.

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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 Land Development (PBCLD)

- On-site Drainage Permit
 - For new projects with drainage improvements that don't go through technical compliance during the platting process
 - Duration: -Approximately 5 months
 - This cannot be applied for concurrently with site plan approval from the DRO unless following a concurrent review process.
 - 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:
 - 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

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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.

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EXHIBITS

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

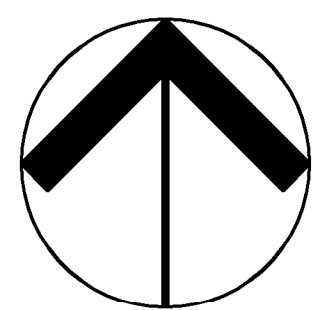
- Exhibit A Approved Master Plan
- Exhibit B Approving Resolutions/Conditions of Approval
- Exhibit C DRO Agencies Contact Information
- Exhibit D Pre-Submittal Meeting Checklist
- Exhibit E Concurrent Review Flowchart
- Exhibit F Final DRO Site Plan Check List
- Exhibit G Vegetation Memorandum
- Exhibit H PBPOC Schedule of Charges
- Exhibit I PBC Impact Fee Schedule

EXHIBIT "A"

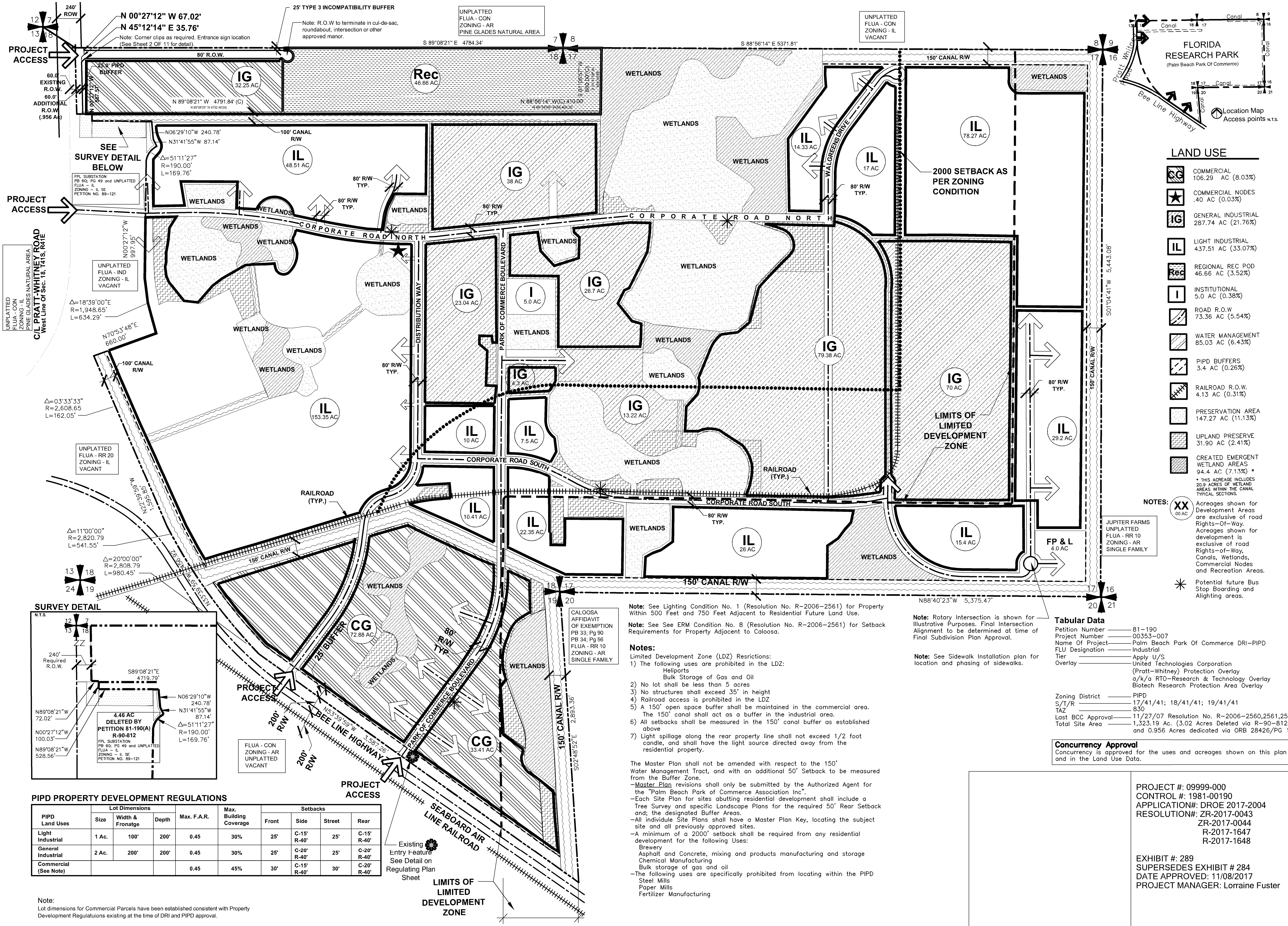
Palm Beach Park of Commerce PIPD

Palm Beach County, Florida Final Development Plan

Drawing name: H:\0389\Bee Line Park of Commerce_80-026.89.dwg Plot Date: 10/08/2017 Plotter: PLOT11317.dwg



Scale: 1" = 400'-0"
0 200' 400' 800'



LAND USE

	COMMERCIAL	106.29 AC (8.03%)
	COMMERCIAL NODES	.40 AC (0.03%)
	GENERAL INDUSTRIAL	287.74 AC (21.76%)
	LIGHT INDUSTRIAL	437.51 AC (33.07%)
	REGIONAL REC POD	46.66 AC (3.52%)
	INSTITUTIONAL	5.0 AC (0.38%)
	ROAD R.O.W	73.36 AC (5.54%)
	WATER MANAGEMENT	85.03 AC (6.43%)
	PIPD BUFFERS	3.4 AC (0.26%)
	RAILROAD R.O.W.	4.13 AC (0.31%)
	PRESERVATION AREA	147.27 AC (11.13%)
	UPLAND PRESERVE	31.90 AC (2.41%)
	CREATED EMERGENT WETLAND AREAS	94.4 AC (7.13%) *

* THIS ACREAGE INCLUDES 20.9 ACRES OF WETLAND AREAS WITHIN THE CANAL TYPICAL SECTIONS

NOTES: **XX** 00 AC Acreages shown for Development Areas are exclusive of road Rights-of-Way, Canals, Wetlands, Commercial Nodes and Recreation Areas.

* Potential future Bus Stop Boarding and Alighting areas.

Tabular Data

Petition Number	81-190
Project Number	00353-007
Name Of Project	Palm Beach Park Of Commerce DRI-PIPD
FLU Designation	Industrial
Tier	Apply U/S
Overlay	United Technologies Corporation (Pratt-Whitney) Protection Overlay a/k/a RT0-Research & Technology Overlay Biotech Research Protection Area Overlay
Zoning District	PIPD
S/T/R	17/41/41; 18/41/41; 19/41/41
TAZ	830
Last BCC Approval	11/27/07 Resolution No. R-2006-2560,2561,2562
Total Site Area	1,323.19 Ac. (3.02 Acres Deleted via R-90-812 and 0.956 Acres dedicated via ORB 28426/PG 19)

Concurrency Approval

Concurrency is approved for the uses and acreages shown on this plan and in the Land Use Data.

Note: See Lighting Condition No. 1 (Resolution No. R-2006-2561) for Property Within 500 Feet and 750 Feet Adjacent to Residential Future Land Use.

Note: See ERM Condition No. 8 (Resolution No. R-2006-2561) for Setback Requirements for Property Adjacent to Caloosa.

Notes:

- Limited Development Zone (LDZ) Restrictions:
- 1) The following uses are prohibited in the LDZ: Heliports, Bulk Storage of Gas and Oil
 - 2) No lot shall be less than 5 acres
 - 3) No structures shall exceed 35' in height
 - 4) Railroad access is prohibited in the LDZ
 - 5) A 150' open space buffer shall be maintained in the commercial area. The 150' canal shall act as a buffer in the industrial area.
 - 6) All setbacks shall be measured in the 150' canal buffer as established above
 - 7) Light spillage along the rear property line shall not exceed 1/2 foot candle, and shall have the light source directed away from the residential property.

The Master Plan shall not be amended with respect to the 150' Water Management Tract, and with an additional 50' Setback to be measured from the Buffer Zone.

- Master Plan revisions shall only be submitted by the Authorized Agent for the "Palm Beach Park of Commerce Association Inc".
- Each Site Plan for sites abutting residential development shall include a Tree Survey and specific Landscape Plans for the required 50' Rear Setback and; the designated Buffer Areas.
- All individual Site Plans shall have a Master Plan Key, locating the subject site and all previously approved sites.
- A minimum of a 2000' setback shall be required from any residential development for the following Uses: Brewery, Asphalt and Concrete, mixing and products manufacturing and storage, Chemical Manufacturing, Bulk storage of gas and oil
- The following uses are specifically prohibited from locating within the PIPD Steel Mills, Paper Mills, Fertilizer Manufacturing

PIPD PROPERTY DEVELOPMENT REGULATIONS

PIPD Land Uses	Lot Dimensions			Max. F.A.R.	Max. Building Coverage	Setbacks			
	Size	Width & Frontage	Depth			Front	Side	Street	Rear
Light Industrial	1 Ac.	100'	200'	0.45	30%	25'	C-15' R-40'	25'	C-15' R-40'
General Industrial	2 Ac.	200'	200'	0.45	30%	25'	C-20' R-40'	25'	C-20' R-40'
Commercial (See Note)				0.45	45%	30'	C-15' R-40'	30'	C-20' R-40'

Note:
Lot dimensions for Commercial Parcels have been established consistent with Property Development Regulations existing at the time of DRI and PIPD approval.

Parcels located in the Limited Development Zone (LDZ) shall conform to the additional regulations for Lot Size and Rear Setback as imposed by Conditions of Approval and referenced elsewhere on this page.

EXHIBIT "B"

RESOLUTION NO. R-2006-2560

RESOLUTION APPROVING ZONING APPLICATION PDD2006-505
(CONTROL NO. 1981-190)
OFFICIAL ZONING MAP AMENDMENT
TO A PLANNED DEVELOPMENT DISTRICT (PDD)
APPLICATION OF AMERICAN EQUITIES LTD NO 6
INTERNATIONAL TRADE CENTER LLC
BY BROAD AND CASSEL, AGENT
(FLORIDA RESEARCH PARK)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and 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 PDD2006-505 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 petitioner and other interested parties, the recommendations of the various county review agencies, and the recommendation of the Zoning Commission; and

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

1. This official zoning map amendment (rezoning) is consistent with the Palm Beach County Comprehensive Plan;
2. This official zoning map amendment (rezoning) is consistent with the requirements of the Palm Beach County Unified Land Development Code;
3. This official zoning map amendment (rezoning) with approved conditions is compatible with surrounding uses and zones, as defined in the Palm Beach County Unified Land Development Code, is generally consistent with existing uses and zones surrounding the subject land, and is the appropriate zoning district for the land;
4. This official zoning map amendment (rezoning) with approved conditions does not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment;
5. This official zoning map amendment (rezoning) with approved conditions will result in a logical and orderly development pattern;
6. This official zoning map amendment (rezoning) complies with Article 2.F, (Adequate Public Facilities) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067; and,
7. This official zoning map amendment (rezoning) with approved conditions is consistent with the requirements of all other applicable local land development regulations.

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Application PDD2006-505, the application of American Equities Ltd No 6, International Trade Center Llc by Broad and Cassel, agent, for an Official Zoning Map Amendment from the Light Industrial Zoning District to the Planned Industrial Park Development District on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as indicated on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on November 27, 2006, subject to the conditions of approval described in EXHIBIT C and C-1 of DOA2006-505.

Commissioner Aaronson moved for the approval of the Resolution.

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

Addie L. Greene, Chairperson	<u>Aye</u>
John F. Koons, Vice Chair	<u>Nye</u>
Karen T. Marcus	<u>Aye</u>
Warren H. Newell	<u>Aye</u>
Mary McCarty	<u>Aye</u>
Burt Aaronson	<u>Aye</u>
Jess Santamaria	<u>Aye</u>

The Chairman 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.

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

SHARON R. BOCK,
CLERK & COMPTROLLER

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK



EXHIBIT A
LEGAL DESCRIPTION

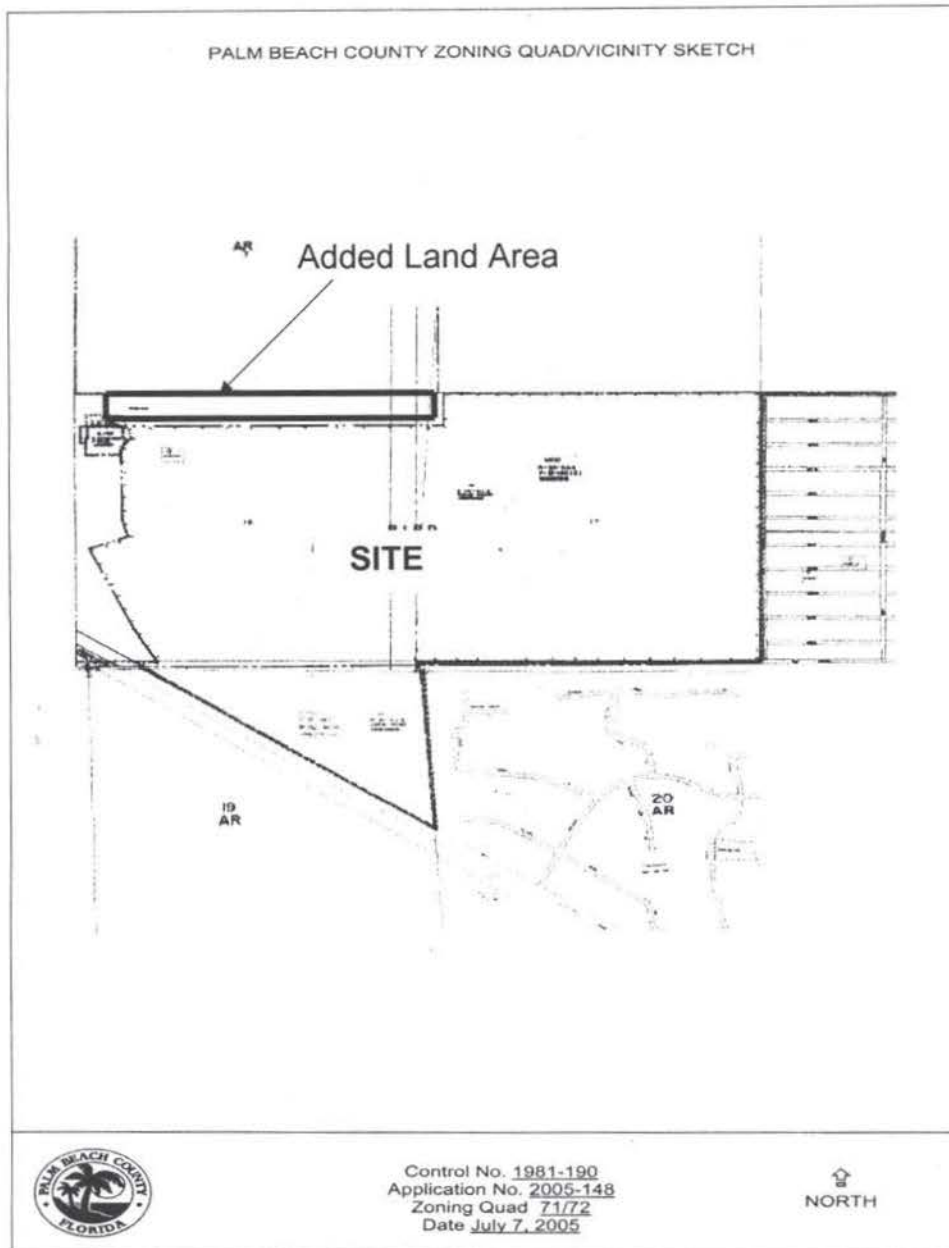
THE NORTH 660 FEET OF SECTION 18, TOWNSHIP 41 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, SUBJECT TO A ROAD RIGHT-OF-WAY ON THE WESTERLY 60 FEET THEREOF.

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



RESOLUTION NO. R-2006- 2561

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)
(LOCAL GOVERNMENT - PBC)

WHEREAS, Florida Research Park aka Palm Beach Commerce Center PIPD, 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:

1. This Development Order Amendment is not a substantial deviation to the approved Development of Regional Impact.
2. 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;
3. 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;

4. 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;
5. 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.
7. 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.
8. This Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.
9. 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.
10. 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 Order Amendment to extend the buildout date, to add land area (80 acres), reconfigure master plan, redesignate land uses and add access 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-1, attached hereto and made a part hereof.

Commissioner Aaronson moved for the approval of the Resolution.

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

Addie L. Greene	Aye
John F. Koons	Nay
Karen T. Marcus	Aye
Mary McCarty	Aye
Burt Aaronson	Aye
Jess T. Santamaria	Aye
Warren H. Newell	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

BY:


COUNTY ATTORNEY

BY:


DEPUTY 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 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

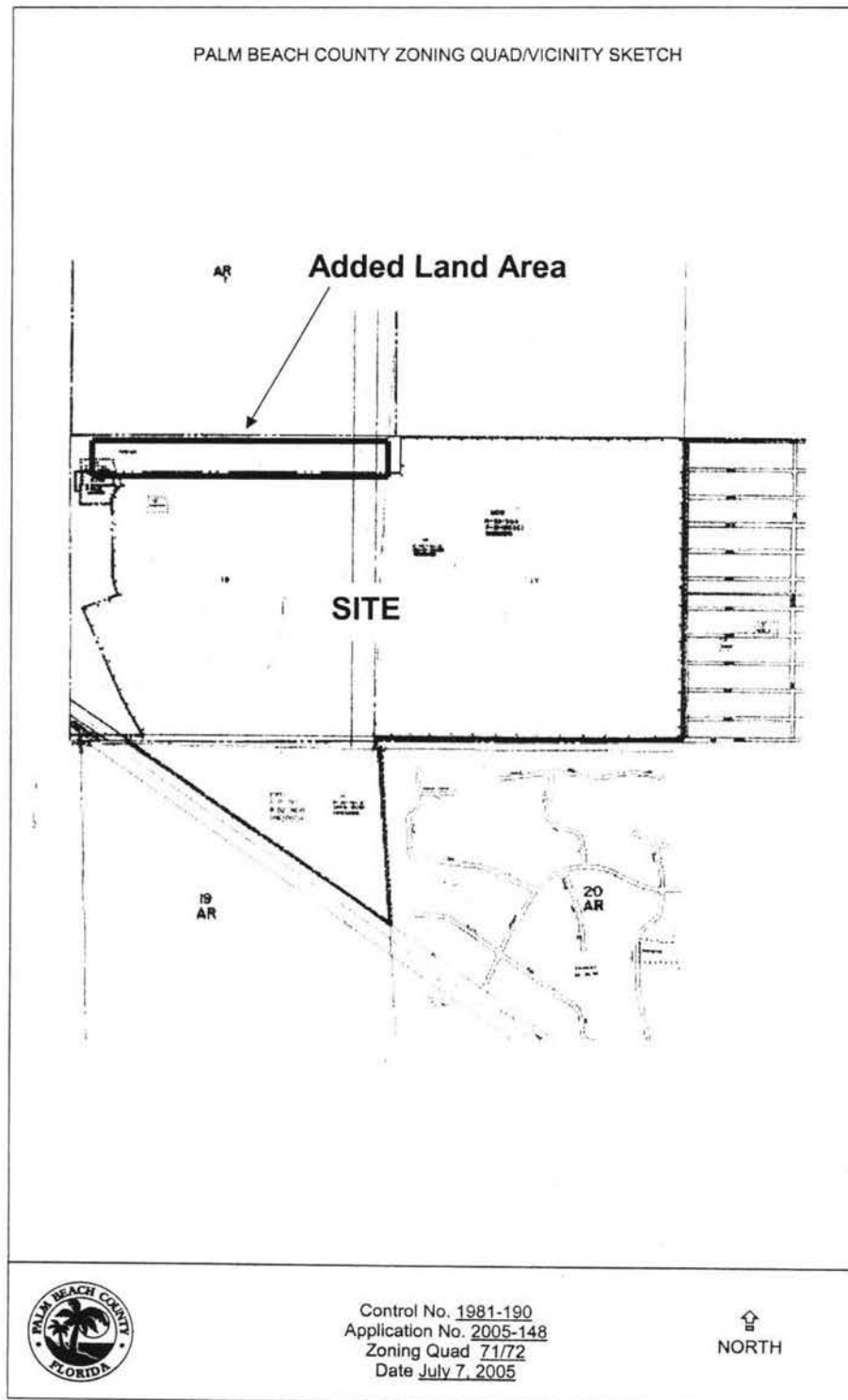


EXHIBIT C1
CONDITIONS OF APPROVALS
(PIPD)

SECTION I.

ALL PETITIONS

1. All Petitions Condition 1, of Resolution R-2005-1419.1, Control 1981-190 which currently states:

All previous conditions of approval applicable to the subject property, as contained in Resolution R-1997-160 (Petition 1981-190), have been consolidated as contained herein. The property owner shall comply with all previous conditions of approval and deadlines previously established by Article 2.E of the ULDC and the Board of County Commissioners, unless expressly modified.

Is hereby amended to read:

All previous conditions of approval applicable to the subject property, as contained in Resolution R-2005-1419.1 (Control 1981-190), have been consolidated as contained herein. The property owner shall comply with all previous conditions of approval and deadlines previously established by Article 2.E of the ULDC and the Board of County Commissioners, unless expressly modified.

2. Development of the site is limited to the uses or site design approved by the Board of County Commissioners. The approved preliminary development plan is dated October 18, 2006. All modifications must be approved by the Board of County Commissioners or Zoning Commission unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC.
3. 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 (R-82-468, Condition #1);

Palm Beach Park of Commerce ADA Supplement, submitted October 21, 1981 (R-82-468, Condition #1);

Letter and attachments dated October 26, 1981 from Doug Winter to Jeanne Hall regarding Water, Drainage, and Vegetation and Wildlife (R-82-468, Condition #1);

Letter and attachments dated November 13, 1981 from Donald Walker to Sam Shannon regarding Transportation (R-82-468, Condition #1);

Letter and attachments dated November 18, 1981 from Donald Walker to Sam Shannon regarding Transportation (R-82-468, Condition #1);

Letter dated December 1, 1981 from Howard L. Searcy to Donald C. Lockhart regarding wetlands (R-82-468, Condition #1);

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" (R-82-468, Condition #1);

Memorandum dated January 28, 1982 from Henry Skokowski to Tim Lunney restricting uses and establishing additional setbacks (R-82-468, Condition #1); 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 (R-95-1321.15); and Condition C.2. of Resolution No. R-93-344 amending the answer to Question 14-D of the ADA. (ONGOING:ZONING-Zoning) (Previous All Petitions Condition 2, of Resolution R-2005-1419.1, Control 1981-190)

4. As part of the annual report required by Subsection 380.06(18), Florida Statutes, the property owner/developer shall include a complete list of tenants locating in the development during the preceding year. The report shall include a description of the activities of, processes and materials used by, and operations of each tenant, and a map indicating their location within the development. A report shall be submitted to the Zoning Division and the South Florida Water Management District on or before January 31 annually. (Previous All Petitions Condition 3, of Resolution R-2005-1419.1, Control 1981-190).
5. 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. (Previous All Petitions Condition 4, of Resolution R-2005-1419.1, Control 1981-190)
6. Subsequent amendments to this Resolution may be adopted without the need for review under Section 380.06(19), Florida Statutes. (ONGOING: ZONING-Zoning) (Previous All Petitions Condition 5, of Resolution R-2005-1419.1, Control 1981-190)

ARCHITECTURAL REVIEW

1. At time of submittal for final Development Review Officer (DRO) approval for each lot, the architectural elevations shall be submitted simultaneously with the site plan for final architectural review and approval. This condition shall apply to all undeveloped and redeveloped parcels meeting the substantial renovation criteria. Elevations shall be designed to be consistent with Article 5.C of the ULDC. Development shall be consistent with the approved architectural elevations, the DRO approved site plan, all applicable conditions of approval, and all ULDC requirements. (DRO: ARCH REVIEW - Zoning)

BUILDING AND SITE DESIGN-DEP/SFWMD

1. Prior to Final site plan approval by the Development Review Officer of a parcel within the PIPD. The applicant shall obtain approval by the Florida Department of Environmental Protection (DEP) and the South Florida Water Management District (SFWMD) for each site within the PIPD to permit consideration of industrial waste, groundwater and surface water runoff issues.

Final Site Plan Approval shall be denied to any industrial uses until all appropriate DEP and SFWMD permits for waste treatment and air pollution control facilities have been granted, and until site development plans reflect SFWMD recommendations regarding storm water runoff facilities. Each site plan for parcels abutting adjacent residential development shall include a tree survey and specific landscape plans for the required 50-foot rear setback and for designated buffer areas. In order to insure adequate time for these reviews, applications for individual site plan and Master Plan approvals must be filed at least five weeks prior to the date of the meeting at which these plans will be reviewed. (DRO: ERM-DEP/SFWMD) (Previous Condition 1, Building and Site Design, of Resolution R-2005-1419.1, Petition 1981-190).

Is hereby deleted (REASON: Process no longer applicable).

BUILDING AND SITE DESIGN-PEDESTRIAN CONNECTIONS

1. Prior to final DRO approval of the Master Plan, the property owner shall provide a phasing construction plan indicating continuous paved pedestrian access within existing and proposed rights-of-ways to be installed prior to 2021 for existing roads and concurrent with installation of improvements for new rights-of-ways or structures. There shall be a maximum of 6 phases with a minimum of 15% per phase. (DATE: LANDSCAPE - Zoning)

ENGINEERING

1. Previous Condition Engineering 1 of Resolution R-2005-1419.1, Control 1981-190, which currently states:

When required by the County Engineer, or prior to the completion of Phase One, the following traffic improvements shall be completed:

- A. Beeline Highway (State Road #710) as a four-lane, median-divided section from Seminole Pratt & Whitney Road through the project's East entrance road. This construction may include the intersection of Seminole Pratt & Whitney Road and State Road #710.
- B. At the intersection of Indiantown Road and Seminole Pratt & Whitney Road:
 - a. left turn lane, north approach;
 - b. left turn lane, south approach;
 - c. left turn lane, east approach;
 - d. left turn lane, west approach; and
 - e. right turn lane, south approach.
- C. At the intersection of Seminole Pratt & Whitney Road and the project's entrance road, a left turn lane, north approach.
- D. At the intersection of Beeline Highway and the project's West entrance road, a left turn lane, west approach.
- E. At the intersection of Beeline Highway and the project's East entrance:
 - a. left turn lane, west approach; and
 - b. right turn lane, east approach.
- F. At the intersection of P.G.A. Boulevard and Beeline Highway:
 - a. left turn lane, north approach;
 - b. right turn lane, south approach; and
 - c. right turn lane, east approach. (ONGOING: ENG-Eng)

Is hereby amended to read:

- a) Building permits shall not be issued for development that generates more than 2,570 net external 2-way PM peak hour trips until construction commences for the intersection of Pratt Whitney Road and North Project Entrance with the following lanes:
South Approach: 1 right
North Approach: 1 left
East Approach: 1 left, 1 right
(BLDG PERMIT: MONITORING-Eng)
- b) Building permits shall not be issued for development that generates more than 2,570 net external 2-way PM peak hour trips until construction commences for the intersection of Beeline Highway and West Project Entrance with the following lanes:
North Approach: 1 left, 1 right
East Approach: 1 right
West Approach: 1 left
(BLDG PERMIT: MONITORING-Eng)
- c) Building permits shall not be issued for development that generates more than 5,321 net external 2-way PM peak hour trips until construction commences for the

north approach 2nd left-turn lane at the Beeline Highway and East Project Driveway Entrance intersection
(BLDG PERMIT: MONITORING-Eng)

- d) Building permits shall not be issued for development that generates more than 5,714 net external 2-way PM peak hour trips until construction commences for the west approach 2nd left-turn lane and east approach 2nd right turn lane or continuous (hot) right turn lane at the Beeline Highway and East Project Driveway Entrance intersection
(BLDG PERMIT: MONITORING-Eng)
- e) Building permits shall not be issued for development that generates more than 6,107 net external 2-way PM peak hour trips until construction commences for the east approach 2nd right-turn lane or continuous (hot) right-turn lane at the Pratt Whitney Road and South Project Driveway Entrance intersection
(BLDG PERMIT: MONITORING-Eng)
- f) Building permits shall not be issued for development that generates more than 6,107 net external 2-way PM peak hour trips until construction commences for the north approach 2nd left-turn lane at the Beeline Highway and West Project Driveway Entrance intersection
(BLDG PERMIT: MONITORING-Eng)
- g) Building permits shall not be issued for development that generates more than 6,500 net external 2-way PM peak hour trips until construction commences for the east approach 2nd left-turn lane and north approach 2nd left turn lane at the Pratt Whitney Road and South Project Driveway Entrance intersection
(BLDG PERMIT: MONITORING-Eng)
- h) Building permits shall not be issued for development that generates more than 6,500 net external 2-way PM peak hour trips until construction commences for the north approach 2nd right-turn lane at the Beeline Highway and East Project Driveway Entrance intersection
(BLDG PERMIT: MONITORING-Eng)
- i) The property owner shall fund the cost of signal installation if warranted as determined by the County Engineer for all of the four project entrances (Pratt Whitney and North Entrance, Pratt Whitney and South Entrance, Beeline Highway and West Entrance, and Beeline Highway and East Entrance). Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation. The property owner shall conduct annually, at the expense of the property owner, AM and PM peak season peak hour turning movement counts at all driveways that are existing during the given peak season. This data shall be submitted annually to the County Engineer for review and approval. (ONGOING: ENGINEERING-Eng)
- j) When any of the peak season peak hour turning movement counts required in part (i) above indicate that more than 56 left-turning vehicles per hour are leaving the project at any of the four driveways, no additional building permits shall be issued until the Property Owner provides acceptable surety in the form of a cash bond or escrow agreement for the traffic signal at the intersection where the 56 vehicle per hour threshold was exceeded to the Traffic Division in an amount as determined by the Director of the Traffic Division. (ONGOING:MONITORING-Eng)
- k) In order to be relieved from the requirement in part (j) above and to request the release of the surety posted for the traffic signal(s) at the above intersection(s), the Property Owner shall provide written notice to the Traffic Division stating that the final certificate of occupancy has been issued for this development and requesting that a signal warrant study be conducted at the above intersections, OR the Property Owner shall provide written documentation to the Traffic Division that the property has been sold and that a replacement surety has been provided to the

Traffic Division by the new Property Owner. The Traffic Division shall have 24 months from receipt of this notice to either draw upon the surety to construct the traffic signal or release the surety. (ONGOING: ENGINEERING-Eng)

2. Previous Condition Engineering 1 of Resolution R-2005-1419.1, Control 1981-190, which currently states:
Only two access points onto Beeline Highway and one onto Seminole Pratt & Whitney Road, as shown on the Master Plan dated June 10, 2005 shall be permitted. (DRO:ENG-Eng)

Is hereby amended to read:

Only two access points onto Beeline Highway and two onto Seminole Pratt & Whitney Road, as shown on the Master Plan dated October 13, 2006 shall be permitted. (DRO: ENG-Eng)

3. Previous Condition Engineering 3 of Resolution R-2005-1419.1, Control 1981-190, which currently states:

Based on the traffic study as outlined in Condition #8, the property owner/developer shall provide any improvements required by the County Engineer as a result of development traffic and necessary to maintain Level of Service C at:

- a. The intersection of SR 711 and SR 706; and
- b. The intersections of the entrance roads with SR 710 and SR 711.
(ONGOING: ENG-Eng)

Is hereby deleted. (REASON: Intersection identified in part a does not exist. Entrance road geometrics addressed by condition 1.)

4. Previous Condition Engineering 5 of Resolution R-2005-1419.1, Control 1981-190, which currently states:

The developer shall dedicate to Palm Beach County at the time of the filing of the first contiguous plat or within ninety (90) days of notification by Palm Beach County, 192 feet from the west line of Section 18 for the ultimate right-of-way for Seminole Pratt Whitney Road (approximately an additional 132 feet). (PLAT: ENG-Eng)

Is hereby amended to read:

The property owner shall provide to the Palm Beach County Land Development Division a road right of way deed and all associated documents as required by the County Engineer for Seminole Pratt Whitney Road adjacent to the additional 80 acres of property added as part of this application 120 feet from the centerline (west line of Section 18). Right of way deed(s) and associated documents shall be provided and approved prior to September 19, 2007. Right of way conveyance shall be along the entire frontage and shall be free of all encroachments and encumbrances. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. The Grantor further warrants that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Grantor, the Grantor agrees to hold the Grantee harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, Engineering or other expert witness fees including Attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right-of-way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include where appropriate provisions for Expanded Intersection Details and "Corner Clips." The Property Owner shall not record these required deeds or related documents. After final

acceptance, Palm Beach County shall record all appropriate deeds and documents. (DATE: MONITORING-Eng)

5. No Building Permits for the site may be issued after July 31, 2014. A time extension for this condition may be approved by the County Engineer only if based upon an approved Traffic Study, which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Article 2, Chapter E of the Unified Land Development Code. (DATE: MONITORING-Eng)
6. The number and locations of access points on non-thoroughfare roads within the site shall be subject to approval by the DRO only. (ONGOING: ENG-Eng)
7. On or before September 19, 2007 the property owner shall provide to Palm Beach County sufficient road drainage easement(s) through the project's internal drainage system, as required by and approved by the County Engineer, to provide legal positive outfall for runoff from those segments of Seminole Pratt Whitney Road adjacent to the additional 80 acres of property added as part of this application ; and a maximum 800 feet of these adjacent roadway(s). The limits of this additional 800 feet of drainage shall be determined by the County Engineer. Said easements shall be no less than 20 feet in width. Portions of such system not included within roadways or waterways dedicated for drainage purposes will be specifically encumbered by said minimum 20 foot drainage easement from the point of origin, to the point of legal positive outfall. The drainage system within the project shall have sufficient detention storage and conveyance capacity as required by all permitting agencies to meet the storm water discharge and treatment requirements of Palm Beach County, Northern Palm Beach County Improvement District and SFWMD, for the combined runoff from the roadway and project to accommodate the ultimate Thoroughfare Plan Road Section(s) of the included segment. If required and approved by the County Engineer the property owner shall construct within the proposed drainage easements a minimum of 24 inch closed piping system and appropriate wingwall or other structures as required by and approved by the County Engineer. Elevation and location of the entire drainage system shall be approved by the County Engineer. Any and all excess fill material from excavation by Palm Beach County within said easements shall become the property of Palm Beach County which at its discretion may use this fill material. The Property Owner shall not record these required easements or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents. (DATE:MONITORING-Eng)
8. Landscape Within the Median of Seminole Pratt Whitney Road
 - a) The Property Owner shall design, install and perpetually maintain the median landscaping within the median of all abutting right of way of Seminole Pratt Whitney Road adjacent to the additional 80 acres of property added as part of this application. This landscaping and irrigation shall strictly conform to the specifications and standards for the County's Only Trees, Irrigation, and Sod (OTIS) program. Additional landscaping beyond OTIS requires Board of County Commissioners approval. Median landscaping installed by Property Owner shall be perpetually maintained by the Property Owner, his successors and assigns, without recourse to Palm Beach County, unless the Property Owner provides payment for maintenance as set forth in Paragraph d below.
 - b) The necessary permit(s) for this landscaping and irrigation shall be applied for prior to 6 months after completion of the widening of Seminole Pratt Road. (ONGOING)
 - c) All installation of the landscaping and irrigation shall be completed prior to 9 months after completion of the widening of Seminole Pratt Road. (ONGOING)
 - d) At Property Owner's option, when and if the County is ready to install OTIS

on the surrounding medians of this roadway adjacent to the Property Owner installed landscaping, payment for the maintenance may be provided to the County. The payment shall be in the amount and manner that complies with the schedule for such payments that exists on the date payment is made. Once payment has been provided, Palm Beach County shall assume the maintenance responsibility for the OTIS landscaping and irrigation that has been installed by the Property Owner. The Property Owner shall first be required to correct any deficiencies in the landscaping and irrigation. This option is not available to medians with additional landscaping beyond OTIS standards, unless those medians are first brought into conformance with OTIS standards by the Property Owner.

- e) Alternately, at the option of the Property Owner, and prior to the widening of Seminole Pratt Road has begun, the Property Owner may make a contribution to the County's Only Trees Irrigation and Sod, OTIS program, unincorporated thoroughfare beatification program. This payment, for the County's installation of landscaping and irrigation on qualifying thoroughfares shall be based on the project's front footage along Seminole Pratt Whitney Road. This payment shall be in the amount and manner that complies with the schedule for such payments as it currently exists or as it may from time to time be amended.
9. Prior to September 19, 2007, the property owner shall provide a temporary roadway construction easement along Seminole Pratt Whitney Road adjacent to the additional 80 acres of property added as part of this application to Palm Beach County. This roadway construction easement shall contain an isosceles trapezoid connecting the required corner clips across this property owner's entrance road right of way. Construction within this easement shall conform to Palm Beach County Standards. The Property Owner shall not record these required easements or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents. (TC: ENGINEERING-Eng)

ENVIRONMENTAL

- 1. Should a Wellfield be proposed or constructed, all parcels within the Zones of Influence shall comply with Article 14.B or the most current ULDC. (ONGOING: ERM)(Previous condition ERM-1 of Resolution R-2005-1419.1 Control 1981-190)
- 2. The developer will take necessary precautions to insure there will be no pollutant run-off from this project to adjacent or nearby surface waters. (Previous Condition 12 (Pollutant Run-off) of Resolution R-1997-160, Petition 1981-190) (ONGOING:ERM-Erm)(Previous Condition ERM-2 of Resolution R-2005-1419.1 Control 1981-190) COMPLETED
- 3. All new excavations shall comply with the excavation criteria pursuant to Article 4.D or the most current ULDC. Excavation of a mined lake (water management tract) shall not be constructed within Zone 1 or 300 feet of a proposed or existing potable water supply. Separations shall be measured from the top of bank. No exfiltration trench is permitted in Wellfield Protection Zones 1 or 2. Regulated substances are prohibited in a Wellfield Zone 1. (ONGOING:ERM-Erm)(Previous Condition ERM-3 of Resolution R-2005-1419.1 Control 1981-190)
- 4. The property owner/developer shall prepare a land clearing plan (Plan) that provides for minimizing the removal or destruction of existing vegetation (with the exception of exotic species such as Brazilian pepper, Melaleuca or Australian pines).
 - a. The Plan shall include the requirement to prepare, for each lot or parcel(s) (Site) which is the subject of a site plan approval process, an inventory of all native and specimen trees of six inches (6 ") dbh or greater (trees).
 - b. This condition shall apply to all of the remaining undeveloped parcels in the Park totaling five hundred seventy-two (572) acres as described in Table 1 of

the ERM Rule Based Analysis (12.5% Preservation Requirement). Table 1 (Exhibit E) can be found in the Preliminary Assessment for the Palm Beach Park of Commerce, January 2004, prepared by Mitigation Resources, L.L.C., as revised.

- c. The Plan shall include a schedule of clearing that is directly related to the development activities of the subject site.
 - d. The Plan shall also be subject to the approval of ERM. For this Condition a clearing plan shall mean a Standard Vegetation Permit provided by ERM which may include a single lot or multiple parcels.
 - e. For this condition, minimization shall be determined by a lot or parcel(s) basis of between 10% to 15% with an overall minimum set-aside of 12.5% of the native high quality upland vegetation, or relocation or mitigation of such vegetation either on the Site or off the Site but within the Park. Vegetation other than trees may be approved for mitigation by ERM providing the vegetation is native and indigenous to the area. Set aside buy-out to satisfy the terms of this Condition, in whole or part, may be provided by the Board of County Commissioners based upon the current appraised value of the lot or parcel(s) being considered. (ONGOING:ERM-Erm)(Previous Condition ERM-4 of Resolution R-2005-1419.1 Control 1981-190)
5. Minimization of the removal or destruction of trees shall be by on Site preservation, mitigation or restoration of trees subject to Table 2 of this Condition, or relocation of relocatable trees and mitigation of specimen trees which are not relocatable for each site. Relocation of relocatable trees may be used to offset mitigation for specimen tree on a per tree/ per height basis.

Mitigation and Restoration shall occur as indicated in Table 2 as follows:

- a. Trees with crown spread of 90 feet or greater or trees with 27 Inches or more in diameter at 4.5 feet above grade (dbh) will require 9 replacement trees;
 - b. Trees with crown spread of 60-89 feet or trees with 24-26 inches in diameter at 4.5 feet above grade (dbh) will require 8 replacement trees;
 - c. Trees with crown spread of 50-59 feet or trees with 21-23 inches in diameter at 4.5 feet above grade (dbh) will require 7 replacement trees;
 - d. Trees with crown spread of 40-49 feet or trees with 18-20 inches in diameter at 4.5 feet above grade (dbh) will require 6 replacement trees;
 - e. Trees with crown spread of 30-39 feet or trees with 15-17 inches in diameter at 4.5 feet above grade (dbh) will require 5 replacement trees;
 - f. Trees with crown spread of 20-29 feet or trees with 12-14 inches in diameter at 4.5 feet above grade (dbh) will require 4 replacement trees;
 - g. Trees with crown spread of 10-19 feet or trees with 9-11 inches in diameter at 4.5 feet above grade (dbh) will require 3 replacement trees;
 - h. Trees with crown spread of 5-9 feet or trees with 6-8 inches in diameter at 4.5 feet above grade (dbh) will require 2 replacement trees; and,
 - i. Trees with crown spread of less than 5 feet or trees less than 5 inches in diameter at 4.5 feet above grade (dbh) will require no replacement trees. (ONGOING:ERM-Erm) (Previous Condition ERM-5 of Resolution R-2005-1419.1 Control 1981-190)
6. Mitigation or restoration pursuant to Table 2 of Condition 5, Mitigation and Restoration, shall be subject to the following conditions:
- A. Replacement trees shall be at least 12 feet in height, two and one-half inches dbh, and consist of native vegetation, indigenous to the area, and be Florida Number 1 or better in quality. Field grown replacement trees shall be evaluated on a case by case basis for quality.
 - B. Replacement palms shall be at least 12 feet in height.
 - C. If the required replacement trees cannot be purchased within 60 miles from the Site, an alternate replacement may be approved by ERM.
 - D. Dahoon Holly trees shall be replaced like size for like size for mitigation and the number doubled for restoration.

- E. Monitoring time frames shall be established for mitigation and replacement vegetation as needed.
- F. If, at any time, the County, by general rule, regulation or ordinance, provides for mitigation or restoration at lesser levels than those set forth in Table 2, Mitigation and Restoration, of this Condition, the owner/developer shall be entitled to restore or mitigate trees at those lesser levels.
- G. In addition to the foregoing, replacement trees may be replaced with a contribution to the Natural Areas Stewardship Endowment Fund for the cost of the purchase and relocation of a like tree.

The owner/developer can fully satisfy the entire condition of the required minimum of high quality native upland vegetation preservation (Required Minimum) by applying the ERM Rule-Based Table set forth in Table 1, Palm Beach Park of Commerce, ERM Rule Based Analysis (12.5% Preservation Requirement). In accordance with ERM's analysis, the Required Minimum is equal to approximately 31.9 acres. However, for sites where the application of the 12.5% preservation requirement results in less than 0.5 acres of preserve requirement, a conservation easement and management plan shall not be required and a Tree Preservation Area (De Minimus Preserve Area) shall be required either on the parcel or elsewhere in the Park. Accordingly, the 31.9 acre Required Minimum shall be adjusted downward based on those parcels set forth in Table 1, Palm Beach Park of Commerce, ERM Rule Based Analysis (12.5% Preservation Requirement), where the otherwise preservable vegetation consists of less than 0.5 acre and the Tree Preservation Area requirement is fulfilled. The Required Minimum shall be deemed satisfied in full when a total of 31.9 acres, as adjusted downward for the De Minimus Preserve Areas, shall have been set aside anywhere within the Project.

This Condition may also be satisfied, in whole or in part, by the owner/developer setting aside within the project an area or areas which may serve as receiving areas (Mitigation Areas) for the relocation or replacement of quality upland vegetation and trees from other lots or parcels within the project. The Mitigation Areas will be subject to conservation easements in favor of Palm Beach County and management plans for the maintaining of the Mitigation Areas as quality vegetation areas. The Mitigation Areas may include, at the option of the owner/developer, the 11.72 acres designated for Recreation Use under the Park of Commerce Master Plan, Zoning Petition 81-190, Exhibit 88. To the extent that the Mitigation Areas are utilized for the relocation or replacement of native vegetation or trees, the Required Minimum of 31.9 acres, as adjusted, shall be reduced and deemed satisfied accordingly.

Upon satisfaction of the Required Minimum, all upland vegetation preservation, mitigation and relocation requirements of the existing project shall be deemed complete and satisfied and no further development within the project shall be subject to existing or future rules, regulations or ordinances which would increase the obligations of the owner/developer or the project contained herein. (ONGOING:ERM-Erm)(Previous Condition ERM-6 of Resolution R-2005-1419.1 Control 1981-190)

- 7. Prior to the submittal for approval by the Development Review Officer (DRO), the applicant shall incorporate Table 1 (Exhibit E) as part of Condition 4, and shall be shown on the condition mylar. (DRO:ERM-Erm)(Previous Condition ERM-7 of Resolution R-2005-1419.1 Control 1981-190)
- 8. The Master Plan shall not be amended with respect to the 150 ft. water management tract, and with an additional 50 ft. setback to be measured from the buffer zone. No amendment to master plan for water management tract. (DRO:ERM-Erm) (No Amendment To Master Plan For Water Management

HEALTH

1. Within the Florida Research Park no structure or improvement shall be constructed, or altered, nor shall any premises be used as a laboratory unless the premises and related organizational processes comply with all federal, state and local laws and published guidelines governing the construction and operation of such laboratory. (ONGOING: HEALTH-Health) (Previous Condition Health 1 of Resolution R-2005-1419.1, Control 1981-190)
2. The property owner or operator of the laboratory shall, upon request by Palm Beach County Health Department, provide proof of compliance with federal state and local regulations in the form of copies of licenses, permits, registrations, certificates of accreditation, inspection reports or other documentation deemed appropriate by the Palm Beach County Health Department. (ONGOING: HEALTH-Health) (Previous Condition Health 2 of Resolution R-2005-1419.1, Control 1981-190)
3. The property owner and operator of laboratories classified as Biosafety Level 2, 3 or 4, as defined in the Centers for Disease Control and Prevention (CDC) and National Institute of Health (NIH) "Biosafety in Microbiological and Biomedical Laboratories", 4th Edition, by the US Department of Health and Human Services, May 1999, shall ensure that all waste from such laboratories are effectively decontaminated before the waste leaves the area of the laboratory so designated. (ONGOING: HEALTH-Health) (Previous Condition Health 3 of Resolution R-2005-1419.1, Control 1981-190)
4. No waste from Biosafety Level 2, 3 or 4 laboratories as defined in the Centers for Disease Control and Prevention (CDC) and National Institute of Health (NIH) "Biosafety in Microbiological and Biomedical Laboratories", 4th Edition, by the US Department of Health and Human Services, May 1999, shall be discharged to the sewer before the waste is effectively decontaminated. All reasonable measures shall be instituted and maintained to prevent the accidental release of biological agents and toxins, and select agents and toxins, or other dangerous or exotic agents to the environment. (ONGOING: HEALTH-Health) (Previous Condition Health 4 of Resolution R-2005-1419.1, Control 1981-190)
5. The property owner or operator of laboratory uses shall ensure zero discharge of untreated potentially prion-contaminated waste to the sanitary sewer, and shall provide documented verification of such to the Palm Beach County Health Department upon request. (ONGOING: HEALTH-Health) (Previous Condition Health 5 of Resolution R-2005-1419.1, Control 1981-190)
6. The property owner or operator of facilities generating industrial, hazardous or toxic waste shall not deposit or cause to be deposited any such waste into the sanitary sewer system unless adequate pretreatment facilities approved by the Florida Department of Environmental Protection, the Palm Beach County Health Department, and the agency responsible for sewage works are provided and used. (ONGOING: HEALTH/CODE ENF-Health) (Previous Condition Health 6 of Resolution R-2005-1419.1, Control 1981-190)
7. The property owner or operator of the laboratory shall maintain records of all waste treatment at the facility, including proof of the effective decontamination of all treated waste. These records shall include the date, time, amount of waste, method of treatment, method(s) used to verify effectiveness of treatment, and the results of tests used to verify treatment effectiveness. (ONGOING: HEALTH-Health) (Previous Condition Health 7 of Resolution R-2005-1419.1, Control 1981-190)
8. Any person who is a generator or an employee of a generator of hazardous or infectious waste shall store such wastes prior to disposal in an area secured as to deny access to unauthorized persons, animals, wind, rain, insects and rodents. If

such wastes are placed in a trash receptacle or compactor that is accessible at any time to unauthorized persons, such receptacle or compactor shall be locked to prevent access to the contents thereof to anyone other than authorized persons or waste collection personnel. (ONGOING: HEALTH-Health) (Previous Condition Health 8 of Resolution R-2005-1419.1, Control 1981-190)

9. Prior to the issuance of a certificate of occupancy (CO) for any laboratories, the facility owner or operator shall submit to the Palm Beach County Health Department a copy of the facility's Biosafety and Security Plan. The recommended design to focus on increased security needs can be found in Appendix F - Laboratory Security and Emergency Response Guidance for Laboratories Working with Select Agents, of the CDC and NIH publication entitled Biosafety in Microbiological and Biomedical Laboratories, 4th Edition. The Biosafety and Security Plan shall outline biosafety and containment procedures, security systems and procedures, and incident response procedures, and shall have been approved by an officer of the company or institution with appropriate signature authority. (DRO/CO: DRO/MONITORING-Health) (Previous Condition Health 9 of Resolution R-2005-1419.1, Control 1981-190)
10. All clearing, grading, construction, renovations and repairs shall be carried out with dust control measures adequate to prevent creation of a nuisance to persons or public or private property. Clearing, grading or improvement plans shall require that measures such as the following be undertaken to achieve effective dust control: These measures include watering, application of approved surfactants, shrouding, control of vehicle speed, paving of access areas, or other operational or technological measures to reduce dispersion of dust. (ONGOING: HEALTH-Health) (Previous Condition Health 10 of Resolution R-2005-1419.1, Control 1981-190)
11. Prior to issuance of the first certificate of occupancy (CO) for each facility relative to this application, the property owner or the operator shall provide a copy of the waste management plan for the facility to the Palm Beach County Health Department for review and comment. (CO: MONITORING-Health) (Previous Condition Health 11 of Resolution R-2005-1419.1, Control 1981-190)
12. Open burning for land clearing shall not be conducted without the prior approval of the Palm Beach County Health Department. (ONGOING: HEALTH-Health) (Previous Condition Health 12 of Resolution R-2005-1419.1, Control 1981-190)
13. The surface water management system shall utilize Best Management Practices to minimize breeding of mosquitoes in the surface water management system. Management of the system shall include control methods that minimize the need for aerial spraying and reduce potential impacts of mosquito control activities on the surrounding natural areas. (ONGOING: CODE ENF-ERM/Health) (Previous Condition Health 13 of Resolution R-2005-1419.1, Control 1981-190)
14. The existing Florida Research Park (PIPD) water supply system is in place to serve the project. No other private, community, or limited use potable water wells shall be permitted on the site. (ONGOING: HEALTH-Health) (Previous Condition Health 14 of Resolution R-2005-1419.1, Control 1981-190)
15. No on-site sewage treatment and disposal system (OSTDS) shall be permitted on the site. All existing OSTDS shall be abandoned in accordance with Rule 64 E-6 FAC and Palm Beach County ECR-I. (ONGOING: HEALTH-Health) (Previous Condition Health 15 of Resolution R-2005-1419.1, Control 1981-190)
16. Prior to the issuance of the first certificate of occupancy (CO) for any facility in the Florida Research Park project, the developer/property owner shall prepare a Hazardous Materials Management Plan and have it approved by the Palm Beach County Health Department and Florida Department of Environmental Protection. The plan shall address the handling and disposal of any toxic, hazardous, and radioactive materials in accordance with Florida Administrative Code Rule 62-730,

and any biomedical waste in accordance with Florida Administrative Code Rule 64E-16. At a minimum, the plan shall:

- a. require disclosure by all owners or tenants of the property of all hazardous materials or waste proposed to be stored, used, or generated on premises;
 - b. require the inspection of all premises storing, using, or generating hazardous materials or waste prior to commencement of operation, and periodically thereafter, to assure that proper facilities and procedures are in place to properly manage hazardous materials projected to occur;
 - c. provide minimum standards and procedures for storage, prevention of spills, containment of spills, and transfer and disposal of such materials or waste;
 - d. provide for proper maintenance, operation, and monitoring of hazardous materials and waste management systems including spill and hazardous materials and waste containment systems;
 - e. detail actions and procedures to be followed in case of spills or other accidents involving hazardous materials or waste;
 - f. guarantee financial and physical responsibility for spill clean-up;
 - g. include a program for continued monitoring of surface and groundwater on the site;
 - h. The approved plan shall be incorporated into the development by including it as part of any lease or sale agreement provided to tenants and owners that will use, handle, store, display, or generate hazardous materials or waste. A copy of the approved Hazardous Materials Management Plan for the Florida Research Park PIPD shall be provided to the contractors and all owners, tenants and operators of businesses within the project and shall be required to comply with the applicable provisions of the plan. (CO: MONITORING - Health) (Previous Condition Health 16 of Resolution R-2005-1419.1, Control 1981-190)
17. The owner of the private water supply system serving the Florida Research Park shall monitor the water demand from the existing water treatment facilities and initiate appropriate and effective measures to ensure that in no event will the water demand including fire-flow demand exceed the permitted capacity of the water supply system. The measures to ensure adequacy of water system capacity must be initiated within 6 months after the first month in which the average water demand exceeds 75% of the permitted system capacity. (ONGOING: HEALTH-Health) (Previous Condition Health 17 of Resolution R-2005-1419.1, Control 1981-190)
18. The owner of the private wastewater system serving the Florida Research Park shall monitor the wastewater flow from the existing water treatment facilities and initiate appropriate and effective measures to ensure that in no event will the daily wastewater flows exceed the permitted capacity of the wastewater treatment system. The measures to ensure adequacy of the wastewater treatment system capacity must be initiated within 6 months after the first month in which the daily wastewater flows exceeds 75% of the permitted system capacity. (ONGOING: HEALTH-Health) (Previous Condition Health 18 of Resolution R-2005-1419.1, Control 1981-190)
19. Potable water and wastewater treatment facilities shall be integrated into a regional system at such time as a regional system is established. (ONGOING: HEALTH-Health) (Previous Condition Health 19 of Resolution R-2005-1419.1, Control 1981-190)
20. The generation and disposal of hazardous effluents into the sanitary sewerage system shall be prohibited unless adequate pretreatment facilities approved by the Florida Department of Environment Protection (FDEP) and Agency responsible for sewage works are constructed and used by project tenants or owners generating such effluents. (ONGOING: HEALTH-Health) (Previous Condition Health 20 of Resolution R-2005-1419.1, Control 1981-190)
21. The developer will take reasonable precautions during the development of this

project to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties. (ONGOING: HEALTH-Health) (Previous Condition Health 21 of Resolution R-2005-1419.1, Control 1981-190)

22. The property owner and operator of any facility that receives, possesses, handles, stores, or uses radioactive material must comply with all applicable Federal, State and local statutes, regulations, and ordinances. (ONGOING: CODE ENF-Health) (Previous Condition Health 22 of Resolution R-2005-1419.1, Control 1981-190)
23. The property owner shall notify the Palm Beach County Health Department upon closure of any operation that was issued a specific license for radioactive materials. (ONGOING: HEALTH-Health) (Previous Condition Health 23 of Resolution R-2005-1419.1, Control 1981-190)

ZONING - LANDSCAPING-NORTHWEST CORNER 80 ACRE ADDITION

1. The required 25 foot perimeter buffer and interior right-of-way buffer shall be upgraded to provide a minimum seventy-five (75%) percent of canopy trees as native and shall meet the following minimum standards at installation:
 - a. tree height: fourteen (14) feet;
 - b. trunk diameter: three and one-half (3.5) inches measured at four and one-half (4.5) feet above grade;
 - c. canopy diameter: seven (7) feet diameter shall be determined by the average canopy radius measured at three (3) points from the trunk to the outermost branch tip. Each radius shall measure a minimum of three and one-half (3.5) feet in length;
 - d. an alternative landscape plan may be provided meeting or exceeding these requirements, and,
 - e. credit may be given for existing or relocated trees provided they meet ULDC requirements. (BLDG PERMIT: LANDSCAPE-Zoning)

LIGHTING

1. All lighting fixtures shall conform to the following height restrictions:
 - a. Within 500 feet of all adjacent property with any Residential Future Land Use designation, the maximum height shall be thirty (30) feet;
 - b. Between 500 and 750 feet of all property with any Residential Future Land Use designation, the maximum height shall be forty-five (45) feet;
 - c. Zoning code requirements shall apply to property more than 750 feet from all property with any Residential Future Land Use designation. (BLDG PERMIT: BLDG - Zoning) (Previous Lighting Condition 1. of Resolution R-2005-1419.1, Control 1981-190)

MASS TRANSIT

1. The location of proposed Bus Stop Boarding and Alighting Areas, subject to the approval of Palm Tran shall be shown on the Master Plan prior to final approval of the DRO. The purpose of this easement is for the future construction of mass transit infrastructure in a manner acceptable to Palm Tran. Any amendments to the location of the proposed Bus Stop Boarding and Alighting Area shall be done by 'signature only' DRO administrative amendment. (DRO: PALM TRAN-Palm Tran) (DRO: PALM TRAN-Palm Tran)
2. Concurrent with individual subdivision or site plan review by DRO, whichever shall first occur, the property owner shall convey and/or dedicate to Palm Beach County an easement for a Bus Stop Boarding and Alighting Area in a form with terms and conditions approved by Palm Tran. Supporting documentation, including but not limited to, a location sketch, legal description, affidavit of ownership, attorney title opinion and other related documents as deemed necessary by Palm Tran. (BLDG

PERMIT/PLAT: MONITORING-Eng)
PLANNING

1. Condition 4. of Resolution 2005-1419, Control 1981-190, which currently states:
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)

PROPERTY & REAL ESTATE MANAGEMENT

1. The developer shall donate 1.5 acres of the "public facilities" site to Palm Beach County Fire Rescue. (ONGOING: PREM-Prem) (Previous Condition 24 (Public Facilities Donation) of Resolution R-1997-160, Petition 1981-190)
Is hereby DELETED (REASON: Condition Completed)
2. The heretofore uncommitted balance of the "public facilities site" (3.5 acres) shall be dedicated, without cost to Palm Beach County at the time of filing of the first contiguous plat. (PLAT:MONITORING-Prem) (Previous Condition 25 (Public Facilities Site Dedication) of Resolution R-1997-160, Petition 1981-190)

Is hereby DELETED (REASON: Condition Completed)

SIGNS

1. Signage fronting on Pratt Whitney Road shall be limited as follows:
 - a. maximum sign height, measured from finished grade to highest point – eight (8) feet;
 - b. maximum sign face area per side - sixty (60) square feet;
 - c. maximum number of signs - one (1);
 - d. style – entry wall monument style only;
 - e. location – within one hundred (100) feet of the northernmost Ingress/ egress easement;
 - f. signs shall be limited to identification of the development, business or tenants only;
 - g. modifications to this condition may be approved subject to an alternative sign plan. (BLDG PERMIT: BLDG - Zoning)

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

1. Subsequent to any South Florida Water Management District review of requests for construction approval of major components of the Master Drainage Plan, each site within a basin shall be subject to further review through the District's regulatory program in order to identify tenants and potential water quality problems and to prescribe appropriate measures to address such potential problems. This review shall be coordinated with County site plan reviews conducted pursuant to the Planned Industrial Park Ordinance. (DRO:ZONING-SFWMD) (Previous Zoning-SFWMD Condition 1, of Resolution R-2005-1419.1, Control 1981-190)
2. The developer shall mitigate any adverse impact on legal uses caused by water

withdrawals as defined by SFWMD Water Use Permitting Rules. (ONGOING: SFWMD-SFWMD) (Previous Zoning- SFWMD Condition 2, of Resolution R-2005-1419.1, Control 1981-190)

USE LIMITATIONS

1. Development activity shall be restricted within the Limited Development Zone as outlined to the Caloosa Homeowners Association on October 12, 1981 and as submitted to the Zoning Department by cover letter dated October 16, 1981. (R-82-468, Condition #23) (ONGOING:ZONING-Zoning) (Previous Zoning - Use Limitations Condition 1, of Resolution R-2005-1419.1, Control 1981-190)
2. In addition to the list of permitted uses allowed in the PIPD District, the following additional uses:
 - a. Commercial Uses:
 - i. auction, enclosed;
 - ii. bakeries, limited preparation;
 - iii. florist;
 - iv. food store;
 - v. automobile rental; and,
 - vi. restaurant and lounge.
 - b. Light Industrial Uses:
 - i. appliance, manufacturing;
 - ii. auto service station (with or without mechanical repairs);
 - iii. beverage, manufacturing;
 - iv. bulk storage of gas and oil;
 - v. heliports; and,
 - vi. welding shop.
 - c. General Industrial Uses:
 - i. asphalt/concrete mixing and product, manufacturing and warehousing
 - ii. bulk storage;
 - iii. engine testing;
 - iv. exterminator manufacturing and warehousing;and,
 - v. restaurant/cafeteria, accessory to an industrial use warehouse.

The following uses shall not be permitted within the PIPD:

- i. steel mills;
- ii. paper mills; and,
- iii. fertilizer manufacturing.

In addition, a minimum of two thousand feet (2000') setback shall be required from any residential development for the following uses:

- i. brewery;
- ii. asphalt/concrete mixing and products, manufacturing and storage;
- iii. chemical manufacturing; and,
- iv. bulk storage of gas and oil. (ONGOING:ZONING-Zoning)(Previous Zoning -Use Limitations Condition 2, of Resolution R-2005-1419.1, Control 1981-190)

3. No nuclear reactor shall be allowed on any site within the Florida Research Park PIPD. (ONGOING: CODE ENF Zoning))(Previous Zoning - Use Limitations Condition 3, of Resolution R-2005-1419.1, Control 1981-190)
4. The property owner shall not allow any operation on the site that requires the following categories of specific licenses of radioactive materials outlined in Chapter 64E-5.204, Florida Administrative Code:
 - a. Commercial waste disposal or treatment facilities, including, burial or incineration;

- b. All other commercial facilities involving compaction, repackaging, storage, or transfer; and
 - c. Commercial treatment of radioactive materials for release to unrestricted areas. (ONGOING: CODE ENF Zoning) (Previous Zoning - Use Limitations Condition 4, of Resolution R-2005-1419.1, Control 1981-190)
5. Any additional uses (i.e. Hospital or Medical Center and College or University) approved in the Development Order for the DRI that are not already permitted approved uses in the PIPD shall subject to the approval by the Board of County Commissioners pursuant to the ULDC requirements. (ONGOING: ZONING-Zoning). (Previous Zoning - Use Limitations Condition 5, of Resolution R-2005-1419.1, Control 1981-190)

COMPLIANCE

- 1. In granting this approval, the Board of County Commissioners relied upon the oral and written representations of the petitioner both on the record and as part of the application process. Deviations from or violation of these representations shall cause the approval to be presented to the Board of County Commissioners for review under the compliance condition of this approval. (ONGOING: MONITORING - Zoning) (Previous Compliance Condition 1, of Resolution R-2005-1419.1, Control 1981-190)
- 2. Failure to comply with any of the conditions of approval for the subject property:
 - a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy; the denial of any other permit, license or approval to any developer, owner, lessee, or user of the subject property; the revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; revocation of any concurrency; and/or
 - b. The revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
 - c. A requirement of the development to conform with the standards of the ULDC at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions; and/or
 - d. Referral to code enforcement; and/or
 - e. Imposition of entitlement density or intensity.

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

Appeals of any departmental administrative actions hereunder may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Unified Land Development Code (ULDC), as amended. Appeals of any revocation of an Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment or other actions based on a Board of County Commission decision shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit. (ONGOING: MONITORING - Zoning) (Previous Compliance Condition 1, of Resolution R-2005-1419.1, Control 1981-190)

SECTION II.

ENGINEERING

As used within the development order conditions of approval, "LOS Modification" shall mean PBC Comprehensive Plan CRALLS designation, State Level of Service Variance, or any other approval or determination that would except from, or modify, the adopted generalized level of service standard for a given facility.

1. Previous Condition Engineering 1 of Resolution R-2005-1419.1, Control 1981-190, which currently states:

When required by the County Engineer, or prior to the completion of Phase One, the following traffic improvements shall be completed:

- A. Beeline Highway (State Road #710) as a four-lane, median-divided section from Seminole Pratt & Whitney Road through the project's East entrance road. This construction may include the intersection of Seminole Pratt & Whitney Road and State Road #710.
- B. At the intersection of Indiantown Road and Seminole Pratt & Whitney Road:
 - a. left turn lane, north approach;
 - b. left turn lane, south approach;
 - c. left turn lane, east approach;
 - d. left turn lane, west approach; and
 - e. right turn lane, south approach.
- C. At the intersection of Seminole Pratt & Whitney Road and the project's entrance road, a left turn lane, north approach.
- D. At the intersection of Beeline Highway and the project's West entrance road, a left turn lane, west approach.
- E. At the intersection of Beeline Highway and the project's East entrance:
 - a. left turn lane, west approach; and
 - b. right turn lane, east approach.
- F. At the intersection of P.G.A. Boulevard and Beeline Highway:
 - a. left turn lane, north approach;
 - b. right turn lane, south approach; and
 - c. right turn lane, east approach. (ONGOING: ENG-Eng)

Is hereby amended to read:

- a) Building permits shall not be issued for development that generates more than 2,570 net external 2-way PM peak hour trips until construction commences for the intersection of Pratt Whitney Road and North Project Entrance with the following lanes:
South Approach: 1 right
North Approach: 1 left

East Approach: 1 left, 1 right
(BLDG PERMIT: MONITORING-Eng)
- b) Building permits shall not be issued for development that generates more than 2,570 net external 2-way PM peak hour trips until construction commences for the intersection of Beeline Highway and West Project Entrance with the following lanes:
North Approach: 1 left, 1 right
East Approach: 1 right

West Approach: 1 left
(BLDG PERMIT: MONITORING-Eng)

- c) Building permits shall not be issued for development that generates more than 5,321 net external 2-way PM peak hour trips until construction commences for the north approach 2nd left-turn lane at the Beeline Highway and East Project Driveway Entrance intersection (BLDG PERMIT: MONITORING-Eng)
- d) Building permits shall not be issued for development that generates more than 5,714 net external 2-way PM peak hour trips until construction commences for the west approach 2nd left-turn lane and east approach 2nd right turn lane or continuous (hot) right turn lane at the Beeline Highway and East Project Driveway Entrance intersection (BLDG PERMIT: MONITORING-Eng)
- e) Building permits shall not be issued for development that generates more than 6,107 net external 2-way PM peak hour trips until construction commences for the east approach 2nd right-turn lane or continuous (hot) right-turn lane at the Pratt Whitney Road and South Project Driveway Entrance intersection (BLDG PERMIT: MONITORING-Eng)
- f) Building permits shall not be issued for development that generates more than 6,107 net external 2-way PM peak hour trips until construction commences for the north approach 2nd left-turn lane at the Beeline Highway and West Project Driveway Entrance intersection (BLDG PERMIT: MONITORING-Eng)
- g) Building permits shall not be issued for development that generates more than 6,500 net external 2-way PM peak hour trips until construction commences for the east approach 2nd left-turn lane and north approach 2nd left turn lane at the Pratt Whitney Road and South Project Driveway Entrance intersection (BLDG PERMIT: MONITORING-Eng)
- h) Building permits shall not be issued for development that generates more than 6,500 net external 2-way PM peak hour trips until construction commences for the north approach 2nd right-turn lane at the Beeline Highway and East Project Driveway Entrance intersection (BLDG PERMIT: MONITORING-Eng)
- i) The property owner shall fund the cost of signal installation if warranted as determined by the County Engineer for all of the four project entrances (Pratt Whitney and North Entrance, Pratt Whitney and South Entrance, Beeline Highway and West Entrance, and Beeline Highway and East Entrance). Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation. The property owner shall conduct annually, at the expense of the property owner, AM and PM peak season peak hour turning movement counts at all driveways that are existing during the given peak season. This data shall be submitted annually to the County Engineer for review and approval. (ONGOING: ENGINEERING-Eng)
- j) When any of the peak season peak hour turning movement counts required in part (i) above indicate that more than 56 left-turning vehicles per hour are leaving the project at any of the four driveways, no additional building permits shall be issued until the Property Owner provides acceptable surety in the form of a cash bond or escrow

agreement for the traffic signal at the intersection where the 56 vehicle per hour threshold was exceeded to the Traffic Division in an amount as determined by the Director of the Traffic Division. (ONGOING:MONITORING-Eng)

- k) In order to be relieved from the requirement in part (j) above and to request the release of the surety posted for the traffic signal(s) at the above intersection(s), the Property Owner shall provide written notice to the Traffic Division stating that the final certificate of occupancy has been issued for this development and requesting that a signal warrant study be conducted at the above intersections, OR the Property Owner shall provide written documentation to the Traffic Division that the property has been sold and that a replacement surety has been provided to the Traffic Division by the new Property Owner. The Traffic Division shall have 24 months from receipt of this notice to either draw upon the surety to construct the traffic signal or release the surety. (ONGOING: ENGINEERING-Eng)

2. Previous Condition Engineering 1 of Resolution R-2005-1419.1, Control 1981-190, which currently states:

Only two access points onto Beeline Highway and one onto Seminole Pratt & Whitney Road, as shown on the Master Plan dated June 10, 2005 shall be permitted. (DRO:ENG-Eng)

Is hereby amended to read:

Only two access points onto Beeline Highway and two onto Seminole Pratt & Whitney Road, as shown on the Master Plan dated October 13, 2006 shall be permitted. (DRO:ENG-Eng)

3. Previous Condition Engineering 3 of Resolution R-2005-1419.1, Control 1981-90, which currently states:

Based on the traffic study as outlined in Condition #8, the property owner/developer shall provide any improvements required by the County Engineer as a result of development traffic and necessary to maintain Level of Service C at:

- a. The intersection of SR 711 and SR 706; and
- b. The intersections of the entrance roads with SR 710 and SR 711. (ONGOING: ENG-Eng)

Is hereby DELETED. (REASON: Replaced by more detailed conditions of approval based on updated traffic study)

4. Previous Condition Engineering 5 of Resolution R-2005-1419.1, Control 1981-190, which currently states:

The developer shall dedicate to Palm Beach County at the time of the filing of the first contiguous plat or within ninety (90) days of notification by Palm Beach County, 192 feet from the west line of Section 18 for the ultimate right-of-way for Seminole Pratt Whitney Road (approximately an additional 132 feet). (PLAT: ENG-Eng)

Is hereby amended to read:

The property owner shall provide to the Palm Beach County Land Development Division a road right of way deed and all associated documents as required by the County Engineer for Seminole Pratt Whitney Road adjacent to the additional 80 acres of property added as part of this application 120 feet from the centerline (west line of Section 18). Right of way deed(s) and associated documents shall be provided and approved prior to September 19, 2007. Right of way conveyance shall

be along the entire frontage and shall be free of all encroachments and encumbrances. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. The Grantor further warrants that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Grantor, the Grantor agrees to hold the Grantee harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, Engineering or other expert witness fees including Attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right-of-way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include where appropriate provisions for Expanded Intersection Details and "Corner Clips." The Property Owner shall not record these required deeds or related documents. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (DATE: MONITORING-Eng)

5. No Building Permits for the site may be issued after December 31, 2021. A time extension for this condition may be approved by the County Engineer only if based upon an approved Traffic Study, which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Article 2, Chapter E of the Unified Land Development Code. (DATE: MONITORING-Eng)
6. The number and locations of access points on non-thoroughfare roads within the site shall be subject to approval by the DRO only. (ONGOING: ENG-Eng)
7. On or before September 19, 2007 the property owner shall provide to Palm Beach County sufficient road drainage easement(s) through the project's internal drainage system, as required by and approved by the County Engineer, to provide legal positive outfall for runoff from those segments of Seminole Pratt Whitney Road adjacent to the additional 80 acres of property added as part of this application ; and a maximum 800 feet of these adjacent roadway(s). The limits of this additional 800 feet of drainage shall be determined by the County Engineer. Said easements shall be no less than 20 feet in width. Portions of such system not included within roadways or waterways dedicated for drainage purposes will be specifically encumbered by said minimum 20 foot drainage easement from the point of origin, to the point of legal positive outfall. The drainage system within the project shall have sufficient detention storage and conveyance capacity as required by all permitting agencies to meet the storm water discharge and treatment requirements of Palm Beach County, Northern Palm Beach County Improvement District and SFWMD, for the combined runoff from the roadway and project to accommodate the ultimate Thoroughfare Plan Road Section(s) of the included segment. If required and approved by the County Engineer the property owner shall construct within the proposed drainage easements a minimum of 24 inch closed piping system and appropriate wingwall or other structures as required by and approved by the County Engineer. Elevation and location of the entire drainage system shall be approved by the County Engineer. Any and all excess fill material from excavation by Palm Beach County within said easements shall become the property of Palm Beach County which at its discretion may use this fill material. The Property Owner shall not record these required easements or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents.

Florida Research Park shall also permit Palm Beach County to use available water quality and attenuation volumes the existing internal drainage system may possess in excess of the maximum buildout of Florida Research Park for roadway drainage with first availability allocated to the 4-lane widening of Pratt Whitney Road between Beeline Highway and Indiantown Road. Palm Beach County shall be responsible for any improvements needed to incorporate the additional roadway drainage into

the existing internal drainage system. In addition, Palm Beach County shall be responsible for compliance with all governmental regulations, including but not limited to, permitting, water quality, and water quantity standards of any governmental authority having jurisdiction, now or in the future, with respect to the drainage associated with the additional roadway improvements and with respect to the quality of water flowing from the additional roadway right-of-way. Florida Research Park shall continue to cooperate with Palm Beach County as it proceeds with the permit and installation process for incorporation of the roadway drainage into the existing internal drainage system. The above requirements of Palm Beach County to meet the jurisdictional permitting, water quality, and water quantity standards does not preclude Palm Beach County from directly discharging the roadway drainage into the existing Florida Research Park internal drainage system if Palm Beach County can demonstrate, as required by the permitting agencies, that the water quality and attenuation of the roadway runoff will not negatively impact the water quality and water attenuation of the existing internal drainage system without increasing the property currently dedicated for water management tracts in Florida Research Park. (DATE:MONITORING-Eng)

8. Landscape Within the Median of Seminole Pratt Whitney Road
 - a) The Property Owner shall design, install and perpetually maintain the median landscaping within the median of all abutting right of way of Seminole Pratt Whitney Road adjacent to the additional 80 acres of property added as part of this application. This landscaping and irrigation shall strictly conform to the specifications and standards for the County's Only Trees, Irrigation, and Sod (OTIS) program. Additional landscaping beyond OTIS requires Board of County Commissioners approval. Median landscaping installed by Property Owner shall be perpetually maintained by the Property Owner, his successors and assigns, without recourse to Palm Beach County, unless the Property Owner provides payment for maintenance as set forth in Paragraph d below.
 - b) The necessary permit(s) for this landscaping and irrigation shall be applied for prior to 6 months after completion of the widening of Seminole Pratt Road. (ONGOING)
 - c) All installation of the landscaping and irrigation shall be completed prior to 9 months after completion of the widening of Seminole Pratt Road. (ONGOING)
 - d) At Property Owner's option, when and if the County is ready to install OTIS on the surrounding medians of this roadway adjacent to the Property Owner installed landscaping, payment for the maintenance may be provided to the County. The payment shall be in the amount and manner that complies with the schedule for such payments that exists on the date payment is made. Once payment has been provided, Palm Beach County shall assume the maintenance responsibility for the OTIS landscaping and irrigation that has been installed by the Property Owner. The Property Owner shall first be required to correct any deficiencies in the landscaping and irrigation. This option is not available to medians with additional landscaping beyond OTIS standards, unless those medians are first brought into conformance with OTIS standards by the Property Owner.
 - e) Alternately, at the option of the Property Owner, and prior to the widening of Seminole Pratt Road has begun, the Property Owner may make a contribution to the County's Only Trees Irrigation and Sod, OTIS program, unincorporated thoroughfare beautification program. This payment, for the County's installation of landscaping and irrigation on qualifying thoroughfares shall be based on the project's front footage along Seminole Pratt Whitney Road. This payment shall be in the amount and manner that complies with the schedule for such payments as it currently exists or as it may from time to time be amended.
9. Prior to September 19, 2007, the property owner shall provide a temporary roadway construction easement along Seminole Pratt Whitney Road adjacent to the

additional 80 acres of property added as part of this application to Palm Beach County. This roadway construction easement shall contain an isosceles trapezoid connecting the required corner clips across this property owner's entrance road right of way. Construction within this easement shall conform to Palm Beach County Standards. The Property Owner shall not record these required easements or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents. (TC: ENGINEERING-Eng)

Roadway Improvements – Traffic Phase 1

10. Building permits shall not be issued for development that generates more than 1,029 net external 2-way PM peak hour trips or after December 31, 2006, whichever occurs last, until either:
 - a) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - b) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - c) the contract has been let for the construction of Indiantown Road from Jupiter Farms Road to Florida's Turnpike to a six-lane cross section (BLDG PERMIT/DATE: MONITORING – Eng)
11. Building permits shall not be issued for development that generates more than 1,086 net external 2-way PM peak hour trips or after December 31, 2006, whichever occurs last, until either:
 - a) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - b) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - c) the contract has been let for the construction of Seminole Pratt Whitney Road from Orange Blvd. to Northlake Blvd. to a four-lane cross section. At the time of concurrency approval, this project was included for construction in FY 2008 of the PBC 5-year road program. (BLDG PERMIT/DATE: MONITORING – Eng)
12. Building permits shall not be issued for development that generates more than 1,099 net external 2-way PM peak hour trips or after December 31, 2006, whichever occurs last, until either:
 - a) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - b) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - c) Map TE 1.1 of the PBC Comprehensive Plan has been amended to show 8 lanes on PGA Blvd. from Florida's Turnpike to Central Blvd. and the contract has been let for the construction to an eight-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
13. Building permits shall not be issued for development that generates more than 1,273 net external 2-way PM peak hour trips or after December 31, 2007, whichever occurs last, until either:
 - a) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; (BLDG PERMIT: MONITORING- Eng) OR
 - b) the contract has been let for the construction of Seminole Pratt-Whitney Road as a minimum 2-lane cross section from the current terminus north of

Northlake Boulevard to Beeline Highway. At the time of concurrency approval, this project was included for construction in FY 2007 of the PBC 5-year road program. This project was subsequently deleted from the PBC 5-year road program in the August 16, 2006 annual update. Pursuant to Article 12.B.2.F.2 of the ULDC, building permits for development that was phased to this construction shall be issued, but not sooner than September 30, 2007. (BLDG PERMIT: MONITORING-Eng)

14. Building permits shall not be issued for development that generates more than 1,273 net external 2-way PM peak hour trips or after December 31, 2007, whichever occurs last, until either:
 - a) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - b) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - c) Map TE 1.1 of the PBC Comprehensive Plan has been amended to show 8 lanes on Indiantown Road from Florida's Turnpike to I-95 and the contract has been let for the construction to an eight-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
15. Building permits shall not be issued for development that generates more than 1,351 net external 2-way PM peak hour trips or after December 31, 2007, whichever occurs last, until either:
 - a) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - b) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - c) the contract has been let for the construction of PGA Blvd. from Jog Road/Ryder Cup Blvd. to Florida's Turnpike to a six-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
16. Building permits shall not be issued for development that generates more than 1,385 net external 2-way PM peak hour trips or after December 31, 2007, whichever occurs last, until either:
 - a) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - b) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - c) Map TE 1.1 of the PBC Comprehensive Plan has been amended to show 8 lanes on PGA Blvd. from Central Blvd. to Military Trail and the contract has been let for the construction to an eight-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
17. Building permits shall not be issued for development that generates more than 1,577 net external 2-way PM peak hour trips or after December 31, 2007, whichever occurs last, until either:
 - a) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - b) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - c) the contract has been let for the construction of PGA Blvd. from Beeline Highway to Jog Road/Ryder Cup Blvd. to a four-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
18. Building permits shall not be issued for development that generates more than 1,775 net external 2-way PM peak hour trips or after December 31, 2008, whichever

occurs last, until either:

- a) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - b) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - c) Map TE 1.1 of the PBC Comprehensive Plan has been amended to show 8 lanes on Indiantown Road from I-95 to Central Blvd. and the contract has been let for the construction to an eight-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
19. Building permits shall not be issued for development that generates more than 1,841 net external 2-way PM peak hour trips or after December 31, 2008, whichever occurs last, until either:
- a) a CRALLS designation is adopted for the following roadway a improvement described below; OR
 - b) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - c) Map TE 1.1 of the PBC Comprehensive Plan has been amended to show 10 lanes on Indiantown Road from I-95 to Central Blvd. and the contract has been let for the construction to a ten-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
20. Building permits shall not be issued for development that generates more than 1,936 net external 2-way PM peak hour trips or after December 31, 2008, whichever occurs last, until either:
- a) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - b) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - c) the contract has been let for the construction of Seminole Pratt Whitney Road from Northlake Blvd. to PGA Blvd. to a four-lane cross section. At the time of concurrency approval, this project was included for construction in FY 2007 of the PBC 5-year road program. (BLDG PERMIT/DATE: MONITORING – Eng)
21. Building permits shall not be issued for development that generates more than 2,154 net external 2-way PM peak hour trips or after December 31, 2009, whichever occurs last, until either:
- a) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - b) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - c) Map TE 1.1 of the PBC Comprehensive Plan has been amended to show 10 lanes on PGA Blvd. from Florida's Turnpike to Central Blvd. and the contract has been let for the construction to a ten-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
22. Building permits shall not be issued for development that generates more than 2,350 net external 2-way PM peak hour trips or after December 31, 2009, whichever occurs last, until either:
- a) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - b) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR

- c) Map TE 1.1 of the PBC Comprehensive Plan has been amended to show 10 lanes on PGA Blvd. from Central Blvd. to Military Trail and the contract has been let for the construction to a ten-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
23. Building permits shall not be issued for development that generates more than 2,370 net external 2-way PM peak hour trips or after December 31, 2009, whichever occurs last, until either:
- a) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - b) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - c) the contract has been let for the construction of Seminole Pratt Whitney Road. from PGA Blvd. to Beeline Highway to a four-lane cross section. At the time of concurrency approval, this project was included for construction in FY 2007 of the PBC 5-year road program. (BLDG PERMIT/DATE: MONITORING – Eng)
24. Building permits shall not be issued for development that generates more than 2,377 net external 2-way PM peak hour trips or after December 31, 2010, whichever occurs last, until either:
- a) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - b) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - c) Map TE 1.1 of the PBC Comprehensive Plan has been amended to show 8 lanes on PGA Blvd. from Jog Road/Ryder Cup Blvd. to Florida's Turnpike and the contract has been let for the construction to an eight-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
25. Building permits shall not be issued for development that generates more than 2,424 net external 2-way PM peak hour trips or after December 31, 2010, whichever occurs last, until either:
- a) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - b) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - c) the contract has been let for the construction of Pratt Whitney Road from Beeline Highway to Indiantown Road to a four-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
26. Prior to April 26, 2007, acceptable surety for the road construction listed in Conditions E.10, E.12, E.14 thru E.19, E.21, E.22, E.24 and E.25 above shall either be provided to the Land Development Division, LOS Modifications shall be obtained, or construction of these improvements shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)

Roadway Improvements – Buildout

27. a) Building permits shall not be issued for development that generates more than 2,735 net external 2-way PM peak hour trips or after December 31, 2011, whichever occurs last, until either:
- 1) a LOS Modification is adopted for the following roadway improvement described below; OR

- 2) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - 3) the contract has been let for the construction of Beeline Highway from Jog Road to Blue Heron Blvd. To a six-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
 - b) Prior to December 31, 2008, acceptable surety for the road construction listed in part a.3 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)
28. a) Building permits shall not be issued for development that generates more than 2,781 net external 2-way PM peak hour trips or after December 31, 2011, whichever occurs last, until either:
- 1) a LOS Modification is adopted for the following roadway improvement described below; OR
 - 2) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - 3) the contract has been let for the construction of Beeline Highway from Northlake Blvd. to Jog Road to a six-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
- b) Prior to December 31, 2008, acceptable surety for the road construction listed in part a.3 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)
29. a) Building permits shall not be issued for development that generates more than 2,963 net external 2-way PM peak hour trips or after December 31, 2011, whichever occurs last, until either:
- 1) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - 2) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - 3) the contract has been let for the construction of Coconut Blvd. from Orange Blvd. to Northlake Blvd. to a four-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
- b) Prior to December 31, 2008, acceptable surety for the road construction listed in part a.3 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)
30. a) Building permits shall not be issued for development that generates more than 3,721 net external 2-way PM peak hour trips or after December 31, 2013, whichever occurs last, until either:
- 1) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - 2) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and

attached as an exhibit to the Development Order; OR

- 3) the contract has been let for the construction of Okeechobee Blvd. from Seminole Pratt Whitney Road to E Road to a four-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
 - b) Prior to December 31, 2010, acceptable surety for the road construction listed in part a.3 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)
31. a) Building permits shall not be issued for development that generates more than 3,749 net external 2-way PM peak hour trips or after December 31, 2013, whichever occurs last, until either:
- 1) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - 2) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - 3) the contract has been let for the construction of Indiantown Road from Alexander Run Road to Jupiter Farms Road to a six-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
- b) Prior to December 31, 2010, acceptable surety for the road construction listed in part a.3 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)
32. a) Building permits shall not be issued for development that generates more than 3,812 net external 2-way PM peak hour trips or after December 31, 2013, whichever occurs last, until either:
- 1) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - 2) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - 3) the contract has been let for the construction of Indiantown Road from Pratt Whitney Road to Alexander Run Road to a four-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
- b) Prior to December 31, 2010, acceptable surety for the road construction listed in part a.3 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)
33. a) Building permits shall not be issued for development that generates more than 3,874 net external 2-way PM peak hour trips or after December 31, 2013, whichever occurs last, until either:
- 1) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - 2) a local government development agreement consistent with sections

163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR

- 3) the contract has been let for the construction of Orange Blvd. from Coconut Blvd. to Royal Palm Beach Blvd. to a four-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
 - b) Prior to December 31, 2010, acceptable surety for the road construction listed in part a.3 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)
34. a) Building permits shall not be issued for development that generates more than 4,360 net external 2-way PM peak hour trips or after December 31, 2015, whichever occurs last, until either:
- 1) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - 2) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - 3) Map TE 1.1 of the PBC Comprehensive Plan has been amended to show 6 lanes on PGA Blvd. from Beeline Highway to Jog Road/Ryder Cup Blvd. and the contract has been let for the construction to a six-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
- b) Prior to December 31, 2012, acceptable surety for the road construction listed in part a.3 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)
35. Building permits shall not be issued for development that generates more than 4,698 net external 2-way PM peak hour trips or after December 31, 2015, whichever occurs last, until either:
- a) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - b) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - c) the contract has been let for the construction of Seminole Pratt Whitney Road from Northlake Blvd. to PGA Blvd. to a six-lane cross section. At the time of concurrency approval, this project was included for construction in FY 2007 of the PBC 5-year road program. (BLDG PERMIT/DATE: MONITORING – Eng)
36. a) Building permits shall not be issued for development that generates more than 4,930 net external 2-way PM peak hour trips or after December 31, 2016, whichever occurs last, until either:
- 1) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - 2) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - 3) the contract has been let for the construction of Seminole Pratt Whitney Road from Orange Blvd. to Northlake Blvd. to a six-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)

- b) Prior to December 31, 2013, acceptable surety for the road construction listed in part a.3 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)
- 37. a) Building permits shall not be issued for development that generates more than 5,123 net external 2-way PM peak hour trips or after December 31, 2016, whichever occurs last, until either:
 - 1) LOS Modification is adopted for the following roadway improvement described below; OR
 - 2) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - 3) the contract has been let for the construction of Beeline Highway from North County Airport to PGA Blvd. to a six-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
- b) Prior to December 31, 2013, acceptable surety for the road construction listed in part a.3 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)
- 38. a) Building permits shall not be issued for development that generates more than 5,165 net external 2-way PM peak hour trips or after December 31, 2017, whichever occurs last, until either:
 - 1) a LOS Modification is adopted for the following roadway improvement described below; OR
 - 2) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - 3) the contract has been let for the construction of Beeline Highway from the Martin County Line to west of the Pratt Whitney Entrance to a four-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
- b) Prior to December 31, 2014, acceptable surety for the road construction listed in part a.3 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)
- 39. a) Building permits shall not be issued for development that generates more than 5,434 net external 2-way PM peak hour trips or after December 31, 2017, whichever occurs last, until either: 1) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - 1) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - 2) Map TE 1.1 of the PBC Comprehensive Plan has been amended to show 10 lanes on Indiantown Road from Florida's Turnpike to I-95 and the contract has been let for the construction to a ten-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)

- b) Prior to December 31, 2014, acceptable surety for the road construction listed in part a.3 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)
40. a) Building permits shall not be issued for development that generates more than 5,498 net external 2-way PM peak hour trips or after December 31, 2017, whichever occurs last, until either:
- 1) a CRALLS designation is adopted for the following roadway improvement described in below; OR
 - 2) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - 3) Map TE 1.1 of the PBC Comprehensive Plan has been amended to show 8 lanes on Indiantown Road from Jupiter Farms Road to Florida's Turnpike and the contract has been let for the construction to an eight-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
- b) Prior to December 31, 2014, acceptable surety for the road construction listed in part a.3 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)
41. a) Building permits shall not be issued for development that generates more than 5,753 net external 2-way PM peak hour trips or after December 31, 2018, whichever occurs last, until either:
- 1) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - 2) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - 3) Map TE 1.1 of the PBC Comprehensive Plan has been amended to show 6 lanes on Seminole Pratt Whitney Road from PGA Blvd. to Beeline Highway and the contract has been let for the construction to a six-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
- b) Prior to December 31, 2015, acceptable surety for the road construction listed in part a.3 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)
42. a) Building permits shall not be issued for development that generates more than 3,985 net external 2-way PM peak hour trips or after December 31, 2014, whichever occurs last, until either:
- 1) a LOS Modification is adopted for the following roadway improvement described below; OR
 - 2) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - 3) the contract has been let for the construction of Beeline Highway from Pratt Whitney Road to ¼ mile east of the east Project driveway to a six-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)

- b) Prior to December 31, 2011, acceptable surety for the road construction listed in part a.3 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)
- 43. a) Building permits shall not be issued for development that generates more than 6,250 net external 2-way PM peak hour trips or after December 31, 2019, whichever occurs last, until either:
 - 1) a CRALLS designation is adopted for the following roadway improvement described below; OR
 - 2) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - 3) Map TE 1.1 of the PBC Comprehensive Plan has been amended to show 6 lanes on Seminole Pratt Whitney Road from Beeline Highway to Indiantown Road and the contract has been let for the construction to a six-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
- b) Prior to December 31, 2016, acceptable surety for the road construction listed in part a.3 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)
- 44. a) If a LOS Modification is obtained for Pratt Whitney Road from Beeline Highway to Indiantown Road, Building permits shall not be issued for development that generates more than 5,635 net external 2-way PM peak hour trips or after December 31, 2018, whichever occurs last, until either:
 - 1) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - 2) the contract has been let for the construction of Pratt Whitney Road from Beeline Highway to Indiantown Road as a four-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
- 45. a) Building permits shall not be issued for development that generates more than 6,516 net external 2-way PM peak hour trips or after December 31, 2020, whichever occurs last, until either:
 - 1) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - 2) the contract has been let for the construction of Pratt Whitney Road from the Martin County line to Indiantown Road as a four-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)
- b) On December 31, 2017, if building permits have been issued for more than 6,516 net external 2-way PM peak hour trips, acceptable surety for the road construction listed in part a.2 above shall either be provided to the Land Development Division or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)
- c) On December 31, 2017 and annually each year thereafter, if building permits have NOT been issued for more than 6,516 net external 2-way PM peak hour trips, the County shall calculate an average annual development rate

(based on usage of vested trips) for this project between December 31, 2006 and the current year. This rate will be used to project the year that building permits will be issued for more than 6,516 net external 2-way PM peak hour trips. Three (3) years prior to the projected year, acceptable surety for the road construction listed in part a.2 above shall either be provided to the Land Development Division or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)

- d) Should the developer not provide acceptable surety for the road construction listed in part a.2 above and this improvement is not in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program when required in part b or c above, building permits shall not be issued for development that generates more than 6,516 net external 2-way PM peak hour trips or after December 31, 2020, whichever occurs last. The intensity of development that has received building permits before December 31, 2020 shall be considered the maximum level of development and the master plan shall be amended accordingly. (DATE/BLDG PERMIT: MONITORING – Eng)
46. a) If a LOS Modification is obtained for PGA Blvd. from Jog Road/Ryder Cup Blvd. to Florida's Turnpike, Building permits shall not be issued for development that generates more than 6,579 net external 2-way PM peak hour trips or after December 31, 2020, whichever occurs last, until either:
- 1) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; OR
 - 2) the contract has been let for the construction of PGA Blvd. from Jog Road/Ryder Cup Blvd. to Florida's Turnpike as a six-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)

Intersection Improvements - Traffic Phase 1

47. Building permits shall not be issued for development that generates more than 998 net external 2-way PM peak hour trips or after December 31, 2006, whichever comes last, until a CRALLS designation is adopted for the intersection of Indiantown Road and Central Blvd. (BLDG PERMIT/DATE: MONITORING – Eng)
48. Building permits shall not be issued for development that generates more than 998 net external 2-way PM peak hour trips or after December 31, 2006, whichever comes last, until a CRALLS designation is adopted for the intersection of Northlake Blvd. and Military Trail. (BLDG PERMIT/DATE: MONITORING – Eng)
49. Building permits shall not be issued for development that generates more than 998 net external 2-way PM peak hour trips or after December 31, 2006, whichever comes last, until either:
- a) a CRALLS designation is adopted for the following intersection; or
 - b) the contract has been let for the construction of the following improvements: construct second and third west approach left turn lanes, fourth west approach thru lane, third and fourth east approach thru lanes, third north approach left turn lane and second south approach right turn lane at the PGA Blvd./Florida's Turnpike intersection; OR
 - c) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order. (BLDG PERMIT/DATE: MONITORING – Eng)
50. Building permits shall not be issued for development that generates more than 998 net external 2-way PM peak hour trips or after December 31, 2006, whichever comes last, until either:

- a) a CRALLS designation is adopted for the following intersection; OR
 - b) the contract has been let for the construction of the following improvements: second south approach thru lane, second west approach thru lane and second east approach thru lane at the Okeechobee Blvd./Seminole Pratt Whitney Road intersection; OR
 - c) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order. (BLDG PERMIT/DATE: MONITORING – Eng)
51. Building permits shall not be issued for development that generates more than 998 net external 2-way PM peak hour trips or after December 31, 2006, whichever comes last, until either:
- a) a CRALLS designation is adopted for the following intersection; OR
 - b) the contract has been let for the construction of the following improvements: exclusive west approach right turn lane at the Orange Blvd./Royal Palm Beach Blvd. intersection; OR
 - c) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order. (BLDG PERMIT/DATE: MONITORING – Eng)
52. Building permits shall not be issued for development that generates more than 998 net external 2-way PM peak hour trips or after December 31, 2006, whichever comes last, until either:
- a) a CRALLS designation is adopted for the following intersection; OR
 - b) the contract has been let for the construction of the following improvements: third south approach thru lane, third north approach thru lane, and second east approach left turn lane at the PGA Blvd./Military Trail intersection; OR
 - c) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order. (BLDG PERMIT/DATE: MONITORING – Eng)
53. Building permits shall not be issued for development that generates more than 1,784 net external 2-way PM peak hour trips or after December 31, 2008, whichever comes last, until either:
- a) a CRALLS designation is adopted for the following intersection; or
 - b) the contract has been let for the construction of the following improvements: construct third west approach thru lane at the Indiantown Road/Jupiter Farms Road intersection; OR
 - c) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order. (BLDG PERMIT/DATE: MONITORING – Eng)
54. Prior to April 26, 2007, acceptable surety for the road construction listed in Conditions E.49 thru E.53 above shall either be provided to the Land Development Division, LOS modifications shall be obtained, or construction of these improvements shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)

Intersection Improvements - Buildout

- 55. a) Building permits shall not be issued for development that generates more than 3,356 net external 2-way PM peak hour trips or after December 31, 2012, whichever occurs last, until either:

- 1) a CRALLS designation is adopted for the following intersection; OR
 - 2) the contract has been let for the construction of the following improvements: second south approach thru and second north approach thru at the Orange Blvd./Seminole Pratt Whitney Road intersection; OR
 - 3) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order. (BLDG PERMIT/DATE: MONITORING – Eng)
- b) Prior to December 31, 2009, acceptable surety for the intersection improvements listed in part a.2 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)
56. a) Building permits shall not be issued for development that generates more than 3,356 net external 2-way PM peak hour trips or after December 31, 2012, whichever occurs last, until either:
- 1) a CRALLS designation is adopted for the following intersection; OR
 - 2) the contract has been let for the construction of the following improvements: fourth west approach thru, fourth east approach thru, third west approach left turn lane, and second and third north approach left turn lanes at the PGA Blvd./Central Blvd. intersection; OR
 - 3) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order. (BLDG PERMIT/DATE: MONITORING – Eng)
- b) Prior to December 31, 2009, acceptable surety for the intersection improvements listed in part a.2 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)
57. a) Building permits shall not be issued for development that generates more than 3,749 net external 2-way PM peak hour trips or after December 31, 2013, whichever occurs last, until either:
- 1) a CRALLS designation is adopted for the following intersection; or
 - 2) the contract has been let for the construction of the following improvements: second and third south approach thru lanes, second north approach left turn lane, second east approach left turn lane, and second east approach right turn lane at the Northlake/Seminole Pratt Whitney intersection; OR
 - 3) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order. (BLDG PERMIT/DATE: MONITORING – Eng)
- b) Prior to December 31, 2010, acceptable surety for the intersection improvements listed in part a.2 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)

58. a) Building permits shall not be issued for development that generates more than 3,749 net external 2-way PM peak hour trips or after December 31, 2013, whichever occurs last, until either:
- 1) a CRALLS designation is adopted for the following intersection; or
 - 2) the contract has been let for the construction of the following improvements: second east approach thru lane at the Northlake Blvd./Coconut Blvd. intersection; OR
 - 3) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order. (BLDG PERMIT/DATE: MONITORING – Eng)
- b) Prior to December 31, 2010, acceptable surety for the intersection improvements listed in part a.2 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)
59. a) Building permits shall not be issued for development that generates more than 4,535 net external 2-way PM peak hour trips or after December 31, 2015, whichever occurs last, until either:
- 1) a CRALLS designation is adopted for the following intersection; or
 - 2) the contract has been let for the construction of the following improvements: second south approach thru lane, south approach free flow right turn lane, second and third north approach thru lanes, and second and third east approach thru lanes at the Indiantown Road/Pratt Whitney Road intersection; or
 - 3) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order. (BLDG PERMIT/DATE: MONITORING – Eng)
- b) Prior to December 31, 2012, acceptable surety for the intersection improvements listed in part a.2 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)
60. a) Building permits shall not be issued for development that generates more than 4,535 net external 2-way PM peak hour trips or after December 31, 2015, whichever occurs last, until either:
- 1) a CRALLS designation is adopted for the following intersection; or
 - 2) the contract has been let for the construction of the following improvements: east approach exclusive right turn lane at the Orange Blvd./Coconut Blvd. intersection; OR
 - 3) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order. (BLDG PERMIT/DATE: MONITORING – Eng)
- b) Prior to December 31, 2012, acceptable surety for the intersection improvements listed in part a.2 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road

Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)

61. a) Building permits shall not be issued for development that generates more than 5,321 net external 2-way PM peak hour trips or after December 31, 2017, whichever occurs last, until either:
- 1) a LOS Modification is adopted for the following intersection; or
 - 2) the contract has been let for the construction of the following improvements: second and third south approach thru lanes, second and third north approach thru lanes, second south approach left turn lane, second east approach left turn lane, and exclusive west approach right turn lane at the Beeline Highway/Pratt Whitney Road intersection; OR
 - 3) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order. (BLDG PERMIT/DATE: MONITORING – Eng)
- b) Prior to December 31, 2014, acceptable surety for the intersection improvements listed in part a.2 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)
62. a) Building permits shall not be issued for development that generates more than 5,321 net external 2-way PM peak hour trips or after December 31, 2017, whichever occurs last, until either:
- 1) a CRALLS designation is adopted for the following intersection; or
 - 2) the contract has been let for the construction of the following improvements: third south approach thru lane, third north approach thru lane, and second east approach left turn lane at the PGA Blvd./Seminole Pratt Whitney Road intersection; OR
 - 3) a local government development agreement consistent with sections 163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order. (BLDG PERMIT/DATE: MONITORING – Eng)
- b) Prior to December 31, 2014, acceptable surety for the intersection improvements listed in part a.2 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)
63. a) Building permits shall not be issued for development that generates more than 5,714 net external 2-way PM peak hour trips or after December 31, 2018, whichever occurs last, until either:
- 1) a LOS Modification is adopted for the following intersection; OR
 - 2) the contract has been let for the construction of the following improvements: third north approach thru lane, second and third north approach left turn lanes, third south approach thru lane, first and second south approach left turn lanes, exclusive west approach left turn lane, first second and third west approach thru lanes, free flow west approach right turn lane, first and second east approach thru lanes, and free flow east approach right turn lane at the PGA Blvd./Beeline Highway intersection.
 - 3) a local government development agreement consistent with sections

163.3220 through 163.3243, Florida Statutes has been executed and attached as an exhibit to the Development Order; or (BLDG PERMIT/DATE: MONITORING – Eng)

- b) Prior to December 31, 2015, acceptable surety for the intersection improvements listed in part a.2 above shall either be provided to the Land Development Division, a LOS modification shall be obtained, or construction of this improvement shall be included in Palm Beach County's 5 Year Road Program or the State Transportation Improvement Program. (DATE: MONITORING – Eng)

Other Issues

- 64. On October 1, 2007, and continuing every other year thereafter, the property owner shall submit an Biennial Status Report indicating the status (schedule) of guaranteed improvements. This Biennial Status Report shall be submitted to Palm Beach County Traffic Division, Florida Department of Transportation, Treasure Coast Regional Planning Council (TCRPC), and the Department of Community Affairs (DCA) as part of the Development of Regional Impact Biennial Report, and as follows:

- a) The Biennial Status Report shall list all roadway improvements needed to be constructed, the guaranteed date of completion for the construction of each needed improvement, the party responsible for the guaranteed construction of each improvement, and the form of the binding commitment that guarantees construction of each improvement.
- b) No further building permits shall be issued at the time the Biennial Status Report reveals any needed transportation improvement included in the Development Order is no longer scheduled or guaranteed, or has been delayed in schedule such that it is no longer guaranteed to be in place and operational, or under actual construction for the entire improvement consistent with the timing criteria established in this development order. (DATE:MONITORING-Eng)

- 65. Beginning January 1, 2008, the master developer/property owner shall submit an annual report to the Palm Beach County Planning Director and County Engineer that demonstrates compliance with all CRALLS mitigation measures as listed below.

Land Use / Site Planning Measure – Provide mixed/multiple land uses based upon the Florida Research Park Master Development Plan.

Land Use / Site Planning Measure – Concurrent with obtaining each certificate of occupancy, for a non-residential building located on a parcel 50 acres or greater, implement parking strategies that provide preferred parking for alternative vehicles and car pool vehicles.

Land Use / Site Planning Measure – Apply access management techniques along all roadways along project frontage.

Connectivity Measure – Provide access to more than one road including Beeline Highway and Seminole Pratt-Whitney Road.

Transit Measure – Coordinate with Palm Tran to provide a bus route(s) to/from the site by January 1, 2015 or 3 million square feet, whichever comes first.

Transit Measure – Provide onsite bus stop facilities (intermodal facility), within one year of provision of a bus service.

Transportation Demand Management (TDM) Measure – Provide an on-going ride-sharing information service to persons employed at the project site.

Transportation Demand Management (TDM) Measure – Proportionately and annually fund an Employee Transportation Coordinator position that will coordinate the individual businesses in Florida Research Park.

Transportation Demand Management (TDM) Measure – The Florida Research Park Transportation Coordinator shall encourage businesses of 500 employees or more to accommodate alternate work hours and telecommuting standards.

Upon review by the Palm Beach County Planning Director, the annual report shall

be submitted to the BCC for consideration in the event that any mitigation measures are not fulfilled. The BCC may then amend or rescind any or all provisions of the CRALLS. (DATE:MONITORING-Eng/Planning)

66. All required roadway improvements contained within all of the conditions of approval shall include the cost of acquisition of right of way. Right of way acquisition costs shall be determined by the County Engineer. Acquisition of Thoroughfare Plan Road rights-of-way shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include where appropriate as determined by the County Engineer provisions for Expanded Intersection Details and "Corner Clips." Additional property deemed necessary by the County Engineer for expanded intersections of on-site roads shall be designated as right-of-way and include corner clips. (ONGOING:ENG-Eng)

MASS TRANSIT

1. The developer shall coordinate with Palm Tran to provide a bus route(s) to/from the site by January 1, 2015 or 3 million square feet, whichever comes first. (DRO: PALM TRAN-Palm Tran)
2. The developer shall provide onsite bus stop facilities (intermodal facility), within one year of provision of a bus service. (DRO: PALM TRAN-Palm Tran)
3. The developer shall provide an on-going ride-sharing information service to persons employed at the project site. (DRO: PALM TRAN-Palm Tran)

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.

C

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:

1. This Development Order Amendment is not a substantial deviation to the approved Development of Regional Impact.
2. 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;
3. 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;
4. 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;

5. 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.
7. 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.
8. This Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.
9. 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.
10. 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 Aaronson moved for the approval of the Resolution.

The motion was seconded by Commissioner McCarty 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

BY:


COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

SHARON R. BOCK,
CLERK & COMPTROLLER

BY:


DEPUTY 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

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

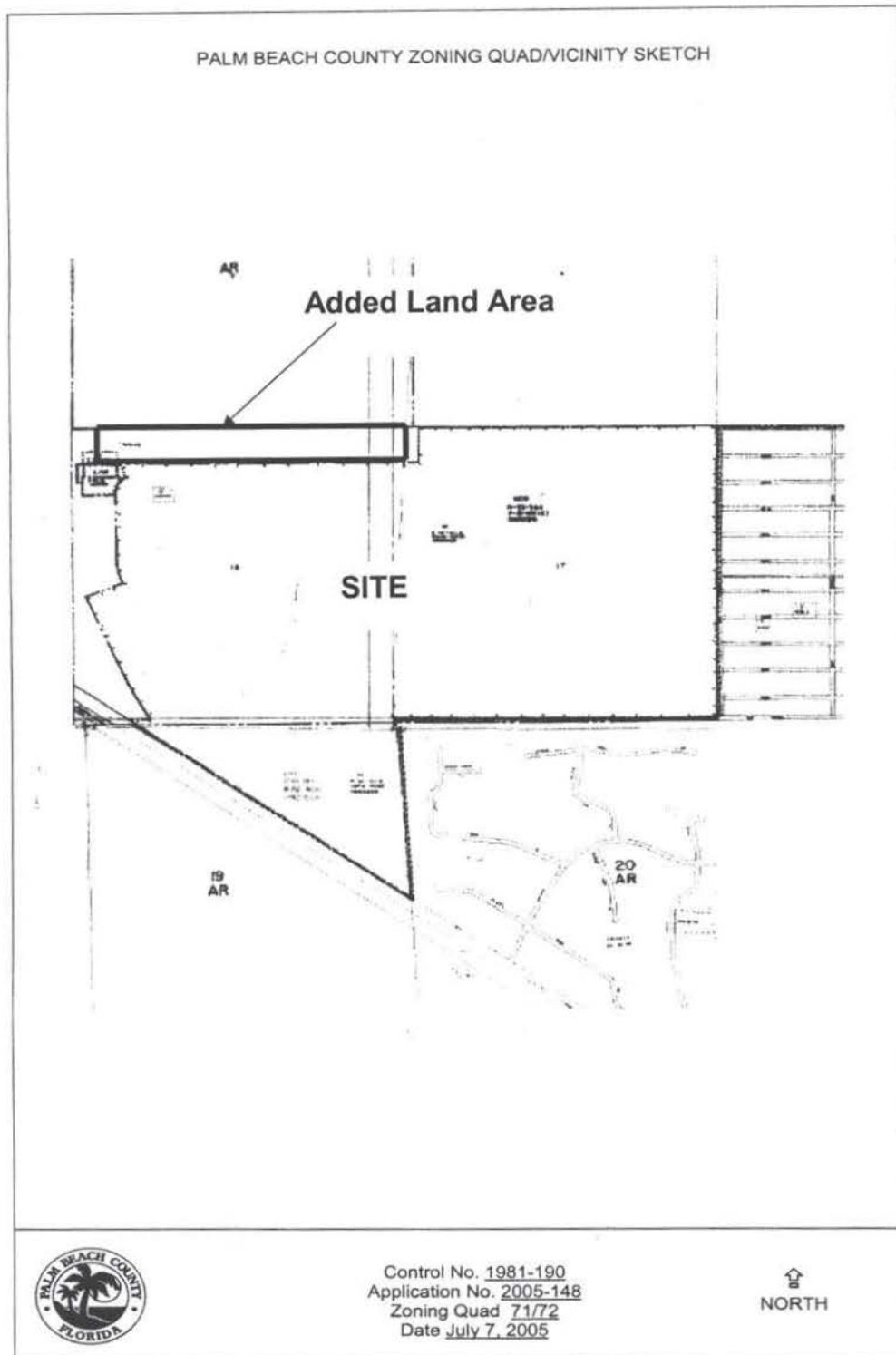


EXHIBIT C
CONDITIONS OF APPROVAL
(DRI)

SECTION I.

1. 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:

- A. Palm Beach Park of Commerce ADA, submitted September 4, 1981;
- B. Palm Beach Park of Commerce ADA Supplement, submitted October 21, 1981;
- C. Letter and attachments dated October 26, 1981 from Doug Winter to Jeanne Hall regarding Water, Drainage, and Vegetation and Wildlife;
- D. Letter and attachments dated November 13, 1981 from Donald Walker to Sam Shannon regarding Transportation;
- E. Letter and attachments dated November 18, 1981 from Donald Walker to Sam Shannon regarding Transportation;
- F. 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" ;
- H. Memorandum dated January 28, 1982 from Henry Skokowski to Tim Lunney restricting uses and establishing additional setbacks;
- I. 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)

3. 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)

4. 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;
- C. 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)

8. 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)

9. 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.

10. 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.

7. 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).

8. 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.

11. 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. ZR-2017- 043

RESOLUTION APPROVING ZONING APPLICATION ZV/DOA/CA-2017-00572
(CONTROL NO. 1981-00190)
TYPE II VARIANCE (CONCURRENT)
APPLICATION OF American Equities Ltd No 6
BY Urban Design Kilday Studios, AGENT
(PALM BEACH PARK OF COMMERCE SURF RANCH FLORIDA)

WHEREAS, the Zoning Commission, pursuant to Article 2 (Development Review Process) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Development Review Procedures) of the ULDC have been satisfied;

WHEREAS, Zoning Application ZV/DOA/CA-2017-00572 was presented to the Zoning Commission at a public hearing conducted on October 5, 2017;

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

WHEREAS, the Zoning Commission hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Process) for a Type II Variance;

WHEREAS, this approval is subject to Article 2.E (Monitoring) of the ULDC and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, this approval shall only become effective upon the adoption of a resolution approving Zoning Application ZV/DOA/CA-2017-00572 by the Board of County Commissioners;

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.A.1.K.3.a (Action by ZC) of the ULDC requires that action of the Zoning Commission be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING COMMISSION OF PALM BEACH COUNTY, FLORIDA, that Zoning Application ZV/DOA/CA-2017-00572, the Application of American Equities Ltd No 6, by Urban Design Kilday Studios, Agent, for a Type II Variance to eliminate the six-foot wall in a Type III Incompatibility buffer and allow an eight-foot chain link fence in the front setback on a parcel of land generally described as shown on the legal description in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on October 5, 2017, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof and variance request as described in EXHIBIT D, attached hereto and made a part hereof.

Commissioner Beatty moved for the approval of the Resolution.

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

Sheri Scarborough, Chair	- Aye
Sam Caliendo, Vice Chair	- Aye
Amir Kanel	- Aye
Joseph Snider	- Aye
Barbara Katz	- Aye
Carmin Priore	- Aye
Alex Brumfield III	- Absent
Mark Beatty	- Aye
Robert Currie	- Aye

Filed with the Palm Beach County Zoning Division on October 16, 2017.

This resolution shall not become effective unless or until the effective date of the resolution approving Zoning Application No. ZV/DOA/CA-2017-00572 by the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS ZONING COMMISSIONERS

BY:


COUNTY ATTORNEY

BY:


CHAIR

EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

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.

LESS AND EXCEPT THEREFROM THAT PORTION OF PROPERTY CONVEYED TO PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, CONTAINED IN THAT CERTAIN RIGHT OF WAY DEED RECORDED JULY 11, 2016 IN OFFICIAL RECORDS BOOK 28426, PAGE 19, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, DESCRIBED AS:

A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 41 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 18, THENCE SOUTH 89°08'21" EAST ALONG THE NORTH LINE OF SAID SECTION 18, A DISTANCE OF 60.02 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF PRATT-WHITNEY ROAD AS RECORDED IN OFFICIAL RECORDS BOOK 6, PAGE 18, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°08'21" EAST ALONG SAID NORTH LINE OF SECTION 18, A DISTANCE OF 85.60 FEET; THENCE SOUTH 00°27'12" EAST, A DISTANCE OF 67.02 FEET; THENCE SOUTH 45°12'14" WEST, A DISTANCE OF 35.76 FEET TO A POINT ON A LINE PARALLEL WITH AND 60.00 FEET EAST OF SAID EAST RIGHT-OF-WAY LINE OF PRATT-WHITNEY ROAD; THENCE SOUTH 00°27'12" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 567.57 FEET TO A POINT ON THE NORTH LINE OF TRACT B, AS SHOWN ON PALM BEACH PARK OF COMMERCE, P.I.P.D., PLAT NO. 1, AS RECORDED IN PLAT BOOK 56, PAGES 172-176, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, FLORIDA; THENCE NORTH 89°08'21" WEST ALONG SAID NORTH LINE OF TRACT B, A DISTANCE OF 60.02 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE OF PRATT-WHITNEY ROAD; THENCE NORTH 00°27'12" WEST ALONG SAID EAST RIGHT-OF-WAY LINE OF PRATT-WHITNEY ROAD, A DISTANCE OF 660.17 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

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

TOTAL LAND AREA CONTAINING 78.906 ACRES MORE OR LESS.

ALSO KNOW AS:

LOT 1:

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

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DISTANCE OF 10.74 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 58.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 208°20'28", A DISTANCE OF 210.90 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 52°57'29", A DISTANCE OF 23.11 FEET TO THE POINT OF TANGENCY; THENCE NORTH 89°08'14" WEST, A DISTANCE OF 4.81 FEET; THENCE SOUTH 00°51'46" WEST, A DISTANCE OF 20.00 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 15.00 FEET FROM WHICH A RADIAL LINE BEARS SOUTH 00°52'01" WEST; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 49°49'12", A DISTANCE OF 13.04 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 78.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 61°45'06", A DISTANCE OF 84.07 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 45.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°03'53", A DISTANCE OF 8.69 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 90°00'00" EAST, A DISTANCE OF 50.68 FEET; THENCE SOUTH 00°51'36" WEST, A DISTANCE OF 296.83 FEET; THENCE SOUTH 89°08'24" EAST, A DISTANCE OF 81.50 FEET; THENCE SOUTH 00°51'36" WEST, A DISTANCE OF 208.52 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF CANAL TRACT 1, PALM BEACH PARK OF COMMERCE, P.I.P.D, PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 56, PAGES 172 THROUGH 176 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE, ALONG THE NORTH LINE OF SAID CANAL TRACT 1, NORTH 89°08'21" WEST, A DISTANCE OF 2193.27 FEET TO A POINT OF INTERSECTION WITH THE AFORESAID EAST RIGHT-OF-WAY LINE OF PRATT WHITNEY ROAD; THENCE, ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES, NORTH 00°27'12" WEST, A DISTANCE OF 567.57 FEET; THENCE NORTH 45°12'14" EAST, A DISTANCE OF 35.76 FEET; THENCE NORTH 00°27'12" WEST, A DISTANCE OF 67.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 32.249 ACRES, MORE OR LESS.

TOGETHER WITH:

LOT 2:

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

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 18; THENCE SOUTH 89°08'21" EAST, ALONG THE NORTH LINE OF SAID SECTION 18, A DISTANCE OF 2138.36 FEET TO THE POINT OF BEGINNING; THENCE, CONTINUING ALONG SAID NORTH LINE OF SECTION 18, SOUTH 89°08'21" EAST, A DISTANCE OF 2791.60 FEET TO THE NORTHEAST CORNER OF SAID SECTION 18 AND THE NORTHWEST CORNER OF SAID SECTION 17; THENCE, ALONG THE NORTH LINE OF SAID SECTION 17, SOUTH 88°56'14" EAST, A DISTANCE OF 410.00 FEET; THENCE, DEPARTING SAID NORTH LINE OF SAID SECTION 17, SOUTH 01°06'57" WEST, A DISTANCE OF 660.00 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF CANAL TRACT 1, PALM BEACH PARK OF COMMERCE, P.I.P.D, PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 56, PAGES 172 THROUGH 176 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE, ALONG THE NORTH LINE OF SAID CANAL TRACT 1, NORTH 88°56'14" WEST, A DISTANCE OF 410.00 FEET; THENCE, CONTINUING ALONG SAID NORTH LINE OF CANAL TRACT1, NORTH 89°08'21" WEST, A DISTANCE OF 2598.57 FEET; THENCE, DEPARTING SAID NORTH LINE OF CANAL TRACT1, NORTH 00°51'36" EAST, A DISTANCE OF 208.52 FEET; THENCE NORTH 89°08'24" WEST, A DISTANCE OF 81.50 FEET; THENCE NORTH 00°51'36" EAST, A DISTANCE OF 296.83 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 50.68 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF

45.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $11^{\circ}03'53''$, A DISTANCE OF 8.69 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 78.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $61^{\circ}45'06''$, A DISTANCE OF 84.07 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 15.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $49^{\circ}49'12''$, A DISTANCE OF 13.04 FEET; THENCE NORTH $00^{\circ}51'46''$ EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH $89^{\circ}08'14''$ EAST, A DISTANCE OF 4.81 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 25.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $52^{\circ}57'29''$, A DISTANCE OF 23.11 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 58.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $208^{\circ}20'28''$, A DISTANCE OF 210.90 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $24^{\circ}37'01''$, A DISTANCE OF 10.74 FEET TO THE POINT OF TANGENCY; THENCE NORTH $89^{\circ}08'14''$ WEST, A DISTANCE OF 46.92 FEET; THENCE NORTH $00^{\circ}51'39''$ EAST, A DISTANCE OF 25.06 FEET TO THE POINT OF BEGINNING.

CONTAINING 46.657 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

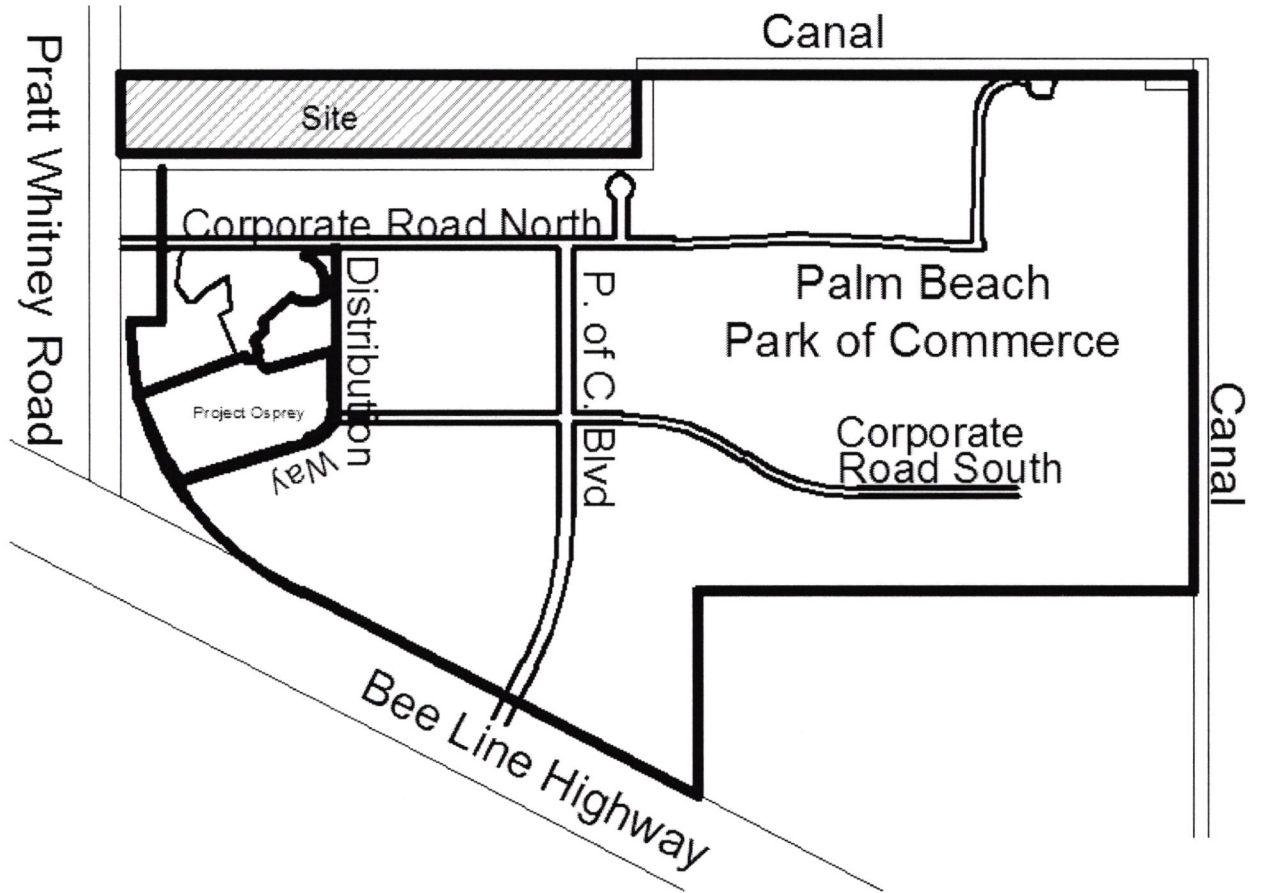


EXHIBIT C

CONDITIONS OF APPROVAL

Type II Variance - Concurrent

ALL PETITIONS-VARIANCES 3 AND 4 (78.91 ACRE GENERAL INDUSTRIAL AND REGIONAL RECREATION POD)

1. The approved Preliminary Site Plan for the 78.91 acre site located in the northwest corner of the Park of Commerce, and the approved Preliminary Development Plan, are dated August 17, 2017. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Zoning Commission. (ONGOING: ZONING - Zoning) (DRO/ONGOING: ZONING - Zoning)

LANDSCAPE - GENERAL-VARIANCES 3 AND 4 (78.91 ACRE GENERAL INDUSTRIAL AND REGIONAL RECREATION POD)

1. Prior to final DRO approval, the Final Site Plan and all related Plans shall be amended for the area subject to the request for Variance 4, as follows:

- a. the requested eight-foot (8') fence shall be black or green vinyl coated in areas visible from the cul-de-sac used for access to the subject site, and abutting the parking lot and access way, with exception to fencing located within the north Landscape Buffers and ERM access easement;
- b. delineate the five foot (5') Compatibility Buffer within the western boundary of the Regional Recreation Pod and incorporate the fence where applicable;
- c. delineate a minimum setback of two and one-half feet (2.5') for the fence from abutting parking areas and internal access ways; and,
- d. where the proposed fence is not located within a Buffer and is visible from the R-O-W, provide a minimum of one canopy tree or palm for each 20 linear feet, with one shrub or ground cover for each ten square feet of planting area. (DRO: ZONING - Zoning)

LANDSCAPE - PERIMETER-VARIANCES 3 AND 4 (78.91 ACRE GENERAL INDUSTRIAL AND REGIONAL RECREATION POD)

2. Prior to final DRO approval, all applicable Plans referencing the "25' Wide Type III Incompatibility Buffer Detail and Cross Section - West 2,040 feet of North Buffer - Subject of Variance", shall be amended as follows:

- a. comply with Type III Incompatibility Buffer requirements;
- b. incorporate a six foot (6') chain link fence; and,
- c. easement encroachment may be permitted to allow for compliance with ERM Conditions of Approval requiring easement dedication to allow for access to the Pine Glade Natural Area. (DRO: ZONING - Zoning)

USE LIMITATIONS-VARIANCES 3 AND 4 (78.91 ACRE GENERAL INDUSTRIAL AND REGIONAL RECREATION PODS)

1. Variances 3 and 4 are approved for the 78.91 acre parcel located in the northwest corner of the Park of Commerce, and the 46.66 acre Outdoor Entertainment use (aka Surf Ranch Florida), as shown on the Preliminary Site Plan and Preliminary Development Plan dated August 17, 2017. Any change to the Outdoor Entertainment use, beyond the authority of the Development Review Officer as established in the Unified Land Development Code, shall require reconsideration of the Variances by the Zoning Commission. (ONGOING: ZONING - Zoning)

COMPLIANCE

1. In Granting this Approval, the Zoning Commission relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause

the approval to be presented to the Board of County Commissioners for review under the compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)

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

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

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

DISCLOSURE

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

EXHIBIT D

REQUEST

ULDC Article	Required	Proposed	Variance
V3 - Art. 3.E.5.B.2.a, Perimeter Buffers	Industrial Pods adjacent to the boundary of a PIPD to provide a 25' Type 3 Incompatibility Buffer.	Waive Requirement for six foot (6') wall in the Incompatibility Buffer along the IG Pod	Waive Requirement for six foot (6') wall in the Incompatibility Buffer along the IG Pod
V4 - 5.B.1.A.2.b.2.	Maximum six-foot (6') height fence in front setback.	Allow eight-foot (8') chain link fence in front setback.	Allow eight-foot (8') chain link fence in front setback.

SITUS ADDRESS:	Vacant		
OWNER NAME & ADDRESS:	American Equities Ltd No 6 150 Alhambra Cir, # 800 Miami, FL 33134-4534		
PCN:	00-41-41-17-00-000-3020		
ZONING DISTRICT:	PIPD		
BCC DISTRICT:	1		
PROJECT MANAGER:	Lorraine Fuster, Site Planner II		
LAND USE:	IND	S/T/R: 17-41-41	
CONTROL #:	1981-00190		
LOT AREA:	78.91 acres +/-		
APPLICANT REQUEST:	to eliminate the six-foot wall in a Type III Incompatibility buffer; allow an eight-foot chain link fence in the front setback; and, eliminate both the vehicular and non-vehicular cross-access to the PIPD.		

RESOLUTION NO. **ZR-2017 - 044**

RESOLUTION APPROVING ZONING APPLICATION ZV/DOA/CA-2017-00572
(CONTROL NO. 1981-00190)
TYPE II VARIANCE (*CONCURRENT*)
APPLICATION OF American Equities Ltd No 6
BY Urban Design Kilday Studios, AGENT
(PALM BEACH PARK OF COMMERCE SURF RANCH FLORIDA)

WHEREAS, the Zoning Commission, pursuant to Article 2 (Development Review Process) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Development Review Procedures) of the ULDC have been satisfied;

WHEREAS, Zoning Application ZV/DOA/CA-2017-00572 was presented to the Zoning Commission at a public hearing conducted on October 5, 2017;

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

WHEREAS, the Zoning Commission hereby finds that this Variance meets all the Standards contained in Article 2.B for a Type II Variance;

WHEREAS, this approval is subject to Article 2.E (Monitoring) of the ULDC and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, this approval shall only become effective upon the adoption of a resolution approving Zoning Application ZV/DOA/CA-2017-00572 by the Board of County Commissioners;

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.A.1.K.3.a (Action by ZC) of the ULDC requires that action of the Zoning Commission be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING COMMISSION OF PALM BEACH COUNTY, FLORIDA, that Zoning Application ZV/DOA/CA-2017-00572, the Application of American Equities Ltd No 6, by Urban Design Kilday Studios, Agent, for a Type II Variance to eliminate both the vehicular and non-vehicular cross-access to the PIPD on a parcel of land generally described as shown on the legal description in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on October 5, 2017, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof and Variance request as described in EXHIBIT D, attached hereto and made a part hereof.

Commissioner Beatty moved for the approval of the Resolution.

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

Sheri Scarborough, Chair	- Aye
Sam Caliendo, Vice Chair	- Aye
Amir Kanel	- Aye
Joseph Snider	- Aye
Barbara Katz	- Aye
Carmin Priore	- Aye
Alex Brumfield III	- Absent
Mark Beatty	- Aye
Robert Currie	- Aye

Filed with the Palm Beach County Zoning Division on October 16, 2017.

This resolution shall not become effective unless or until the effective date of the resolution approving Zoning Application No. ZV/DOA/CA-2017-00572 by the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS ZONING COMMISSIONERS

BY:


COUNTY ATTORNEY

BY:

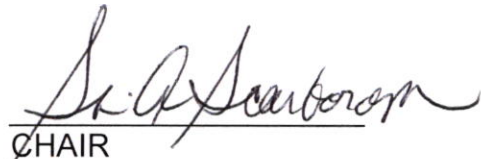

CHAIR

EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

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.

LESS AND EXCEPT THEREFROM THAT PORTION OF PROPERTY CONVEYED TO PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, CONTAINED IN THAT CERTAIN RIGHT OF WAY DEED RECORDED JULY 11, 2016 IN OFFICIAL RECORDS BOOK 28426, PAGE 19, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, DESCRIBED AS:

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PARCEL 2:

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

TOTAL LAND AREA CONTAINING 78.906 ACRES MORE OR LESS.

ALSO KNOW AS:

LOT 1:

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

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 18; THENCE SOUTH 89°08'21" EAST, ALONG THE NORTH LINE OF SAID SECTION 18, A DISTANCE OF 145.62 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF PRATT WHITNEY ROAD AS RECORDED IN OFFICIAL RECORD BOOK 28426, PAGE 19 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND THE POINT OF BEGINNING;

THENCE, DEPARTING SAID EAST RIGHT-OF-WAY LINE, CONTINUING ALONG SAID NORTH LINE OF SECTION 18, THENCE SOUTH 89°08'21" EAST, A DISTANCE OF 1992.74 FEET; THENCE, DEPARTING SAID NORTH LINE OF SECTION 18, SOUTH 00°51'39" WEST, A DISTANCE OF 25.06 FEET; THENCE SOUTH 89°08'14" EAST, A DISTANCE OF 46.92 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 25.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 24°37'01", A

DISTANCE OF 10.74 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 58.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 208°20'28", A DISTANCE OF 210.90 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 52°57'29", A DISTANCE OF 23.11 FEET TO THE POINT OF TANGENCY; THENCE NORTH 89°08'14" WEST, A DISTANCE OF 4.81 FEET; THENCE SOUTH 00°51'46" WEST, A DISTANCE OF 20.00 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 15.00 FEET FROM WHICH A RADIAL LINE BEARS SOUTH 00°52'01" WEST; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 49°49'12", A DISTANCE OF 13.04 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 78.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 61°45'06", A DISTANCE OF 84.07 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 45.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°03'53", A DISTANCE OF 8.69 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 90°00'00" EAST, A DISTANCE OF 50.68 FEET; THENCE SOUTH 00°51'36" WEST, A DISTANCE OF 296.83 FEET; THENCE SOUTH 89°08'24" EAST, A DISTANCE OF 81.50 FEET; THENCE SOUTH 00°51'36" WEST, A DISTANCE OF 208.52 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF CANAL TRACT 1, PALM BEACH PARK OF COMMERCE, P.I.P.D, PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 56, PAGES 172 THROUGH 176 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE, ALONG THE NORTH LINE OF SAID CANAL TRACT 1, NORTH 89°08'21" WEST, A DISTANCE OF 2193.27 FEET TO A POINT OF INTERSECTION WITH THE AFORESAID EAST RIGHT-OF-WAY LINE OF PRATT WHITNEY ROAD; THENCE, ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES, NORTH 00°27'12" WEST, A DISTANCE OF 567.57 FEET; THENCE NORTH 45°12'14" EAST, A DISTANCE OF 35.76 FEET; THENCE NORTH 00°27'12" WEST, A DISTANCE OF 67.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 32.249 ACRES, MORE OR LESS.

TOGETHER WITH:

LOT 2:

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

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 18; THENCE SOUTH 89°08'21" EAST, ALONG THE NORTH LINE OF SAID SECTION 18, A DISTANCE OF 2138.36 FEET TO THE POINT OF BEGINNING; THENCE, CONTINUING ALONG SAID NORTH LINE OF SECTION 18, SOUTH 89°08'21" EAST, A DISTANCE OF 2791.60 FEET TO THE NORTHEAST CORNER OF SAID SECTION 18 AND THE NORTHWEST CORNER OF SAID SECTION 17; THENCE, ALONG THE NORTH LINE OF SAID SECTION 17, SOUTH 88°56'14" EAST, A DISTANCE OF 410.00 FEET; THENCE, DEPARTING SAID NORTH LINE OF SAID SECTION 17, SOUTH 01°06'57" WEST, A DISTANCE OF 660.00 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF CANAL TRACT 1, PALM BEACH PARK OF COMMERCE, P.I.P.D, PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 56, PAGES 172 THROUGH 176 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE, ALONG THE NORTH LINE OF SAID CANAL TRACT 1, NORTH 88°56'14" WEST, A DISTANCE OF 410.00 FEET; THENCE, CONTINUING ALONG SAID NORTH LINE OF CANAL TRACT1, NORTH 89°08'21" WEST, A DISTANCE OF 2598.57 FEET; THENCE, DEPARTING SAID NORTH LINE OF CANAL TRACT1, NORTH 00°51'36" EAST, A DISTANCE OF 208.52 FEET; THENCE NORTH 89°08'24" WEST, A DISTANCE OF 81.50 FEET; THENCE NORTH 00°51'36" EAST, A DISTANCE OF 296.83 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 50.68 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF

45.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°03'53", A DISTANCE OF 8.69 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 78.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 61°45'06", A DISTANCE OF 84.07 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 15.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 49°49'12", A DISTANCE OF 13.04 FEET; THENCE NORTH 00°51'46" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 89°08'14" EAST, A DISTANCE OF 4.81 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 25.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 52°57'29", A DISTANCE OF 23.11 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 58.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 208°20'28", A DISTANCE OF 210.90 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 24°37'01", A DISTANCE OF 10.74 FEET TO THE POINT OF TANGENCY; THENCE NORTH 89°08'14" WEST, A DISTANCE OF 46.92 FEET; THENCE NORTH 00°51'39" EAST, A DISTANCE OF 25.06 FEET TO THE POINT OF BEGINNING.

CONTAINING 46.657 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

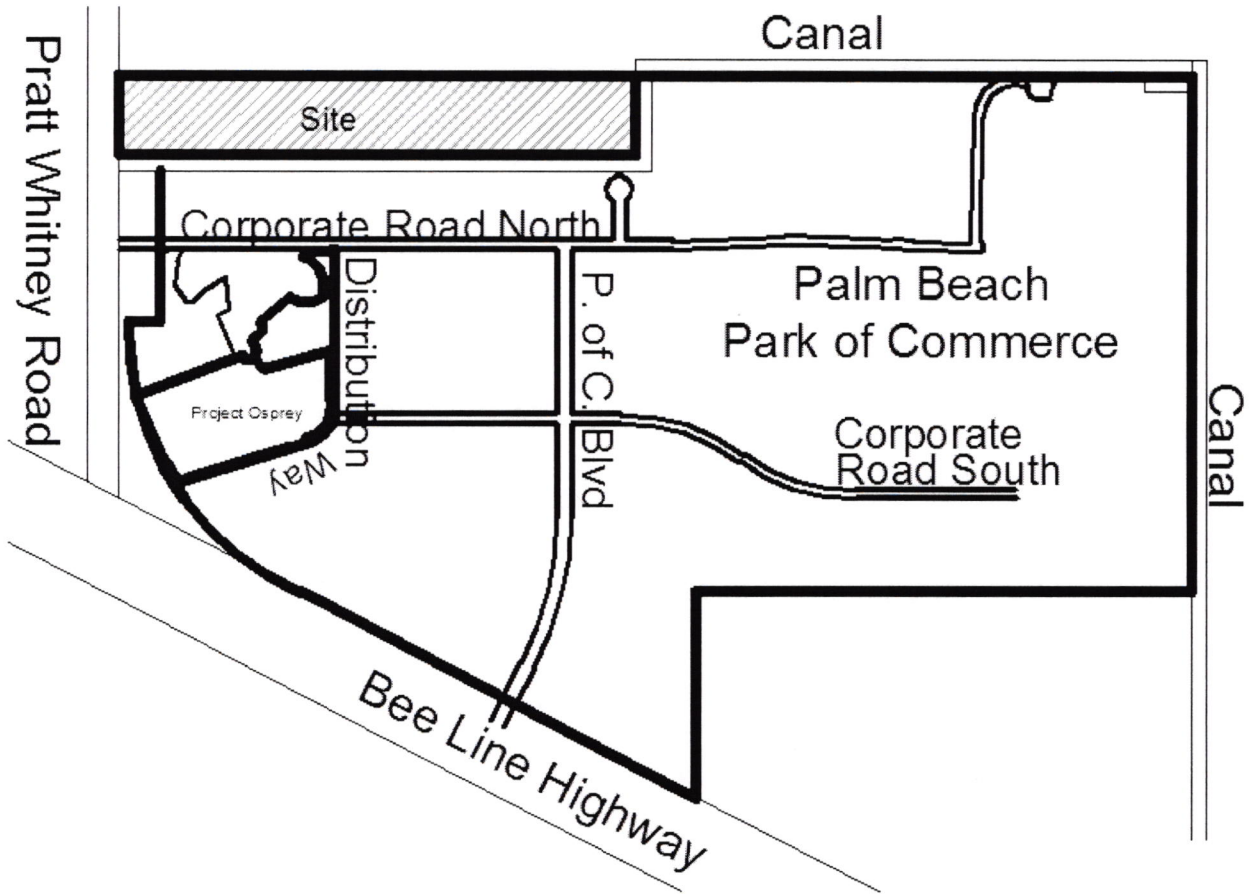


EXHIBIT C

CONDITIONS OF APPROVAL

Type II Variance - Concurrent

ALL PETITIONS-VARIANCES 1 AND 2 (78.91 ACRE GENERAL INDUSTRIAL AND REGIONAL RECREATION POD)

1. The approved Preliminary Site Plan for the 78.91 site located in the northwest corner of the Park of Commerce is dated August 17, 2017. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Zoning Commission. (DRO/ONGOING: ZONING - Zoning)

USE LIMITATIONS-VARIANCES 1 AND 2 (78.91 ACRE GENERAL INDUSTRIAL AND REGIONAL RECREATION PODS)

1. Variances 1 and 2 are approved for the 78.91 acre parcel located in the northwest corner of the Park of Commerce, which is comprised of 11.6 acres shown for future General Industrial development uses, and a 46.6 acre Outdoor Entertainment use (aka Surf Ranch Florida), as shown on the Preliminary Site Plan and Preliminary Development Plan dated August 17, 2017. Any changes to increase the 11.6 acres of future General Industrial uses, or change the Outdoor Entertainment use, beyond the authority of the Development Review Officer as established in the Unified Land Development Code, shall require reconsideration of the Variance by the Zoning Commission. (ONGOING: ZONING - Zoning)

COMPLIANCE

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

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

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

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

DISCLOSURE

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

EXHIBIT D
REQUEST

ULDC Article	Required	Proposed	Variance
V1 - Art. 3.E.1.C.1.b [Related Design Objectives] to	Provide a continuous, non-vehicular circulation system which connects uses, public entrances to buildings, recreation areas, amenities, usable open space, and other land improvements within and adjacent to the PDD	Eliminate non-vehicular circulation system between parcel and balance of the PDD	Eliminate non-vehicular circulation system between parcel and balance of the PDD
V2 - Art. 3.E.1.C.2.h.4, Cross Access	Cross access shall be provided to adjacent internal uses/properties, if required by the DRO.	Eliminate Cross access to the balance of the PDD	Eliminate Cross access to the balance of the PDD

SITUS ADDRESS:	Vacant	
OWNER NAME & ADDRESS:	American Equities Ltd No 6 150 Alhambra Cir, # 800 Miami, FL 33134-4534	
PCN:	00-41-41-17-00-000-3020	
ZONING DISTRICT:	PIPD	
BCC DISTRICT:	1	
PROJECT MANAGER:	Lorraine Fuster, Site Planner II	
LAND USE:	IND	S/T/R: 17-41-41
CONTROL #:	1981-00190	
LOT AREA:	78.91 acres +/-	
APPLICANT REQUEST:	to eliminate the six-foot wall in a Type III Incompatibility buffer; allow an eight-foot chain link fence in the front setback; and, eliminate both the vehicular and non-vehicular cross-access to the PIPD.	

EXHIBIT "C"

DEVELOPMENT REVIEW OFFICER CONTACTS

ADDRESSING

Sean MacDonald
561-233-5316
2300 North Jog Road, 2nd Fl. West Wing
West Palm Beach, FL 33411
SMacдона@pbcgov.org

AIRPORTS

Jerry Allen / Wil Hicks
561 471-7423 / 471-7491 Fax: 471-7462 / 7427
Bldg. 846, PBIA
W.Palm Bch. 33411-1491
Jallen@pbia.org
WHicks@pbia.org

BUILDING

Joe Rosselot
561-233-5117 Fax: 561-242-7129
2300 Jog Road, 1st Fl. East Wing
West Palm Beach, FL 33411
JRosselo@pbcgov.org

CODE ENFORCEMENT

Robert Santos / Gail James
(561) 233-5503 561-233-5507
Fax: 561-233-5517
2300 Jog Road, 2nd Fl West Wing
West Palm Beach, FL 33411
RSantosAlborna@pbcgov.org
GVorpage@pbcgov.org

COUNTY ATTORNEY

Lisa Barajas, Paralegal
(561) 355-3388
301 North Olive Avenue
West Palm Beach, FL 33401
LBarajas@pbcgov.org

ERM

Robert Kraus
561-233-2476 Fax: 561-233-2414
2300 N. Jog Road, 4th Floor
West Palm Beach, FL 33411
BKraus@pbcgov.org

FIRE RESCUE

Pedro Segovia
561-233-0054 Fax: 561-233-0057
2300 Jog Road, 1st Fl. West Wing
West Palm Beach, FL 33411
PSegovia@pbcgov.org

HEALTH

Kenny Wilson / Janelle St Ange / Winston Davis
561-837-5900 ext 5985 Fax: 561-837-5295
800 Clematis Street (Mailing: PO Box 29)
West Palm Beach, FL 33401 (33402-0029)
Kenny.wilson@flhealth.gov

INDIAN TRAIL IMPROVEMENT DISTRICT

James Shallman
561-793-0874
JShallman@indiantrails.com

LANDSCAPE

Rodney Swonger
561-233-5038 Fax: 561-233-5165
2300 Jog Road, 2nd Fl. East Wing
West Palm Beach, FL 33411
RSwonger@pbcgov.org

LAND DEVELOPMENT

Sunil (Bobby) Jagoo / Scott Cantor
561-684-4090
Fax: 561-684-4123
2300 Jog Road, 3rd Fl. West Wing
West Palm Beach, FL 33411
SJagoo@pbcgov.org
SCantor@pbcgov.org

LWDD

Anne Perry / David Bends
561-498-5363 Fax: 561-495-9694
13081 So. Military Trail
Delray Beach, FL 33484
APerry@lwdd.net
dbends@lwdd.net

MPO

Kevin Fischer/Renee Cross
561-478-5747 / 561-478-5748
kfisher@palmbeachmpo.org
rcross@palmbeachmpo.org

PALM TRAN

Steve Anderson / Christian Londono
561-841-4246 / 561-841-4312
Fax: 561-656-7441
3201 Electronics Way
West Palm Beach, FL 33407
SAnderson@pbcgov.org
CLondono@pbcgov.org

PARKS & RECREATION

Jean Matthews / Bob Hamilton / Edwin Muller
561-966-6652 / 561-966-6659
Fax: 561-963-6747
2700 Sixth Avenue South
Lake Worth, FL 33461
JMatthew@pbcgov.org
RHamilton@pbcgov.org
EMuller1@pbcgov.org

PLANNING

Sussan Gash
561-233-5339
Fax: 561-233-5365
2300 Jog Road, 2nd Fl. East Wing
West Palm Beach, FL 33411
SGash@pbcgov.org

PREM

Pete Banting
561-233-0213 Fax: 561-233-0210
2633 Vista Parkway
West Palm Beach, FL 33411-5605
PBanting@pbcgov.org

SCHOOL BOARD

Michael C. Owens
561-882-1938 Fax: 561-882-1942
3661 Interstate Park Road North, Suite 200
Riviera Beach, FL 33404
michael.owens.1@palmbeachschools.org

SOUTH INDIAN TRAIL W.C.D

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

SURVEY

Gary Wheeler
561-684-4054 Fax: 561-684-4171
2300 Jog Road, 3rd Fl, West Wing
West Palm Beach, FL 33411
GWheeler@pbcgov.org

TRAFFIC

Quazi Bari, P.E.
561-684-4030
2300 Jog Road, 3rd Fl., East Wing
West Palm Beach, FL 33411
qbari@pbcgov.org

DEVELOPMENT REVIEW OFFICER CONTACTS

WATER UTILITIES

Adam Galicki / Jackie Michels
561-493-6122 / 561-493-6116
Fax: 561-493-6113
PO Box 16097
8100 Forest Hill Blvd., West Palm Beach, FL 33416
AGalicki@pbcwater.org
JMichels@pbcgov.org

ZONING

561-233-5200 Fax: 561-233-5165
Nancy Frontany / Stacey Smalls
Secretary
561-233-5041 / 561-233-5221
2300 Jog Road, 2nd Fl., East Wing
West Palm Beach, FL 33411
MDavis@pbcgov.org
SSmalls@pbcgov.org

Wendy Hernandez
Zoning Manager
561-233-5218
WNhernan@pbcgov.org

Cc

Carrie Rechenmacher
Senior Site Planner
561-233-5209
CRechenm@pbcgov.org

Meredith Leigh
Site Planner II
561-233-5278
MLEigh@pbcgov.org

Carolina Valera
Senior Site Planner
561-233-5222
CValera@pbcgov.org

Yoan Machado
Site Planner II
561-233-5402
YMachado@pbcgov.org

Roger Ramdeen
Senior Site Planner
561-233-5584
RRamdeen@pbcgov.org

Donna Adelsperger
Site Planner I
561-233-5224
DAdelspe@pbcgov.org

Carlos Torres
Site Planner II
561-233-5570
CTorres@pbcgov.org

Diego Peñaloza
Site Planner I
561-233-5210
DPenaloza@pbcgov.org

Josue Leger
Site Planner II
561-233-5207
jleger@pbcgov.org

Jaylene Davis
Site Planner Technician
561-233-5575
MDavis@pbcgov.org

EXHIBIT "D"



Palm Beach County Zoning Division
2300 N. Jog Road
West Palm Beach, Florida 33411
Phone: (561) 233-5200
FAX: (561) 233-5165

PRE-SUBMITTAL MEETING CHECKLIST

PRE-SUBMITTAL MEETING DATE: _____ SITE PLANNER: _____

CONTROL #: _____ PCN Application #: _____ Proposed Intake Date: _____

Agent/Firm & Phone #: _____

A. Application Name: _____ BCC District: _____

B. PCN: _____ ADDRESS: _____

C. ZONING DISTRICT: _____ E. LAND USE: _____

D. TIER: [] U/S [] R/EX [] AGR [] GLADES F. OVERLAY/SPECIAL STUDY AREA: _____

G. Is the Zoning District consistent with the Future Land Use designation? Yes [] No []

H. Is the Property located within the Urban Redevelopment Area (URA)? Yes [] No []

Is your property within a Primary Redevelopment Area? Yes [] No [] Use the PRAO Checklist Form #106

PROPOSED REQUEST: _____

Prior Approval Yes [] No [] Prior Use: _____ Revoke: Yes [] No []

FINAL DRO

[] Original DRO

[] Revision to an Approved Site/Master Plan or Subdivision Plan

[] Off-the-Board within 2 months

PUBLIC HEARING

[] Rezoning (Standard District): from _____ to _____

[] PDD (Planned Development District): from _____ to _____

[] Class A Conditional Use _____

[] Class B Conditional Use _____

[] Development Order Amendment:

Reconfigure Master/ Site/ Subdivision Plans: Yes [] No []

Add/delete land area: Yes [] No [] Acreage: _____

Add units: Yes [] No [] Number/Type _____ WFH: _____ TDR: _____

Workforce Housing pre-application approval: Yes [] No []

Add square footage: Yes [] No [] sq. ft. _____

Add access point: Yes [] No [] Where: _____

Addition of (children/adults; pumps, seats, etc): Yes [] No [] Number: _____

Modification of condition(s): Yes [] No []

Resolution #: R- _____

Condition heading / # _____

Condition heading / # _____

Condition heading / # _____

Agent must provide the status of all conditions of approval.

[] Development Order Abandonment

[] Expedited Application Consideration: Yes [] No [] Change: _____

[] Type II Zoning Variance: [] Concurrent [] Stand Alone

PROPOSED DOCUMENT APPROVAL

[] Alt Landscape Plan _____	[] Site Plan _____
[] Architectural Elevations: Yes [] No []	[] Subdivision Plan _____
[] Condition Amendment or Time Extension	[] 10% Expansion of Nonconformity _____
[] Master Plan _____	[] Other: _____
[] Master Sign Plan _____	[] Phasing Plan _____
[] Re-approval of Plan Subject to Sec. 2.E	[] Regulating Plan _____

POSSIBLE REQUIRED DOCUMENTS (not an inclusive list)

[] Base Building Line Waiver	[] Shared Parking Study
[] Consent Forms	[] Survey Abstracted within one year: Yes [] No []
[] Cost of Improvements (Article 1)	[] TDR Documents
[] Cross Access Agreement	[] Tree Survey
[] Cross Parking Agreement	[] Traffic Statement/Study
[] Developer/Development Agreement	[] Unity of Control

<input type="checkbox"/> Drainage Statement	<input type="checkbox"/> Unity of Title
<input type="checkbox"/> Easement/deed restrictions	<input type="checkbox"/> Westgate CRA approval
<input type="checkbox"/> Elevations	<input type="checkbox"/> Workforce Housing pre-application approval
<input type="checkbox"/> Internal Traffic Study	<input type="checkbox"/> Visual Impact Analysis
<input type="checkbox"/> Propagation Study	<input type="checkbox"/> Restrictive Covenants
<input type="checkbox"/> Removal Agreement	<input type="checkbox"/> Settlement Agreement
<input type="checkbox"/> Other: _____	

ULDC Articles

ARTICLE 1

Previous Approval Threshold
Non-conforming Structure
Non-conforming Use
Non-conforming Lot
Other _____

ARTICLE 2

Requests Process questions: _____

ARTICLE 3

Overlay District (Setbacks, Uses, Parking, and Landscaping)
Property Development Regulations (Setbacks, FAR,)
Townhouse and/or ZLL requirements
District Specific Regs (RM and MR-5, Hours of Operation, Enclosed Uses)
PDD/TDD Districts (Land use vs. PDD; Uses; Setbacks; Parking; Design Objectives; Cul-de-sac waivers; Cross Access; Frontage; Landscaping and easements, exemplary)

ARTICLE 4

Specific Use Regulations

ARTICLE 5

Accessory Uses/Structures
Fences/Walls, Pools, Enclosures, Bike Racks; Generators
Architectural Guidelines
Parks and Recreation rules and standards
TDR/Workforce Housing
Performance Standards (intersection/location criteria)
Noise and Lighting
Legal Documents and Easements

ARTICLE 6

Parking, Loading and Driveways
Queuing
Grass Parking
Pervious surface

ARTICLE 7

Perimeter Buffers (R/W, Compatible, Incompatible), Foundation plantings, interior/terminal islands, pervious surfaces, plant material)
Alternative Landscape Plan
Grade changes

ARTICLE 8

Master Sign Program/Plan
Ground Mounted signs
Building Mounted signs

General Notes / Comments Discussed between Staff and Agent

STAFF TO PRINT OFF A FEE ESTIMATE FOR THE APPLICANT

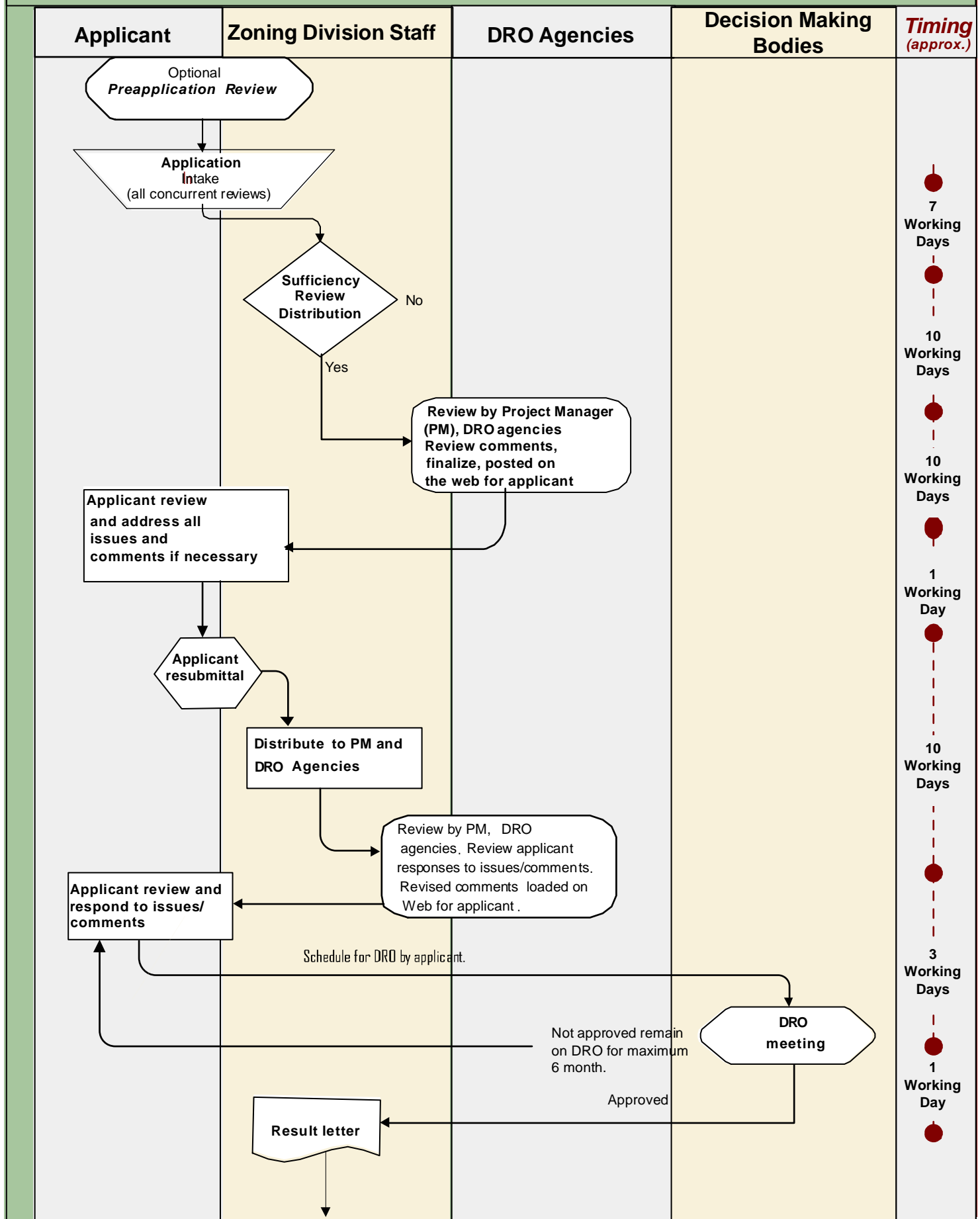
EXHIBIT "E"

Concurrent Review Process Public Hearing Type II,III

Palm Beach County, Florida
Zoning Division
August 2010



For concurrent final site plan, building permit, Land Development permit review & plat reviews.



Concurrent Review Process Public Hearing Type II, III

For concurrent final site plan, building permit, Land Development permit review & plat reviews.

Palm Beach County, Florida
Zoning Division
August 2010

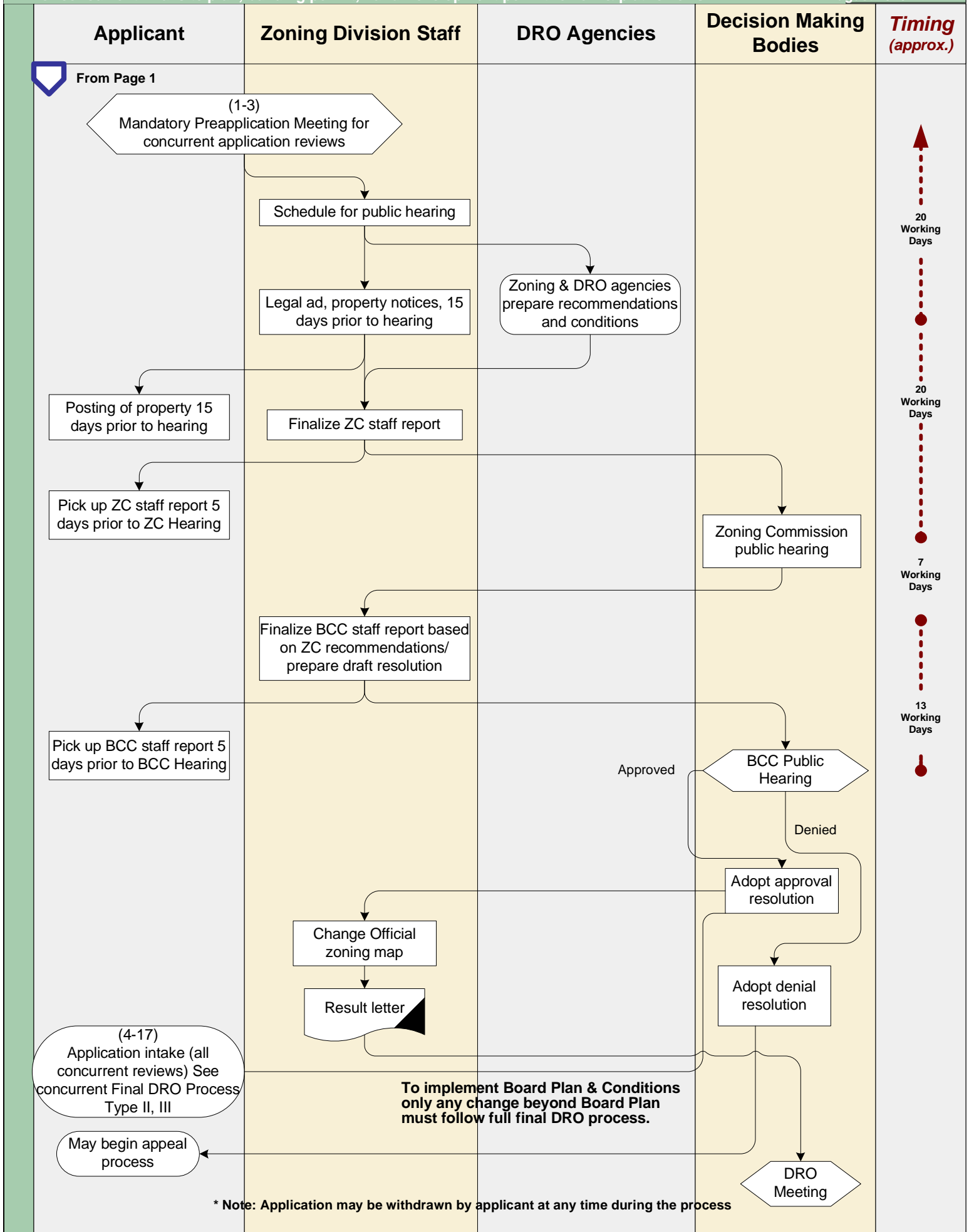


EXHIBIT "F"

FINAL DRO EXPEDITED AND REGULAR FILE COPY

CONTROL NO. _____ INTAKE DATE _____

APPLICATION NO. _____ PROJECT NAME _____

INITIAL DRO DATE _____ ZC/BCC APPROVAL DATE _____

Enter NA if not applicable

☐ Off* the Board DRO Expedited Submittal

Applicant is ONLY required to submit documentation necessary to implement the Board approval - i.e. justification statement, supplemental application, final site plan, final regulating plan or revised traffic study

- ☐ General Application *
- ☐ Supplemental Application
- ☐ Justification Statement
- ☐ Concurrence Certificate or Letter *
- ☐ School Concurrence Application, Certificate of Letter *
- ☐ Consent Form (original) *
- ☐ Warranty Deed *
- ☐ Correspondence, Pre-Application or Zoning Confirmation Letter
- ☐ Traffic Study/Statement *
- ☐ Drainage Statement *
- ☐ Dust Control Plan
- ☐ Conditions of Approval (Resolution(s))
- ☐ Settlement Agreements/DRI Conditions/Land Use Ordinance with conditions
- ☐ Survey or Plat *
- ☐ Legal Description *
- ☐ Plans
 - ☐ Final Master Plan
 - ☐ Final Subdivision Plan
 - ☐ Final Site Plan
 - ☐ Final Regulating Plan
 - ☐ Final Master Sign Plan
- ☐ Architectural Plans (Elevations, Floor, Roof)
 - ☐ Final Elevations - Review for Compliance with Article 5.C
 - ☐ Conceptual Elevations - Not for Review
- ☐ Visual Impact Analysis
- ☐ CD/Disc with all documents (TIF/PDF/DWF or WORD format)

* Off-the Board - NA if within 2 months of BCC/ZC approval and no change is required per Conditions of Approval.

FINAL DRO EXPEDITED AND REGULAR PROJECT MANAGER

CONTROL NO. _____ INTAKE DATE _____

APPLICATION NO. _____ PROJECT NAME _____

INITIAL DRO DATE _____ ZC/BCC APPROVAL DATE _____

Enter NA if not applicable☐ Plans☐ Final Master Plan☐ Final Subdivision Plan☐ Final Non-Residential Site Plan☐ Final Regulating Plan☐ Final Phasing Plan☐ Final Master Sign Plan☐ Conditions of Approval (Resolution(s))☐ Survey or Plat☐ Architectural Plans (Elevations, Floor, Roof)☐ Final Elevations - Review for Compliance with Article 5.C☐ Conceptual Elevations - Not for Review

FINAL DRO REGULAR INTAKE MATRIX

DOCUMENTS/PLANS	FILE	PM	TOTAL
General Application	1		1
Supplemental Application	1		1
Justification Statement	1		1
Concurrency Certificate or Letter	1		1
School Concurrency Application, Certificate of Letter	1		1
Consent Form	1		1
Warranty Deed	1		1
Correspondence, Pre-Application or Zoning Confirmation Letter	1		1
Traffic Study or Statement	1		1
Drainage Statement	1		1
Dust Control Plan	1		1
Conditions of Approval (Resolution(s))	1		1
Settlement Agreements/DRI Conditions/Land Use Ordinance with conditions	1		1
Survey or Plat	1	1	2
Legal Description	1		1
Plans (Final Master Plan, Final Subdivision Plan, Final Site Plan, Final Regulating Plan, Final Phasing Plan, Final Master Sign Plan)	1	1	2
Architectural Plans	1	1	2
Visual Impact Analysis	1		1
CD/Disc with all documents	1		1

OFF THE BOARD EXPEDITED INTAKE MATRIX

DOCUMENTS/PLANS	FILE	PM	TOTAL
General Application *	1		1
Supplemental Application	1		1
Justification Statement	1		1
Consent Form *	1		1
Warranty Deed *	1		1
Conditions of Approval (Resolution(s))	1	1	2
Survey or Plat *	1	1	2
Legal Description *	1		1
Plans (Final Master Plan, Final Subdivision Plan, Final Site Plan, Final Regulating Plan, Final Phasing Plan, Final Master Sign Plan)	1	1	2
Architectural Plans	1	1	2
Visual Impact Analysis	1	1	2
CD/Disc with all documents	1		1

* Not required if within 2 months of ZC/BCC approval and no changes to documents.

EXHIBIT "G"



**PALM BEACH COUNTY
PLANNING, ZONING AND BUILDING DEPARTMENT
ZONING DEPARTMENT
POLICY AND PROCEDURE**

JON P. MACGILLIS, ASLA, ZONING DIRECTOR

PPM # ZO-O-060

Issued: 02/10/17

SUBJECT: Preservation of Vegetation for Site Development

PURPOSE: To establish procedures for Staff to coordinate and address the Preservation of *Trees* requirement for site development

BACKGROUND: Pursuant to Art. 2.G.4.N.2, Decision Making Bodies; Art.7.A.1.A.4, Preservation, and Art 14.C, Vegetation Preservation and Protection, preservation of existing trees is a requirement for any site development application. The following steps will assist Zoning, Environmental Resources Management (ERM) Staff, and the Applicant, to coordinate and address the preservation of trees in the early stage of development review, and to work out design issues without impacting the timeline for certification or approval of the application. For the purpose of this PPM, the term ***Tree*** shall include native trees, specimen trees where applicable, palms or any other type of vegetation, not covered by ERM under Art. 14.C.

PROCEDURES: The following procedures have been established for the applicant and Staff to follow to ensure consistency in the application process and enforcement of code provisions that apply to preservation of vegetation. Zoning and ERM shall collaborate on the review of all applications that require preservation through: pre-submittal meetings, site visits, site design to maximize preservation when appropriate, conditions of approval and follow-up monitoring during land development and building permit stages of site development.

Application Submittal and Review

1. Pre-Application Meeting:

A Pre-Application meeting is required between the applicant and Zoning Staff to discuss the applicant's request and the applicable review procedures. The applicant shall identify all existing native vegetation on the site that will be incorporated into the final site design. Zoning Staff shall confirm by way of a site visit, and ERM Staff if the site supports native vegetation worthy of preservation, not included in Art.14, and inform the applicant of the necessary application requirements.

2. Initial Review of Application for Sufficiency:

a) The applicant shall submit a Zoning application with the required forms, all related documents to support the request, and all other documents as directed by Staff. The applicant shall confirm if a Tree survey is being submitted and establish finish grade of the site. Staff may request a Tree Disposition Chart to be added to the Tree Survey and other plans, as applicable, such as, Site and/or Subdivision Plan and/or Landscaping Plan and/or Alternative Landscape Plan(s) depending on how significant the preservation is.

- b) The applicant shall submit a Justification Statement describing the specific project, the proposed site development, and indicate any proposal for preservation of vegetation. Any preservation of vegetation must be shown on the Tree Disposition Chart and shall be added to the applicable Plan(s). (Refer to the Zoning Technical Manual (TM), Title 4, Landscaping, Chapter C, all sections, for the template and notes.)
 - c) If no Tree Survey is submitted, then during the review process the Zoning Project Manager (PM), Landscape Inspectors and ERM shall coordinate a site visit to determine if a Tree Survey and a Tree Disposition Chart is required and make this a certification issue.
3. **Site visit:**
A site visit must be completed prior to the completion of the first comments. The Zoning PM shall coordinate the site visit with the Landscape Inspector and ERM Staff to identify whether there are existing **Trees** (significant or not) on the site, and compare the current site situation with the submitted Plan. Two or more site visits may be warranted if there is a significant amount of **Trees**.
4. **Coordination with ERM/Landscape Inspector:**
After the site visit(s), the Zoning PM shall review site visit notes and the application documents in coordination with ERM, Landscape Inspector and PM's Immediate Supervisor to decide whether ERM or Zoning would require a Tree Disposition Chart to be added to the plans (such as Tree Survey, Site, Subdivision, Landscape and/or Alternative Landscape Plans) for the site. Also, at the monthly review of new applications both Section Supervisors for the CD and Landscape/Permitting shall attend to discuss vegetation or landscape issues with each new site.
5. **Contacting Applicant:**
Zoning PM shall contact the Applicant via email informing them that a Tree Disposition Chart is required along with the applicable plan(s) and shall be submitted consistent with the Zoning TM requirements. (Refer to TM, Title 4, Chapter C, Section 1 & 2)
6. **DRO Comments (Certification Issues):**
The Zoning PM shall review, coordinate and finalize all comments entered for the application with the other agencies (ERM and Landscaping) to ensure consistency in the requirements for the site.
7. **Mitigation:**
It is important to note that ERM does allow **Tree** mitigation, pursuant to ULDC, Article 14.C.7.B.5 using a combination of trees/palms and or shrubs to satisfy the mitigation requirement, and sometimes, ERM could require the Applicant to pay cash for the mitigation. Therefore, the Zoning PM must coordinate with ERM and Landscaping to agree and approve the Tree Disposition Chart prior to DRO certification or approval.
8. **Agreement on Tree Preservation:**
- a) Upon review of the Tree Survey; ERM, Zoning PM, and Landscape Inspector will coordinate to agree on the preservation requirements (which includes preservation, relocation, mitigation, replacement, etc.) of the trees and palms.
 - b) The Zoning PM shall set up a meeting with the Applicant to discuss the recommendations with regard to the site design and preservation. If the recommendations require a redesign of the site layout, Staff shall address all issues before certification of the application for public hearings or final approval by the DRO.
 - c) The Zoning PM, ERM and Landscape Inspector shall coordinate and draft the appropriate Conditions of Approval, discuss the conditions

with the Applicant, and finalized all conditions so that the Staff Report may be prepared. An agreement should be reached with the applicant before certification of the application.

- d) Those issues that are not acceptable to the Applicant, but are recommended by Staff must be discussed at the Hearings.
- e) All preservation of vegetation (*Trees*) will be entered as separate Condition(s) of Approval as part of the approved Development Order and be enforced through Monitoring section PZB. Staff may also place a "Hard Hold" or "Epzb Flag" in the ePZB system, as applicable.

Off The Board or Final Approval by the DRO

1. The Zoning PM, ERM and Landscape Inspector must monitor the Final Plans including the Tree Survey, Tree Disposition Chart, and all applicable plans required to be submitted at Final DRO, to ensure that the specific preserved /replaced /relocated /mitigated **Trees** are incorporated in the design of the Final Approved Plan(s).
2. The applicant shall submit a Vegetation Protection application (if applicable) to ERM prior to final approval of the site plan. If the applicant complies with all requirements the Vegetation permit will be issued by ERM.
3. The applicant shall submit a Vegetation Barricade Permit application to the Building Department prior to any land clearing activity/removal of vegetation, or Building Permit/construction. All **Trees** that are to be preserved must be properly barricaded and/or tagged and protected during all stages of site development.

Barricade Permits and Tagging

1. The vegetation barricades and tree tags must be installed prior to any land clearing or building activity/permits. (Refer to Technical Manual, Title 4, Chapter C, Section 2 - Tree Tagging and Section 3 - Tree Barricades).
2. All areas of native vegetation, all **Trees** designated for preservation and/or transplant/relocated (as identified by Zoning and ERM) shall be appropriately tagged or cordoned off, as identified on the Tree Survey, Disposition Chart, and all applicable plans (Site and/or Subdivision Plan(s), Landscape or Alternative Landscape Plan.)
3. Prior to any land clearing activity or building permit/construction activity the applicant shall submit a Vegetation Barricade Permit application to the Building Division. In addition to the standard permit application form the following supplementary items shall be submitted:
 - a. 3 (sets) copies of the approved plan(s) with the Disposition Chart, (such as, Tree Survey, and/or Site and/or Subdivision Plan(s), Landscape and/or Alternative Landscape Plan) indicating the locations of the proposed barricade(s) and tags; and
 - b. 3 (sets) copies of the description of the type of durable material that will serve as the barricade and tags (subject to approval by ERM) and/or the maintenance plan for those *Trees* slated for relocation.
4. The Vegetation Barricade Permit application shall be routed to the Zoning Division for review and approval by the Landscape Inspectors in coordination with ERM Staff.
5. Once the Vegetation Barricade Permit is issued and the barricades and tree tags have been installed, the applicant must schedule inspections with Zoning Landscape Inspectors prior to initiating any land development activities/clearing.
6. The Landscaping Inspector will assign the "Closed" status to the

condition(s) in ePZB database once the final inspection has attained a "Pass" status. The ePZB flag will also be removed.

7. Failure to comply with these requirements shall result in a Stop Work Order being placed on the site and potential fines.

Building and Land Development Review Process

1. Landscape Inspector shall closely monitor the site development stage. The Landscape Inspector will review and ensure as a site development comes in for building permits that the applicant has met all requirements and if any vegetation (*Trees*) or landscaping has been designated for preservation, this must be incorporated into the current site design.
2. CD and Landscape/Permitting Staff will update the Vegetation Monitoring Chart and review this chart on a monthly basis to maintain a resource of information of all sites that were determined to have vegetation or landscaping to be preserved.
3. The building permit shall be routed to Zoning Staff for review for compliance with any vegetation (*Trees*) or landscape preservation. The Landscape Inspector will monitor and coordinate when necessary with ERM for compliance.
4. A property owner or contractor who removes Vegetation (*Trees*) or Landscaping designated for preservation will be processed as a violation of the code and any associated permits will be placed on hold until such violations are corrected and satisfied. Staff may refer to PPM ZO-O-061, Processing Violations for Illegal Tree Removal, for the detailed procedures.

Zoning Director

Supersession History:

PPM#ZO-O-060, Issued: 10/13/2016

PPM#ZO-O-060, Revised: 2/10/2016

U:\Zoning\ADMIN\PPM's\DRAFTs\ZO-O-060 Preservation of Vegetation for Site Development\Final

EXHIBIT "H"

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

 Location _____
 Acres 0
**Costs due
 by purchaser**

Assessment Costs							
_____ Year	0	acres	X	\$1,600	=	\$0.00	
cost per day						\$0.00	
Prorated date of closing to end of year							TBD

LDRB Fee							
Review fee						\$2,500.00	\$2,500.00

Capacity Reservation Fee							
Building SF							
_____ Office SF							
_____ Warehouse SF							
_____ ERC'S							
Water	_____ ERC's	=	_____ gpd	X	\$3.80	\$0.00	
Sewer	_____ ERC's	=	_____ gpd	X	\$5.69	\$0.00	
Other							
Water			_____ gpd	X	\$3.80	\$0.00	
Sewer			_____ gpd	X	\$5.69	\$0.00	
Total Capacity Due (At start of building permit process)							\$0.00

Connection Charges							
_____ Meter Size (Refer to USP connection schedule)							
50% due at signing of water supply agreement							\$0.00
Temp water meter							\$2,800.00
Large temp water meter							
50% due at setting of permanent water meter							\$0.00

Permanent water meter							
_____ Meter (purchased through PBPOC)						+/- \$2,500.00	
Installation							TBD

Water Marking Fee				Costs associated with having the water/wastewater lines marked for construction			TBD
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Inspection fees				Costs associated with having POA Civil Engineer inspect construction and/or installations			TBD
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Monthly charges				Water Rates set per PBPOC POA budget process			+/- \$._./1,000 gallons
				Fire Line Monthly fee Based on size of fire line X Uniform Service Policy (USP) rate			
				Wastewater charge Based on number of connection plumbing units X (USP) rate			

USP = Uniform Service Policy

EXHIBIT "I"

<p align="center"> Palm Beach County, Florida Impact Fee Table - Unincorporated Palm Beach County Portion of Fee Calculated on Square Footage of Development Effective: June 15, 2014 @ 12:01 a.m. </p>
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Portion of Fee Calculated by Type of Residential Development	
Square footage of Non-Residential Development	
0 - 10,000	0.0000
10,001 - 20,000	0.0000
20,001 - 30,000	0.0000
30,001 - 40,000	0.0000
40,001 - 50,000	0.0000
50,001 - 60,000	0.0000
60,001 - 70,000	0.0000
70,001 - 80,000	0.0000
80,001 - 90,000	0.0000
90,001 - 100,000	0.0000
100,001 - 110,000	0.0000
110,001 - 120,000	0.0000
120,001 - 130,000	0.0000
130,001 - 140,000	0.0000
140,001 - 150,000	0.0000
150,001 - 160,000	0.0000
160,001 - 170,000	0.0000
170,001 - 180,000	0.0000
180,001 - 190,000	0.0000
190,001 - 200,000	0.0000
200,001 - 210,000	0.0000
210,001 - 220,000	0.0000
220,001 - 230,000	0.0000
230,001 - 240,000	0.0000
240,001 - 250,000	0.0000
250,001 - 260,000	0.0000
260,001 - 270,000	0.0000
270,001 - 280,000	0.0000
280,001 - 290,000	0.0000
290,001 - 300,000	0.0000
300,001 - 310,000	0.0000
310,001 - 320,000	0.0000
320,001 - 330,000	0.0000
330,001 - 340,000	0.0000
340,001 - 350,000	0.0000
350,001 - 360,000	0.0000
360,001 - 370,000	0.0000
370,001 - 380,000	0.0000
380,001 - 390,000	0.0000
390,001 - 400,000	0.0000
400,001 - 410,000	0.0000
410,001 - 420,000	0.0000
420,001 - 430,000	0.0000
430,001 - 440,000	0.0000
440,001 - 450,000	0.0000
450,001 - 460,000	0.0000
460,001 - 470,000	0.0000
470,001 - 480,000	0.0000
480,001 - 490,000	0.0000
490,001 - 500,000	0.0000
500,001 - 510,000	0.0000
510,001 - 520,000	0.0000
520,001 - 530,000	0.0000
530,001 - 540,000	0.0000
540,001 - 550,000	0.0000
550,001 - 560,000	0.0000
560,001 - 570,000	0.0000
570,001 - 580,000	0.0000
580,001 - 590,000	0.0000
590,001 - 600,000	0.0000
600,001 - 610,000	0.0000
610,001 - 620,000	0.0000
620,001 - 630,000	0.0000
630,001 - 640,000	0.0000
640,001 - 650,000	0.0000
650,001 - 660,000	0.0000
660,001 - 670,000	0.0000
670,001 - 680,000	0.0000
680,001 - 690,000	0.0000
690,001 - 700,000	0.0000
700,001 - 710,000	0.0000
710,001 - 720,000	0.0000
720,001 - 730,000	0.0000
730,001 - 740,000	0.0000
740,001 - 750,000	0.0000
750,001 - 760,000	0.0000
760,001 - 770,000	0.0000
770,001 - 780,000	0.0000
780,001 - 790,000	0.0000
790,001 - 800,000	0.0000
800,001 - 810,000	0.0000
810,001 - 820,000	0.0000
820,001 - 830,000	0.0000
830,001 - 840,000	0.0000
840,001 - 850,000	0.0000
850,001 - 860,000	0.0000
860,001 - 870,000	0.0000
870,001 - 880,000	0.0000
880,001 - 890,000	0.0000
890,001 - 900,000	0.0000
900,001 - 910,000	0.0000
910,001 - 920,000	0.0000
920,001 - 930,000	0.0000
930,001 - 940,000	0.0000
940,001 - 950,000	0.0000
950,001 - 960,000	0.0000
960,001 - 970,000	0.0000
970,001 - 980,000	0.0000
980,001 - 990,000	0.0000

<u>Residential Units</u>			
Single Family Detached (per unit)	0.00	128.15	128.15
Single Family Attached (2-4 units) (per unit)	0.00	128.15	128.15
Multi-Family (5 or More Units) (per unit)	0.00	69.99	69.99
Mobile Home (per unit)	0.00	69.99	69.99
Hotel/Motel (per room)	0.00	81.71	81.71
<u>n-Residential per 1,000 sq. ft.</u>			
<u>General Office</u>			
50,000 & Under	0.00	10.47	10.47
50,001 - 99,999	0.00	10.47	10.47
100,000 - 149,999	0.00	10.47	10.47
150,000 - 199,999	0.00	10.47	10.47
200,000 - 399,999	0.00	10.47	10.47
400,000 & Over	0.00	10.47	10.47
<u>Medical Buildings per 1,000 sq. ft.</u>			
Medical Office	0.00	10.47	10.47
Hospitals	0.00	10.47	10.47
Nursing Home	0.00	10.47	10.47
<u>Industrial Buildings per 1,000 sq. ft.</u>			
Warehouse	0.00	20.73	20.73
General Industrial	0.00	7.37	7.37
<u>n-Residential Uses</u>			
Church/Synagogue per 1,000 sq.ft.	0.00	57.34	57.34
Day Care Centers per 1,000 sq.ft.	0.00	57.34	57.34
Drive-In Bank per 1,000 sq.ft.	0.00	10.47	10.47
Funeral Home per 1,000 sq.ft.	0.00	57.34	57.34
Movie Theater per Seat	0.00	57.34	57.34
Racquet Club per Court	0.00	57.34	57.34
Veterinary Clinic per 1,000 sq.ft.	0.00	57.34	57.34
<u>tail per 1,000 sq. ft.</u>			
50,000 & Under	0.00	57.34	57.34
50,001 - 99,999	0.00	57.34	57.34
100,000 - 199,999	0.00	57.34	57.34
200,000 - 499,999	0.00	57.34	57.34
500,000 - 999,999	0.00	57.34	57.34
1,000,000 & Over	0.00	57.34	57.34
Service Station per fueling position	0.00	57.34	57.34

<p align="center"> Palm Beach County , Florida Fair Share Contribution For Road Improvements Fee Table Effective: June 15, 2014 @ 12:01 a.m. </p>
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Descriptions	Road Impact Fee
Residential Units, (per Unit)	
Single Family Detached (per unit)	\$7,280.56
Single Family Attached (per unit)	\$4,841.57
Accessory Apartment (Mother-in-Law Quarters) (per unit)	\$2,912.22
Grooms Quarters (per Unit)	\$3,203.45
Congregate Living Facility (per bed)	\$1,470.67
Mobile Home (per unit)	\$3,640.28
Non-Residential per 1,000 sq. ft	
<u>General Office</u>	
10,000 sq. ft. & Under	4,949.32
50,000 sq. ft.	3,418.22
100,000 sq. ft.	2,913.68
150,000 sq. ft.	2,653.76
200,000 sq. ft.	2,483.40
400,000 sq. ft.	2,118.64
500,000 sq. ft.	2,011.62
600,000 sq. ft.	1,928.62
700,000 sq. ft.	1,863.10
800,000 sq. ft. & Over	1,806.31
Medical Office	7,891.40
General Commercial Retail (per 1,000 sq. ft).	
10,000 sq. ft. & Under	14,106.87
50,000 sq. ft.	11,175.51
75,000 sq. ft.	10,384.25
100,000 sq. ft.	9,830.53
200,000 sq. ft.	8,546.42
300,000 sq. ft.	7,838.78
400,000 sq. ft.	7,359.37
500,000 sq. ft.	7,001.19
600,000 sq. ft.	6,717.65
800,000 sq. ft	6,287.15
Other Land Uses	
Car Wash, per Bay	20,142.88
Carpet Store, per 1,000 sq. ft.	861.53
Cemetery, per Acre	575.16
Church/Synagogue, per 1,000 sq. ft.	2,100.32
Convenience Store, per 1,000 sq. ft.	34,924.37
Day Care Center, per 1,000 sq. ft.	9,617.62
Drive - In Bank, per 1,000 sq. ft.	19,055.53
Fast Food w/Drive Thru, per 1,000 sq. ft.	30,702.27
Funeral Home, per 1,000 sq. ft.	2,232.71
Furniture Store, per 1,000 sq. ft.	963.46
Gas Station, per Fueling Position	10,226.76
General Industrial, per 1,000 sq. ft.	1,522.37
General Recreation, per 1,000 sq. ft.	2,079.81
High Turnover Sit Down Restaurant, per 1,000 sq. ft.	17,588.74
Hospital, per 1,000 sq.ft.	3,603.88
Hotel, per Room	1,948.28
Mini Warehouse, per 1,000 sq. ft.	546.04
Motel, per Room	2,210.91
Movie Theater, per Seat	414.99
New Car Sales, per 1,000 sq. ft.	6,877.46
Nursery, per Acre	1,698.80
Nursing Home, per Bed	517.65
Oil & Lube Shop, per Bay	4,853.71
Private Schools, per student	601.86
Public Golf Course, per Hole	8,673.57
Quality Restaurant, per 1,000 sq. ft.	12,224.55
Racquet Club, per Court	9,337.32
Rental Car Agency, per Acre	48,537.07
Stand-Alone Pharmacy with Drive Thru, per 1,000 sq. ft.	5,348.78
Tire Stores, per 1,000 sq.ft.	14,561.12
Used Car Sales, per Acre	39,800.39
Veterinary Clinic, per 1,000 sq. ft.	3,980.04
Warehouse, per 1,000 sq. ft.	777.56